

**BEACON FALLS BOARD OF SELECTMEN  
Public Hearing – Johnson Street Property Lines  
January 9, 2012**

**CALL TO ORDER**

First Selectman G. Smith called the Public Hearing to order at 7:00 P.M. with the Pledge to the Flag.

Present: First Selectman G. Smith, Selectman C. Bielik, Selectman D. D'Amico  
Also Present: Attorney F. Stannick, M. Puttock, M. Trepca and approximately 30 town residents

The clerk L. Classey read the call.

**C. Bielik motioned to accept the call. D. D'Amico 2<sup>nd</sup> the call. All voted aye.**

After the call, Attorney F. Stannick representing L. and R. Trepca, LLC, gave a presentation regarding property lines on Johnson Street and noted that this process was taking place in order for them to establish a street line and that they would be happy to answer any questions.

F. Stannick explained that L. and R. Trepca purchased two pieces of property last year; 113 and 119 South Main Street. Mr. Trepca asked Mr. Horbal to survey the property. Mr. Horbal had difficulty locating the easterly boundary of the two properties. He noted that they were able to locate the property line to the north and also explained that what they are asking for is less than what the existing property lines note. He explained that this property line will make the road wider thereby benefiting L. and R. Trepca as well as the Town of Beacon Falls; it will provide a snow shelf where one does not already exist. F. Stannick noted that pursuant to CT general statues 13a-39, they are asking that the BOS, following this Public Hearing adopt the street line they are proposing.

Marcus Puttock noted that based on all the research that they did, there is no evidence apart from the survey that the street line is right at the edge of the pavement which put the utilities in the street. F. Stannick noted that the proposal is not to take anyone's land

noting that the other property owners will not be asked to give up any land and it will benefit not only his client but also the town of Beacon Falls.

W. Carls, 17 Johnson Street, pointed out where his property is located on the blueprint. He asked for a definitive as to whether the property line would end up at his front door.

F. Stannick responded that they are not going to do anything to the easterly side of Johnson Street and that their application is simply to define the street line for the westerly side of Johnson Street where it borders 113 and 119.

W. Carls asked about relocating all the sewer systems and telephone poles on Johnson Street noting that the telephone poles and water main pipe are almost adjacent to the small curb on Johnson Street noting that since the trees were taken down, there is now street noise and it's an eyesore. W. Carls summarized that he does not want to give a nanometer of his property.

F. Stannick responded noting that they are not asking for any action to be taken on his property, it is an application to simply define the property line.

W. Carls asked how they would extend it noting that the property falls almost straight and he just doesn't understand how they would build.

M. Trepca, R. and L. Trepca LLC, responded by saying that once a street line is established he will follow all of planning and zonings requirements noting that what they are asking for does not affect anyone's property, they are just establishing a street line which will be 5' from the curb.

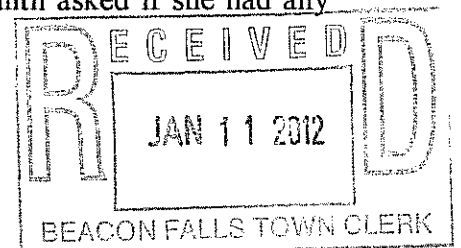
W. Carls noted that he still doesn't understand what value the steeply sloped hill and asked how they would extend the road.

M. Trepca noted that they are not touching the road they are just establishing a boundary line 5' from the curb.

G. Smith noted that Public Hearing is just to explain the property line. Any other business regarding the building, etc. will be addressed at later dates.

J. Gabriel, 29 Johnson Street explained that she lives right by the catch basin and asked what their plans for the catch basin is in the future noting that she has to constantly clean it out.

G. Smith noted that he hears her and understands her concern but this meeting is strictly for discussions about the lot line noting that they can discuss the catch basin at a later time but for this meeting, it's strictly about the lot line. G. Smith asked if she had any other questions pertaining to the lot line.



J. Gabriel noted that as long as they are not taking any of her property however she noted that there is a tag there.

G. Smith noted that it can be a reference for the surveyor noting that nothing is going to happen to the water mains, drains or property. G. Smith noted that in fact, some of the things that are currently the town's liability are going to become R. and L. Trepca's liability.

W. Carls surmised that as long as his street and lot will remain the same, then he is ok with this. M. Trepca said that they are not proposing to do anything with the property, just establish a property line.

W. Mariano, Railroad Ave., explained that prior to this meeting, he went to the town hall looking for a map of this proposal and the Town Clerk's office had no idea what he was talking about and he would like to know why.

G. Smith answered that the map was upstairs in the BOS office. W. Mariano explained that the Town Clerk's office didn't have any idea what he was talking about. G. Smith responded by saying that they should have.

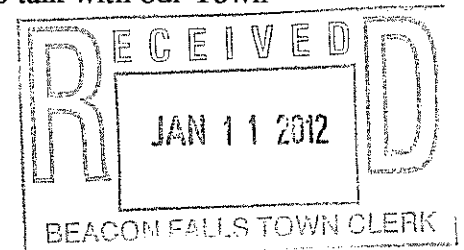
G. Smith asked that in the interest of the stretch that is going to go back, is there a way that we can quick claim the interest that the town has in that property over to Trepca LLC, so Trepca LLC will assume all liabilities and grant the town back maintenance; such as the possibilities of reserving slope rights from grading on that property. F. Stannick noted that they have not yet discussed this but are certainly willing to do so.

C. Bielik summarized the meeting by saying that the properties that are on either side of the two lines have defined boundaries that butt right up to the curb line of Johnson Street. On lots 113 and 119, the street line is not defined. C. Bielik noted that what they are asking for in relation to the lots on either side of lots 113 and 119 is less than what the other boundaries show explaining that M. Trepca is asking for less property than the curb meaning that he's asking for less than what his neighbors already have.

F. Stannick noted that C. Bielik's statements are true and that they would hope that this will be beneficial for the town by providing a snow shelf and taking the utilities out of the public right of way.

The discussion continued and it was noted that anything across the street is not being discussed at this meeting.

G. Smith noted that since the map was not available at the town hall and he would like some questions regarding liability answered regarding Johnson Street, he decided to recess this public hearing in order to make the map available in the Town Clerk's office for those who would like to see it. He would also like F. Stannick to talk with our Town Attorney regarding the liability and quick claim deed.



**C. Bielik motioned to recess this Public Hearing for two weeks (January 23<sup>rd</sup> at 7:00 P.M.) to make the detailed map available to the public for their review. D. D'Amico 2<sup>nd</sup> the motion. All voted aye.**

This Public Hearing will resume on January 23<sup>rd</sup> at 7:00 P.M.

**C. Bielik motioned to recess the Public Hearing at 7:29 P.M. D. D'Amico 2<sup>nd</sup> the motion. All voted aye.**

Respectfully Submitted,

Lauren Classey  
Clerk for the Board of Selectmen

