



**Town of Beacon Falls  
Inland Wetlands & Watercourses Commission  
Special Meeting Agenda**

April 16, 2019

Mr. Leonard Greene, Sr.  
Town Clerk, Town of Beacon Falls  
10 Maple Avenue  
Beacon Falls, CT 06403

Dear Mr. Greene,

The Town of Beacon Falls Inland Wetlands and Watercourse Commission will conduct a Special Meeting on Monday April 22, 2019 at 6:00 P.M. in the Assembly Room of the Town Hall, located at 10 Maple Avenue in Beacon Falls, Connecticut.

The following is the agenda:

1. Call to Order / Pledge of Allegiance
2. Show Cause Hearing involving the April 16, 2019 Cease and Desist Order regarding Pond Spring Village and possible action by the Commission concerning this matter
3. Since it is a Special Meeting, no 'other business' can be conducted
4. Adjournment

Respectfully submitted,

A handwritten signature in cursive script that reads "David J. Keating".

David Keating  
Wetlands Enforcement Officer

BEACON FALLS  
INLAND WETLANDS and WATERCOURSES COMMISSION  
TOWN HALL 10 MAPLE AVENUE  
BEACON FALLS, CONNECTICUT 06403

April 16, 2019

Certified Mail Return Receipt Requested  
And Regular U.S. Mail

Mark Kehrhahn  
74 Olympus Parkway  
Middletown, CT 06457

RE: CEASE AND DESIST ORDER Pond Spring Village in Beacon Falls, Connecticut

Mr. Kehrhahn,

The written monthly report that you submitted to the Inland Wetlands and Watercourses Commission for the April 10, 2019 meeting differed from the site observations made by the Commission members and me. I communicated last week with yourself and Jeff about the need to have the site controls reinstalled and to have the problems corrected prior to the Commission inspection on Saturday April 13<sup>th</sup>. The sediment and erosion controls and anti-tracking pads and storm water management at the Pond Spring Village project need to be properly installed and maintained throughout the construction process. When the Commission members and I inspected the site on April 13<sup>th</sup> we noted that the approved sediment and erosion control plan is not being followed and the erosion controls and anti-tracking pads have not been properly maintained and/or replaced at the construction site.

- The silt fence has been properly installed and maintained in some locations but in several active work areas, it has been disregarded, knocked down or have not been properly maintained. In some locations the silt fence was not buried into the ground, rather the bottom of the silt fence was laid on the ground and dirt was thrown onto the bottom portion. In other areas the silt fence was old and torn so that it was no longer able to filter the soil particles out of the storm water. This results in disturbed soil in the work area being washed downhill from the work area and then into the roadway and drainage system and into the wetlands and watercourses, which is in violation of the Wetlands Regulations.
- Hay bales had been placed on the ground in some areas instead of silt fence being properly installed. The hay bales were not dug into the soil, but instead were laid on top of the dirt. The hay bales were not staked in place as required for proper installation.
- The anti-tracking pad had not been re-installed in the center portion of the site. Instead equipment was apparently run into and out of the disturbed areas of the site and then the access / egress point was closed up with silt fence or stacks of hay bales which were not staked into the ground. Dirt and mud that had been tracked into the roadway was swept to an extent, but not completely.
- Dirt and mud had been dragged into the roadway, particularly in front of each building that is being constructed and from across the road where materials and supplies are being stored and accessed. This results in dust pollution and the dirt and mud material has been and will be washed into the drainage system and into the wetlands and

CEASE AND DESIST ORDER  
Pond Spring Village  
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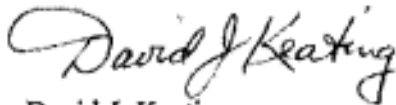
watercourses, which is in violation of the Wetlands Regulations. Some of the dirt in the roadway was not able to be carried into catch basins because the basins are above the current layer of asphalt. In such cases the dirt accumulated in the roadway and was not removed.

Based on these repeated and continuing violations of the Inland Wetlands and Watercourses Regulations, **I hereby ORDER that you CEASE AND DESIST the violations of the Regulations and that you stop all site work and/or movement of equipment, machinery and vehicles from the disturbed portions of the site onto paved roadway.** This order shall remain in effect until all of the sediment and erosion controls are reinstalled in accordance with the approved plan **and** they are inspected by me **and** I authorize site work to resume. The exceptions to this order will be only the necessary site work involving the reinstallation and re-establishment of the silt fences and anti-tracking pad in accordance with the approved plan and the careful removal of the old silt sacks in the catch basins (without spilling any of the captured material into the drainage system) and installation of new silt sacks.

In accordance with State Statutes and the Beacon Falls Inland Wetlands and Watercourses Regulations, **a Show Cause Hearing will be conducted by the Beacon Falls Inland Wetlands and Watercourses Commission at a Special Meeting that will commence at 6:00 PM on Monday April 22, 2019.** The meeting will be held in the Assembly Room of the Beacon Falls Town Hall, 10 Maple Avenue, Beacon Falls, Connecticut. **You and any of your representatives are to appear before the Commission** to respond to this order and to be heard and show cause why this order should be modified or should not remain in effect.

If you have any questions, please call me at (203) 841 9667. If I am not able to answer, please leave a message so I can return your call.

Sincerely,



David J. Keating  
Wetlands Enforcement Officer

Cc Inland Wetlands and Watercourses Commission  
James Galligan, P.E. Nafis and Young  
James Balwin, Building Official