

TOWN of BEACON FALLS
Connecticut



INLAND WETLANDS & WATERCOURSE COMMISSION

REVISED REGULAR MEETING MINUTES, SEPTEMBER 9, 2009

Chairman Stephen Knapik called the Regular Meeting of the Inland Wetlands and Watercourse Commission to order at 7:30 p.m.

Present: Chairman Stephen Knapik, Vice Chairman E. John Smith, Commissioners: Richard Minnick and David Chadderton.

Absent: Commissioner: Walter Opuszynski.

Also Present: New Member: Arlene Brumer, Wetlands Enforcement Officer David Keating, Jay Metcalf, Wyndham Homes, Rodney Vardon, Joe Rodrigo & Chris, Park & Rec. Ed Bea, Public Works and Brian Baker, Civil One.

Pledge of Allegiance -- recited

Comments from the Public

Members of the public were at the commission to address questions concerning the application of Steven Cote regarding the removal of trees from his property on Burton Road. Chairman Knapik stated when the matter is discussed; the public will be allowed to ask any questions.

Motion was made by Commissioner Minnick and seconded by Vice Chairman Smith to add under Old Business the Park and Recreation Commission's Permit.

Discussion: None Vote: 4 in favor Abstained: 0 Opposed: 0

Motion was made by Commissioner Minnick and seconded by Vice Chairman Smith to approve the July meeting minutes as submitted.

Discussion: None Vote: 4 in favor Abstained: 0 Opposed: 0

Motion was made by Commissioner Minnick and seconded by Vice Chairman Smith allow the Chairman to rearrange the agenda to accommodate the public.

Discussion: None Vote: 4 in favor Abstained: 0 Opposed: 0

Public Hearings & Considerations of Public Hearings

Application A-2009-281 71 Rice Lane - Rodney Verdon Jr.

Wetlands Enforcement Officer David Keating explained that the Public Hearing for this application was scheduled for August. The Public Hearing was not held as there was no quorum for the meeting and no business could be conducted. Mr. Vardon has withdrawn the pending application because of a number of revisions to be made to meet the regulations and the map and

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drawing of specifications. A letter dated September 9, 2009 by Mr. Vardon has been submitted to withdraw the application which was read by the Chairman Knapik. A copy of the letter is on file. A new application will be submitted. An application fee was submitted based on the number of lots involved in the subdivision (approximately \$1,200.00). When the application is resubmitted, a consideration should be to waiving a portion of the new application fee.

Motion was made by Commissioner Minnick and seconded by Chairman Knapik that at the time of resubmitting the application the Commission waive after evaluation the current fee that was submitted and if there is additional fees they be added on/if there is any because of plans changes and reductions in fees they be remitted to the applicant.

Discussion: Vice Chairman Smith stated basically crediting his previous fee towards the next application.

Vote: 3 in favor Abstained: 1 Opposed: 0

Discussion was held concerning JWWC application fees.

Commissioner Minnick noted that new member is not voting this evening because she has not been sworn in.

Application A-2004-248 Chatfield Farms Active Adult Dev. Phases 1 & 2

Chairman Knapik noted that monthly reports have been received from July and August. Jay Metcalf represented Wyndham Homes. Mr. Metcalf presented to the Commission an updated color coded site map. Mr. Metcalf noted that Jim Galligan, Town Engineer requested that partially building a detention pond with no outlet for run off from the staging area. Mr. Metcalf also presented pictures of the natural trail to the Commission.

Motion was made by Vice Chairman Smith and seconded by Commissioner Minnick to approve the construction of a temporary siltation pond in location of Phase 4 for run off of the stockpile.

Discussion: There will be no outlet structure and the capacity will be determined. Dave Keating, Wetlands Enforcement Officer noted the difference between a detention basin and a siltation basin. This structure will be a siltation basin (no outlet); in future it will be made into a permanent detention basin.

Vote: 4 in favor Abstained: 0 Opposed: 0

Commissioner Minnick noted that the Natural Trail was to come before the Commission before it was constructed. He inspected the site and is suggesting that the trail be approved within the next few months.

Vice Chairman Smith noted that John Fonato called Wyndham Homes stating there was sediment in his pond. ATV trails in Seymour were apparently causing the problem.

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Sewer Treatment Plant

Chairman Knapik noted that at the last meeting Commissioner Opuszynski had pictures of the Treatment Plant with water in the bottom of it. CL&P put in a new telephone pole and put it through the middle of the storm pipe.

Park and Recreation Commission Permit

Joe Rodrigo and Ed Bea were at the meeting. Mr. Rodrigo presented a letter to the Commission regarding the extension of the current maintenance agreement. A letter was also presented concerning the current activities which were done and the going activities to be done at Matthies Park. Chairman Knapik noted that anything to be done around the pond is to come before this Commission. Mr. Rodrigo asked who is to report to this Commission. Commissioner Minnick feels it should be the responsibility of the Parks and Recreation Commission to report to this Commission. Mr. Rodrigo noted that the electricity to the park is being upgraded. Discussion was held concerning the removal of the cattails near the boat ramp. Commissioner Minnick noted that no machine is to be put into the water.

The Commission agreed the work that has been done has been favorable. Any future activities have to come to this Commission.

Motion was made by Vice Chairman Smith and seconded by Commissioner Minnick to approve the extension of the five year maintenance agreement and future activities are to come back to the Commission.

Discussion: None Vote: 4 in favor Abstained: 0 Opposed: 0

Mr. Rodrigo forward information and explained the Oxygen Fusion System which would go into the base of the pond (aeration system). Mr. Rodrigo showed to the Commission a conceptual map concerning Matthies Park for changes to the parking lot, future trail system and pond water ways. He is seeking feedback from the Commission. Discussion was held concerning four acres of wetlands near the High School. A map (an inventory) will be done of Matthies Park and presented to the Commission.

Application A-2009-283 Alliance Circle – Lot 3

Brian Baker, Civil One forwarded a site plan for H.I. Stone and Son. The steep sloped area will be flattened; the regrading will take several years and will result in 150' + vertical rock face walls. Once that is accomplished a building will be constructed for storage of equipment and for offices. The area is 9.6 acres. The storm drainage will be directed toward a storm water renovation area. It will be constructed to be used as a temporary sediment trap during construction. There will be separate storm water pretreatment basins. There are no wetlands on the property and no regulated area. Jim Galligan, Town Engineer has received a copy of the plan for review. The storm water management would have to be reviewed by this Commission. Commissioner Minnick questioned the construction sequence. Detention 1 and 2 were to be upgraded. The detention basin closest to the brook was designed to handle this run off. Mr. Baker stated that basin has been upgraded to handle run off from the site itself and Lot 2 as well. Calculations for storm water have been submitted.

Motion was made by Vice Chairman Smith and seconded by Commissioner Minnick to receive the application for processing.

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Discussion: None Vote: 4 in favor Abstained: 0 Opposed: 0

Dave Keating, Wetlands Enforcement Officer stated that \$100.00 fee has been received. The Commission will discuss the application at the next meeting.

New Application

Application A-2009-284 S. Cote – Burton Road

Dave Keating, Wetlands Enforcement Officer noted that an application has been received from Steven Cote to cross the stream and do logging work. Pictures of the site have been submitted. Mr. Cote was not present to explain the request. He has in the past put in a temporary stream crossing.

Commissioner Minnick noted that Mr. Cote is in violation, a letter was to be sent. There was a letter dated August 19th concerning past problems. There is a letter dated August 21st concerning work in the upland area and bringing in fill for stabilization. Mr. Cote is currently requesting to cross the stream in one location to harvest 5 to 15 cords of woods for his use and friends. Chairman Knapik noted that he is at the fine line where the Commission previously asked him to stay away from. Commissioner Minnick feels that the crossing was done incorrectly, he violated what he was given permission to do previously, trees were marked and it was supposed to be for personal use (he sold those trees). There is question if there is a wetlands map on record. Dave Keating, Wetlands Officer stated there is a map on file for the previous application for a subdivision. The existing temporary crossing is not proper for forestry. Vice Chairman Smith explained Mr. Cote wants to cut some trees on the property on the uphill side for firewood. It was explained he had to come to the Commission with the proper crossing, he has to get State approved crossings.

No soil scientist report has been submitted and no forestry information has been received. Commissioner Minnick feels that the existing situation needs to be corrected. A letter was to be sent to the Blight Commission concerning the removal of the silt fence that is on the property. No application fee has been submitted. Dave Keating, Wetlands Enforcement Officer discussed the application fee and what would be appropriate for the fee. Discussion was held concerning previous logging projects done within the Town. Discussion was held as to the process Mr. Cote was to use to log the area.

Motion was made by Commissioner Minnick and seconded by Commissioner Knapik to receive the application for processing.

Discussion: None Vote: 4 in favor Abstained: 0 Opposed: 0

Motion was made by Commissioner Minnick and seconded by Commissioner Chadderton that the application be denied as there is not sufficient enough detail on the information received so a judgment can be made on the process as to what is going to be done, what the application entails, and also the application fee was not received.

Discussion: Vice Chairman Smith inquired as to what detail information is needed. Commissioner Minnick wants to know the extent of the wetland soil, how much material in logs is he going to remove. Has it been looked at by a Certified Forester? How the brook is

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going to be crossed - a detail is needed. Vice Chairman Smith stated that the application does have an explanation as to project. Discussion was held concerning how forestry is to be done. Vote on the motion to deny the application.

**Vote: 4 in favor Abstained: 0 Opposed: 0
The motion carried and thus the application was denied.**

Discussion was held concerning the application fee and the soil scientist.

Old Business

Application A2001-216 Pinesbridge Industrial Park
Chairman Knapik noted that reports were received from Nafis & Young.

Application A-2001-218 O&G Restoration – nothing to report

Application A-2003-236 Pond Springs Village/Pent Road/Lancaster Drive – nothing to report

Application A-2002-231 Blackberry Grove Estates – monthly report from B. Swan.

Application A-2003-242 Smith Farms Subdivision – nothing to report

Application A-2004-2004-244 Oakwood Estates – Phase 1
Dave Keating, Wetlands Enforcement Officer noted that the road and the drainage is complete.

**Application A-2004-246 Total Energy/Antar LLC – Industrial Park &
Application A-2005-262 Alliance Circle – Lot 3 – previously discussed**

Application A-2003-248 Chatfield Farms Active Adult Dev. Phases 1&2 – nothing discussed.

Application A-2004-249 Pinesbridge Industrial Park – Lancaster Drive – nothing discussed.

Application A-2005-255 Chatfield Farms – Phase 3, 4 & 5 – nothing discussed.

Application A-2007-273 Trout Unlimited – nothing discussed.

Application A-2007-275 Beacon Hill – Skokorat Road – nothing discussed.

Application A-2008-277 Depot Street Bridge – nothing discussed.

Application A-2008-278 Vaccaro/231 Blackberry Hill Road Lot B – nothing discussed.

Application A-2008-280 Setaro, D/E – Buckingham Drive – nothing discussed.

New Business

Budget

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Report of Accounts – received

Payment of Bills

David Keating, M. Kempa, Nafis & Young, Republican & American, CACIWC \$100.00 for two Commissions.

Motion was made by Commissioner Minnick and seconded by Vice Chairman Smith to approve the payment of the bills as submitted.

Discussion: None Vote: 4 in favor Abstained: 0 Opposed: 0

State of Connecticut Fees – letter received from State of Connecticut forwarded to Dave Keating. A letter was compiled in response by Commissioner Minnick.

Correspondence

A letter was received from the First Selectman regarding a Training Session.

The CACIWC Seminar is November 14th an all day training session specifically for Wetlands and Conservation Commissions.

Copy of the Connecticut Wildlife

The Concrete Times

Petitions from Commissioners

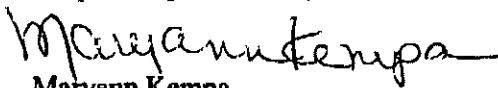
Dave Keating, Wetlands Enforcement Officer reviewed with the Commission information which is needed and what is to be done concerning the existing conditions on the Cote property. Also, what is to be done concerning the previous logging which was done and the existing temporary stream crossing.

Miscellaneous – none

Executive Session – none

Motion was made by Commissioner Minnick and seconded by Commissioner Chadderton to adjourn the meeting at 9:55 p.m.

Respectfully submitted,



Maryann Kempa
Clerk

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