

**Town of Beacon Falls
Inland Wetlands & Watercourse Commission
10 Maple Ave
Beacon Falls, CT 06403**



**REGULAR MEETING MINUTES & SHOW CAUSE HEARING
OCTOBER 10, 2012**

Chairman Edward Smith called the Regular Meeting to order at 7:30 p.m.

Present: Vice Chairman Stephen Knapik and Commissioners: Richard Minnick, Arlene Brumer, Michael Opuszynski and Walter Opuszynski

Present: David Keating, Wetlands Enforcement Officer, James Galligan, Town Engineer.

Also Present: Michael H. Horbal, Land Surveyor and Planner, 52 Main Street, Seymour, CT, Mr. Mario Trepca, Trepca, LLC, Atty. Steven Byrne, 790 Farmington Avenue, Farmington, CT, Darin Overton, P.E. Milone and MacBroom. 99 Realty Drive, Cheshire, CT, Elliott Fuller, 35 Chatfield Drive, Robert Spear, 14 Lakeview Rise, additional Chatfield Farms Residents and Maryann Kempa, Clerk.

Pledge of Allegiance – recited

Comments from the Public – None

Public Petitions – None

Motion was made by Vice Chairman Stephen Knapik and seconded by Commissioner Walter Opuszynski to allow the Chairman to rearrange the agenda to accommodate the public.

Discussion: None Vote: 6 in favor Abstained: 0 Opposed: 0

New Applications

L&R Trepca – 113 & 119 South Main Street

Chairman Edward Smith explained that the board received this application at last month's meeting. Michael Horbal, Registered Land Surveyor is in attendance at the meeting representing Mario Trepca. Mr. Horbal explained that the application and drawings were forwarded at last month's meeting. An overall view of the project was given and the board had some questions. Jim Galligan, Town Engineer has received the plans and has reviewed them. Revisions have been made. The drawings have been revised (5 sets have been provided). Every change that has been made has been marked on the drawings.

A letter dated September 14, 2012 from James Galligan, Town Engineer stating the following:

1. The detention system provide for storage of the increased runoff by the new impervious surfaces.

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2. It does not appear that the overflow piping from the proposed drywells to the existing drainage system has capacity to convey stormwater. Flow to each drywell should be analyzed and evaluated. Consideration to using perforated connector pipes to increase exfiltration should be given. The piping system should be designated to meet a 10 year storm. Conventional storm drainage piping should be used.
3. The retaining wall and the eastern wall of the proposed building are both above 4 feet in height. Design by a licensed professional engineer, registered in the State of Connecticut is required prior to the building permit issuance.
4. The area drain behind #119 should be changed to a drywell to increase storage.
5. A permanent drainage easement in favor of the Town of Beacon Falls for the existing drainage system.

Plan Sheet 1 -Mr. Horbal stated that a clean out was added for the sewer line of the new building and the existing building. The easement that the Town has over the storm sewer line from Johnson Street to South Main Street is 5 feet wide. The drainage line has been enlarged. Two 6 inch pipes (added an additional 6 inch pipe to where there was only one). A note #17 was added on the plans in reference to all retaining walls. Any retaining wall over 3 feet high has to be designed by a Connecticut professional engineer.

Plan Sheet 2 – Mr. Horbal stated the equalizer pipes for the storm drainage system that holds the extra runoff, the amount of pipes have been doubled from one 6 inch ductile iron to two 6 inch ductile iron pipes. The swale along the back of the building #113 it shows the extension of the pavement to the edge of building.

Plan Sheet 1 - Notes #'s 8, 9 and 12 were also revised on plan sheet 2. Note 12 deals with the retaining walls, all materials, means and methods used in the construction of this project shall conform to the appropriate section of the State of Connecticut Department of Transportation Standard Specifications for Road, Bridges and Incidental Construction Form 816 or latest edition.

Plan Sheet 3 – the detail sheet. Items #'s 1-4 have been added under maintenance. The owner is responsible for the maintenance of the stormwater system. The system has to be periodically inspected at least twice yearly and after every large storm. Any accumulated debris in the catch basins has to be cleaned out and any other such measures shall be implemented as necessary to comply with the intent of this plan. A detail was added regarding the 4x4 galley area. These notes reflect the requirement of two 6 inch pipes into the storm system. A specification was added for the cast iron cover of the clean outs of the sewer (outside of each building). The drainage computations were either revised or adjusted.

Chairman John Smith stated that the easement is tight (5 feet). Jim Galligan, Town Engineer stated that the easement should be 15 feet which will be a condition of approval. The potted plants have been removed for the architect's sketch.

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David Keating, Wetlands Enforcement Officer stated his concern regarding the length of time the site will be exposed to potential erosion given the steep slope. Mr. Trepca stated two months to build the retaining wall on #113. Mr. Horbal stated that erosion control measures will be put in place. Mr. Trepca has hired John Raiola, Professional Engineer, 379 Derby Avenue, West Haven, CT 06516 who has designed the retaining wall for the back of the building which are shown of the drawings.

Mr. Horbal stated the following concerning the construction sequence:

1. Install construction entrance and filter fencing at construction are perimeter where shown on plans.
2. Clear brush and vegetation as necessary.
3. Commence with grading site to sub base elevations, cut and fill accordingly.
4. Excavate and construct building foundation.
5. Commence with construction of storm drainage piping and drywells.
6. Install sanitary sewer, water main, gas service and electric service including any light pole bases.
7. Install emergency overflow.
8. Install bituminous parking areas; install concrete walk and ramp at building.
9. Loom and seed all disturbed areas; install plantings as shown on plan.
10. Remove accumulated sediment from drainage structures.

David Keating, Wetlands Enforcement Officer that it has to be done quickly so there will be no erosion problem. It is not a design thing. It is an implementation thing. Mr. Horbal stated he will impress upon the owner to put something in the contract regarding this matter.

Jim Galligan, Town Engineer stated he is satisfied with the changes that have been made. The drywell should be able to take any runoff. The timing for construction of the wall is an issue.

Commissioner Richard Minnick stated that the 15 foot easement should be included as a condition of approval. It is not taking or restricting any use of the property. It will not be a hardship for the owner/developer.

Mr. Horbal stated that on the south side of the existing building is where there is a loading dock and the dumpster. The loading dock is not a problem. But the dumpster pad will be on top of the wider easement.

Motion was made by Commissioner Richard Minnick and seconded by Vice Chairman Stephen Knapik to accept the application for process.

Discussion: None Vote: 6 in favor Abstained: 0 Opposed: 0

Commissioner Richard Minnick stated that since there are no wetlands or potential problems to wetlands or watercourses on site. If the site did not have stormwater management, it could have been approved by Administrative Enforcement Officer, David Keating according to the regulations. This board will be signing off on the proper soil and erosion control measures. Stormwater management approval is needed. The revisions have been made as requested by the Town Engineer. The dumpster pad can stay on the 15 foot easement as requested. The board determined that no public hearing is needed. The application fee and State fee are required. The erosion control bond will be \$5,000.00

Motion was made by Commissioner Minnick and seconded by Commissioner Michael Opuszynski to approve the application for stormwater management being that are no wetlands and they are in compliance with the BEST Management Practices of the State Stormwater Management Plans and Manual. A surety is to be issued for \$5,000.00 for soil and erosion control measures. The easement is to be extended to a 15 foot easement.

Discussion: None Vote: 6 in favor Abstained: 0 Opposed: 0

Town of Beacon Falls – Streetscape

Commissioner Richard Minnick stated that brush needs to be thinned along the road and applying of herbicide for removal of invasive species along the river embankment between the new walkway and the river. This is a maintenance activity. Not to clear cut. No stumps of any kind are to be removed. Some of the work will be done by volunteers and the town crew. It is a possibility that the project will go out to bid. A preconstruction meeting will be needed. There is the question of who will oversee the project.

SHOW CAUSE HEARING

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

Application A-2004-255 Chatfield Farms Active Adult Dev. Phases 3, 4&5

Commissioner Minnick stated that Application A-2004-255 should not be included.

Administrative Enforcement Officer David Keating stated the on October 2, 2012 an order to discontinue and correct the violations in accordance with the State Statutes to Goldstar Group the of the project by certified mail return receipt. The certificate mailing was received.

Darin Overton, P.E. attended the meeting representing the owner Goldstar Group. Mr. Overton stated that he has not seen the new notice. Mr. Overton stated that many of the 13 items have been addressed. Item 2 – regarding the outlet structure for the existing pond. This item will require permitting for the State DEEP and will not be resolved until the summer of 2013.

Item 8 – addressed - no hay bales in front of the drainage and filter fabric was still in place.

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Item 9 – stormwater manhole – requires reconstruction, still outstanding.

Item 11 – the area was stabilized with natural vegetation.

Item 12 & 13 – repair the washed out berm, detention basin 260 – was addressed previously. An additional rip rap overflow connecting into the rip rap outlet for a cross culvert at the road should be installed.

Mr. Overton stated he has forwarded a marked up copy of the plans concerning the proposed improvements to the owner of the property who has forwarded the plan to M&O Construction. Mr. Overton forwarded a copy of a contract for M&O construction. The contract is no signed. There is an excavator on site and silt fence. It is believed the contractor has mobilized to site and started work.

Chairman Edward Smith stated that one of the conditions that were asked for was a copy of a signed contract with a contractor to do the work. The board still does not have a copy of the signed contractor. Atty. Steven Byrne stated he received an email from Mike Hillman, Goldstar: for your reference we had a consultant who is on site and can be the contacted for any emergency situations. Darin Overton stated that there were two separate things: an agreement in place and a contractor on site to do the remediation work and an emergency contact for the project if there were ongoing problems. A contact person would be Randy (last name ?), the contractor that is out there now and will be available to respond to any emergency situation that may occur. Jim Galligan, Town Engineer stated that the board asked for: a signed contract and the work would be significantly complete. As of this point, there is no signed contract and the work has not been completed.

Motion was made by Commissioner Michael Opuszynski and seconded by Commissioner Arlene Brumer that the Commission moves forward with the process to call the bond.

Discussion: Vice Chairman Knapik stated we do not have a signed contract. No work has been started.

Vote: 6 in favor Abstained: 0 Opposed: 0

Transfer of Permits

Motion was made by Commissioner Richard Minnick and seconded by Commissioner Walter Opuszynski to transfer Application A-2004-248 Chatfield Farms Active Adult Dev. Phases 1&2 to the new owners: AM Alexandria, LLC with the existing expiration date.

Discussion: None Vote: 6 in favor Abstained: 0 Opposed: 0

Discussion was held concerning Application A-2005-255 Chatfield Farms – Phases 3, 4&5. Chairman Edward Smith stated that this matter will be researched and will remain on the agenda. Darin Overton forwarded to the board copies of the map. Chairman Richard Minnick stated that the gate # for Chatfield Farms has been received from Vince Morneau.

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Motion was made by Commissioner Richard Minnick and seconded by Vice Chairman Stephen Knapik to close the Show Cause Hearing.

Discussion: None Vote: 6 in favor Abstained: 0 Opposed: 0

Motion was made by Commissioner Richard Minnick and seconded by Commissioner Michael Opuszynski to proceed with the Cease and Desist in effect and to move forward in calling the bond.

Discussion: None Vote: 6 in favor Abstained: 0 Opposed: 0

Approval of Minutes

Regular Meeting - September

Motion was made by Vice Chairman Stephen Knapik and seconded by Commissioner Walter Opuszynski to approve the Regular Meeting Minutes as submitted.

Discussion: None Vote: 5 in favor Opposed: 0 Abstained: 1

Correspondence

Conservation Commission Minutes dated September 10, 2012
Letter from Atty. Byrne – Re: Agency Member Individual Liability
Letter from Connecticut Association of Conservation and Inland Wetlands Commissions, Inc.
Southwest Conservation District Newsletter – Fall 2012
Letter from Connecticut Department of Energy & Environmental Protection – Re: Carrington Pond Dam, #603
Report of Accounts

Public Hearings and Considerations of Public Hearings – none

Administrative Reports – Town Engineer & Wetlands Enforcement Officer

17 Oak Drive

A letter was received from Jim Galligan, Town Engineer dated October 4, 2012 stating: Pursuant to your directions, Nafis and Young Engineers, Inc. has reviewed and analyzed the storm drainage at Cedar Circle to determine the impact of connecting new catch basins to the existing system below Oak Drive. There are three (3) catch basins in the Cedar Circle drainage system that is proposed to be connected to said system. The grate on each basin has a capacity of approximately 1 cubic foot per second (cfs). The existing outlet below Oak Drive discharges into wetland/water that varies in width from 10 feet to 25 feet. Based on the observed grade we estimate that the normal hydraulic capacity of the wetland/watercourse to be in excess of 60 cfs. Therefore, an increase in flow of 3 cfs from 3 catch basins is negligible.

Watch Hill Drainage

Jim Galligan, Town Engineer stated that there is problem with the berm channel connected to the drainage swale as it breeches on occasion. A conceptual plan was developed to alleviate the problem. The existing pipe that discharges into the swale is 24". It has sufficient capacity to travel down to the pond. The line will be extended to an energy dissipater plunge pool, putting in drop catch basins (a catch basin where the pipe comes in high and goes out low). It changes the velocity of the pipe as it is coming in and then when it gets into the manhole it turns to vertical and loses its horizontal velocity and goes to the next pipe runs down and does it again and again. This is how the horizontal velocity. A copy of the plan is on file. This is a stormwater management issue.

Walkway

David Keating, Administrative Enforcement Officer stated that he authorized the spraying of the vegetation.

Toby's Pond

Commissioner Minnick stated that O&G has not been maintaining the flat area: they are not mowing the lawn. The brush/trees are acting as a dam. On the spillway where the big rip rap is, there are various trees and shrubs. They did cut the first time. The town and volunteers have mowed it. Herbicide has been sprayed. O&G has stated that they are going to remove any of the debris from the spillways that flows over and into the pond. The southern spillway is any where from six to eight to twelve inches higher in spots because of damming up because of the debris and the logs. An outside contractor is going to have to be hired to cut shrubs/brush and to remove the material in the southern spillway. There is too much to do by hand. The agreement is not being adhered to. The issue needs to be addressed with the Town. It has the potential of presenting a down stream hazard.

The bridge crossing that was washed down into 15+ft. gully, the piping is done and the headwall is built. It was done at extremely low flow season. It came out perfect. There is an area which needs rip rap and pull the prior bridge out. It has been graded and seeded. The boy scouts will be doing an Eagle Scout candidate project. A crew will start to clear the top of the berm (down to the little pine groves are, two separate areas) to establish primitive camping sites. Mr. Jurzynski bench will be put back into place. The boy scouts will have other projects to start. The two small crossings are left to do.

A copy of a letter dated October 8, 2012 from James Galligan, Town Engineer Re: Toby's Pond: Nafis & Young Engineers, Inc. performed a site inspection of Toby's Pond with the Pond Steward and members of the Southwest Conservation Service on Friday, October 5, 2012. The purpose of the inspection was to observe and evaluate the condition of the inlet and outlet spillways. We offer the following:

1. Both spillways have become overgrown with leafy and woody vegetation.
2. The Outlet spillway has become partially blocked with debris that is hung up on the woody vegetation.
3. Issues 1 & 2 have caused water flow in and out of the pond to be channeled. This is in conflict with the design intent.
4. It is our professional opinion that the spillways no longer operate as designed.

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5. The leafy and woody vegetation should be cut and removed from both spillways to maintain operation as designed.
6. Nafis & Young has reviewed the Gift Agreement between the Town of Beacon Falls and O&G Industries dated 7/12/04. Section 3.e.ci states that O&G Industries shall “maintain the structures establishing the Pond, to wit, the spillways.....”.

186 West Road

A site walk has been done. There is lack of maintenance on the driveway and runoff from the town’s road also. The runoff starts from the garage door and continues to the pond.

Application A-2003-236 Pond Springs Village/Pent Road/Lancaster Drive

Chairman Edward Smith stated he had a conversation with a representative of Pond Springs. He was told to clean up the brush.

Regulations

Chairman Richard Minnick stated that the regulations need to be updated again. Larry Secor, Nafis & Young can come to a meeting to explain what the State and Federal Government as to what is changing on stormwater management, which will be qualified as a class. David Keating suggested inviting other communities. Commissioner Minnick stated he can present it to the Council of Governments as they do have these outreach programs all the time.

Report of Accounts - the report of accounts was received and presented to the board.

New Business – none

Payment of Bills

Atty. Steven Byrne - \$2,133.95, Nafis & Young - \$561.88, David Keating/September - \$266.40 & \$8.60 and Maryann Kempa - \$224.00.

Motion was made by Vice Chairman Steven Knapik and seconded by Commissioner Michael Opuszynski to pay the bills as submitted.

Discussion: None Vote: 6 in favor Opposed: 0 Abstained: 0

State of Connecticut Fees – done

Miscellaneous – none

Petitions from Commissioners – none

Motion was made by Commissioner Walter Opuszynski and seconded by Commissioner Michael Opuszynski to adjourn the meeting at 9:10 p.m.

Respectfully submitted,



Maryann Kempa, Clerk

