

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



**REGULAR MEETING MINUTES
JANUARY 9, 2013**

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

Present: Chairman Edward Smith, Commissioners: Richard Minnick, Michael Opuszynski, David Keating and Wetlands Enforcement Officer.

Absent: Commissioners: Arlene Brumer, Walter Opuszynski, Town Engineer, James Galligan and Maryann Kempa, Clerk.

No public at the meeting.

Pledge of Allegiance – recited
Comments from the Public – None
Public Petitions – None

Correspondence

1. Chairman Edward Smith noted a letter dated 12/17/12 from Steve Posick regarding H.I. Stone. Mr. Posick states his concerns in this letter.
2. Chairman Edward Smith noted a letter dated January 2, 2013 from Atty. Steven Byrne regarding the Chatfield Farms – Calling of Bond stating: The minutes of the Commission's November 14, 2012 meeting indicate that the matter of calling the bond was tabled to the December 12, 2012 meeting where it will be considered in light of any additional progress made in addressing any remaining deficiencies, including the presentation of a signed contract for a contractor authorized to perform work at the Chatfield Farms site. While progress has been made in addressing the many deficiencies at the Chatfield Farms site, full compliance has not been achieved. All documents have been prepared that are needed to call the surety for this project. If and when this Commission finds that a good faith effort is no longer being made to achieve full compliance, the surety can be called. Branch Banking and Trust, the holder of the Irrevocable Letter of Credit has extended the expiration of the letter of credit to December 6, 2013. Thus, these sureties remain in effect. I will await the Commission's decision on whether to call the surety. If further counsel on this matter is needed, please let me know.
3. Conservation Commission Minutes dated December 3, 2012.
4. Letter dated October 26, 2012 from Roman S. Mrozinski, Executive Director, Southwest Conservation District regarding Toby's Pond.
5. Connecticut Wildlife Magazine
6. Connecticut Foundation for Lakes and Ponds – Commissioner Minnick will sign up for email version and forward to members with email.

New Applications

CT Rte. 42/14 Pines Bridge Road, Oxford, CT – Frank Phillips – drainage improvements

Chairman Edward Smith stated Commissioner Richard Minnick and Vice Chairman Knapik meet with Mr. Frank Phillips regarding stormwater improvements on Route 42.

A letter dated January 2, 2013 from David Keating, Wetlands Enforcement Officer to Mr. Frank Phillips regarding Proposed Drainage System Work on Route 42 in Oxford. The letter states: the proposed drainage system work to be performed by the Connecticut Department of Transportation within and adjacent to Route 42 and 14 Pines Bridge Road in Oxford has been reviewed by several members of the Beacon Falls Inland Wetlands and Watercourses Commission and by our Town Engineer. They have concluded that the proposed work will not require any permit from the BFIWWC and that the proposed work is very unlikely to have any negative impacts upon the existing watercourses and wetlands within Beacon Falls. Copies have been forwarded to: Jim Galligan, Town Engineer, Chairman Edward Smith and Andrew Ferrillo, Jr. Oxford Inland Wetlands Enforcement Officer.

Approval of Minutes

Regular Meeting – November

Motion was made by Commissioner Michael Opuszynski and seconded by Commissioner Richard Minnick to approve the Regular Meeting Minutes of December as submitted.

Discussion: None

Vote: 3 in favor

Opposed: 0

Abstained: 1

95 Cook Lane – Horse Manure Pollution Problem

David Keating, Wetlands Enforcement Officer stated that he has met with the property owner. They have worked out some work that will hopefully avoid the pollution problem. There is question if permits/approvals would be needed for the DEEP or the State Health Official. Hopefully, within the next month he will correct the problem even if on a temporary basis.

Commissioner Minnick stated that there is information on the Southwest Regional Conservation District's web site for free regarding guidelines for livestock.

Application A-2012-296 – Toby's Pond – Repair and Maintenance

Commissioner Richard Minnick stated that the major stream crossings are all completed. There is rip rap to be put in at the first crossing. The further crossing south needs some work on it. Basically, leaving stone that is there, cleaning some brush out and rip rap to be put in. It is in good shape. Beaver Control will be contacted.

Application A-2004-248 & 255 Chatfield Farms Phases 1 & 2 & 3, 4 & 5

Chairman Edward Smith noted he spoke to Jim Galligan, Town Engineer today. Brian Swan has completed everything that can be completed at this point without getting additional information from Darin Overton. The manhole was changed. It was lifted up. Darin Overton has to getting grades for Brian Swan.

Commissioner Richard Minnick stated that the end of the level spreader is higher than the entrance. In Sections 4 and 5 where there are mountains of earth where the gullies and trenches were, the drainage was directed down to the other ponds. The problems are the piles of earth.

Chairman Edward Smith stated that no further action concerning the calling the bond should be taken until next month.

Application A-2012-300/Application SW-2012-001 - Laurel Ledge School

Commissioner Richard Minnick stated that a letter from David Keating, Wetlands Enforcement Officer should be sent regarding approval of the plans regarding Wetlands. James Galligan, Town Engineer has reviewed the plans.

Motion was made by Commissioner Richard Minnick and seconded by Vice Chairman Knapik that after reviewing the stormwater management plan, it was found adequate, acceptable and is approved. Written monthly reports will be submitted to the board before each meeting. Before any work is to begin, staff must be notified. As built of the drainage (hard copy and electronic) is to be forwarded to the board.

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

Report of Accounts

Commissioner Richard Minnick stated that there are expenses on the report that are not for this board and will be corrected.

Payment of Bills

Byrne and Byrne - \$765.00, David Keating - \$253.00

Motion was made by Commissioner Michael Opuszynski and seconded by Vice Chairman Stephen Knapik to approve the payment of the bills.

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

State of Connecticut Fees – none

Miscellaneous – none

Report from Conservation Commission Liaison

Commissioner Michael Opuszynski stated that at the Conservation Commission meeting representatives from the Town of Bethany – Conservation Commission discussed procedures of their Commission. Every application that comes into their Town has to go through the Conservation Commission. Advice is given to the Planning and Zoning Commission and Wetlands Commission. There is an application that is going through Bethany which will abut the Beacon Falls line at the cul de sac. The Town of Bethany Wetlands Commission has denied their application.

Commissioner Richard Minnick stated that the ordinance can be changed to require that everybody that makes application to go before the Conservation Commission first. A Land Use Committee was set up as an advisory board for this purpose.

**Application A-2002-231 – Blackberry Grove Estates – Pond
Application A-2007-275 – Beacon Hill – Skokorat Road**

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Motion was made by Vice Chairman Stephen Knapik and seconded by Commissioner Minnick to remove the above matters from the agenda.

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

Petitions from Commissioners – none

Executive Session – none

Motion was made by Commissioner Michael Opuszynski and seconded by Vice Chairman Stephen Knapik to adjourn the meeting at 8:10 p.m.

Respectfully submitted,



Maryann Kempa, Clerk