

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



**REGULAR MEETING MINUTES
FEBRUARY 13, 2013
REVISED**

Chairman Edward Smith called the Regular Meeting to order at 7:38 p.m.

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

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

Also Present: Brian Swan.

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

**Approval of Minutes
Regular Meeting – January**

Motion was made by Vice Chairman Stephen Knapik and seconded by Commissioner Michael Opuszynski to approve the Regular Meeting Minutes of January with corrections.

Discussion: None Vote: 4 in favor Opposed: 0 Abstained: 1

Motion was made by Commissioner Richard Minnick and seconded by Commissioner Michael Opuszynski to allow the Chairman to rearrange the agenda to accommodate the public.

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

**Application A-2004-248 Chatfield Farms Active Adult Dev. – Phases 1 & 2
Application A-2005-255 Chatfield Farms Active Adult Dev. – Phases 3, 4 & 5**

Brian Swan came before the board concerning Chatfield Farms Active Adult Development. Brian Swan presented drawings concerning the level spreader outlet to the board. The detail represents a modification of a standard catch basin structure and 24” by 48” concrete gallery for the use in discharging storm water runoff. Commissioner Richard Minnick stated it is currently pitched wrong. Chairman Edward Smith stated the proposal is to pick the spreader and pipe up. Brian Swan explained the proposal is to move it down slope. The drawing needs to be approved by Nafis and Young.

Commissioner Richard Minnick stated he would like to discuss how soon this has to be done. It does not have to be done right of way because of the conditions – not just the snow. Physically what is being damaged out there is not from a wetlands or storm water prospective. Nothing is being damaged right now. Drainage is going into the swale. The pipe could pop again, if there is a heavy flow again. There is a little less pressure on it now because it has been opened up. Vice Chairman Stephen Knapik stated his concern is putting material in. There is a six foot fill. Most level spreaders are on virgin ground; it has to be 99% compacted. The engineering firms need to get together and figure out what is going on. If it is moved, the water that is there now is what is bleeding out as it is not draining. What will be done there? Fill it with dirt material and have it breach and bleed out sooner or later. Should it be filled with stone and connect it to the new one.

David Keating, Wetlands Enforcement Officer stated this is not just a field modification that the developer would like. It is a little bit more than a field modification that the Town Engineer would have to approve. Should the Commission approve the concept of this drawing subject to their Engineer viewing the final design and our Engineer approving it; or should the final engineered drawings come before the Commission. Vice Chairman Stephen Knapik stated he would want to see the final engineered drawings.

Commissioner Richard Minnick stated it is a major thing that has to be done. This Commission and Planning and Zoning need to make a recommendation concerning the mountains of dirt. How the excess material should be removed from the site is a concern. Every time it rains Brian Swan has to be there immediately. There is question if Planning and Zoning has a cease and desist concerning the hauling any more material out of the site. Commissioner Walter Opuszynski suggested drafting a letter to Planning and Zoning. How do you get the material off the mountain? Who owns the pile and who is going to remove the material? It cannot be hauled through Seymour. Information has to be obtained before the letter can be written. Chairman Edward Smith stated that removing the material is a different hat. Commissioner Richard Minnick stated it is not our hat. Chairman Edward Smith stated our concern is why it is there and the potential hazard to the wetlands. This Commission would like to see it removed. Chairman Edward Smith stated there has to be a market for the product, then it has to be trucked and there has to be a place to store it. Vice Chairman Knapik stated then the roads used to remove the material would have to be repaved. The documents we have stated that Gold Star owns the property, Cherry Hill has a lien on it and the Association does not want the material taken off because it will destroy their property and are looking for some compensation. Chairman Edward Smith stated that the charge of this board is only to worry about how to keep the material out of the wetlands. The letter will be written by staff and then forwarded to Atty. Byrne for review. Commissioner Walter Opuszynski raised the question of the bonds on file and if the bond be increased.

L&R Trepca – 113 & 119 South Main Street

Chairman Edward Smith stated that the applicant will be coming back to the Commission with some revisions on the original design. David Keating, Wetlands Enforcement Officer stated it is a question if they are changing the design or changing the method of construction. The building official in an email to the project engineer was referring to some changes. Dave Keating send an email stated that if the design is changed, you need to come back to the Commission. The change was how they were going to shore up the embankment during the process, rather than the final design of what would be built. The project is currently on hold because of the snow.

Commissioner Michael Opuszynski asked if it will change the sequence. The biggest concern is that the embankment be done in a quick manner and as not to be exposed to erosion.

Application A-2012-299 Town of Beacon Falls – Streetscape

Commissioner Walter Opuszynski asked if the streetscape is complete. Commissioner Richard Minnick stated that the streetscape is not complete.

Application A-2003-235 Pond Springs Village/Pen Rd. /Lancaster Dr.

Commissioner Walter Opuszynski asked if anything is going on at Pond Springs Village. Chairman Edward Smith stated building is going on. David Keating, Wetlands Enforcement Officer stated they did get a building permit to build on one of the existing foundations. No new excavation work was needed. Chairman Edward Smith stated that there are two or three slabs there.

95 Cook Lane – Horse Manure

David Keating, Wetlands Enforcement Officer stated he has sent several letters to Richard Wisneski, Jr. asking to get the matter corrected. As of this date, no corrective action has been taken. Vice Chairman Stephen Knapik stated Mr. Wisneski made a ditch where it used to run down to the brook. He was told he cannot have a ditch; you have a berm for it. Commissioner Richard Minnick stated that Southwest Conservation District has the manual, a book, a publication which he can be directed to. It is on the website.

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

A letter dated January 2, 2013 was sent to Mr. Phillips.

Golden Rod & Beacon Hill

David Keating, Wetlands Enforcement Officer stated that confirmation that the sediment and erosion performance bonds have been released is needed. The bonds were released years ago. The bank was looking for verification that the bonds were released.

Motion was made by Chairman Edward Smith and seconded by Commissioner Stephen Knapik that a letter be sent out confirming the release of the bonds for Golden Rod and Beacon Hill, Skokorat Road.

Discussion: None

Vote: 5 in favor

Opposed: 0

Abstained: 0

Correspondence – none

Budget

Report of Accounts

Commissioner Richard Minnick stated that there were expenses for Conservation Commission that had to be removed from Inland Wetlands Budget. Commissioner Richard Minnick gave a report of accounts.

Storm Water Management Report

Commissioner Richard Minnick explained that a report is required each year or periodically to be provided to the State. Larry Secor, Nafis & Young has put the report together and has been presented to the Board of Selectmen. It is on the Town's website and has to go to the State. It has been done. Commissioner Richard Minnick is trying to get a copy of the report.

Ordinance Concerning Citation Procedures

Commissioner Richard Minnick stated that a letter was received from First Selectman, Gerard Smith from Atty. Michael McVerry concerning the proposed ordinance. Any reference to "minor" should be deleted. The amount was \$60 is now \$120. The ordinance is needed in order to impose fines.

Motion was made by Vice Chairman Knapik made a motion seconded by Commissioner Richard Minnick to delete any reference to "minor" infraction.

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

Greenway

Commissioner Richard Minnick stated that there is funding available for projects in the greenway from the State and Federal Government. A study was done and there have been hearings. It is on the website to see what designed and what was presented as the potential for Beacon Falls. Part of the problem is we are right next to the railroad track. A good part of the Greenway Trail in Beacon Falls is either on the DOT or DEEP property.

New Applications – none

Payment of Bills

David Keating - \$266.40, Nafis & Young - \$1,268.75, \$779.38, Atty. Byrne - \$210.00.

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

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

State of Connecticut Fees – none

Miscellaneous – none

Report from Conservation Commission Liaison

Commissioner Michael Opuszynski discussion was held concerning every application that comes in to go to the Conservation Commission has been put on hold. The Commission is currently working on some projects.

Petitions from Commissioners – none

Executive Session – none

Motion was made by Commissioner Walter Opuszynski and seconded by Commissioner Michael Opuszynski to adjourn the meeting at 8:45 p.m.

Respectfully submitted,

Maryann Kempa

Maryann Kempa, Clerk