

**Beacon Falls Inland Wetlands & Watercourses  
Commission  
10 Maple Avenue  
Beacon Falls, CT 06403**



**BEACON FALLS  
INLAND WETLANDS & WATERCOURSES  
Monthly Meeting  
February 11, 2015  
MINUTES  
(Subject to Revision)**

**1. Call to Order / Pledge of Allegiance**

Chairman John Smith ordered the meeting to order at 7:51 P.M.

Members Present: John Smith, Stephen Knapik, Bill Giglio, Arlene Brumer, Jamie Lillis, Walter Opuszynski, and Michael Opuszynski

Others Present: Dave Keating; Jim Galligan; Mike Saleme from Oakwood Estates; Mark from Pond Spring Village; and Robert Rich from A Space Center Self Storage

J. Smith indicated that he will entertain a motion to rearrange the agenda for tonight's meeting to accommodate the public.

Motion to rearrange tonight's agenda to accommodate the public: Knapik/M. Opuszynski; no discussion; all ayes.

**2. Old Business**

J. Smith asked R. Rich if we were waiting to hear about the flood plane information under FEMA requirements. A letter from John A. Fanotto, Jr. was given to the Commission and J. Smith read it to the members. The report indicated that there have been no changes in the base flood elevation. It is out of the 100-year flood plain. J. Galligan noted that he stopped by Mr. Fanotto's office and reviewed the map. He indicated that there is no change in the line, in the area, or in the elevation so there is no flood plane impact.

J. Smith quickly reviewed the application with the Commission and noted that a public hearing is not needed. There are going to be three slabs added, already has been graded and in a fenced-in area. The three buildings were already included in the original plans.

Motion to not have a public hearing regarding the application for A Space Center Self Storage: **Knapik/Brumer**; *no discussion*; all ayes.

Motion to approve the new application for three additional buildings for A Space Center Self Storage by Robert Rich with the typical conditions of all applications required: **W. Opuszynski/M. Opuszynski**; *no discussion*; all ayes.

The application number assigned to A Space Center Self Storage was A-2015-308.

Mike Salemme, a representative for J & L Enterprise LLC on Timber Ridge Lane, Phase 2, off Oakwood, was present at tonight's meeting. J. Galligan informed the Commission that he and D. Keating had a meeting with them informing them of the cease & desist order until the erosion control issues were straightened out. Planning & Zoning also issued a cease & desist order. Activities have halted and then it snowed. M. Salemme indicated that the erosion control was there but it cannot be seen due to the snow. D. Keating noted that once the snow melts, they will have to make sure that the erosion control is still in place. They are in the process of resolving the bond issue with Planning & Zoning. J. Smith informed M. Salemme that he or someone has to be here to give a report to the Commission or submit a report for the monthly meeting. If a report is not received each and every month, then a cease & desist order will be issued. D. Keating indicated that he could fax it to him but it has to be in his office prior to Wednesday morning.

D. Keating clarified that the cease & desist order was issued by P & Z. He had issued a cease & correct order. They had three days to correct and if they did not correct, then a cease & desist would have been issued.

A. Brumer and W. Opuszynski stepped off the Commission at this time

Mark Kehrhahn from Pond Springs Village Development was present at tonight's meeting. He gave an updated report to the Commission. They installed 260 feet of hay on both sides of Pond Spring. They are currently constructing two duplexes. They improved the anti-tracking pads at three locations as per D. Keating's request. They installed filter material in the catch basins that were missing and the others were cleaned. J. Smith asked if they were going outside the area where they are currently constructing the duplexes. M. Kehrhahn indicated early spring, no road changes until they complete the house on Pond View. November Lane will not be started until the spring of 2016.

S. Knapik indicated he went up there the Sunday after the meeting and that the anti-tracking were not in very far, only about 10' to 15'. The hay bales were lined out on the uphill side of the perimeter. His concern is the middle is full of film and no silt fencing or hay bales seen around. M. Kehrhahn indicated that they spoke to D. Keating regarding this. They are waiting for the ground to soften to install the silt fencing, which is already on-site.

On October Lane, hay was put down on the opposite side of the construction. J. Smith asked if there were any concerns or questions. He reminded that the monthly report must be given every month otherwise a cease & desist order will be issued.

A. Brumer and W. Opuszynski is back on the Commission at this time.

### **3. Comments from the Public**

There were no members of the public at tonight's meeting.

#### **A. Public Petitions**

There were no Public Petitions at tonight's meeting.

### **4. Business Meeting**

#### **a. New Applications**

There were no new applications presented at tonight's meeting.

#### **b. Approval of Minutes**

##### **1. Regular Meeting Minutes from January 14, 2015**

Motion to approve the minutes from the January 14, 2015 meeting: **M. Opuszynski/Knapik**; *no discussion*; all ayes with 1 abstention – Walter Opuszynski was not at the last meeting.

#### **c. Correspondence**

1. The CACIWAC newsletter was distributed to the Commission.
2. A letter from M. Opuszynski that was sent regarding the Land Use and Open Spaces.

#### **d. Public Hearings & Considerations of Public Hearings**

J. Smith indicated that they have Chatfield Farms. He indicated that if you approve it or disapprove it, you must have a list of reasons why you disapproved it and list the condition why you approve it.

J. Smith mentioned that W. Opuszynski had noted the SM-4 requirements. The bond will now cover Phases 1, 2, 3, 4, and 5. We need to confirm that the bond will go back up to \$75,000. J. Smith asked for any other outstanding issues. W. Opuszynski made note of the emergency access road, which is more of P & Z's issue. J. Smith noted that the access road is in the small location and Bethany will have to take care of the road. B. Giglio asked how far from the property line and S. Knapik indicated that it is probably 600' to 700'. J. Galligan mentioned that the chairman of the homeowner association is unaware of the conditions of approval that Planning & Zoning had issues. They are required to maintain the access road to the pavement. This is a P & Z issue that they will address.

D. Keating asked if he should draft a letter to include the typical conditions, including the comments and bond information. This will be ready for next month's meeting and action will be taken at next month's meeting. J. Smith mentioned that if anyone thinks of something that should be added to please let him know.

#### **e. Old Business**

There was a question on the application for Pines Bridge Industrial Park if they have gotten back to us. J. Galligan sat down with the applicant's engineer and informed him that they need to reapply since it has expired. He will put them on notice right away and that was the last that J. Galligan has heard. S. Knapik mentioned that a letter should be sent regarding the expiration of the permit. J. Smith asked D. Keating to send a letter that the application is expired and to inform the Commission when they are going to stabilize the site.

D. Keating indicated that there is no progress being made, no evidence of sediment erosion control. There was some hay put on top of winter rye seed. Nothing has been done within the past month other than they took corrective action after the meeting. In regards to 93 South Main Street, he did some corrective action but it wasn't great. S. Knapik would like an engineer, not ours, to state that the integrity of the bank was disturbed. He wants to know that the bank will stay there. D. Keating indicated that this is being handled by the Zoning department. Brian Herb issued a cease & desist order. He was very upset that was asked to lift the cease & desist order by Planning & Zoning.

Motion to issue a cease & desist order for the property located at 93 South Main Street which is based on the storm water management and to have a report from a licensed professional engineer stating that the embankment is stable, there is no erosion, and the wall is stable: Knapik/M. Opuszynski; discussion was by M. Opuszynski asked if the integrity is not there, can we ask or force him to return to restoration. S. Knapik indicated that it has been done before; all ayes.

A show-cause hearing will be held on Wednesday, March 11, 2015 at the next monthly meeting.

J. Smith indicated that S. Knapik and he walked the wall at 113-119 South Main Street. There are issues with that wall and would like to entertain a motion for this location just like the one for the other property.

Motion to issue a cease & desist order for the property located at 113-119 South Main Street which is based on the storm water management and to have a report from a licensed professional engineer stating that the embankment is stable, there is no erosion, and the wall is stable: **Knapik/M. Opuszynski**; *no discussion*; all ayes.

## **f. Administrative Report**

### **1. Report of Accounts**

The Board reviewed the Report of Accounts.

### **2. Payment of Bills**

**a. Invoice from the Clerk for the January 14, 2015 monthly meeting for a total of \$76.25**

**b. Jim Galligan/Nafis & Young's invoice for a total of \$253.75**

**c. Dave Keating's invoice for a total of \$271.20**

Motion to pay the invoices that were submitted at tonight's meeting for a grand total of \$961.80: **M. Opuszynski/Knapik**; *no discussion*; all ayes.

### **3. State of Connecticut Fees**

D. Keating indicated that it was one month behind and will catch up.

## **e. Petitions from Commissioners**

W. Opuszynski made note of Beacon Heights with the Selectmen wanting monitoring wells installed in the town's right of ways of some street. D. Keating received the email and indicated that they will need to get a permit from Wetland if they are near the wetlands.

### **1. Conservation Commission Report from Michael Opuszynski**

M. Opuszynski did not have anything to report since he was not at the last Conservation Commission meeting.

## 2. Executive Session to Discuss Pending Litigation (if required)

There was no Executive Session at tonight's meeting.

## 5. Adjournment

With no further business to discuss at tonight's meeting, J. Smith asked for a motion to adjourn.

Motion to adjourn meeting at 8:58 P.M.: **Knapik/Opuszynski**; *no discussion*; all ayes.

Respectfully submitted,

Marla Scirpo  
Clerk, Inland Wetlands & Watercourses Commission

DRAFT