

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



**BEACON FALLS INLAND WETLANDS & WATERCOURSES**  
**Monthly Meeting**  
**September 9, 2015**  
**MINUTES**  
**(Subject to Revision)**

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

Chairman John Smith called the meeting to order at 7:30 P.M.

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

Not Present: Dave Keating and Jamie Lillis

Others Present: Jim Galligan; Matt Gilchrist and Chris Olivera of EG Homes; and Mark Tice of Hillside Estates.

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**

**1. Mark Tice, Hillside Estates, 186 West Road**

Mark Tice indicated that they are all paved, somewhat stabilized – landscaped but not stabilized – everything is sprayed with hydroseed and waiting for rain. He knows that they need to go into the sediment pond and clean it out as there is still sediment going in there. Lot 2 will be landscaped and the pond will be done as the same time. M. Opuszynski asked if he did the hydroseed around the pond area and M. Tice indicated yes, that he did about 14,000 square feet. M. Tice indicated that he will be starting the house on the lot with the pond first.

W. Opuszynski asked if the detention basin base grade to print. M. Tice indicated that it is too deep but it is what the print called for. The surveyors staked it out. W. Opuszynski noted his concern about the elevation of the pipe and the elevation of the base. J. Galligan mentioned adding stone check-in in front of the outlet it may help. W. Opuszynski noted his concern is during construction.

## **2. Chatfield Farms Active Adult Dev. Phases 1, 2, 3, 4, and 5 – Matt Gilchrist and Chris Olivera**

Matt Gilchrist submitted an update report on the development. M. Gilchrist indicated that DEEP permit work has begun. The structure installed and the dam has been built up. They are waiting for answers on the spill way questions regarding the saving of two trees. The final grading and slope stabilization is in progress. The systems are in good shape and functioning as designed. There is seed and mulch down. There is a gravel path across the top of the pond. Malone & MacBroom need to indicate if they are comfortable with the grade of the banks since they are a little steeper than what was shown on the plans. Malone & MacBroom need to do the as-built and the final inspection. M. Gilchrist indicated that Malone & MacBroom directed EG Homes not to remediate at this point in regards to the sediment noted in the downstream area. They want to take a look and see how much silt is in there.

M. Gilchrist indicated that the permit called for a 5 foot drawdown and they pushed up a soil berm instead of a different coffer dam. If they left the pond too high, the hydro-static pressure would have forced water into the sub soil. They kept 2 feet of the 5foot drawdown in the pond. They also excavated the hole and put in 18" of rock below the structure, then installed the structure and backfilled. M. Gilchrist indicated that it has come up 3" since it is spring-fed.

M. Gilchrist indicated that they informed the homeowners' association before doing the work. They had said a few months ago that they would be doing it at the end of August. They also informed this Commission of the start period. They did not tell them, or this Commission, the exact start day. J. Smith indicated that they did not inform J. Galligan of the exact start day and they should have. J. Galligan noted that he was informed on Wednesday, August 30<sup>th</sup>, at noontime. J. Smith indicated that J. Galligan should have been informed at least 2 days prior to the start day. M. Gilchrist mentioned that their engineer indicated that DEEP is the inspecting authority on this and they knew of the start day. The dam predates the entire community and no work was ever done on the pond by Windham Homes as part of the community. The detention basin next to it was the only one that had work done. J. Smith mentioned that the work done by the previous owner was around the pond and on top of the dam. This was before EG Home but was done.

J. Smith indicated that he walked the site yesterday and asked for the steps of dewatering the pond. M. Gilchrist indicated that some homeowners put a ring around the cone that was there. The first step was taking the ring off and 6" of water came right off the pond. It created a lot of disturbance but nothing else could be done to avoid it. J. Smith asked if there was a written plan on how to lowering the pond. M. Gilchrist noted that the plan was to build up the berm and slowly let it out. It did not go as slowly as they wanted.

J. Galligan presented a Notice of Inspection to the Commission and to M. Gilchrist in regards to notice of soil and erosion inspection. The notice offered the following: 1) neither IWWC nor the staff were given applicants advanced notice by EG Homes of the schedule to replace the pond outlet – the applicant specifically stated in his local permit process that said notice would be given; 2) confirm that the drawdown performed to facilitate outlet structure installation was no greater than 5'; 3) the applicant shall provide written statement from the Engineer of Record that the stump grindings placed on both dam faces is the proper ground cover for this dam; 4) a large amount of sediment is deposited in the downstream channel as a result of repaid drawdown of the pond – manually remove sediment from the inland wetlands below dam; 5) provide calculations and certification that the emergency spillway modifications meet the overflow requirements of the CT DEEP permit and that it is sized correctly; 6) stabilize all disturbed areas of the access road; 7) the access ports in the level spreader behind the new units across from the sewage life station are buried – excavate and provide access to the chamber pots; 8) install silt sacks in the catch basins in Chatfield Drive and Dogwood Lane adjacent to and downgrade from the current housing construction; 9) install silt fencing around the large topsoil stockpiles in Phase 3-4 construction area; and 10) to date, there is no stump-grinding stockpile available for soil erosion control use – provide stump grinding stockpile or import hay bales.

J. Smith indicated that when M. Gilchrist gets the answers from his engineer to please get a copy to J. Galligan right away. Before any work is done on the dam, M. Gilchrist needs to inform D. Keating or J. Galligan several days in advance. The silt is to be removed. M. Gilchrist asked J. Galligan to accompany him in the inspection to see what exactly needs to be done.

Bob Spears, a resident at Chatfield Farms, noted that the downward side of the dam has a silt fence that has rocks and heavy sand. He feels as if the silt fencing needs to be clean out. He is concerned about the environmental damage to the lake. The fish may not have food until the algae grows back.

### **3. Pond Spring Village**

A. Brumer, M. Opuszynski, and W. Opuszynski are off the Board during the discussion of Pond Spring Village.

S. Knapik noted his concern that there is no silt fence in one corner of the property. J. Smith received a report dated 09/09/2015 indicated that erosion controls measures are installed. J. Smith noted that they were 9 months ago and are falling apart. The report also indicated that the erosion controls are functioning properly and J. Smith noted that they are not. The report indicated that erosion controls repairs are required and the owner has been informed of those repairs. D. Keating gave his recommendations with a completion date of 09/19/2015. J. Smith noted that nothing has changed in the past two to three weeks. D. Keating will need to go back and inspect the property. J. Galligan indicated that there is never anyone there to find. He will contact the property owner and/or management to have all the recommendations completed.

A. Brumer, M. Opuszynski, and W. Opuszynski are back on the Board.

#### **4. Oakwood Estates**

W. Opuszynski asked if a report was received from Oakwood Estates and J. Smith read the report indicated that the project has remained idle due to the water problem.

### **3. Show Cause Hearings & Considerations of Public Hearings**

#### **1. Show Cause Hearing**

##### **a. Cease & Desist Order Regarding 93 South Main Street – Mario Trepca**

J. Galligan indicated that he went to the site to talk with M. Trepca to discuss what needs to be done. His phone died and doesn't have a number to call M. Trepca to schedule a time to meet. The slope is stabilized however there is a small piece of a pre-existing wall upon the wall that M. Trepca built that actually holds part of Johnson Street up. J. Galligan wants M. Trepca to put the material back from the top of the wall back up against the back of that wall to stabilize.

J. Smith read the report submitted by M. Trepca to the Commission. He indicated that the wall has been completed according to the drawings and approved by the Building & Zoning Inspector. J. Smith noted that the engineer needs to sign off on the wall and a compaction test needs to be submitted as well.

#### **2. Show Cause Hearing**

##### **a. Cease & Desist Order Regarding 113-119 South Main Street – Mario Trepca**

### **4. Comments from the Public**

J. Smith indicated that there are no comments from the public since there is no one at tonight's meeting.

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

There were no Public Petitions at tonight's meeting.

### **5. Business Meeting**

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

There were no new applications presented at tonight's meeting. Mike Pratt was supposed to attend tonight's meeting but did not show. S. Knapik noted that he will have to talk with the Commission so M. Pratt is aware of what was promised by D. Bousquet.

## **b. Approval of Minutes**

J. Smith noted a correction to the minutes from August 2015 that needs to be made. The engineer needs to sign off on the wall for M. Trepca's property at 93 South Main Street and sign off on the compaction test, and then submit the signed paperwork to the Commission.

Motion to accept the minutes as submitted and with the correction as stated above for tonight's meeting: Knapik/Giglio; no discussion; five ayes and one abstention from M. Opuszynski since he was not at the meeting in August 2015.

## **c. Correspondence**

The CACIWAC newsletter was received. A notification was received indicating that the energy company will be filing an application to the state citing counsel. There was a thank you card from the Opuszynski Family for the basket that was sent to them.

## **d. Old Business**

### **1. Jenny Lane Two Oxford**

J. Galligan indicated that he has a meeting with the Oxford Zoning next Tuesday. J. Smith will be discussing this topic at the Board of Selectmen meeting on October 5, 2015. J. Smith mentioned that J. Galligan and he discussed that the bank needs to be stabilized, the silt that washed into Matthies Park needs to be removed, and if the town is not happy with the results, then we have an out. J. Galligan indicated that Oxford is saying that the parcel is a mess and they are deferring to Beacon Falls for any specific requirements.

J. Smith indicated that J. Galligan should and could contact Atty. Steve Byrne to get that correct language to use of how we should state what we want done with the situation.

## **e. Budget**

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

The Board reviewed the Report of Accounts.

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

**a. Invoice from Dave Keating for \$323.60**

**b. Invoices from the Commission's clerk for a total of \$80.00**

Motion to pay the invoice from D. Keating and from the Commission's clerk as submitted at tonight's meeting for a total of \$403.60: M. Opuszynski/Brumer; no discussion; all ayes.

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

D. Keating was not present at tonight's meeting to update the commission on the fees for the state.

W. Opuszynski asked if we know that the town is submitting the checks to the State of CT for the fees. J. Smith indicated that he will check with the Finance Dept.

### **f. Miscellaneous**

B. Giglio indicated that he spoke with J. Lillis and asked if he was resigning from the Commission. J. Lillis indicated that he wasn't resigning and was surprised that he was asked that. B. Giglio indicated that he will call him again because he thought he was going to be here tonight, but J. Lillis did not show.

### **g. Petitions from Commissioners**

#### **1. Conversation Commission report from Michael Opuszynski**

M. Opuszynski indicated that the meeting will be next Monday due to Labor Day.

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

There was no Executive Session at tonight's meeting.

## **6. Adjournment**

A. Brumer noted that she will not be able to attend the October meeting.

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

Motion to adjourn meeting at 8:49 P.M.: M. Opuszynski/W. Opuszynski; no discussion; all ayes.

Respectfully submitted,

Marla Scirpo  
Clerk, Inland Wetlands & Watercourses Commission