

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



BEACON FALLS INLAND WETLANDS & WATERCOURSES
Monthly Meeting
November 18, 2015
MINUTES
(Subject to Revision)

1. Call to Order / Pledge of Allegiance

Chairman John Smith called the meeting to order at 7:31 P.M.

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

Others Present: 2 members of the public

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/W. Opuszynski; no discussion; all ayes.**

2. Comments from the Public

Joseph Brunnock, 101 South Main Street, and Mary Brunnock, 99 South Main Street, were present at tonight's meeting to discuss the problem of flooding on their property. J. Brunnock indicated that their basement gets flooded after rainstorms with the storm drains covered in leaves. They have incurred over \$5,000 in damages. M. Brunnock mentioned that this problem has been happening for 15-20 years. They have spoken to Public Works and nothing has been done. After several questions by the Commission members, J. Smith indicated that they are at the wrong meeting and should attend the next Board of Selectmen meeting. J. Smith spoke to Jim Galligan regarding this issue earlier tonight and J. Galligan indicated that it may be a maintenance issue. D. Keating suggested that the Brunnock's take pictures to bring to the meeting to show the issue to the Selectmen and J. Smith indicated that he will inform the Selectmen and the Road Foreman of the issue.

J. Smith asked three times if there were any further comments by the public and there were none at this time.

A. Public Petitions

There were no Public Petitions at tonight's meeting.

3. New Applications

a. Selective Timber Harvest of the Blakeman and Fanotto properties which are south of South Main Street and east Route 8, south and east of Exit 23, Route 8 northbound

Rod Burgess, state certified forester and employed by Scotland Hardwoods, was present at tonight's meeting to discuss two properties in Beacon Falls where selective timber harvest will be done in the fall or early winter of 2015.

The Fanotto property has a total acreage of 47 and the harvest would include 10 acres of that property. The staging area would be held at the end of Frontage Road. R. Burgess shown the Commission pictures as to where the staging area will be. The logging crew will be 1 to 3 people and the equipment includes a skidder, which is a specific type of tractor that pulls the timber/logs. Approximately 168 trees have been marked with orange paint about four feet above the ground and at the base of each stump. R. Burgess noted that any portion of the tops of the trees harvested not removed from the property will be reduced to within five feet of the ground level. The plan is to use portable bridges in combination with wood poles and/or a brush mat and the water will still flow under any and all portable bridges.

The Blakeman property has a total acreage of 65 and the harvest would include 25 acres of that property. Approximately 238 trees have been marked with blue paint about four feet above the ground and at the base of each stump. The timber harvest will be done on the Beacon Falls part of the Blakeman property and not on the Seymour part of the property. The plan is to also use portable bridges in combination with wood poles and/or a brush mat.

R. Burgess indicated that the replanting will be done naturally; let nature take its course. The wood will be taken the mill in Scotland, CT, and milled in state. R. Burgess discussed the process of leaving the stumps and that there will be no chipping. It was also noted that harvesting of timber is a permitted use.

After a discussion by the Commission, it was determined that there will be no permit issued and no bond issued since it is a permitted use. J. Smith indicated that he would entertain a motion.

Motion to determine that the proposed logging operation is allowed by right and it is a permitted use, does not require a formal application from the Commission, and appears to be in order as long the work is done in accordance to the plans and control measure are in place. A monthly report is to be submitted, either written or verbally, to the Inland Wetlands and Watercourse Commission for the monthly meeting as well as a final report submitted once the job is complete:
M. Opuszynski/Knapik; no discussion; all ayes.

4. Approval of Minutes

Motion to accept the correction to the September 2015 meeting minutes as well as the October 2015 meeting minutes as submitted: Knapik/Giglio; no discussion; five ayes and one abstention from M. Opuszynski since they were not at the meeting in October 2015.

5. Correspondence

There was no correspondence submitted for tonight's meeting.

6. Show Cause Hearings & Considerations of Public Hearings

1. Show Cause Hearing

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

D. Keating indicated that there is an email and photographs from the property owner's engineer indicating that he will not certify anything in writing pertaining to the retaining wall during installation since he did not do inspections during that time. According to the engineer, it would be reasonable to feel comfortable since it is a simple design and the photographs show that it was installed correctly. There was no compaction test submitted by the property owner's engineer. M. Trepca was present when the Commission indicated that a compaction test must be submitted to this Commission. According to the project engineer, he was not hired to do a compaction test and it was not specified to be done. J. Smith indicated that Jim Galligan's recommendation is to leave the cease & correct in place until Mario Trepca appears before the Commission with an explanation.

Motion to leave the cease & correct in place on the property at 93 South Main Street until the information that the Commission has requested for the past several months by the property owner to be submitted has been received in full: Knapik/M. Opuszynski; no discussion; all ayes.

2. Show Cause Hearing

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

J. Smith indicated that Charlie Edwards dumped dirt over the guardrail. When asked about spreading and grading the dirt, C. Edwards indicated that he was not hired to spread the dirt, only to dump the dirt. D. Keating noted that some of the corrective actions were started. M. Opuszynski asked if it is currently stable and J. Smith mentioned that there are some weeds that have grown and basically the same as it was a month ago. W. Opuszynski asked for a written report from Jim Galligan as to what has been done and what has not been done on this property. This will remain on the agenda for the next meeting.

7. Applications – Old Business

Application A-2003-236 Pond Spring Village / Pent Road/ Lancaster Drive: A. Brumer, M. Opuszynski, and W. Opuszynski are off the board during the discussion.

S. Knapik indicated that the silt fencing has not been replaced, there are no anti-tracking pads in place, and dirt everywhere. D. Keating indicated that he spoke with M. Kehrhahn and noted that a cease & desist may be issued by the Commission at tonight's meeting. M. Kehrhahn noted that the contractor in charge blamed the cement delivery vehicle and will be reinstalling the silt fencing and anti-tracking pads.

D. Keating will be issuing a Notice of Violation to Pond Spring Village and then a Cease & Desist order could be put in place 10 days prior to the next scheduled meeting. A. Brumer, M. Opuszynski, and W. Opuszynski are back on the board.

Application SW2015-011 Noe Place Reconstruction: J. Galligan wanted to note that all the pipes are in place on Noe Place. It is ready for grinding and reclaiming, and then repave.

Application A-2001-218 O&G Restoration – Toby's Pond: J. Smith will take with Rick Minnick to see if there is anything else to be done at this property.

Application A-2009-283 Alliance Circle – Lot 3: There is no permit at this location since it is expired.

Application A-2014-304 – 186 West Road – Mark Tice / SW-2014-006: J. Smith received a report from Mark Tice regarding the project at 186 West Road. M. Tice has put down the winter rye down as well as hydro-seeding the properties.

Application A-2015-307 – Tiverton 2 – C. Edwards Company, Charlie Edwards / SW-2015-007: J. Smith indicated that the map has not been filed as of yet and application for Planning & Zoning may be expired. There is no activity at the site.

Application A-2015-308 – Jenny Lane Two: J. Smith indicated that waiting to hear from the Board of Selectmen on this item.

8. Old Business

There was no old business discussed. Please see notes above for open application updates.

9. New Business

There was no new business discussed.

10. Budget

1. Report of Accounts

The Board did not receive the Report of Accounts.

2. Payment of Bills

a. Invoice from Dave Keating for \$361.40

b. There was no invoice submitted by the Commission's clerk since she was not present at the last meeting.

Motion to pay the invoice from D. Keating as submitted for tonight's meeting for a total of \$361.40: M. Opuszynski/Brumer; no discussion; all ayes.

3. State of Connecticut Fees

D. Keating indicated that he has not heard anything more about the state fees.

11. Miscellaneous

W. Opuszynski indicated that he was interested in becoming a member of the Land Use and Open Spaces Committee. It is listed on the town website that S. Knapik is the alternate for the Inland Wetlands and Watercourses Commission.

Motion to have S. Knapik step down from the Land Use and Open Spaces Committee and appoint W. Opuszynski to the Committee: M. Opuszynski/Smith; no discussion; all ayes.

12. Petitions from Commissioners

1. Conservation Commission report from Michael Opuszynski

M. Opuszynski indicated that there has been a lot of activity. The Facebook page is live and they are running several campaigns regarding recycling. They are trying to plan one activity per season. Cleanup at Lantern Ridge is scheduled. They are challenging the other Commission to the Cardboard Regatta.

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

There was no Executive Session at tonight's meeting.

13. Adjournment

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

Motion to adjourn meeting at 9:01 P.M.: **Knapik/Brumer**; *no discussion*; all ayes.

Respectfully submitted,

Marla Scirpo
Clerk, Inland Wetlands & Watercourses Commission

DRAFT