

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



**BEACON FALLS INLAND WETLANDS & WATERCOURSES COMMISSION**  
**Monthly Meeting**  
**February 10, 2016**  
**MINUTES**  
**(Subject to Revision)**

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

Chairman John Smith called the meeting to order at 7:33P.M.

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

Not Present: Arlene Brumer

Others Present: Dave Keating, Jim Galligan, and Mark Kehrhahn from Pond Springs Village

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. Comments from the Public**

Mark Kehrhahn from Pond Springs Village was present at tonight's meeting. It was noted that W. Opuszynski and M. Opuszynski are off the Commission at this time. M. Kehrhahn indicated that he received a letter from Jim Galligan and a letter from Dave Keating regarding violations. He noted that he did not received the letter from J. Galligan until Jeff was back from vacation. He will supply his email address so this does not happen in the future. M. Kehrhahn met with D. Keating and went over the site. Remedies to the silt fencing were made. M. Kehrhahn noted that they used  $\frac{3}{4}$  stone in error on the tracking pad and this has been improved with the proper size according to D. Keating's information. The catch basins were cleaned and the ones that had tears were replaced.

M. Kehrhahn also noted that the silt fence in front of the new unit, 27-29, had been taken down when the back-fill was done. He did not realize that it had to be put back up and did so after receiving the information from D. Keating. The site contractor must meet with M. Kehrhahn twice a week in order to avoid any future problems. The roads have been shoveled and swept. M. Kehrhahn indicated that he will try to make at least 4 meetings per year and will do the reports.

J. Smith asked if D. Keating and J. Galligan are happy with the work that has been done. D. Keating mentioned that work took longer than it should have to get it started and completed. It will need constant maintenance. The snow has taken its toll on some of the silt fencing and the tracking pad will need to be maintained constantly as well. D. Keating indicated that he did not issue a cease & desist order and reminded that the site will need constant and persistent work. J. Galligan echoed D. Keating in regards to the work taking longer than it should have.

J. Smith noted that the repairs should be done immediately and not at M. Kehrhahn's convenience. Fines will be implemented if there is no response to a citation issued. J. Smith asked if any of the members had any comments and/or questions, and there were none.

It was noted that W. Opuszynski and M. Opuszynski were back on the Commission at this time.

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**

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

### **4. Approval of Minutes**

Motion to accept the minutes from the November 2015 meeting as submitted: Knapik/Lillis;no discussion; all ayes.

### **5. Correspondence**

There was no correspondence received 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**

## **2. Show Cause Hearing**

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

D. Keating and some of the Commission members noticed that there are curtains in the windows of the building located at 93 South Main Street. D. Keating indicated that he spoke with the Building Official and J. Tucciarone indicated that there were no Certificate of Occupancy issued. J. Smith noted that if any members of the public will be going in and out, then the Fire Marshall would need to inspect the property. J. Smith asked to check with J. Tucciarone to verify the Certificate of Occupancy not being issued.

It was noted that the cease & desist orders for both properties on South Main Street owned by Mario Trepca are still in effect.

J. Smith indicated that the Commission has the ability to cite for violations under the town ordinance established in June 2013. The Commission, as well as J. Galligan and D. Keating, were asked to review the ordinance establishing citation procedures and fines for violations of the Inland Wetlands and Watercourses regulations of the town of Beacon Falls. Copies were distributed to the Commission. J. Smith noted that we will need some legal advice prior to issuing the first fine.

W. Opuszynski suggested having a sub-committee compile any questions by the Commission and then meet with the town attorney. M. Opuszynski and W. Opuszynski volunteered for the sub-committee.

## **7. Applications – Old Business**

The monthly reports were received from Rod Burgess in regards to the logging project on the properties owned by The Fanotto's and by the Blakeman's; from Garrett Griffin in regards to Timber Ridge Road project; and from EG Homes in regards to the Chatfield Farms projects. A monthly report was not received by Mark Tice regarding Hillside Estates on West Road.

## **8. Old Business**

W. Opuszynski asked on the status of Jenny Lane Two. J. Galligan noted that there's been no activity from the town of Oxford. He is constant contact with the town engineer for Oxford.

W. Opuszynski asked on the status of the Burton Road reconstruction project is going. J. Galligan noted that the project is shut down for the winter. It will start up again in the spring.

S. Knapik asked on the status of the property previously owned by Charlie Piwonski. J. Smith indicated that he spoke to the new owner, Charlie Edwards. C. Edwards indicated that he is making a horse pack and grabbing a little gravel here and there. J. Smith informed C. Edwards that erosion controls needs to be in place on the back side where he is has pushed a mound of gravel over the second plateau.

J. Smith noted that he drove by the property earlier tonight and the erosion controls are not in place. J. Smith asked D. Keating to contact C. Edwards in regards to the lack of erosion controls and issue a cease & correct if needed.

J. Smith asked if there is an update on 27 Railroad Avenue. D. Keating indicated that there has been no response to his letters. He stopped by the property and spoke to a member of the family. He left his card and cell phone, and received no response from Mr. Drury. D. Keating indicated that he received a copy of a letter that was sent by DEEP. That letter indicated that all town regulations regarding blight must be conformed to by home owners.

D. Keating noted that he has not sent a cease & desist order via certified mail as of yet since a show cause hearing must be scheduled within 10 days of issuing the order. After a brief discussion, it was decided that a show cause hearing will be scheduled for the next monthly meeting and D. Keating will send the cease & desist order via certified mail. J. Smith asked to have D. Keating include the information on fines included in the letter.

## **9. New Business**

After a brief discussion on the A Space Center Self Storage, J. Smith asked for a letter to be sent to the new owner of the storage center.

## **10. Budget**

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

The Board reviewed the Report of Accounts.

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

- a. Invoice submitted by the Commission's clerk for the January 2016 meeting - \$61.25**
- b. Invoice submitted by Dave Keating - \$389.20**
- c. Invoice submitted by Nafis & Young - \$1,558.75**

Motion to pay the invoice from the Commission's clerk as submitted for tonight's meeting for a total of \$61.25; the invoice from Dave Keating as submitted for tonight's meeting for a total of \$389.20; and the invoice from Nafis & Young as submitted for tonight's meeting for a total of \$1,558.75: M. Opuszynski/Giglio; no discussion; all ayes.

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

A copy of the Land Use Application Fees paid to DEEP was distributed to the Commission.

## **11. Miscellaneous**

M. Opuszynski asked if the Beacon Falls Energy Park needs to appear before this Commission. He noted that the Citing Council approved the site for the energy park project. J. Galligan believes that the Citing Council is not legally required to go in front of the Inland Wetlands Commission. J. Galligan suggested that the Commission could ask the First Selectman to invite the Citing Council to one of the meetings.

B. Giglio asked on the status of the Haynes project. It was noted that there has been no information on the project since they appeared before this Commission.

## **12. Petitions from Commissioners**

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

M. Opuszynski noted that he missed the last meeting since he was traveling for work. A press release was going to be done for a Valentine's Day hike at Lantern Ridge.

### **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 8:258 P.M.: **M. Opuszynski/W. Opuszynski; no discussion; all ayes.**

Respectfully submitted,

Marla Scirpo  
Clerk, Inland Wetlands & Watercourses Commission