

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



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

1. Call to Order / Pledge of Allegiance

Vice Chairman Stephen Knapik called the meeting to order at 7:32 P.M.

Members Present: John Smith (arrived at 8:03 PM), Stephen Knapik, Arlene Brumer, Michael Opuszynski, and Walter Opuszynski

Not Present: Jamie Lillis and Bill Giglio

Others Present: Dave Keating, Jim Galligan, and Frank Zeigler

Motion to rearrange the agenda to accommodate the public: **W. Opuszynski/M. Opuszynski; no discussion; all ayes.**

2. Comments from the Public

Frank Zeigler, 9 Starwood Lane, was present at tonight's meeting as per the request of D. Keating. D. Keating indicated that F. Zeigler has been doing some filling and regrading on his property using fill that is coming from his neighbor's property, across the street at 8 Starwood Lane. There are wetlands in the back of F. Zeigler's property as well as a watercourse. F. Zeigler does not have a map showing the proposed grading but presented photos of before and in-process. The Commission reviewed the photos. F. Zeigler indicated that the distance from the pool to the where the land began to drop down is approximately 5 feet.

W. Opuszynski noted that there is no erosion control based on the photos presented. S. Knapik indicated that a silt fence must be put in place and J. Galligan indicated that he will stop by the property tomorrow to show where the silt fencing should be installed.

F. Zeigler indicated that he will be seeding the embankment and will put hay down. M. Opuszynski asked for the distance from the border to the wetlands and F. Zeigler did not know. In reviewing the map, it appears that the 100-foot regulation is not met. D. Keating noted that the top of the slope must be kept on the property and it cannot extend beyond the end of the property. D. Keating believes that the dimension from the back of pool, then adding the flat area beyond the edge of the pool, and the slope going down, it may be going beyond the private property. F. Zeigler asked what the issue is and M. Opuszynski indicated that he is encroaching the wetlands.

S. Knapik confirmed that J. Galligan will visit the property to show where the silt fencing should be installed; D. Keating will inspect the installation of the silt fencing; and informed F. Zeigler must attend the next monthly meeting with a completed application since it is within the 100 feet. W. Opuszynski also noted that work must cease until stabilization.

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 July 13, 2016 meeting: **Brumer/W. Opuszynski;***no discussion; 5 ayes and 1 abstention by M. Opuszynski since he was not at the meeting.*

5. Correspondence

A monthly report was received from EG Homes in regards to Chatfield Farms and reviewed by the Commission.

A report from Mark Tice was received via email regarding Hillside Estates on West Road. A report from Mark Kehrhahn was received via email regarding Pond Springs Village.

6. Show Cause Hearings & Considerations of Public Hearings

a. Show Cause Hearing

1. Cease & Desist Order Regarding 27 Railroad Avenue

There is no change in the situation at this located and the town attorney will be sending a letter to the property owner. D. Keating has tried to no avail in contacting L. Drury.

7. Administration Reports

a. Wetlands Enforcement Officer

1. Cease & Desist Orders Issued – 93 South Main Street/Mario Trepca

D. Keating indicated that he has spoken to M. Trepca several times and M. Trepca replies that the Building Official inspected the wall and he is okay. D. Keating informed M. Trepca that he is not okay since a compaction test has not been submitted to the Commission as required and requested. J. Galligan noted that a compaction test should be done on layers and near impossible to go back to perform. The area will need to be excavated out behind the wall and refill, and then perform the compaction test at that time.

After a brief discussion, the Commission indicated that the Board of Selectmen need to get involved in this issue since there is a tenant in the building and the Commission feels that there is a safety concern. M. Opuszynski noted that there is a Cease & Desist on the property, a CO was issued with a Cease & Desist in place, and there is a tenant in the building, and this is unacceptable. M. Opuszynski suggested that the property owner should excavate behind the wall and rebuild it so it is safe for all concerned. The Commission agreed that the Board of Selectmen should ask M. Trepca to attend their next monthly meeting. The Commission would also be in attendance in order to discuss the concerns that they have.

8. Applications – Old Business

M. Opuszynski indicated that he has issues with Hillside Estates. He noted that there piles with no erosion controls around them as well as a huge stack of hay bales not being used and silt fencing falling down. M. Opuszynski also noted that there has been no change since his email to D. Keating and J. Smith. D. Keating indicated that he brought it to M. Tice's attention via email and indicated that it must be corrected and addressed in his report. M. Tice reported that he is aware of the concern and the piles are being removed. W. Opuszynski mentioned that a letter should be sent immediately or he will be in violation with the erosion around the piles. J. Galligan indicated that he will stop by the property Thursday. M. Opuszynski also indicated that the emails are being sent by M. Tice the same day of the meeting and would like to request that M. Tice attend the next monthly meeting.

S. Knapik indicated that he drove up to Pond Springs Village and there is no activity.

The Commission asked if there was an update on Jenny Lane Two and J. Galligan indicated that there has been no updates.

S. Knapik asked J. Galligan for an update on Highland Avenue. J. Galligan indicated that hay bales will be in place tomorrow and the curbs and sidewalks are being worked on now and up through next week. The week after that, the road will be paved.

J. Galligan indicated that Burton Road will be paved in the middle of September based on O & G request for an extension. O & G will be giving a discount of approximately \$20,000 to \$25,000 to the town for waiting until September to do the paving. The curbs will be replaced in the meantime according to J. Galligan.

9. **Old Business**

10. **New Business**

There was no new business discussed at tonight's meeting.

11. **Budget**

1. **Report of Accounts**

The Board reviewed the Report of Accounts.

2. **Payment of Bills**

- a. **Invoice from Nafis & Young - \$471.25**
- b. **Invoice submitted by Dave Keating – \$278.00**
- c. **Invoice from the Commission's clerk - \$87.50**
- d. **Invoice from Byrne & Byrne - \$420.00**

Motion to pay the four invoices as submitted for tonight's meeting for a grand total of \$1,256.75: M. Opuszynski/Knapik; no discussion; all ayes.

3. **State of Connecticut Fees**

D. Keating indicated that the fees are all up to date.

12. **Miscellaneous**

D. Keating indicated that a copy of the state statutes was provided by Rich Minnick. The fee schedule does not apply to municipalities according to the state statutes and the Commission will not be charging an application fee to The Riverbend Park project.

D. Keating was alerted to activity being done by Michael Karcsinski, 2 Pines Bridge Road. The property owner is doing stonework along the watercourse. D. Keating wrote a letter to M. Karcsinski requesting that he attend tonight's meeting. M. Karcsinski left a message for D. Keating indicating that he is repairing what is already there. M. Karcsinski did not attend tonight's meeting.

J. Galligan indicated that he was contacted by Jim Weed who wants to clean out his farm pond and wanted to know the procedure. J. Galligan informed J. Weed that an application would need to be submitted. J. Weed wants to stockpile the excavated material next to the pond and J. Galligan indicated that erosion controls will need to be put in place. J. Weed is away and will be attending the next meeting.

13. Petitions from Commissioners

a. Conservation Commission report from Michael Opuszynski

M. Opuszynski indicated that there is work being done at Lantern Ridge. Two boy scouts will be doing some work there. One will be doing work on the trail and M. Opuszynski asked him to attend the next monthly meeting. The other one will be putting up a kiosk and M. Opuszynski also asked for him to attend the next monthly meeting.

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

There was no Executive Session at tonight's meeting.

14. Adjournment

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

Motion to adjourn meeting at 8:26 P.M.: **M. Opuszynski/W. Opuszynski; no discussion; all ayes.**

Respectfully submitted,

Marla Scirpo
Clerk, Inland Wetlands & Watercourses Commission