

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



**BEACON FALLS INLAND WETLANDS & WATERCOURSES COMMISSION**  
**Monthly Meeting**  
**March 8, 2017**  
**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, and Walter Opuszynski

Not Present: Michael Opuszynski

Others Present: Bill Jordan and Jim Dean, Jordan Energy; Dave Keating; and Jim Galligan

Motion to rearrange tonight's agenda to accommodate the public in attendance:  
**Knapik/Giglio; no discussion; all ayes.**

**2. Comments from the Public**

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

**3. New Applications**

There were no new applications submitted for tonight's meeting.

J. Smith noted that there have been no updates from Keith Bodnar nor from Roman Woloszyn on their application requests.

#### **4. Approval of Minutes from Previous Meetings**

Motion to approve the meeting minutes from November 2016 and from December 2016 as submitted: Giglio/Knapik;no discussion; all ayes.

#### **5. Correspondence**

There were two letters from Byrnes and Byrnes – one dated 01/02/2017 and one dated 03/01/2017 received. The letters were updating the Commission on the status of 27 Railroad Avenue.

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

##### **a. Show Cause Hearing**

##### **1. Cease & Desist Order Regarding 27 Railroad Avenue- Continued**

J. Smith indicated that this agenda item could be removed from the agenda.

#### **7. Applications - Old Business**

S. Knapik asked if D. Keating sent a letter to Griffin Brothers in regards to the lack of stabilization and hay bales as well as silt fencing at the pump station on the corner of Blackberry Hill and Oakwood Estates. D. Keating indicated that he did not and will done that.

W. Opuszynski asked about blasting on Lancaster and Jim Galligan indicated that he will look into this. J. Galligan will be contacting the company involved and ask for them to attend the next monthly meeting. J. Smith noted that there is no active permit with this Commission since it expires several years ago.

J. Smith noted that Rob Pruzinsky has some concerns with the driveways on Phase II in Oakwood Estates. The town will be reviewing the acceptance of the road and R. Pruzinsky mentioned that the driveways are washing out into the road.

J. Smith summarized the background to Green Beacon Falls LLC, noting that the application was approved by this Commission. The drawing was modified several times when it went to Planning & Zoning. There was earth-moving and cuts being done on the site and J. Smith met with the site contractor from Green Beacon Falls to discuss the issues that this Commission was not aware of. J. Smith also noted that information was supposed to have been received several weeks ago and still have not been received. J. Smith visited the site today and noted that there were some things that were different and the pipe was addressed.

Bill Jordan and Jim Dean from Green Beacon Falls LLC were present to discuss the Commission's questions on the site work being done and to review what is needed by Inland Wetlands. B. Jordan presented copies of a letter dated 03/08/2017 from Tighe & Bond to the Commission. The letter provided information on the Beacon Falls Solar Project. Also provided was copies of a memorandum dated 10/19/2016 from Brian Huntley, PE from Tighe & Bond regarding the Stormwater Management Design for the Beacon Falls Solar Project.

D. Keating noted that there has been regrading done that was not on the drawing that this Commission approved. D. Keating also noted that the approved print should be followed and sediment controls be put into place, anti-tracking pads maintained, and restore the grades to where they were. D. Keating mentioned that anti-tracking pads were installed but not maintained and silt fencing were not installed at various points during the construction process.

B. Jordan noted that the Primary Engineer was on vacation who indicated that it will be 2 weeks before a drawing could be presented to the Commission. B. Jordan indicated that a letter has been provided tonight from Tighe & Bond.

J. Galligan noted that the letter is not what this Commission is looking for and that there has been a lot of work done that was not on the approved plan. J. Galligan noted that there is a large riprap area that was not on the approved plan, the bank near the cell tower has all been graded and trees cut down but stumps left, grading needs to be addressed, and drainage that has been installed needs to be verified by the Engineer.

After a brief discussion, S. Knapik noted that Cease & Correct may be a good idea. J. Smith asked if D. Keating also thought that this may be a good idea too since 3 weeks he told Jordan Energy to stop regrading the hill and they went ahead doing it. D. Keating indicated that he was not contacted by Tighe & Bond or by Jordan Energy.

Motion to put a Cease & Correct in place for the Beacon Falls Solar Project being performed by Green Beacon Falls LLC until the Engineer provides the required information that the Inland Wetlands Commission needs: **Knapik/Brumer**; discussion was by B. Giglio noting that he visited the site and noted the steep cut has been tampered off nicely; stabilization has been and is respectable; we have received a letter from Tighe & Bond indicating that the work will be verified; and noted that we should give them the benefit of doubt. J. Smith noted that work can continue, having the issues addressed under the Cease & Correct. J. Galligan noted that the grading going right up to the cell tower is not something that he understands why it was done. There may be significant grade change in that area based on the activity and if it impacts the cell tower. J. Smith mentioned that he spoke to R. Pruzinsky about the trees that were cut. J. Galligan also noted that the Cease & Correct will allow this Commission to get the information that is needed. D. Keating reminded the Commission that a Show Cause Hearing will need to be held within 10 days. A Notice of Violation is another alternative that could be sent and the Commission does not have to meet with 10 days. J. Smith asked if there was any further discussion and there were none. J. Smith asked for a vote on the motion; three ayes by W. Opuszynski, S. Knapik, and A. Brumer, and 2 nays by J. Smith and B. Giglio.

J. Smith indicated that the motion for a Cease & Correct passes with a vote 3-2. After a brief discussion, the Show Cause Hearing will be scheduled for Wednesday, March 22, 2017, at 6:30 PM in the Town Hall Assembly Room.

## 8. New Business

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

## 9. Budget

### 1. Report of Accounts

The Board reviewed the Report of Accounts.

### 2. Payment of Bills

#### a. Invoice submitted by Dave Keating - \$311.96

#### b. Invoices from the Commission's clerk

There were three invoices from the clerk submitted for tonight's meeting – one dated 12/14/2016 for \$53.75; one dated 01/11/2017 for \$42.50; and one dated 02/08/2017 for \$7.50

#### c. Invoice from Byrnes & Byrnes - \$1,528.00

Motion to pay the invoices as submitted for tonight's meeting for a grand total of \$1,943.71: Knapik/W. Opuszynski; no discussion; all ayes.

### 3. State of Connecticut Fees

J. Smith indicated that there were no fees to be paid to the State.

## 10. Petitions from Commissioners

Arlene Brumer indicated that she is now a member of the Community Media Center Building Commission and would like to update the Commission each month on the status of the Committee. J. Smith asked to add this to the agenda under Petitions from Commissioners.

#### a. Conservation Commission Report from Michael Opuszynski

M. Opuszynski was not present at tonight's meeting.

W. Opuszynski asked to have it noted – "Happy Birthday Mike". The Commission wished Mike a very Happy Birthday.

**11. Adjournment**

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

Motion to adjourn meeting at 8:34 P.M.: Knapik/Giglio; no discussion; all ayes.

**The next Inland Wetland and Watercourses monthly meeting will be held on Wednesday, April 12, 2017, starting at 7:30 P.M.**

**There will be a Special Meeting in order to hold a Show Cause Hearing on Wednesday, March 22, 2017, starting at 6:30 PM.**

Respectfully submitted,

Marla Scirpo  
Clerk, Inland Wetlands & Watercourses Commission

DRAFT