

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



**BEACON FALLS INLAND WETLANDS & WATERCOURSES COMMISSION
Monthly Meeting
January 9, 2019
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, Walter Opuszynski, and Doug Bousquet, and Brian Swan

Not Present: Michael Opuszynski

Others Present: Dave Keating, Jim Galligan, Mark Kehrhahn of Pond Springs Village, Wanda Mulinski, Cindy Jurzynski, and Steven O'Day

2. Comments from the Public

J. Smith asked if there were any comments from the public and Steven O'Day, 64 Fairfield Place, was present at tonight's meeting to address the Commission. S. O'Day indicated that he has been reviewing the minutes and has questions from the December 12, 2018 meeting minutes. S. O'Day noted that the minutes indicated that the Town Engineer spoke to Charlie Edwards who understands the Cease & Desist and has no plans to work on the parcel until he has made a sale which would generate a payment for filing the bond. J. Galligan clarified that the sale of the parcel is for another property at a different location that C. Edwards owns, not the one on Fairfield Place. S. O'Day asked if C. Edwards has a time line of when he is allotted to post bond and move forward. J. Galligan indicated yes, that under Planning & Zoning, C. Edwards has 2 extensions, 90 days each extension. S. O'Day asked if he is on his last extension and J. Galligan indicated yes. S. O'Day asked what would happen if C Edwards does not file the mylar. J. Galligan indicated that the subdivision is null & void.

S. O'Day asked about the expenses being incurred by the town and J. Galligan indicated that there has been no expense incurred by the town at this time. S. O'Day noted that he has had to call the town due to an uncapped well leaking water onto the cul-de-sac and the water has been freezing on the road.

J. Smith asked three times if there were any comments from 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 submitted for tonight's meeting.

4. Approval of Minutes from Previous Meetings – November 2018

J. Smith asked for a motion to approve the minutes from the December 12, 2018 meeting. D. Bousquet noted that under Agenda Item 7 – Administrative Report, S. Knapik did not bring up that the silt fence was down at Pond Springs Village, that it was him.

Motion to approve the meeting minutes from December 12, 2018 with the noted correction: Knapik/D. Bousquet; no discussion; all ayes.

5. Correspondence

There was a brochure from the CT Land Use of upcoming seminars. Also, there was a certified letter addressed to C. Edwards that was returned unclaimed.

6. Show Cause Hearings & Considerations of Public Hearings

D. Keating noted that the letter was sent via regular mail, certified mail as required by the statutes, and email by the clerk.

J. Smith indicated that he spoke to C. Edwards who was unable to attend tonight's meeting. J. Smith noted that C. Edwards has no plans for activity on the site except for the removal of logs. J. Smith also noted that C. Edwards mentioned that he will be closing on another piece of property and will be paying the bond in full soon. D. Keating mentioned that C. Edwards is able to remove the logs, repair work on the sediment erosion controls, etc. as indicated in the Cease & Desist Order.

The Show Cause Hearing for Charlie Edwards, Tiverton II, will be continued at the next monthly meeting scheduled to be held on Wednesday, February 13, 2018, at 7:30 PM.

J. Smith asked if there was another Cease & Desist issued and D. Keating indicated that he issued a Cease & Desist Order to Pond Springs Village last week. J. Smith asked for a motion to add Pond Springs Village to tonight's agenda in order to discuss the Cease & Desist Order that was issued.

Motion to add Pond Springs Village onto tonight's agenda under Agenda Item 6 – Show Cause Hearings Considerations of Public Hearings in order to discuss the Cease & Desist Order that was issued: Bousquet/Knapik;no discussion; all ayes.

J. Smith and W. Opuszynski indicated that they are off the Board at this time due to the discussion of Pond Springs Village.

S. Knapik indicated that a Cease & Desist Order was issued to Pond Springs Village due to the lack of response to texts, emails, and phone calls. D. Keating provided copies of pictures from 12/22/2018 and 12/29/2018 as well as copies of the Cease & Desist Order. D. Keating noted that the sediment erosions controls were not being properly installed, anti-tracking pads had been disregarded, mud was tracked on the road, and dirt was being washed into the road. D. Keating also noted that there was no monthly report submitted last month and the Members requested one to be submitted as required under the approval of the permit.

D. Keating noted that the footing drains around the base of the building are tied into the catch basins but the silt sediment from the backfill will be getting into the catch basins unless they were properly protected. D. Keating also noted that since the maintenance is not being done correctly, the catch basins may not be properly protected. Mark Kehrhahn, representing Ponds Springs Development, indicated that he is not getting accurate reports. M. Kehrhahn also indicated that he spoke with the framer and requested weekly reports as to the status of the silt fences. S. Knapik indicated that the site needs to be policed and the responsibility is on him, not the framer. M. Kehrhahn indicated that he went over all the concerns and discussed the tracking pad. M. Kehrhahn also indicated that there is a suggestion of eliminating the tracking pad and install the driveways, using them as the tracking pad to the entrances to the unit for construction.

S. Knapik indicated that a Cease & Desist will be issued when there are any issues and violations since at the site. S. Knapik asked if B. Swan and D. Bousquet could visit the site on Saturday, and both were available. S. Knapik noted that the Cease & Desist will remain in effect until the site visit and the Members determine if it should remain in effect or not. D. Bousquet indicated that he was at the site yesterday and noticed that there was backfilling a garage and hauling fill. D. Bousquet noted that under the Cease & Desist, no work unless specifically specified under the order could be done at the site. M. Kehrhahn indicated that he was not aware of that being done.

B. Swan asked how many units are under construction and it was confirmed that two buildings/four units are under construction. S. Knapik noted that the final paving needs to come into the picture as well. S. Knapik confirmed the Members will be at the site on Saturday at 9:30 AM to inspect. The Cease & Desist order will remain in effect until the inspection of the site and the Members will then determine if it is still in effect or not.

J. Smith and W. Opuszynski are back on the Board at this time due to the completion of the discussion of Pond Springs Village.

7. Administrative Report

J. Smith indicated that the Cease & Desist is still in effect at 93 South Main Street, the property owned by Mario Trepca, since the letter to M. Trepca has not been finalized. J. Smith mentioned

that he has not received any feedback from Atty. Byrne and D. Keating noted that he has not as well.

8. Applications – Old Business

The Members reviewed the list of applications under this agenda item.

J. Galligan noted that everything is good at Chatfield Farms/EG Homes. A copy of the monthly report from Chatfield Farms was distributed and reviewed by the Members.

J. Smith noted that C. Edwards submitted a monthly report and read the report to the Members. The monthly report indicated that erosion controls are intact and operable with no activity for the months of November 2018 and December 2018. C. Edwards also noted the several logs were removed from the stockpile at the end of Fairfield Place during the month of December 2018. For January 2019, C. Edwards reported that logs will continue to be removed from the stockpile at the end of Fairfield Place. C. Edwards also noted that there is a plan to dig test holes throughout the property and those test holes will be backfilled the same day.

D. Keating noted that under the Cease & Desist order, the removal of logs and reinstall silt fencing/anti-tracking as necessary was allowed. D. Keating indicated that test holes was not allowed under the Cease & Desist and a letter should be sent to C. Edwards that he is not allowed to dig test holes. After a brief discussion, the Members agreed that the Cease & Desist order is in effect and the test holes was not part of the order. J. Smith indicated that he would entertain a motion.

Motion to have Dave Keating inform Charlie Edwards that the test holes are not permitted to be dug since there is a Cease & Desist Order in effect: Bousquet/W. Opuszynski;no discussion; all ayes.

W. Opuszynski asked about Item g. – MJL Realty, 29 Avenue D. D. Bousquet is off the Board during the discussion of MJL Realty. S. Knapik indicated that the owner has not been located as of yet. W. Opuszynski questioned if the tax office would have an address as to where the bill is sent. J. Smith noted that we could look at the deed for the information as well.

D. Bousquet is back on the Board at this time.

9. Old Business

J. Smith noted that neither J. Galligan nor D. Keating have been contacted by any of the property owners as of yet regarding the detention pond letters that were sent out.

D. Keating indicated that he is working on the storm drain issue at Woodland High School. D. Keating noted that the word “maintenance” needs to be clarified since Region 16 has a different idea of what should be done. W. Opuszynski noted that the original approval should be provided to show what the requirements were to maintain the storm drain. D. Keating noted that he will check the original approval but not sure if there are details for twenty years later what should be done regarding the vegetation.

10. New Business

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

11. Budget

1. Report of Accounts

A copy of the Report of Account was received and reviewed by the Members.

2. Payment of Bills

a. Invoice from the Commission's Clerk

There was an invoice from the Commission's clerk submitted for the December 12, 2018 meeting and various work done for letters to Charlie Edwards, including postage, totaling \$75.70.

b. Other Invoices

There was an invoice from Dave Keating submitted for \$170.16.

Motion to pay the two invoices as submitted for tonight's meeting for a grand total of \$245.86: Bousquet/W. Opuszynski; no discussion; all ayes.

There was an invoice from Atty. Byrne dated 01/02/2019 for \$735.00 – Invoice #19-01-042e. The Members reviewed the invoice.

3. State of Connecticut Fees

D. Keating indicated that there is one check to be submitted for Chatfield Farms.

12. Miscellaneous

There were no Miscellaneous items discussed at tonight's meeting.

13. Petitions from Commissioners

D. Bousquet indicated that he spoke to D. Keating regarding an issue of ice at 12 Diana Lane. D. Keating noted that the issue is not an Inland Wetlands issue but D. Bousquet noted that it is a town safety issue. D. Bousquet indicated that there is ice on the road and has been going on for a while. D. Bousquet noted that there are two catch basins on each side and a pipe running between them. J. Galligan indicated that he will take a look at the issue.

D. Bousquet indicated that there is an issue of ice build-up at 47 Cook Lane. J. Galligan has spoken to the homeowner and indicated that dry wells were installed but they're not working. After a brief discussion, J. Smith noted that this is not an Inland Wetlands issue and more of a Public Works/Street Dept. issue.

W. Opuszynski suggested that the Selectmen should be notified since it is a safety issue. D. Keating indicated that a letter of support or concern from this Commission could be sent to the Selectmen. J. Smith asked D. Keating to draft a letter of concern addressed to the Board of Selectmen regarding the ice/water issue located at 47 Cook Lane.

D. Bousquet indicated that there is a water issue/clogging issue at 10 Oak Drive. D. Bousquet noted that the homeowner doesn't know what to do and his property is being flooded. D. Bousquet also noted that Rob Pruzinsky informed the homeowner that the town would provide the stone, the pipe, but the work would have to be done by the homeowner. J. Galligan looked into the issue and spoke to R. Pruzinsky.

a. Conservation Commission Report from Michael Opuszynski

W. Opuszynski indicated that M. Opuszynski emailed a report to J. Smith and the clerk. W. Opuszynski read the email to the Members. M. Opuszynski had noted that the Conservation Commission had a good meeting and they are working to get their Open Spaces catalogued and complete the necessary tree/trail work so people can use them again. M. Opuszynski invited the Members to attend the tree hikes scheduled for June 1st at Matthies Park and for June 2nd at Lantern Ridge. M. Opuszynski will be bringing two books on pond and watercourse management in CT to the next meeting.

b. Community Media Center Building Committee Report

D. Bousquet indicated that there was nothing to report.

14. Adjournment

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

Motion to adjourn meeting at 8:37 P.M.: Knapik/D. Bousquet; no discussion; all ayes.

The next Inland Wetland and Watercourses monthly meeting will be held on Wednesday, February 13, 2019, starting at 7:30 P.M. in the Town Hall Assembly Room.

Respectfully submitted,

Marla Scirpo
Clerk, Inland Wetlands & Watercourses Commission