

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



**BEACON FALLS
INLAND WETLANDS & WATERCOURSES
Monthly Meeting
October 8, 2014
MINUTES
(Subject to Revision)**

1. Call to Order / Pledge of Allegiance

Chairman John Smith ordered the meeting to order at 7:30 P.M.

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

Not Present: David D'Amico

Others Present: Dave Keating; Jim Galligan; Mark Tice; Charlie Edwards; and Matt Gilchrist of EG Homes.

2. Comments from the Public

Rick Minnick, 147 Cedar Lane, is acting as a member of the Land Use Committee. He indicated that on the books, there are 2 representatives for the Inland Wetlands Commission. They are Steve Knapik and John Smith, and you are only allowed to have 1 representative. The ordinance changed the composition of the Land Use about a year ago. Alternates are not mentioned nor included. Michael Opuszynski was elected as Chairman, and listed as an alternate from the Conservation Committee. He is suggesting that the 2 members resign and recommend M. Opuszynski as the representative from Inland Wetlands. He also noted that Planning & Zoning does not have a representative for this committee. The Land Use Committee is made up of the following boards and commission: Planning & Zoning; Park & Rec.; Inland Wetlands; WPCA; Conservation Commission; Economic Development; and Land Steward.

A letter will be drafted by the clerk and sent to John Smith and Steve Knapik for them to resign from the Land Use Committee and appoint Mike Opuszynski as the representative from Inland Wetlands. J. Smith indicated that he will entertain a motion.

Motion to draft a letter to the Beacon Falls Town Clerk and the Board of Selectmen that John Smith and Steve Knapik will be stepping down from the Land Use Committee and their recommendation is to have Mike Opuszynski appointed as the representative:
Knapik/W. Opuszynski; no discussion; all ayes.

A. Public Petitions

There were no Public Petitions at tonight's meeting.

J. Smith indicated that he would entertain a motion to rearrange the agenda for tonight's meeting to accommodate the public.

Motion to rearrange the agenda for tonight's meeting to accommodate the public:
Knapik/Brumer; no discussion; all ayes.

3. Business Meeting

a. Public Hearings & Consideration of Public Hearings

J. Smith asked if anyone had questions or concerns regarding the Public Hearing for West Road. S. Knapik asked Jim Galligan if all the concerns were addressed and J. Galligan replied yes. J. Smith asked if a draft of proposed approval was sent and Dave Keating indicated yes, one was sent via email last week and one was sent to B. Giglio this week. As far as Wetlands permit, it would approve it subject to the regular conditions and stipulations as far as monthly reports, etc. Also, recognizing there is a current storm drainage problem experienced by neighbors on West Road and vicinity, and that the applicant will clean out 3 catch basins in that vicinity to make sure they work. He contacted Public Works director today about coordinating that and to do additional work if need be. The performance bond set for Inland Wetlands work was estimated at \$10,000 and the other standard conditions as far as maintenance of the storm water detention basin on Lot 4 would be the responsibility of that lot owner. If this is not done, the town will have a right of access to go in there and do the work at the town's expense and then bill the property owner, with a lien place in not paid by the property owner.

W. Opuszynski asked if there is any description of a problem so that the property owner knows what the problem is that needs to be cleaned. S. Knapik asked if there is a maintenance schedule. J. Smith added that there may be a disagreement between what the town considers a problem and what the property owner considers a problem. J. Galligan indicated that the maintenance schedule should include 4 mowing per year at least, to keep the vegetation from taking hold.

J. Smith suggested that the description should indicate that the slope should look like “x” and there should never be more than “x” amount of silt, etc. Once it goes over this then maintenance is required. A suggestion is that the town does a yearly inspection and let the property owner know what needs to be done.

D. Keating read draft stipulation #12 to the Commission. The Commission agreed that the stipulation sounds good with adding a date of completion. J. Smith indicated that the date should be within 60 days and D. Keating agreed and this will be added.

As far as the Wetland permit, J. Smith asked if the cleaning will be done pre-construction and post-construction. D. Keating indicated yes. Another question was if the property owner was going to be able to dump it in a certain area and D. Keating indicated that Public Works is working with the property owner. Stipulation #2 was read to the Commission.

J. Smith asked if there were any questions. There were no questions and J. Smith indicated that he would entertain a motion regarding the Public Hearing for West Road.

Motion to approve the Wetlands Permit application for West Road, Hillside Estates, a 5 lot residential sub-division, 4 vacant lots plus 1 lot containing the existing house, Application No. A2014-304, with terms and conditions set forth in the application: **Knapik/Giglio**; no discussion; all ayes.

Motion to approve the Storm Water Management application for West Road, Hillside Estates, Application No. SW2014-005, with terms and conditions set forth in the application: **Giglio/Knapik**; no discussion; all ayes.

D. Keating indicated that the property owner submitted an application for a garage and shed within 100 feet of the wetland and watercourses, but it's downslope. J. Smith asked if it was the same property and D. Keating replied yes. J. Smith indicated that the Commission will consider it now in tonight's meeting.

Mark Tice, 186 West Road, indicated that he would like to build a garage attached and shed detached on the property. He submitted pictures of the property for the Commission. Footings need to be dug and he would put the dirt back, as well as straighten out the side with the boulders.

After reviewing the plans and pictures submitted by M. Tice, J. Smith indicated that he would entertain a motion to sign off on the permit.

Motion to sign off on the permit for the garage and shed construction on 186 West Road by Mark Tice: **Giglio/Brumer**; no discussion; all ayes.

Matt Gilchrist of EG Homes/Chatfield Farms presented his report to the Commission. There was nothing of significance to report. They did all the repairs at the entrance, the top course at Timberland, closed a few houses, and a lot of grass is growing.

They made an application this week for Phase 3, 4, and 5. There are some changes due to "Mount Chatfield". They need to raise the site in order to get rid of the fill. The road network stays the same and 2 units were dropped. J. Smith indicated that the prints were submitted more than 3 days prior to the meeting tonight. The Commission can accept them for processing. The application is complete and the amount due is \$140.00, which was paid via check. J. Smith indicated that he would entertain a motion to receive and accept the application from EG Homes/Chatfield Farms.

Motion to receive and accept the application for processing from Chatfield Farms/EG Homes LLC, 100 Fieldstone Lane, Beacon Falls, CT, Phases 3, 4, and 5,:
Knapik/Giglio; *W. Opuszynski asked if it would be the same number and J. Smith indicated that a new number will be assigned to the application, A. Brumer assigned the application a number of A2014-306; all ayes.*

Charlie Edwards, 30 Lorraine Drive, is representing C. Edwards Co. and is the owner of the property of discussion. After getting approvals and receiving the total costs of building, the costs were way too much, unfeasible to do as originally planned. He would like to abandon those plans, never filing the mylars. He is now taking those plans and revising the number of lots from 30 to 19, and having three phases. He showed the plans to the Commission with what he would like to propose. He is not filing an application at this time, just proposing his intent to the Commission. The parcel is approximately 53 acres and he is proposing Phase 1 coming from Fairfield Place, splitting from there into 2 more phases at a future time. Phase 3 will come if and when Phase 1 and Phase 2 are complete and sold. He will build a detention pond in Phase 2, originally planned in the prior application. Phase 2 would come off Hailey Ridge. B. Giglio asked why he is changing from 30 to 19 lots, potentially losing money from the difference of 11 lots. C. Edwards indicated that he would have to feed the entire plan with city water. Fairfield Place will have city water, leading to estimated cost of \$500,000 just for getting city water to all the phases. It looking at having the 30 lots, construction costs were started to look to be between \$3,000,000 and \$4,000,000. Hailey Ridge does not have any problems with their wells at this time. He would have to supply city water to Hailey Ridge as well as Fairfield Place.

He looking to have fire protection for the development, no construction to Hailey Ridge, and will have a substantially less impact on the wetlands. He will be addressing storm water management with his plans for Phase 1 and Phase 2. M. Opuszynski asked about the previous plan and the situation of roads and the water being captioned on the roads and piped around. C. Edwards indicated that the same plan to have the water control down the hill utilizing the pond. J. Galligan indicated that there will be a less impact on the people living on Fairfield Place.

C. Edwards indicated that there is a constant of 4' to 8' of dirt on top of bedrock. With going back past the contours, it was getting to 16' of solid rock. The cul-de-sac will begin where the asphalt ends, expanding the circle at the end of Fairfield Place. Fire trucks will be able to turn around, still being a dead end. Phase 2 will stand on its own, and addressed after Phase 1. Phase 3 will discharge on a different side no there is no impact on Phase 1 and Phase 2. Phase 2 will impact Phase 1 and he is trying to plan the two together, addressed together. D. Keating suggested to adding a drainage ditch or a retention basin to help protect the resident to the east of side of Fairfield Place.

J. Smith asked when he is planning on filing the application and C. Edwards indicated in about one to two months. M. Opuszynski questioned the original application and J. Smith reiterated that the mylars were never filed. J. Smith thanked him for showing his plans for the new subdivision to the Commission.

b. Approval of Minutes

1. Regular Meeting Minutes from September 10, 2014 and Public Hearings on August 9, 2014 and on September 10, 2014

Motion to approve the minutes from the September 10, 2014 meetings:
Giglio/Knapik; no discussion; all ayes.

c. Correspondence

1. An invitation was received regarding the CAFM conference and meeting. It is the first conference being a new organization. D. Keating will be attending and will inform the commission of what he learned.
2. Registration to CT Association of Conservation & Inland Wetlands Commission membership renewal was received. Dues for both the IWWC and the Conversation Commissions in the amount of \$150.00 was included. An invitation to the annual meeting was also included. A fee is \$40.00 per person for the entire day. M. Opuszynski indicated that he might be attended on behalf of the Conversation Commission.

d. Administrative Report

1. Wetlands Enforcement Officer

S. Knapik asked D. Keating about the construction going at Pond Springs Village and there are no tracking pads. D. Keating indicated that silt fence was installed but run over. He spoke with Mark about the need to be here at the monthly meeting and to fix problems at the site.

D. Keating also indicated that he will follow up with an email. W. Opuszynski asked if he doesn't attend the meeting, then he should follow up with a letter. He also mentioned that they should be fined if there is no report since it is a requirement. M. Opuszynski asked about the site on Burton Road. D. Keating and S. Knapik did not have a chance to meet there and check into the development. The street department needs to do a look at the road.

D Keating updated the Commission on Avenue D. He spoke with the new person in charge, Ray Moran. He explained the situation and the need to correct it now. R. Moran indicated that there is no plans to proceed with construction but will stabilize the site. J. Smith reminded that only a foundation permit was given.

J. Smith asked about 113 & 119 South Main Street. J. Galligan indicated the wall is completed but no forward progress as far as the building. W. Opuszynski indicated that we are not getting any reports.

2. Town Engineer

Jim Galligan indicated that he did several inspections at Chatfield Farms and found a few erosion control problems. He contacted M. Gilchrist and the response was very quick.

J. Smith asked if there were any other questions for D. Keating and J. Galligan and there were none by the Commission members.

e. New Applications

There were no new applications at tonight's meeting.

f. Old Business

The following applications can be removed from Old Business: Application A-2013-303 – Tiverton Subdivision – C. Edwards.

g. New Business

1. Fee Structure Review

After a quick discussion, J. Smith indicated that next month a committee will be formed to discuss the fee structure for applications. W. Opuszynski added that violation fees should be discussed as well.

h. Budget

1. Report of Accounts

No report of accounts at tonight's meeting.

2. Payment of Bills

a. Invoice from the Clerk for the August 13, 2014/September 10, 2014 Public Hearing and for the September 10 monthly meeting for a total of \$221.25

b. Jim Galligan/Nafis & Young's invoice for a total of \$725.00

c. Dave Keating's invoice for a total of \$271.20

Motion to pay the invoices that were submitted at tonight's meeting for a grand total of \$1,499.62: S. Knapik/M. Opuszynski; no discussion; all ayes.

3. State of Connecticut Fees

Per D. Keating, we are all caught up.

i. Miscellaneous

M. Opuszynski asked about Burton Road again. D. Keating indicated that he has been there and taken a look. It is in the jurisdiction of Public Works Department and it is their thing to correct. In a storm water management point-of-view, it would need a permit from this commission and addressed through Public Works and Street Department. J. Galligan asked why isn't it the homeowner's responsibility to have it installed correctly. D. Keating replied that they have to enforce it from their point-of-view.

W. Opuszynski indicated that he has been reading on MS4 and the new regulations and wondered if it will affect this Commission. J. Galligan believes it will more to Public Works. J. Galligan indicated that there is a 5 year rotation on cleanly the basins. W. Opuszynski indicated that they will need to be cleaned more under the new regulations. It is an unfunded mandate and going to cost the town more.

A. Brumer indicated her term will end November 2014. She doesn't want to quit but doesn't want to serve for four more years. After discussion that the Commission member would like her to stay, A. Brumer indicated that she will stay pending her job.

j. Petitions from Commissioners

1. Conservation Commission Report from Michael Opuszynski

M. Opuszynski reported that at the Conservation meeting, a new topic was brought up. Education on recycling, go “Green”, and looking into new ways of our recycling capacity was discussed. Other towns have provided larger bins and that will be looked into. Also, education material getting out there was noted.

CACIWAC conference is coming up.

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

There was no Executive Session at tonight’s meeting.

4. Adjournment

Motion to adjourn meeting at 9:20 P.M.: M. Opuszynski/W. Opuszynski; no discussion; all ayes.

Respectfully submitted,

Marla Scirpo
Clerk, Inland Wetlands & Watercourses Commission