

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



**BEACON FALLS INLAND WETLANDS & WATERCOURSES COMMISSION  
Monthly Meeting  
December 12, 2018  
MINUTES  
(Subject to Revision)**

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

Chairman John Smith called the meeting to order at 7:34 P.M.

Members Present: John Smith, Stephen Knapik, Michael Opuszynski, Walter Opuszynski, and Doug Bousquet, and Brian Swan

Others Present: Dave Keating and Jim Galligan

**2. Comments from the Public**

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 November 14, 2018 meeting.

Motion to approve the meeting minutes from November 14, 2018: Knapik/M. Opuszynski;no discussion; ayes from J. Smith, S. Knapik, W. Opuszynski, M. Opuszynski, and D. Bousquet; abstention from B. Swan since he was not at the November 2018 meeting.

## 5. Correspondence

There was a Christmas card from Nafis & Young and a CT Wildlife magazine received for tonight's meeting.

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

J. Smith indicated that there is one Show Cause Hearings & Considerations to discussion – Charlie Edwards, Tiverton II. The clerk provided copies of letters that were sent to Charlie Edwards by Dave Keating. Jim Galligan spoke to C. Edwards who indicated that he understood that there was a Cease & Desist on the property located on Fairfield Place, known as Tiverton II. C. Edwards also indicated that he has no plans to work on the parcel until he has made a sale which would generate the payment for filing the bond. J. Smith noted the removal of the logs at the top of the hill and that the town is incurring costs. M. Opuszynski asked if something happens and the town needs to correct/fix the occurrence. J. Galligan indicated that normally, the town would make the corrections and then file a lien on the parcel.

S. Knapik noted that all soil erosion controls are in place and working. M. Opuszynski agreed but mentioned that there is not timeframe as to when the payment will be made. M. Opuszynski noted that the town needs to be protected. J. Smith questioned since that C. Edwards hasn't lived up to his obligation would the approval for stormwater management still in effect without having the bond posted. D. Keating indicated that the order was issued to say to submit the bond as required, and do not do any work except the removal of the logs and maintain erosion controls as needed and add additional erosion controls if it and when it becomes necessary. D. Keating noted that this does not void or eliminate or erase the approval that was granted. The Commission could have a hearing about voiding the permit which would be a separate action. W. Opuszynski asked if C. Edwards was asked to attend tonight's meeting and D. Keating responded yes, it was part of the Cease & Desist order.

D. Keating indicated that he received an email from Atty. Steve Byrne who received a letter of credit from Atty. Bennett, C. Edwards' attorney. Atty. Bennett noted that the letter of credit is incomplete and Atty. Byrne recommended that the Commission keep the Cease & Desist in place until the completed bond/letter of credit is received. M. Opuszynski asked how the town gets reimbursed for the attorney fees that have already been incurred. J. Smith will look into this with Atty. Byrne. W. Opuszynski questioned the pulling of the permit/application since C. Edwards has not attended tonight's meeting and not showing good faith. M. Opuszynski also noted that C. Edwards is supposed to file a monthly report and the Commission has not received one.

After a brief discussion, J. Smith asked for a motion to continue the Show Cause Hearing for C. Edwards at the next meeting.

Motion to continue the Show Cause Hearing for Charlie Edwards, Tiverton II, at the next scheduled monthly meeting to be held on Wednesday, January 9, 2018, at 7:30 PM, and to discuss the plan for reimbursement of costs incurred: M. Opuszynski/Bousquet;no discussion; all ayes.

**7. Administrative Report**

D. Keating indicated that there was no activity at Pond Springs Village. J. Smith, W. Opuszynski, and M. Opuszynski are off the Board during the discussion of Pond Springs Village. S. Knapik noted that the silt fencing is down again and not being maintained. After a brief discussion, D. Keating will issue a Cease & Desist or a Cease & Correct.

J. Smith, W. Opuszynski, and M. Opuszynski are back on the Board.

J. Galligan noted that everything is good at Chatfield Farms/EG Homes.

**8. Applications – Old Business**

The Members reviewed the list of applications under this agenda item. J. Smith noted that he will check into RSJ Development. J. Smith undated B. Swan on the situation at 93 South Main Street – Mario Trepca.

**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.

**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 November 14, 2018 meeting and various work done for letters to Charlie Edwards, including postage, totaling \$95.15.

**b. Other Invoices**

There was an invoice from Dave Keating submitted for \$226.88.

Motion to pay the two invoices as submitted for tonight's meeting for a grand total of \$322.03: Bousquet/M. Opuszynski; no discussion; all ayes.

**3. State of Connecticut Fees**

D. Keating indicated that the CT fees are caught up.

**12. Miscellaneous**

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

**13. Petitions from Commissioners**

S. Knapik asked if there was an update on the status of Oak Drive. D. Keating indicated that a draft letter was sent to Atty. Byrne and the letter went to Public Works and the Town Engineer for their review. D. Keating noted that this Commission was not part of the litigation and is not sure of the language for the letter.

J. Smith indicated that he received a call from Rob Pruzinsky regarding the Sprint Tower and the access road to the tower. There is water coming down the road and flooding the property at the bottom of the hill. J. Smith indicated that the tower is on Charlie Edwards' property. After a brief discussion, J. Smith noted that this may be a civil matter.

M. Opuszynski asked if there was an update on the status on the storm basin at Woodland Regional High School. D. Keating indicated that he has a meeting with the facilities manager next week.

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

M. Opuszynski indicated that he did not attend the last meeting. M. Opuszynski noted that there are a couple of grants available and the Conservation Commission will be following up on them. M. Opuszynski also noted that he attended the CACIWAC conference and it was a very good conference.

**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 8:17 P.M.: **Knapik/M. Opuszynski**; *no discussion*; all ayes.

**The next Inland Wetland and Watercourses monthly meeting will be held on Wednesday, January 9, 2019, starting at 7:30 P.M. in the Town Hall Assembly Room.**

Respectfully submitted,

Marla Scirpo  
Clerk, Inland Wetlands & Watercourses Commission

DRAFT