

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



BEACON FALLS INLAND WETLANDS & WATERCOURSES COMMISSION
Monthly Meeting
September 11, 2019
MINUTES
(Subject to Revision)

1. Call to Order / Pledge of Allegiance

Chairman John Smith called the meeting to order at 7:30 P.M. J. Smith asked for a moment of silence in memory of the victims of 9/11.

Members Present: John Smith, Stephen Knapik, Mike Opuszynski, Walter Opuszynski, and Doug Bousquet

Not Present: Brian Swan

Others Present: Dave Keating, Jim Galligan, Atty. Bellis, Manny Silva, Alex Vygoder, Mark Kehrhahn, and 14 Members of the Public

Motion to rearrange the agenda to accommodate the parties in attendance: **Knapik/W. Opuszynski**; *no discussion*; all ayes.

2. Comments from the Public – Public Petitions

J. Smith indicated that there was no Public Hearing held this evening due to a problem with the application. J. Smith informed the public in attendance that he will ask the applicant to give a short presentation and if anyone has a question, the Members will entertain them but they will not be in testimony.

Atty. Stephen Bellis noted that a legal publication was not done for tonight's Public Hearing and a mailing was done to the adjacent property owners as well as the fee paid. J. Smith clarified that the reason the Public Hearing was not held was that a required report was not submitted. The Members requested an approval letter from Valley Health and that was not received.

Atty. Bellis indicated that an approval from Valley Health cannot be received without a Zoning approval. Atty. Bellis noted that Valley Health doesn't act on applications until the Zoning Commission acts on their application. J. Smith replied that a letter was going to be dropped off and the Members indicated that the application would be complete with the receipt of that letter. Atty. Bellis mentioned that Manny Silva emailed a report regarding the test holes.

Atty. Bellis gave a quick summary regarding the Hopp Brook Development application. Atty. Bellis indicated that there are drainage concerns so the applicant must appear before the Wetlands Commission. Atty. Bellis also indicated that there will be no activity that will be done within the wetland itself or in the 100' upland review.

J. Smith indicated that some of the questions being asked by the public in attendance are not relevant for this Commission but for the Planning and Zoning Commission. J. Smith noted that Planning and Zoning will have hearing after Inland Wetlands holds a hearing and approved the application.

D. Keating indicated that the soil test logs were received but the email from Valley Health only has a cover letter that doesn't indicate that the concept is approved, doesn't say if the results are good. D. Keating also indicated that the Members wanted to know that the Health Dept. was good with the design. Manny Silva noted that he spoke to another contact at the Health Dept. because the previous contact is no longer there. S. Knapik noted that the test holes were approved but not the location, not the system, not the design. M. Silva indicated that since there is no application for the Health Dept. to approve since there is no Zoning approval.

After a brief discussion, J. Smith indicated that a motion will be entertained for holding the Public Hearing on October 9, 2019, at 7:00 PM.

Motion to schedule the Public Hearing for Application A-2019-315 and Application SW-2019-017, Hopp Brook Developers, for 7:30 PM on Wednesday, October 9, 2019: Knapik/Bousquet; no discussion; all ayes.

3. New Applications

Alex Vygoder, 27 Kaleas Way, was present at tonight's meeting regarding an application submitted to D. Keating for an accessory building to be built on the property located at 27 Kaleas Way. Copies of the applications were emailed to the Members for their review and the building will be encroaching the 50' setback area. The accessory building will be used for a snowblower, lawn mower, garden tools, table saw, and woodworking equipment,

M. Opuszynski noted a concern with the possibility of having hazardous materials leak into the crushed stone. A. Vygoder indicated that he has a 2-car garage and he will be using the building for storage only. A. Vygoder noted that he will not be repairing/rebuilding cars where fluids could leak into the crushed stone. D. Keating indicated that he doesn't have any questions or other concerns, and the application fee was paid.

W. Opuszynski asked to have tags posted for the wetlands identification and A. Vygoder agreed to this.

After a brief discussion, J. Smith indicated that he will entertain a motion regarding the application received from Alex Vygoder for an accessory building.

Motion to approve the application as submitted by Alex Vygoder for an accessory building to be built on the property located at 27 Kaleas Way: **Smith/Knapik**; discussion was that the approval is given with having the wetlands delineators placed.

Motion to approve the application as submitted by Alex Vygoder for an accessory building to be built on the property located at 27 Kaleas Way and having wetlands delineators put in place: **Smith/Knapik**; no further discussion; all ayes.

4. Applications – Old Business

During the discussion of Pond Springs Village, J. Smith, W. Opuszynski, and M. Opuszynski stepped off the Board.

S. Knapik indicated that an application for another duplex at Pond Springs Village was received at last month's meeting and the staff needed time to review. S. Knapik noted that a letter from Pond Springs Village was received questioning the delay of 6 weeks. S. Knapik mentioned that it has not been 6 weeks, but 4 weeks from the last meeting, and the staff needed time to review the application.

Jim Galligan reviewed the application and plans, provided his concerns/comments, and the applicant revised the plan accordingly. D. Keating noted that the applicant needs to pay close attention to the plans. The drawings note that the anti-tracking pads will be 6" deep and 2-3" stone. D. Keating mentioned that this is not typically what Pond Springs Village does but that is what the plans state. D. Keating also noted that the stockpile is shown as being seeded on the plan.

After a brief discussion, the Members agreed that D. Keating has their approval to sign the application as submitted by Pond Springs Village. D. Keating mentioned that the application fee was paid.

With the discussion of Pond Springs Village complete, J. Smith, W. Opuszynski, and M. Opuszynski are back on the Board.

5. New Applications – Continued

J. Smith and D. Keating indicated that there were no other applications received, other than Alex Vygoder's application.

6. Approval of Minutes from Previous Meetings – August 14, 2019

J. Smith asked for a motion to approve the minutes from the August 14, 2019 Monthly Meeting.

Motion to approve the minutes from the August 14, 2019 Monthly Meeting as submitted by the clerk: M. Opuszynski/Bousquet; discussion was by W. Opuszynski who indicated that he was not present at that meeting and the minutes incorrectly states that he was present. J. Smith also indicated that the minutes should be corrected from 7 systems to 7 septic systems;

Motion to approve the minutes from the August 14, 2019 Monthly Meeting with the noted corrections: Knapik/Bousquet; no further discussion; ayes by J. Smith, S. Knapik, D. Bousquet, and M. Opuszynski; and abstention by W. Opuszynski since he was not at the meeting. M. Opuszynski mentioned that a Member could vote if the minutes were read and doesn't have to abstain. J. Smith also mentioned that the Member could vote on a Public Hearing if the tape was listened to by that Member.

7. Correspondence

J. Smith indicated that there was no Correspondence received at tonight's meeting.

8. Show Cause Hearings & Considerations of Public Hearings

J. Smith indicated that there were no Show Cause Hearings & Considerations of Public Hearings to discuss at tonight's meeting.

9. Administrative Report

J. Smith asked if the letter from Atty. Byrne's regarding Mario Trepca was received and J. Galligan and D. Keating both mentioned that they have not. J. Smith asked D. Keating to follow up with Atty. Byrne regarding the letter.

J. Galligan indicated that a letter regarding Oak Drive was sent to First Selectman Chris Bielik and to David Anelli, the property owner of 17 Oak Drive. J. Galligan noted that Rob Pruzinsky has taken pictures and getting together the maintenance that was done. J. Galligan has copies of the deed and noted that the town should be in front of presenting the issue to the courts.

J. Galligan distributed a report of initial review comments regarding Hopp Brook Estates. J. Galligan noted that a copy of the report was sent to Manny Silva. The Members reviewed the report with J. Galligan. J. Galligan mentioned that he adjusted the standard detention analysis to 12-hour duration and 25-year storm.

10. Applications – Old Business - Continued

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

J. Smith noted that the monthly reports from Charlie Edwards and from EG Homes were received. S. Knapik asked if a report was received from Pond Springs Village and J. Smith indicated that one was not received.

J. Smith indicated that there was a legal opinion provided regarding W. Opuszynski and M. Opuszynski stepping off the Board during the discussions of Charlie Edwards per a request received. J. Smith also indicated that the legal opinion noted that the decision to step off the Board was to be made by W. Opuszynski and M. Opuszynski themselves. W. Opuszynski indicated that he will make that decision.

J. Smith indicated that the property on Alliance Circle is having a scale moved onto the property and that there will be more traffic. J. Galligan noted that R. Pruzinsky has been after the company since there is a lot of material in the street coming off the trucks. J. Smith asked to have D. Keating look into this issue.

J. Smith noted that MJL Realty has not provided a monthly report for about 4 months now and asked D. Keating to contact Dave Rybinski to attend the next monthly meeting.

W. Opuszynski asked for an update on Burton Road. J. Galligan indicated that there was a sinkhole about the size of a basketball found and are monitoring the road and sidewalk. J. Galligan noted that there has been no significant movement within the last six months. W. Opuszynski asked when the time will be and J. Galligan indicated that his understanding is that it will be done when school is completed next summer.

11. Old Business

J. Smith asked if D. Keating has received a response from the two homeowners on Beacon Valley Road regarding the driveway washout. D. Keating indicated that neither of the homeowners have contacted him and that R. Pruzinsky has been busy with the road paving project. J. Smith noted that if the homeowners do not respond within the next month, then Atty. Byrne should be contacted to write a letter to the homeowners.

J. Smith asked if D. Keating has inspected the storm drain at Woodland Regional High School and D. Keating indicated that he hasn't been able to get there yet.

12. New Business

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

13. Budget

1. Report of Accounts

A copy of the Report of Account was received and reviewed for tonight's meeting. D. Keating mentioned that he needs wetland boundary line markers and J. Smith approved to order the minimum amount.

2. Payment of Bills

a. Invoice from the Commission's Clerk

There was an invoice from the Commission's clerk submitted for the August 14, 2019 monthly meeting totaling \$90.25.

b. Other Invoices

There was an invoice from Dave Keating submitted for \$232.56.

Motion to approve and pay the two invoices as submitted for tonight's meeting for a grand total of \$322.81: M. Opuszynski/Bousquet; no discussion; all ayes.

J. Smith indicated that there was an invoice addressed to the Inland Wetlands Board that was received from Byrne & Byrne regarding Oak Drive – Invoice #19-09-042d dated 09/01/2019 in the amount of \$630.00.

3. State of Connecticut Fees

D. Keating indicated that the State of CT fees are all caught up through July and there is one for August.

14. Petitions from Commissioners

J. Smith announced that S. Knapik became a grandfather recently.

S. Knapik indicated that he would like to discuss an issue on Bonna Street. During the discussion of Bonna Street, J. Smith stepped off the Board.

S. Knapik mentioned that D. Keating had concerns on Bonna Street with Jason Palmieri who was supposed to get back with D. Keating within two weeks. D. Keating did not receive a response and was informed that J. Palmieri is working on the map. The finalized as-built will be provided when it is completed. J. Galligan indicated that he will need an A2 map and A2 as-built.

With the completion of the discussion of Bonna Street, J. Smith is back on the Board.

M. Opuszynski indicated that he is no longer on the Conservation Commission.

J. Smith asked to add Planning and Zoning under Agenda Item 13 – Petitions from Commissioners since D. Bousquet is on that Commission now.

15. Executive Session

J. Smith indicated an Executive Session was not needed tonight.

16. Adjournment

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

Motion to adjourn meeting at 8:55 P.M.: **Knapik/Bousquet; *no discussion***; all ayes.

The next Inland Wetland and Watercourses monthly meeting will be held on Wednesday, October 09, 2019, starting at 7:30 P.M. in the Town Hall Assembly Room. There will be a Public Hearing starting at 7:00 PM for Application A-2019-315 and Application SW-2019-017, Hopp Brook Developers

Respectfully submitted,

Marla Scirpo
Clerk, Inland Wetlands & Watercourses Commission