

**Beacon Falls Planning & Zoning Commission
10 Maple Avenue
Beacon Falls, CT 06403**



**BEACON FALLS PLANNING & ZONING COMMISSION
Monthly Meeting
July 16, 2020
MINUTES
(Subject to Revision)**

1. Call to Order / Pledge of Allegiance

Chair McDuffey called the meeting to order at 7:31 P.M.

Members Present: Kevin McDuffey (KM), William Gigilio (WG), Lisa Daigle (LD), Tom Bunosso (TB), Jack Burns (JB), Michael Rupsis (MR), Donald Molleur (DM)

Members Absent: Robert Starkey (RS), Patricia Hinman (PH)

Others Present: First Selectman Gerard Smith (GS), Selectman Michael Krenesky (MK), Keith Rosenfelt (KR), Mike Mormile (ZEO), Vincent Marino, Esq.

2. Read & Approval Minutes from Previous Meetings

Motion made to approve the Regular meeting minutes from February 20, 2020 as presented. MR/WG, DM abstained, all ayes

Motion made to approve the Special meeting minutes from February 20, 2020 as presented. MR/LD, DM abstained, all ayes

Motion made to approve the Special meeting minutes from April 23, 2020 as presented. WG/DM, all ayes

3. Comments from the Public

None

4. Correspondence & Payment of Bills

- KM - Email received from Dan Nemeth regarding and update on the indoor shooting range. We cannot do a public hearing, so this is still on hold. Previous meeting was null and void due to legal ad not being place in the paper. We will address it when we can hold a public hearing.
- KM - Issue at 29 Hockanum Glen regarding removal of trees. Town Engineer has been getting involved? GS – biggest thing is that it went into the conservation easement. Conservation does not have binding authority to enforce, so it falls to BOS to lead the charge, but the enforcement is through P&Z. ZEO has been issues Cease & Correct. We received plans of correction, but they are not signed. GS – what is the towns next step now that the plans have been rejected? Attorney Marino – for purposes of Cease & Correct, they have not complied, so the town has an encroachment within its conservation easement that it can seek to protect. The town can do that through an injunction proceeding in court. This would be through a judicial order compelling them to take action that the town requests and to seek reimbursement for the town's legal expense. They have operated with a reckless disregard. They were put on notice that the conduct was inappropriate, but they have

disregarded every step the town has tried to take at the local level. GS – do we ask for a second set of plans? Even though they have not in the past, I think we should provide them with another opportunity for the signed plans within 5 days. If they do not comply, then go forward with additional legal action. Attorney Marino will draft and send letter through a Marshall.

- Letter regarding neighbor with free roaming chickens that are entering the neighbor's yard. There is nothing in our regulations regarding fencing etc. ZEO – I offered to speak with the neighbor, but the complainant did not want me too. GS – what road is this on? KM – Old Sawmill.
- No bills this month for clerk. MK – what about legal bills? GS – Attorney Marino when you are dealing with boards directly, can you submit them to the Board chair directly? Vincent Marino – of course.

5. First Selectman/Town Planner

GS – Keith Rosenfelt is a new town planner. Board Commissioners introduced themselves. GS – Keith will be the single point contact and liaison among land use boards/commissions. He has years of experience and is the current planner for Seymour and Oxford. Completed a walk through with the IWWC, and we have some new members on P&Z so it may not be a bad idea to walk those projects again with the new P&Z members. Vincent Marino gave brief overview of experience.

6. Reports

- a. Zoning Enforcement Officer – ZEO – lots of people coming in for pool permits and structures in their yards. KM – probably the biggest list of items since I have been here. ZEO – Dunkin has taken off and people are happy it's here. It has been a nice addition to town. Berco tank is putting up their building also. **KM made motion to accept report, seconded by MR, all ayes**
- b. Town Engineer - none

7. Comprehensive Plan of Conservation & Development

KM – Keith this will be coming up soon. GS – there is an automatic extension, I think. WG – I ran into Joe Fitzpatrick downtown and he is very familiar with this process and I suggest that he come in and talk to the board because it is a lengthy, detailed process. GS – for the record, that is what Keith is hired for. Joe can work with him, however that is part of Keith's role.

8. Old Business

- a. Chatfield Farms – KM there was a bond put on Skokorat and Matt asked that the Bond be released. WG – the bond is \$20,000. KM – it was for the road, because the road had just been done, and they would have been hauling a lot of fill etc. out. WG – has anyone looked at the road? KM – no, we should have our engineer look at it. GS – this is where we are streamlining the planner position. KR will get in touch with Ron, and then they will get back to you whether the bond should be released or not. KR – I will follow up with Ron and ask for a current report. KM – great next month we can make a recommendation to BOS to release bond.
- b. Pond Spring Village – KM I have not heard anything. GS – they reached out for a bond reduction also, but I believe it is an IWWC bond. KM – I know a while back we were having an issue with paving the road, similar with Chatfield Farms because the final application was not completed.
- c. Tiverton – KM – GS has been up there; can you provide an update? GS – It was basically all Wetlands but there were some zoning issues because there were some field changes made. Inland Wetland field changes have been addressed. Some of the field changes that were made on the Wetlands side, affected the zoning side. Slopes that went from grass to rock on the bank, running water from coming on site and going down Fairfield Drive it did not make the subdivision work, the grades would have put the road at 7ft. now there are new grades and retention pond/catch basin system. My request to the developer was that he needs to get the changes made to the town. WG – can we request he just submits an “as built”. GS - my concern is that it will not show all that has happened there. If someone walks into town hall to review plans, I want them to have the most up to date and match the work that has

been done. DM – the applicant is informed that he should submit to the board a new set of plans. We should be getting plans for where he is now, and where he is going.

- d. Transition Zone – Discussion & Action – KM – we are going to table this. I would like to speak with the new town engineer and town planner prior to discussing.

9. New Business

MR – have any of you noticed the car carrier truck sitting on Main Street? That is a business registered to Lasky Road. He loads and unloads cars on Main Street. He has also parked unregistered cars on Main Street and blocks them in so they cannot be towed. KM – he is in the process of clearing a lot on Lopus Road. He is not putting up a building. GS – I think Mike Mormile should take a visit to him to see how long he will be doing this work on Main Street. We can not let that situation go on. MR – how much does he weigh if he is loaded going over the Depot St. Bridge. GS – he is under 80, car carriers are ok.

MR - at our February meeting we had Curtis Jones at Civil 1 who came in and we gave them a permit. I remember asking when the weigh station would be built and they said years down the road, yet it is already built. GS – it has been there a while.

10. New Applications – none

11. Petitions from Commissioners - none

12. Election of Officers – none; MR when do we hold election of officers? KM – typically November, December.

13. Executive Session (if needed) – none

14. Adjournment

Motion made by KM to adjourn at 8:31PM, WG seconded, all ayes.

Respectfully submitted,

*Kerry McAndrew
Clerk, Planning & Zoning*