

**MIDDLEFIELD INLAND WETLANDS
and
WATERCOURSES AGENCY
405 Main Street
Middlefield, Connecticut 06455**

Minutes of the June 16, 2021 Regular Meeting

Linda Frier, Vice Chairman, called the meeting to order at 7:05 pm.

Attendance:

Members

Alternates

A	Adams Rieder, Rebecca		
X	Brown, James		
X	Frier, Linda		
A	Manning, John	Other	
X	Poturnicki, Rob	X	Bernotas, Randy
A	Veeley, Robert	A	Curtis, Brian
X	Zieminski, Charles		

A=Absent

X=Present

Amendments to the Agenda

None.

Public Comment

None.

Enforcement Officer's Report

Randy Bernotas reported that it has been a very quiet month and the only items are on tonight's agenda.

Continue Discussion on Monarca Properties, South Main Street, Middletown/Middlefield

Randy Bernotas reported that he had sent a letter to Mr. Monarca, who was present at tonight's meeting. He explained that dumping of cinder block is not allowed because it wasn't certified by this commission. Sal Monarca, owner of the property on South Main Street in Middletown, explained that it is raw material that will be used for the base of the building. He had the wetlands flagged and was told how far he needs to be away from them. Mr. Monarca reminded the commission that he proposed his 30,000 sq.ft. building over six months ago and everything seems to be a fight. He would like to work together to provide a sports complex for the townspeople. Mr. Monarca stated that he received the letter from Randy Bernotas and has responded to that. He does not feel that he is doing anything out of the ordinary.

Rob Poturnicki asked if this was the property that they did a site walk and saw asphalt dumped in the middle of the flagged wetlands and Mr. Bernotas confirmed that it was. Mr. Poturnicki added that Mr. Monarca's engineer was disgusted by it and stated that he would have it cleaned up. Mr. Monarca stated that he was not aware of that and he will have his engineer come back out.

Randy Bernotas explained that Mr. Monarca had called him to withdraw his permit. Mr. Monarca stated that that was prior to this and was withdrawn because it required more information. They made the changes to the plan and relocated the building as per the commission's request and provided a new drawing. Mr. Bernotas explained that he needed to apply again with the new information. Mr. Monarca stated that he did not know that he needed to take out a new permit when he resubmitted the drawing and noted that no one has called him to remind him to take out a permit. Mr. Bernotas noted that it was not his job to do that. Mr. Monarca agreed that he did submit the new drawing, but did not take out a permit.

Mr. Bernotas explained that Laurel Brook is a working, class A reservoir and this property is in the middle of the watershed. Mr. Bernotas pointed out the cinder block to the City of Middletown and they felt that that was not allowed. Mr. Monarca had all of the material tested and has submitted those reports, stating that it was all clean material. Randy Bernotas pointed out that there were 5-gallon pails there as well and Mr. Monarca explained that those would certainly not be part of the base of the building. Mr. Bernotas felt that the material could not have been certified with plastic buckets and sheeting in it.

Sal Monarca reiterated that he doesn't want to fight about this and wants to work together to get this project completed. He wants to do things right and asked the commission to work with him to move forward. Randy Bernotas suggested that he and Brian Curtis do another site visit in a few days and if they find anything, they will give a list to Mr. Monarca at the beginning of next week. Mr. Monarca stated that he would take care of any issues right away. Mr. Zieminski would like to visit the site.

Mr. Bernotas also asked about the floor drains in the existing building and Sal Monarca verified that they have been plugged up with cement. Mr. Monarca asked the commission members to help him move his project forward. He didn't feel he was asking to do anything that was not allowed on the property. Rob Poturnicki explained that that would be up to Mr. Monarca as no one on the commission wants to stop anybody from doing anything as long as they follow the rules. Randy Bernotas stated that Mr. Monarca should have come to the commission before anything was dumped on the site and Mr. Monarca didn't know he needed to do that since he wasn't dumping anything hazardous and it was his property. Mr.

Bernotas explained that a permit is necessary for anything over 500 yards. Linda Frier explained that they all have to deal with wetlands regulations, whether it's a pain or not.

Sal Monarca then reviewed that the building will be located in Middlefield, with the parking in Middletown. He was encouraged to submit the necessary applications to Middletown as well as check with DEEP.

James Brown, Alterations to private road, 97 Long Hill Road

Randy Bernotas explained that Jim Brown would have to recuse himself which would then mean there is not a quorum to approve the application. Rob Poturnicki had no issues with what was proposed. Mr. Bernotas explained that they have met every recommendation from Brian Curtis and he felt there was no significant activity. No wetlands are involved other than recharging the wetlands which is a good thing.

Linda Frier felt that the commission should delegate the authority to Randy Bernotas. Mr. Bernotas explained that a review permit is required and that has been taken care of. No vote from the commission is necessary.

Carl Zanoni asked if he can give the contractor the okay to apply for the review permit and Mr. Bernotas encouraged them to do that online or at the office and pay the \$60 fee. Mr. Zanoni owns part of the easement and Mr. Brown owns the land.

Sebastiano Spada, Construction of garage within review area, 48 Industrial Park Access Road

Randy Bernotas explained that they have received a permit application for this project. They will need to excavate a little bit in the wetland area, but most of the building is in the review area. Sebby Spada added that he had sent updated drawings to Jerry Russ. Mr. Bernotas explained that the edge of the building is right up against the wetland. The building will be constructed on a slab with frost walls and some excavation will be necessary.

Mr. Bernotas visited the site and noted that the land is level, with no indication of vegetation. The wetlands have been flagged by a soil scientist. Mr. Zieminski and Mr. Poturnicki did not feel that this would be a significant activity and Mr. Poturnicki would be happy to have Mr. Bernotas monitor this as well. Mr. Spada stated that the soil scientist felt that the soils had been "monkeyed" with. Mr. Bernotas added that he told Mr. Spada he would like to see E&S controls to prevent anything from going into the wetlands. Mr. Bernotas added that is a clear piece of land with no wetland vegetation apparent.

Rob Poturnicki made a motion, seconded by Jim Brown, to approve the permit for construction of garage at 48 Industrial Park Access Road. Motion carried unanimously.

Randy Bernotas also noted that he saw the property after a rain storm and it drained well. Mr. Spada will now apply for a building permit. There was then a discussion about other property owners and what is being stored in buildings. Mr. Spada asked how he would see agendas of future meetings that might involve his neighbors and Mr. Bernotas explained that the agendas are posted in the building and should be online as well. Mr. Spada also asked how he would go about getting involved.

Permit Applications since the last meeting

Randy Bernotas explained that he had received Mr. Spada's permit application as well as the review for the private road at Pheasant Hill.

Executive session to discuss pending litigation - CGS 1-200(6) Middlefield IWWC vs. Carusone

Rob Poturnicki felt that the commission could skip this item as everyone has received the update.

Approval of Minutes

Rob Poturnicki made a motion, seconded by Jim Brown, to approve the minutes. Motion carried unanimously.

Matters or business raised at previous meetings or on previous agendas

Randy Bernotas reviewed the prior events with AMI Sports for Mr. Zieminski. Beginning in October, 2019, they held a site visit and found that he had paved the back with asphalt millings. The smell of oil was very strong. Mr. Monarca was storing 500 to 600 pallets of dyed mulch in the area as well. This year, there are probably 1,000 pallets of dyed mulch on the Middletown side. He had cleared the property in Middletown and dug a drainage ditch that feeds back onto the Middlefield property. He is also storing almost 500 bags of topsoil for Home Depot on the property. No permits have been issued, either by Middlefield or Middletown. Mr. Bernotas felt that there is the potential for contaminating the brook. Brian Curtis had given Mr. Monarca a list of violations.

Randy Bernotas added that the town also has a problem with Mr. Monarca infringing on town property and encroaching the wetlands. He also questioned the reports that he had received from Mr. Monarca and how he would know that those reports are actually on the material that is located there. Mr. Zieminski added that Mr. Monarca may need permits from DEEP for the parking lot and air and water permits may be necessary as well. There may also be problems with solid waste disposal. Mr. Bernotas noted that they do have the sanitation noted on the plans.

Linda Frier noted that this has been going on for over a year and she is worried that it may go on for a lot longer. Mr. Bernotas reiterated that there is no application from Mr. Monarca as of now. He will call Brian Curtis tomorrow and make another visit to the property, hopefully around 11:00 AM. Mr. Zieminski will join them.

Randy Bernotas added that the soil scientist had been present at the first site visit and wasn't happy at all with what was happening there. He reiterated that the tributary to the reservoir is important and the property will be looked at in a different light because of that. Mr. Zieminski felt that the water company would be interested as well. Mr. Zieminski also cautioned that the commission needs to coordinate with other entities before issuing any approvals. He felt that if Middletown wants to deny the permit, Middlefield should consider doing that as well. Mr. Poturnicki felt that they should be concerned with Middlefield, but is not opposed to working with anybody.

Mr. Bernotas summarized that Mr. Monarca still needs to reapply which will set all of this in motion once again. He also showed pictures to the commission showing an abandoned car and what was felt to be basically a demolition dump. Mr. Zieminski felt that it was a solid waste violation. Mr. Bernotas also mentioned the Xenelis property and a property on Hubbard Street as well as a property on the lake.

Members' suggestions for matters for addition to the current agenda or for discussion and inclusion on future agenda

None.

Adjournment

Rob Poturnicki made a motion, seconded by Jim Brown, to adjourn the meeting. Motion was carried unanimously. The meeting was adjourned at 8:11 pm.

Respectfully submitted,

Debi Waz

Debi Waz
Alwaz First