

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

Minutes of the August 18, 2021 Regular Meeting

Rebecca Adams, Chairman, called the meeting to order at 7:19 pm.

Attendance:

Members

Alternates

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

A=Absent

X=Present

Amendments to the Agenda

Rob Poturnicki made a motion, seconded by Bob Veeley, to switch items 4 and 5 on the agenda. Motion carried unanimously.

Public Comment

None.

Monarca Property, Site Plan Compliance, 80 Industrial Park Access Road

Randy Bernotas read the letter that was sent to Monarca Properties regarding the situation that has not been corrected for a number of years. The property is not in compliance with the site plan submitted to the Land Use Office dated March 28, 2001. Noncompliance issues include the perimeter fence not being erected and encroachment on the wetlands with stockpiles of material and equipment. The letter gave them until August 23, 2021 to bring the site into compliance for the wetlands concerns.

Sal Monarca showed an image that depicted the property and explained that the cost to erect a fence around their entire property would cost between \$80,000 and \$90,000. He explained that the front is fenced and the right side has a block retaining wall. He proposed installing mafia blocks on the other two sides.

Rebecca Adams explained that the site plan that was filed quite some time ago shows a fence and would need to be amended. Randy Bernotas explained that that would need to be done with Planning and Zoning and that the Wetlands Commission wanted a fence to negate any encroachment on the wetlands. Mr. Monarca noted that there was a 30-foot setback to the fence and Ms. Adams explained that they would not be likely to approve them moving closer to the wetlands. Mr. Monarca added that they are in the process of taking everything out of the rear of the property and blocking the area off. He realizes that that property belongs to the Town of Middlefield. He did ask how their neighbors are allowed to be right on the water if they can't go closer. Ms. Adams stated that what the neighbors do is not relevant to this discussion. Randy Bernotas explained that he will go up there tomorrow to take a look and there might be a situation with the neighbor.

Rebecca Adams reviewed that Mr. Monarca could amend the site plan to change the fencing material and she was not aware of what had happened 20 years ago with the original plan. Mr. Monarca asked if there was any way they could purchase additional property from the town that is behind them. Ms. Adams stated that he would need to have a discussion with the First Selectman. Mr. Monarca is trying to stay away from the wetlands, but does need additional property. He will make an appointment with the First Selectman.

Ms. Adams summarized that Mr. Monarca should make an application to Planning and Zoning to amend the site plan to change from fence material to mafia blocks. Mr. Monarca noted that he is out of school now and is working with his father. He hopes to clear up a lot of the outstanding issues. He also noted that the other properties in the area don't have fences in back. Randy Bernotas will go out to the property to see that everything else has been taken care of and will report back with a schedule. He also mentioned that the fill on the other site will have to be certified.

Enforcement Officer's Report

Michael Carusone, Update on Remediation, 255 Baileyville Road

Randy Bernotas reported that the judgment has been handed down on the Carusone suit and he had until August 1st to correct the issue. There was a backhoe on the property on July 31st and everything was moved out. He put down topsoil, planted grass and put down straw. Brian Curtis took a look at it the other day and pointed out that the lake side portion of the driveway is growing grass quite well, but the

side yard portion is pretty shady. Mr. Carusone piled the gravel in front of the house and then pushed it all on top of the bank which is State property. Rebecca Adams explained that the motion for attorneys' fees has not been heard yet.

Mr. Bernotas also reported that the Wetlands' ordinance got passed last night by the Board of Selectmen and they will schedule a town referendum.

Randy Bernotas stated that Robin Newton has set up a procedure for Jerry Russ and Randy Bernotas that any and all comments, complaints or questions are presented in a written request with the signature of the person making the complaint. A lot of times the complaints come in by phone and he felt that he wouldn't be doing his job if he didn't at least make a drive-by. This happened last week at 38 Wallace Way and the property owner was laying down black plastic across the entire bottom of the retention pond, brought in boulders and was going to install a fountain. Mr. Bernotas noted that the pond is on town property and that the individual needed to come before the commission. Rebecca Adams explained that he would not come to commission as it is not his property.

Mr. Bernotas felt that the road crews need to maintain those areas and Ms. Adams suggested he speak with Brian Curtis about it. The resident was not comfortable coming before the commission and rolled up the material. He will also remove the boulders. Mr. Bernotas will drive by the property tomorrow. Rebecca Adams would not want someone to come before the commission with an issue that the commission cannot give approval for. She suggested again that Mr. Bernotas notify both Ed Bailey and Brian Curtis.

Rob Poturnicki felt the fact that Robin Newton thinks that everyone who has an issue has to sign a formal complaint was the bigger issue as people won't do that. Randy Bernotas took exception to the fact that a certain individual has requested that he go out and patrol the town. Rebecca Adams felt that staff needs to be protected and it is not okay for any member of the public to monopolize their time or harass them. Ms. Adams suggested that he keep a log of the phone calls he receives.

Mr. Bernotas also reported that Lyman Orchards has applied herbicide to the side of the hill on Powder Hill Road and along South Street. He wondered if there should be a permit for that and Ms. Adams did not feel that was necessary, but they have always given the commission a heads-up. Mr. Bernotas will call John Corona to ask him to give the commission notice. Ms. Adams mentioned that there are things happening at the restaurant at the golf course and wondered if there was a shift happening.

Rob Poturnicki mentioned that he saw a Lake Beseck Watershed sign downhill from the lake near Blackbird. Randy Bernotas also mentioned about the watershed sign near Higby Reservoir. He also stated that he needs to be more adamant about people contacting him before they start work.

Permit Applications since the last meeting

None.

Approval of Minutes

Rob Poturnicki made a motion, seconded by Bob Veeley, to approve the minutes of May 19, 2021. Motion carried unanimously.

Matters or business raised at previous meetings or on previous agendas

None.

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 8:02 pm.

Respectfully submitted,

Debi Waz

Debi Waz
Alwaz First