

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

Minutes of the February 16, 2022 Regular Meeting

Rebecca Adams, Chairman, called the meeting to order at 7:04 pm.

Attendance:

Members

Alternates

X	Adams, Rebecca		
A	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 the town owns half the road at 102 Mattabeseck Road and had to replace part of the road due to a washout with the last storm. That particular watercourse is deltaing when it gets

down towards Lake Shore Drive Extension. Mr. Bernotas wasn't sure if it was the homeowner's or the town's responsibility. Rebecca Adams noted that the town owns the road and the culvert. She also felt that it was likely that the town will do any repairs. Randy Bernotas also suggested they get a ruling from the attorney because zoning prohibits a homeowner from discharging water from their property onto anyone else's property. Rob Poturnicki noted that he will be meeting with Brian Curtis tomorrow and they will go take a look at it.

Randy Bernotas also noted that Dick Kellish's job is starting and they are installing interlocking blocks for a wall. The wall is also up at Rover's and they will drill drain holes near the top of the wall.

#### AMI Sports, Update on Application Process for Sports Complex, Monarca Property, South Main Street, Middletown

Rebecca Adams explained that Brian Curtis did an excellent job looking at the site and reviewing the previous application to determine what needs to be done to meet the regulations with a new application. He made a long list of recommendations, including that the wetlands need to be reflagged. George Logan, their soil scientist, replied that he wasn't aware that there was another application pending and has not been involved. Therefore, the process has not started as of yet and they do not have a new application. Ms. Adams explained that it will have to be a whole new application.

Rebecca Adams reviewed that the commission was advised to issue an approval that was conditioned on remedying all of the things at the site that had to be done and the applicant then decided to withdraw their application. Therefore, the applicant needs to submit a new application, along with new drawings, and to comply with Brian Curtis' recommendations before the commission can act on anything. Randy Bernotas will reach out to the applicants.

Ms. Adams summarized that the commission hired all of their professionals, conducted a site visit and did all of the right things on the prior application, including issuing a decision stating that the permit would be approved if all of the conditions were met. The applicant then chose not to meet the conditions and the permit was essentially denied.

Randy Bernotas distributed a letter that was sent out today regarding a procedure to handle complaints. There is also a form on the website.

#### Permit applications since the last meeting

There were no applications other than Baileyville Commons LLC/Peach City Equities LLC.

#### Baileyville Commons LLC/Peach City Equities LLC, Activity within 100' of a wetland to repair a seawall along the property waterfront and reinstall cottage docks, 189, 191 and 195 Baileyville Road

The applicant explained that they are just trying to prevent more erosion. Rebecca Adams asked why they did not apply for a permit until Randy Bernotas stopped their work. The applicant apologized and noted that they had only taken the machines off the truck and had stone delivered. No work had been

started. Randy Bernotas had been upset because the contractor told him that everything was taken care of at Town Hall.

Rebecca Adams explained that they will need to see more detailed drawings and materials list rather than just a hand drawing. The applicant explained that there had been an email attached. Ms. Adams stated that they would not want mafia blocks installed and would need interlocking blocks. Randy Bernotas explained that if the blocks are not interlocked, they will just erode and topple over again.

Rebecca Adams explained that they will not be able to act on the application until the next meeting due to the statutory period and the applicant explained that they were trying to get this work done before the water was back up. The applicant asked if there was a way to accelerate the process and Ms. Adams explained that they would have to hold a special meeting and then there would be an appeal period. She explained that Randy Bernotas will need to get all of the information the commission needs and then they can act on it. Ms. Adams will explore the option of calling a special meeting. The applicant felt that she was being penalized because she did not know she needed a permit. Rob Poturnicki explained that she wasn't being penalized, but the process is just beginning now and it's late in the season.

Rebecca Adams reviewed that the commission needs a complete application and the one that was submitted is not complete. Mr. Bernotas stated that he told the contractor that they needed a complete site plan with measurements included as well as the blocks and what type of base will be installed. Rob Poturnicki felt that the sketch presented was no good to anybody and there would be no reason to put riprap on the outside of the wall in the lake bed.

Randy Bernotas felt that the work would not be able to be done this year. He suggested that the applicant submit a plan to install 4" riprap in the areas of major erosion in the interim. The applicant asked if the commission had any suggestions on how she can keep the area as natural as possible, but prevent further erosion. Rob Poturnicki felt that the plan she presented was opposite of that and they could stack the blocks lower to maintain a natural look. Mr. Bernotas gave the applicant his cell phone number and asked to have the contractor call him directly. They also suggested that the applicant speak with Planning and Zoning regarding replacing the docks. There may also be issues about the docks with DEEP. The applicant stated that she may just rethink the whole idea and possibly leave it as it is.

#### Approval of Minutes

There were no minutes due to a problem with the recording from the prior meeting.

#### 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

Randy Bernotas asked if anyone had the recording of the last Zoom meeting and Rebecca Adams explained that she had it and had forwarded it to Town Hall.

Adjournment

Rob Poturnicki made a motion, seconded by Rebecca Adams, to adjourn the meeting. Motion carried unanimously. The meeting was adjourned at 7:43 pm.

Respectfully submitted,

*Debi Waz*

Debi Waz  
Alwaz First