

Blight Prevention Board Meeting Minutes for Monday, September 25, 2017
(approved)

Please note these minutes are not verbatim

Attendees: Zoning Enforcement Officer Richard Baldelli, Health Director Ed Briggs, Building Official Bill Reynolds, Fire Marshall Mickey Grasso and Recording Secretary Linda Andrews. Absent: First Selectman Rudy Marconi.

Guests: Attorney Jim Murphy from Gregory and Adams, Mr. Marlon Pereira, Mr. Marcio Pereira, Ms. Tish Brubeck and Mr. Chris Brubeck (300 Mountain Rd., Wilton, Ct), Mr. Jack Parascondola and Ms. Gina Aflalo (1 Lookout Drive), Ms. Cindy Crean (28 Lakeview Drive), Mr. Frank Bereza (25 Lakeview Drive), Mr. Bruce Simon (60 Lakeview Drive), Mr. John Macko (29 Colonial Lane), Mr. John Metzger (21 Colonial Lane), Ms. Kristie Brady (12 Colonial Lane).

1. **616 Bennetts Farm Road- Determination of Blight**
2. **29 Lakeview Drive- Citation issued**
3. **95 Lounsbury Road- Determination of Blight**
4. **New complaint: 2 Silver Spring Park Rd.**
5. **New complaint: 29 Colonial Lane**
6. **Approval of Meeting Minutes: August 22, 2017**
7. **Old/New Business- Clarification of Ordinance regarding the timing of the notification of property owner.**

Mr. Baldelli called the Blight Prevention Board Meeting to order at 10:00 am.

1. **616 Bennetts Farm Rd.:** Mr. Baldelli suggested that the Board make a Determination of Blight because the property is overgrown, the building is boarded up and nothing has changed. Attorney Murphy presented a 2 page document to the Board. Attorney Murphy referenced the Determination of Blight Hearing letter that was sent on [8/31/17](#) and asked, "What is blighted?" He stated that it is Eureka's view that the property is not blighted. He said that the building is boarded up, the power is off and it is not habited but may be in the future. His client has not abandoned their status as residence but the buildings are currently being used as a dormant shell. He stated that Eureka pays a large amount of taxes. He said they have trespassers and vandalism. Also, the property can't be seen from the road. They do not have adequate police protection. Attorney Murphy outlined his plan: Option one- do nothing as it is not blight under the ordinance. Option B- meet with a sub-committee of the Blight Board and discuss. He noted that there are no police on this Board yet there is illegal activity on their site. Attorney Murphy favors option B i. and ii.- whereby a subcommittee would

meet in advance to discuss the best approach and get pre-approval from the BPB and have it pre-reviewed as acceptable to Eureka. Option 5c, Eureka can repair and strengthen boarded-up status and paint it white, gray or red. A chain with a combo lock could be installed between the trees. An alarm system could be added with frequent police patrols. Option 5c iii- demolish both buildings with letter from BPB stating that the two piles of rubble left behind does not constitute blight. Attorney Murphy noted that if option 5b is not the chosen route, then Gregory and Adams will defend but it is cumbersome to attend monthly meetings. Demolition costs are \$100,000 and strengthening efforts including police monitoring, chains, alarms (electricians), permits, etc. cost \$50,000. Attorney Murphy claimed that the buildings can't be seen from the road and are not a fire hazard. Eureka needs to keep trespassers off the premises. Mr. Baldelli stated that the property is easily viewable from the road and that the property owner is always responsible for their property. He added that the police may be called and that the chain fence and monitor are good options. He asked why Eureka would leave the debris? Attorney Murphy explained that the brick and stone rubble would be used as fill and it would save money on removal. Mr. Baldelli added that the property is overgrown and that the boarding must stay in tact. Mr. Reynolds added that a chain won't stop kids from finding their way in and it is an unsafe building under code. He said it is unattractive but not necessarily blight. Mr. Grasso agreed that he is not sure it's blight and it's secured. He noted that the graffiti was removed but the grounds need to be maintained. Mr. Briggs agreed that if the property stays boarded it is not blight. Three board members said that is adequate. Mr. Briggs motioned to make a Determination of No Blight with the understanding that the property will be securely boarded and that if it becomes unboarded or any other nuisance conditions occur, the BPB may receive new complaints. Mr. Reynolds seconded the motion and the Board voted 3-1 with Mr. Baldelli dissenting, motion passed. Mr. Reynolds added that putting a chain at the entryway would limit vehicular access. Mr. Parascondola spoke up and said that he has removed debris from the property. Attorney Murphy added that they need more police. Mr. Grasso suggested that the property owner send a letter to the Police Chief and the Police Commissioner asking to discuss trespassing with them. Mr. Baldelli stated that the Determination has been made and motioned to close the hearing. Mr. Briggs seconded the motion. The Board voted 4-0, motion passed.

2. **29 Lakeview Drive-** Mr. Baldelli stated the the Board voted to issue a citation and the property owner has appealed the citation. He recommended we do nothing until the Citation Appeals Board responds to the citation. Mr. Reynolds seconded the motion. Mr. Marcio Pereira noted that the septic plans were turned in to Health on Friday. Mr. Parascondola expressed concern that the digging for the wall is too close to his casing and well. Mr. Briggs stated that drainage has to be 25' from the well. He said they will get the septic plans and the state will look at the plans too. Mr. Parascondola remarked that he is worried that his well will be polluted and he wants to have his casing insulated. Mr. Briggs added that he needs the engineering reports. Mr. Simon said it looks like a dumping ground and nothing has been done for months. Mr. Briggs said he is well aware of the situation on the site and that it is in the hands of the Appeals Board regarding the citation. Mr. Simon noted that the community works hard to keep their properties nice and they are frustrated. Mr. Baldelli said the Board is aware and they have issued a citation which the owner has appealed. Ms. Crean commented that the foundation has

not been boarded up, there are lights on at night and she may call the police. Mr. Baldelli explained that we are just looking at this for blight. Mr. Briggs and Mr. Reynolds said they will follow up. Mr. Reynolds noticed that at 7:30 am the front door was open and the backdoor had a screen but no interior door. Mr. Marcio Pereira asked if the house must be locked at all times? Mr. Reynolds replied yes. Mr. Grasso qualified that the house must be locked unless it is being worked on. Ms. Brubeck asked about the time frame of the Citation Appeals Board, the name of the members on the board (Michael Cunningham, Michael Trenck and Brian Gaumer) and whether or not they can attend the meeting (yes). Mr. Baldelli made a motion to postpone and wait on Blight Appeals Board decision. Mr. Reynolds seconded the motion. The Board voted 4-0, motion passed. Mr. Marcio Pereira mentioned that they have spent \$10,000 on an architect, have been working on the house for one year and the neighbor has an illegal well. Mr. Baldelli said the meeting was done.

3. **95 Lounsbury-** Mr. Baldelli noted that he couldn't see anything. Mr. Briggs agreed. Mr. Baldelli made a motion to make a Determination of No Blight. Mr. Grasso seconded the motion. The Board voted 4-0, motion passed.
4. **2 Silver Spring Park Rd.-** the Board received no new complaint.
5. **29 Colonial Lane-** Mr. Baldelli remarked that we had not received a new complaint. Mr. Metzger stated that they had started the process in January and attended meetings through April. In May, the Board made a Determination of No Blight. Mr. Metzger respectfully asked the Board to reopen the case back to April because it is still blight and the owner has not complied with the requirements. Mr. Baldelli explained that the decision was not related to the neighbors not coming to the meeting and that the Board maintains their decision. Ms. Brady said that a letter was submitted to Rudy. Mr. Macko, owner of 29 Colonial Lane, remarked that he didn't understand what work wasn't done? The lawn is mowed and the house is boarded up. Mr. Metzger asked can we discuss? He said that only ¼ of the lawn is maintained. Mr. Briggs said that Blight doesn't address the lawn. Mr. Metzger asked if the floors were safe? Mr. Baldelli explained that we can't trespass on the property. Mr. Metzger asked if it is a fire hazard? Is it rodent infested? Mr. Baldelli said that the property was looked at last time and viewed from the road. Mr. Reynolds said that pictures were given to him from Mr. Macko showing support of the foundation and therefore the floors are safe. Mr. Metzger asked if boarding up could be a blight issue. Ms. Brady commented that reoccurrence and starting all over is ridiculous and that there should be a clause or addendum or probationary period allowing the Board to reopen a file. Mr. Baldelli stated this suggestion will require the ordinance to be amended. Mr. Baldelli made a motion to investigate the property. Mr. Briggs seconded the motion. The Board voted 4-0, motion passed.
6. **Approval of Meeting Minutes:** August 22, 2017. Mr. Briggs motioned to approve the Meeting Minutes. Mr. Reynolds seconded the motion. The Board voted 4-0, motion passed.
7. **Old/New Business-** The Board discussed creating an official complaint that would address blight alone and be available online. The Board clarified the sequence of events regarding a new complaint. After receipt of a new, written complaint, the property will be added to the Agenda as a new complaint. At the initial meeting, the Board will discuss if it will investigate the property. At the next meeting, the property will appear on the Agenda and the Board will discuss the property. Generally, at the third meeting, a

Determination of Blight or No Blight may be made. The owner and complainants will be notified regarding all the meetings.

Mr. Baldelli motioned to close the meeting at 11:21 am. Mr. Grasso seconded the motion. The Board voted 4-0, motion passed.