

## Blight Prevention Board Meeting

Tuesday, December 22, 2020 at 10:00am

Via Zoom, in accordance with Executive Order 7B

Town Hall, 400 Main Street, Ridgefield, CT 06877

## Meeting Minutes-Unapproved

Please not these minutes are not verbatim

Zoom Meeting Code:

<https://us02web.zoom.us/j/86904000?pwd=ZkRlVWUwMjYxZWpScDZkdzFmNDRBd0pKLT09>

Attendees: First Selectman Rudy Marconi, Building Official Jason Celestino, Zoning Enforcement Officer Richard Baldelli, Fire Marshal Guy Miglinas, and Recording Secretary Gillian Sheerin

Guests: Patrick Biehl, Andrew Libonati and Brett Engel

Meeting called to order at 10:02am

1. 44 Highview Drive: Hearing

Mr. Marconi took some pictures which he emailed to the board, and noted that not much has changed from his previous visit to the property.

Mr. Baldelli commented that on Nov 19<sup>th</sup> he went to the property and observed a storage container, dumpster, pile of earth material, half done front porch, and gutter on the ground. He went again on Dec 16<sup>th</sup> and saw the same storage container, dumpster, pile of dirt, half done porch plus an excavator and sander. So in between the two visits the site got worse.

Mr. Celestino commented that he didn't get a chance to look this time, but this sounds in line with what has happened in the past. He said going back to the original blight ruling, the owner has not come back to land use for a permit issuance and that the porch is unfinished that can be deemed an unsafe structure.

The board agreed to hear from the guests. Mr. Marconi said he would like to hear from Mr. Biehl first.

Mr. Biehl first commented that he got issued a cease and desist for the porch, so he cannot finish that until he gets the permits in order. He said he did get the survey done for Richard, he just needs to drop it off. Regarding the truck, sander and machine, he noted that he has permits for all the work being done on the property. He said he does have permission to keep both machines on the property, just not in the area they are in right now. He said the sander is in the front because he is doing work on the sander, a repair cannot be done at its side yard storage location. Mr. Biehl asked to give him 2-3 days to have the machines moved. He clarified they are normally kept on the side of his house out of sight.

Mr. Marconi asked why is the sander not in the back of the truck now? To which Mr. Biehl replied, that he got it fully working yesterday and that the chain on the inside had broken, which is why he had to order new parts and it took a while for them to come in.

Mr. Marconi commented that having been in this business years ago, they were not allowed to operate a contractor's yard out of any residential area without specific permits and that Mr. Biehl will eventually run into this. Mr. Marconi commented that he understands, it took time, effort, additional expense, etc to comply with the Town's rules, but that he had to do it to be in compliance. He asked Mr. Biehl to please do your very best to clean up the front of yard. He said Mr. Biehl's neighbors have a right to live in a neighborhood that's not a contractor's yard. Mr. Marconi also asked for Mr. Biehl to get the permit straightened out so he can fix the front porch.

Mr. Celestino noted that for the record, the cease and desist was issued on April 22<sup>nd</sup>, which was quite a while ago.

Mr. Marconi added that we don't see a lot of progress made, which seems to be the trend. He told Mr. Biehl that he has to take some responsibility to get this situation corrected and if he is going to comply he suggests he gets going on that asap.

Mr. Badelli added one point of clarification that the Planning and Zoning Commission did approve the placement of the two open grate trailers for the side yard and, when not in use, the sander can be sitting in one of the trailers. But they did not approve the excavator or anything else on the property. They did not approve the pod or dumpster. The approval was limited to the trailers.

Mr. Biehl then commented that he has building permits he needs that equipment for.

Mr. Marconi noted the board is going to send another letter and if they don't see progress by the next meeting, they will take more serious action.

Mr. Celestino asked Mr. Biehl what permits does he have that needs that equipment? Mr. Celestino then noted that he has the permits in front of him. There is one for interior work, after the fact permit for deck that never got issued, and then one for the addition of the front porch that was taken out in 2019, but also hasn't been issued. He then asked Mr. Biehl again what equipment is needed for those permits?

Mr. Biehl responded that there is grading in the back that needs to be done and when he is done with the front, there will be grading in the front. He noted that the stuff in the back was for the septic work, which, was for the interior work. He said there was no permit taken out for the septic because no changes were made, he just made a connection.

Mr. Baldelli asked if that work has that been completed?

Mr. Biehl replied with yes, but the grading has not been completed because he is not sure what he will do in the back in terms of landscaping.

Mr. Baldelli asked when was the interior work issued? Mr. Celestino replied with Sept 26, 2018.

Mr. Marconi added that from a blight perspective, interior work is not on the agenda. And then asked Mr. Biehl what is his timeline for having everything completed?

Mr. Biehl could not provide a timeline. He said before COVID it would have been 18 months, but now he doesn't know.

Mr. Marconi said we are going to need some timeline and that there is no reason why we cannot see work done by mid- spring.

Mr. Biehl agreed work could be done by May.

Mr. Marconi noted to add to the minutes that by May 15<sup>th</sup> Mr. Biehl will have the front of the property cleaned up.

Mr. Baldelli asked if there could be a benchmark improvement prior to May? He expressed concerns that come May we are going to be having this same discussion. He commented that he is not aware of any reason why the dumpster, pod and pile of dirt have to be sitting in the front yard and that it is not related to the front porch work or interior alteration.

Mr. Biehl responded that the pod needs to be there because it has all his stuff he needed to store from the interior project. He added that the dirt is for grating in the back yard and he cannot move it now because its frozen solid.

Mr. Baldelli said he respectfully disagrees with some of Mr. Biehl's comments and that he doesn't see a need for the dumpster and dirt pile. He questions the pod because the interior permit is several years old. He noted the property has incrementally gotten worse over the past few years and wanted to express his concerns to his fellow board members.

There was discussion on when Mr. Biehl can get things going.

Mr. Marconi summarized the timeline. Within the next couple of weeks, Mr. Biehl needs to move the sander and backhoe, park the truck in the driveway every night, off the road, and he must have all the permits issued by the land use office. The porch must be completed by the end of February.

Mr. Biehl agreed.

The board then agreed to hear from Mr. Libonati.

Mr. Libonati asked if household garbage is being thrown into the dumpster because he sees rats and raccoons. He commented that the construction container has been there for years and expressed concern for the safety of the five children living on the road. He commented that the backhoe has been there for months and the project was supposed to be done in 2019 and we are now going into 2021. He feels that this is going to be dragged out for as long as it can be dragged out and he is worried someone will get hurt. He said minimal progress has been done outside even during the warm months and it seems that projects get started and then stopped.

Mr. Marconi thanked Mr. Libonati and said that if we do end up in court, we need to be sure we have given this homeowner every due right to correct and have record show that we were more than generous in giving Mr. Biehl time to comply. He added that we have done this before and it has worked and he expects the same in this situation and asks for patience.

Mr. Baldelli motioned to formally send out a letter that is an order from the BPB with time frames. Mr. Celestino second the motion. The board approved 3-0.

2. Lakeview Drive: Review

Mr. Marconi said he spoke with Alex Copp, counsel to BPB, and that the foreclosure court is beginning to reopen. Mr. Marconi said he emailed a copy of the settlement agreement as well as the stipulation to the board and to let him know if there are any questions for Alex. He also said we are hoping to get this wrapped up in the next couple of weeks. Mr. Marconi then read through the stipulations and commented that they are waiting for a neighbor to read and accept.

3. Approval of Minutes from October 27, 2020

Mr. Baldelli motion to approve meeting minutes from October 27<sup>th</sup>. Mr. Celestino second the motion. The board approved 3-0.

4. Approval of 2021 BPB meeting Calendar dates

Mr. Badelli motioned to raise calendar to agenda and approve. Mr. Celestino second the motion. The board approved 3-0.

The meeting was adjourned by Mr. Marconi.