



**Town of Beacon Falls  
Inland Wetlands and Watercourses Commission  
Monthly Meeting Minutes- March 8, 2023  
10 Maple Ave Beacon Falls, CT 06403**

*(Subject to Revision)*

**1. Call to Order/Pledge to the Flag:**

Chairman Stephen Knapick called the meeting to order at 7:30 P.M.

**Members Present:** Stephen Knapick (**SK**), Fred Bowes (**FB**), Douglas Bousquet (**DB**); Michael Pratt (**MP**), John Smith (**JS**), James Weed (**JW**)

**Others Present:** Wetlands Enforcement Officer David Keating (**DK**) Members of the public included: Sean Flynn Executor of the Charles Edwards Estate (**SF**), Joann Delenick, Cody Muth

**2. Read and Approve Minutes from Previous Meetings:**

**Motion to approve the minutes for the Public Hearing on February 8, 2023, as presented. Motion made by DB/ JW. 5 Ayes 1 Abstention Vote:**

Stephen Knapick	Abstention	Fred Bowes	Aye	James Weed	Aye
John Smith	Aye	Michael Pratt	Aye	Doug Bousquet	Aye

**Motion to approve the minutes for the Regular Monthly Meeting on February 8, 2023, as presented. Motion made by JS/MP. 5 Ayes 1 Abstention. Motion carried. Vote:**

Stephen Knapick	Abstention	Fred Bowes	Aye	James Weed	Aye
John Smith	Aye	Michael Pratt	Aye	Doug Bousquet	Aye

**3. Public Comments:** None

**4. Public Petitions:** None

**5. Old Business/Reports/Inspections/Staff**

**6. Wetlands Enforcement Officer's Report:** *WEO to speak on agenda items as they are addressed.*

- a. **Permit A-2003-236: Pond Springs Village/Pent Road/Lancaster Drive:** *No update provided.*
- b. **Permit A-2009-283: Alliance Circle Lot 3 (HI Stone):** *SK He was here last month you had a discussion on cleaning JS He attended the meeting he will continue sweeping and they widened the anti-tracking pads SK The board is happy, good*
- c. **Permit A-2014-306: 100 Fieldstone Lane-Chatfield Farms Phases 3, 4, & 5:** *Report submitted commissioners read report. DB a couple items from engineer should be addressed detention ponds, e/s controls, stormwater measures, street sweeping. SK Dave you will follow up.*



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- d. **Permit A-2018-314, SW-2018-014: Charles Edwards, Tiverton II, Fairfield Place:** **FB** off the board to avoid any possible perception of a conflict-of-interest **SK** Sean you are looking to extend this permit, is that right? **SF** Yes, we want to extend the permit we are looking to close on the sale of the property prior to the end of the permit but would like to extend for the one year. **SK** We received a recommendation from the Enforcement Officer that this decision would be best. **Points to consider in the March 8, 2023 discussion regarding the Tiverton extension request** Draft prepared by DJK 3/7/23

1. The Wetlands Permit A-2018-314 and the Storm Water Permit SW 2018-014 for the Tiverton Subdivision were approved by the Beacon Falls Inland Wetlands and Watercourses Commission on April 11, 2018. Both permits remain valid until April 11, 2023.
2. As part of the permit, the site development plans were specified. The construction and regarding of the site, and development of the property must be in accordance with those approved plans.
3. Charles Edwards, the owner of the Tiverton subdivision/development, started working on modifying the site to:
  - install some of the utilities,
  - build the storm water drainage facilities, and
  - the site grading to accommodate the street extension and the eventual lot development.None of the work is completed.
4. Charles Edwards passed away. His estate has indicated that they will not be acting as the builder/developer nor will they be completing the site work, but they will be marketing the subdivision to other builders.
5. Approximately a year ago a prospective buyer had an updated, partial drawing done by the project engineer to determine the status of some of the existing conditions in the vicinity of the terminus of the street extension. It was noted that some of the improvements in that area are in compliance with the approved plans and other site work did not comply with the approved plans.
6. A different prospective buyer attended the February 2023 meeting of the BFIWWC to discuss the status of the project. It was noted that none of the site improvements have been completed and that the final outcome is that all of the work needs to be done in compliance with the approved plans. The prospective buyer was advised that they should get a complete updated



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drawing of all of the existing site conditions from the project engineer so that it can be determined what the current site conditions are and how much they need to be modified to comply with the approved plans.

7. If anyone wants to make changes to the approved plans, they will need to document the requested changes and submit the modification request and supporting engineering information to the BFIWWC for consideration and action.
8. Stipulation 4 of the 2018 approval of the Wetlands Permit and the Storm Water Permit reads - 'This permit is being authorized for a period of five (5) years and shall expire on April 11, 2023. It is understood that the project may take longer to complete, depending on market conditions. If the project is proceeding in accordance with the approved plans and applicable stipulations and conditions; and problems, difficulties and unforeseen circumstances have been promptly corrected and addressed by the Applicant, then the Commission may extend the permit in increments of one(1) year to a maximum total of five(5) years.' This language is important because, significant questions have been raised about whether the project is proceeding in accordance with the approved plans. Without having an accurate drawing of the existing site conditions, it is not possible to make a conclusive determination about whether the grading, utilities, drainage facilities, street work and lot regrading, are, or are not, in compliance with the approved plans.
9. The sediment and erosion issues raised by the BFIWWC, and their staff have been addressed in a reasonable manner. Effort must be made by the property owner to maintain those protective features to assure that the downhill wetlands and watercourses are not adversely impacted.
10. This action to grant an extension of the Wetlands Permit and the Storm Water Management Permit, is to facilitate the efforts of the estate to find a suitable buyer who will implement and complete the subdivision/development in compliance with the approved plan. This extension is not to be construed to modify the originally approved plans or to accept the existing site grading, utilities, drainage work, street extension or other site conditions as being complete or correct or in compliance with the approved site development plans.
11. The Wetlands Permit A-2018-314 and the Storm Water Permit SW 2018-014 for the Tiverton Subdivision are hereby extended for one (1) year and shall remain valid until April 11, 2024, with the clear understandings that:



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- A. All conditions and stipulations of the April 11, 2018, permits shall remain in full force and effect, and
- B. The existing site grading, utilities, drainage work, street extension or other site development are **not** being accepted as being complete or correct or in compliance with the approved site development plans, and
- C. That the permits are not being transferred at this time and that in accordance with Stipulation 3 of the permits - the permits are not transferable without the prior, written consent of the Beacon Falls Inland Wetlands and Watercourses Commission. If transfer is approved by the Commission, the terms and conditions of the permits shall bind all successors, heirs and/or assigns of the Applicant.

**JS** If we are extending the permit its based on the verbiage provided by Enforcement Officer **WEO** The only thing you would need to do extend it would be is to adopt items 10 & 11 in the draft. By granting the extension of the permits you are not approving any modifications or changes, nor are you saying what's physically there is acceptable or unacceptable because you don't have as-built drawings. The items 1-9 are facts of how we got to where we are now. **JS** just reading this just wanted to make sure that we don't miss anything. We should make all of this a part of the extension. The extension should be based on all of the verbiage provided by WEO.

**Motion to approve the one (1) year extension (4/11/2024) for Wetlands permit A-2018-314 with all of the drafted items including 10 & 11 as provided. Motion made by DB/JW. All ayes. Motion carried.**

**Motion to approve the one (1) year extension (4/11/2024) for Stormwater Management permit SW-2018-014 with the all of the drafted items including 10 & 11 as provided. Motion made by MP/DB. All ayes. Motion carried.**

- e. **FB** Back on Board. **Permit A-2019-315, SW-2019-017; A-2019-315-A1, SW-2019-017-A1: Hopp Brook Dvlprs: No Update**
- f. **Permit A-2019-316, SW-2019-018: Shawn Classey, 363 & 375 Burton Rd: No Update**
- g. **Permit A-2019-317, SW 2019-019: Berco Tank, 36 Lancaster Drive: No Update**
- h. **Permit A-2021-320 & SW2021-023: 808 South Main St./MHC83 (HW Portfolio LLC) (Cube Smart Storage) WEO They are all done let's leave it on the agenda until after spring.**



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- i. **Permit A-2021-325 & SW2021-026: 251-253 South Main Street, James Martin:** *No activity No Update provided.*
- j. **Permit A-2021-326 & SW2021-027: 343 Lopus Road, TriTech Americas LLC-Solar Tri-Tech** *No Update*
- k. **Permit A-2022-330: TOBF Coventry Lane Rehabilitation:** *No Update*
- l. **Permit SW-2022-331: TOBF Dolly Drive, Patricia Terrace Rehabilitation:** *SK Patricia is done. On Dolly Drive we were able to see the soap going into catch basin, engineered looked into placing a dry well to collect the soapy water. WEO I will follow up with Town Engineer*
- m. **Permit A-2022-331 & SW-2022-032: TOBF Burton Road Rehabilitation:** *SK That has started. I don't know if anyone has been down there, but those Dayton boys are doing a class act job.*
- n. **Permit A-2022-332: Armandino Costa/3 Coventry Lane:** *Left on agenda to review through Winter and Spring.*
- o. **Permit A-2022-333 SW-2022-332: 30 Lorraine Drive/Charles Edwards Estate:** *SF We will be going to PZC to request an extension on the filing of the mylar, as there will be a site plan modification to make financial feasible. We can't afford to run the sewer line all the way to back. There won't be any change to the wetlands as they were the front lots, the site plan modification would be addressing the rear lot. JS the extension is for filing the mylar? SF yes, we don't want to file it and then have to come up with a modification so we are requesting our last 90 day extension before next week. It won't be a huge change. SK You will still need to present it to the Wetlands Commission when you get to that point.*
- p. **Maintenance-2022-1012: 43 Buckingham Drive/Posick:** *Left on agenda to review through Winter and Spring.*
- q. **Permit A-2022-336 & SW-2022-335: 7 Rimmon Hill/Lan Kolga LLC:** *No activity.*
- r. **35-37-39 Avenue D:** *No Change just on there to keep up an eye on it.*
- s. **Detention/Retention Pond Maintenance:** *Land Use Coordinator: inspecting sites as noted in site plans to better assist GIS with precise locations of detention/retention ponds.*
- t. **Review of IWWC Regulations, Ordinances, Fee Structure; Conditions of Approval & Inspection; Escrow Account:** *Former Commissioner Rich Minnick presented the board a draft "Fee to be required as condition of permit". "This was something I was working on previous*



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to me leaving in November" Discussion took place as to when the proposed site inspection fee would be collected and placed into an escrow account. Board will review document and discuss further at next meeting.

**7. New Business:** *None*

**8. Correspondence & Payment of Bills**

- a. Administrative Officers & Other Invoices: *None*
- b. State of Connecticut Fees: **WEO:** *All caught up.*
- c. Engineering: *No updates.*

**9. Petitions from Commissioners:** *None*

**10. Adjournment**

**Motion to adjourn meeting at 7:55PM JS/FB all ayes. Motion Carried.**

Respectfully Submitted,

Leah Rajvong  
Clerk, Inland Wetlands and Watercourses Commission