



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

*(Subject to Revision)*

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

Vice Chairman John Smith called the meeting to order at 7:30 P.M.

**Members Present:** Fred Bowes (**FB**), Douglas Bousquet (**DB**); Michael Pratt (**MP**), Brian Swan (**BS**), John Smith (**JS**), James Weed (**JW**)

**Others Present:** Wetlands Enforcement Officer David Keating (**DK**) Members of the public included: Jimmy Martin 251-253 S Main St. (**JM**); Joe Rodrigo 42 Bonna St representing LanKolga LLC. (**JR**); Joel Zinko 13 Rimmon Hill Rd. (**JZ**); Chuck Stone HI Stone (**CS**); Robert Pettinella Real Estate Broker for Charles Edwards Estate (**RP**); Robert Ramady (**RM**) potential buyer for Tiverton II Fairfield Place.

**Motion to rearrange agenda to better accommodate the public. Motion made by MP/DB. All ayes. Motion Carried.**

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

**Motion to approve the minutes for the Regular Monthly Meeting on January 11, 2023. Motion made by JS/MP. 5 Ayes 1 Abstention. Motion carried. Vote:**

Doug Bousquet	Abstention	Fred Bowes	Aye	James Weed	Aye
John Smith	Aye	Michael Pratt	Aye	Brian Swan	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):** WEO last month we discussed the problems with the anti-tracking and dirt/stone onto Alliance Circle and subsequently out on to Rt. 42. Yesterday, I was pleased to see the anti-tracking pad is being redone on the earth removal site and today they were redoing the anti-tracking at the waste-station. Mr. Stone is here to address the board. **CS** Mr. Keating asked me to look into the situation, we widened the traffic pad to allow 2-lane traffic, thickening pad to 12 inches to lessen the impact, added approximately 100 feet of tracking pad, and



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fanned out 50 feet. So as the trucks approach they spend more time on the pad, move and replace stone more often and inspect it daily. We have someone now responsible to inspect and lessen the tracking out on to the road. **JS** do we have a contact for the scalehouse? **WEO** I have Mr. Stone's number now and he's the one in charge. **CS** We have a woman there name Jessica she is there from 7-3:30 she is fully aware of these concerns. **BS** There is constant attention to the tracking pad they are up on it, and it's not being ignored. **CS** signs are up for those that buy stone from us, that their tailgate must be up. Sometime stone falls on the road but we are quick to clean it up.

- c. **Permit A-2014-306: 100 Fieldstone Lane-Chatfield Farms Phases 3, 4, &5:** Report submitted commissioners read report.
- d. **Permit A-2018-314, SW-2018-014: Charles Edwards, Tiverton II, Fairfield Place:** **JS** Anyone here that has any concerns? **RP** Robert Pettinella (**RP**) Real Estate Broker for the Charles Edwards Estate representing the estate along with the Robert Ramady (**RM**) prospective buyer for the property. **RP** The prospective buyers went on a site walk with Stephen Knapik and John Smith last Tuesday. They spoke with Land Use Coordinator, Town Planner, Street department, Sewer Authority, Water, everyone seems to be in tuned but there seems to be some miscommunication because the last person they spoke with, didn't turn out so well as far as the conversation. **RM** We are just looking as to what you need from us. **JS** Robert you were there last week? **RM** Yes **JS** Last Tuesday Steve and I met with these gentlemen, out on the site, we did a site walk, meet and greet sort of thing. The gist of the conversation was that they are interested in buying the property and what would have told them was there was an application approved and a set of plans that are on file that were approved any deviation from that plan if it wasn't approved by the commission or by the town engineer or by whatever authority, they would have to tell us. We would need to know that what is up there is on the print. Anything that deviates from that print you would need to see if it was approved, or how it was going to be adjusted to make it work. There was an issue with the slopes on the stones I know that was one of the questions. I wasn't at any of the hearings at the time I was an adjacent property owner and I stayed away from the hearings. So I



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don't know the conversation became about the slopes or any of that. I think that is pretty much how we left it. **RM** My concern was that walked the site and measured, just seems like that wall is a little bit extended than what is on the plan, that's it. So I don't know, my understanding is that it came from the previous engineer site walk with them, I don't know how far it got with him. **RP** It was our understanding that Jim Galligan with Charlie Edwards when he was building that wall. We had a meeting a year and half ago September of 2021, we had another buyer for this property. The other buyer actually videotaped and recorded the meeting so they could have some reference as to what was said. The town engineer at the time had no problem with the wall and how it was set. The only problem the town engineer Paul DeStefano had was about the material on the road, we had a meeting with Gerry Smith about a week ago and he got Paul on the phone, only problem he had was the material on the road and having to move some catch basins. He wanted to have a Sieve analysis and compaction test for the road. We have gone through some pretty bad storms in the last five (5) years and that has been like that for the past 5 years. Wetlands have signed off on lot 7 to construct a home and pool, certificate of compliance for the pool and occupancy for the home. **JS** look the thing is, you need to prove to us that the drainage on the road is done per the specs and if there were any changes what they are. **RP** there was an as-built that was done. **JS** let me finish, you need to prove to us that the drainage that is in place as far as the Wetlands is what it was designed for and if there were any changes done in the field, what they are versus what we have in the print. You have the original print, from the original subdivision? **RM** Yes, the 12 pages. **JS** alright, if there is for example an eight (8) inch pipe that was supposed to be a six (6) inch pipe and you upgraded it for some reason why you did it, that's a difference in the print. What we have here and what we have existing and why it's there and who said it could be done at the time. Dave can you elaborate on that am I saying this right? **WEO:** When I have spoken to people about it the main thing has just been that the site development plan to match the approved plans. If there is a change it needs to come back to the commission. Inland Wetlands Watercourses commission was concerned about the steepness of the embankments on lot



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1,2,3,4, & 5, if you go in Fairfield Place they would be on the left hand side. They slope very deeply to the neighbors house and then down to the wetlands and watercourses below that. As I look at what Charlie built and the steepness of the slopes and the location and the height, they don't seem to match up to what was approved. When we did meet up out there with the previous prospective buyer and there was talk about doing an as-built drawing I specifically asked them to include some spot-elevations and some details about those slopes, they didn't need to be two (2) foot contour intervals, they needed to just show bottom and top and location, and the steepness of those slopes to make sure they matched up with the approved plan. When the as-built information came in, it did not include any of that information regarding the lots 1,2,.3,4, & 5, it included some information about the turn around area of where Fairfield Place would be built. Some of the things were accurate and built according to the plan and other things were wrong, they were too high, too low, in the wrong place, they just didn't match up. So the information that I expressed a lot of concern about were the steep embankments on lots 1,2,3,4, & 5 has not been addressed. As I look at it with 40 years of experience reading plans and looking at sites, it just doesn't look right, it looks like the embankments are too high, too steep and probably in the wrong location and when I spoke to Mr. Edwards as he was doing this work his response was "I ain't finished yet Dave, I'm still working on it". He disregarded my comments and he was going to do it his way and if turned out in accordance with the plan that would be a surprised to me. I express these concerns to the buyers recently that they need to check to make sure what they are looking at matches up with the approved plans. It just doesn't look right to me, they are welcome to review the resolution of approval which says here's the grades that the Wetlands commission has approved and they need to as-built maps of this work. **JS** do you have, you mentioned you have a map of some of the onsite **WEO** There is sketch drawing of some of the work **JS** There is some information out there with what it is now, present conditions **WEO** Present conditions **JS** Do you have a copy? **WEO** I do not have a copy of that with me now, no **JS** Do we have a copy? **RP** It was sent to the Wetlands Commission. **JS** We can make that available to the applicants so they can see **RM** We



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have that **JS** you do have that? **RP** What they wanted at that site meeting, because I was at that site meeting, they wanted to know where all electrical pipes where, the sewer laterals where in, they wanted information about the catch basins, a couple of the basins may have to be tweaked, the grades have to be changed slightly. There was a cylinder power cylinder on the left-hand side of the road that was too high and the town engineer said the power is on, leave it alone. When you complete road build a small retaining wall around it, so you don't get any erosion. They were pretty specific about what they said at that meeting. There was zero serious complaint about anything, it was just after a major 7-8 inch major rain storm everything was still in place. Correspondence, between town engineer, project engineer John Paul Garcia because the town engineer had questions about drainage. Two weeks ago we met the first selectman, town engineer and the only concern he had was the grades of the road and compaction test done on the material and sieve analysis. Catch basin supposed to be removed from lot 12, Charlie was supposed to take it out, he left it there. Town engineer said to leave it there, its going to do no harm other than good for the water coming off that hill. When you landscape that front property and grade it just put a swale into that catch basin, that catch basin will catch a lot more water. That was where we agreed to leave it. **JS** Let me explain, you got a situation up there and you got a set of plans that were approved. Take the conditions of approval that you need to fix, **RM** I understand **JS** you understand what I am saying, I don't think he understands **RP** I understand I have been doing this for 40 years. **JS** I understand that you understand what I'm telling you is I don't care about what the selectman told you **RM** there looks like there may have been changes to the plan, and it looks like it was engineered that way because its working cause I walked up there **JS** what you gotta do is say catch basin this is not in the same location but there was an approval it was in the meeting minutes blah blah we would like to move it and get permission to change it. You have a big concern with the slopes, the plan says the slopes have to be that way that is how the slopes are supposed to be according to the plan as far as the board is concerned. Unless you come back to the board to have them changed, the print is the print. I know there were some



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changes they lowered the road, they did some other things. Some things were approved probably I don't know, but the things that were changed that were approved that's fine. But anything you need to fix that is not the same as the plan needs to come back to the commission, have your engineer figure it out. **RP** I guess my question is, are these slopes a wetlands problem or a zoning problem? **JS** well if they erode it's a wetland, if they are unstable and are going to go down the hill that's an erosion problem. I'm sure zoning has a question about it, maybe they are fine with it I don't know. The conception is that this board has given that subdivision a hard time its untrue. So that would be my advice to you. **RM** so bottom line is you want it on paper **JS** yes, I know you are doing your due diligence, everything is going to have a piece of paper and reviewed and signed off by an engineer. **BS** is there an as-built that has been done? **RP** there is an as-built of the existing. They requested an as-built for the road. Showing sewer laterals, pvc pipe for each lot, for the power all the water mains, shutoffs. They wanted to know what's physically there. **BS** So they need something to match the two together. **WEO** They can either revise the site to match the approved plans or come back to the commission with a detailed plan with what they want, reviewed by our engineer, and the commission has the final decision. The prospective buyer needs to know how much work needs to be done as far as site work, regrading, drainage, it's not just slope work on lots 1,2,3,4 &5 it's the whole project, it's the big swale above of the site, it's the drainage, detention basins its all the pipes being verified its everything depending on how much work still needs to be done the value of the land/lots comes down but that's not the commission doing. **RM** Raingarden up on top is Tiverton II its not a part of this property, he started up on top, he brought down a trough piped it into where it crosses the property into a catch basin that goes down into a pipe that goes into a retention pond. If its not correct way up on top someone would need to, other person would need to fix it I don't want to be responsible. I walked up there with Steve it looks likes it working. **WEO** but its not complete? **RM** How would I be responsible for it? **JS** We can talk this thing to death we just need to get these two plans together if they are not the same we gotta get them as close as possible and whatever change needs to the board. **RP** so



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are you saying to you only need the wetlands information on the plans? **JS** yes, you need to show the wetlands but if you are going to do a plan and show a bunch of stuff, you **RP** I just need to know so I can pass this information on the engineer and I have to get approval from the estate cause it costs money. **JS** we are not responsible for any of the zoning but if I were going to do a print, I would put one hat on and try to combine everything into one as much as you can. Instead of having one print showing wetlands and zoning have an issue or Zoning could say no on something and it could affect the wetland application **RP** As it appears right now zoning doesn't have an issue **JS** I'm sure the zoning is quiet happy with the mess right now. I don't think zoning is quiet happy with the whole project. **WEO** A-208-314, SW-2018-014, permit approval expiring 4/11/23. The extension would be for one year and need to be renewed yearly and not extend longer than 5 years total as per stipulation number 26 in the April 11, 2018, Conditions of Approval. **JS** whoever is representing Charlie's estate needs to forward a request for an extension for the application.

- e. **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) No Update**
- i. **Permit A-2021-325 & SW2021-026: 251-253 South Main Street, James Martin: JM** gave report in person to board. I put a trench at the bottom of the slope that led into the swale. Most of the water was led into pipes, no silt or sediment was present in the roadways. Staked haybales were placed at the bottom of the slope as per town engineer. **JS** any scheduling? **JM** No I know that a big thing, I just don't want to open up any earth when its not a dry season. I check on the silt fences, sediment areas, just to make sure clear water is flowing. **DB** I was there today the pipe on the right hand side of the driveway is frozen solid all the water on to the driveway across the road and its frozen. **JM** that little bit of water that came out its clear there is no sediment. **JS** there is concern that water



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behind the silt fence, so road doesn't erode. **BS** What about seeding? **JS** fix that spot so you don't have the road foreman come down. **DB** lady up on the top, worried about the tree **JM** I will take a look at the trees.

- 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:** Construction currently taking place.
- m. **Permit A-2022-331 & SW-2022-032: TOBF Burton Road Rehabilitation:** Construction has started.
- 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:** No update
- 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: Discussion & Possible Vote for Public Hearing February 8, 2023 @7:00pm.** **JS** we closed the public hearing anyone have any questions about the project. **MP** any concerns we had were addressed by Jesse **WEO** I have provided a draft motion and standard conditions for both the Wetland and Storm-Water application. Split rail fence if you see that its adequate or need to be longer or shorter. **JS** the only thing I was the markers in the further back at the boarder of the wetlands. Just make sure you inform Dave when you are going to start the project.

**Motion made to approve Permit A-2022-336 & SW-2022-335 with standard conditions of approval. Motion made by DB/JW. All ayes. Motion carried.**

- r. **35-37-39 Avenue D:** No Update
- s. **Detention/Retention Pond Maintenance :** No Update
- t. **Review of IWWC Regulations, Ordinances, Fee Structure; Conditions of Approval & Inspection; Escrow Account:** No Update

**7. New Business:** None

**8. Correspondence & Payment of Bills**

- a. Administrative Officers & Other Invoices: None
- b. State of Connecticut Fees: **WEO:** All caught up.



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c. Engineering: *No updates.*

**9. Petitions from Commissioners: None**

**10. Adjournment**

**Motion to adjourn meeting at 8:20PM JS/FB all ayes. Motion Carried.**

Respectfully Submitted,

Leah Rajvong  
Clerk, Inland Wetlands and Watercourses Commission