



Town of Beacon Falls
Inland Wetlands & Watercourses Commission
Regular Meeting Minutes
September 13, 2023
C/O Town Clerk
10 Maple Avenue Beacon Falls, CT 06403
(Subject to Revision)

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

Members Absent: N/A

Others Present: 6 members of the public, P&Z Chair Michael Rupsis (**MR**), WEO, David Keating (**DK**)

1. **Call to Order /Pledge of allegiance/Roll Call:** The meeting was called order at 7:32 pm.
2. **Read and Approve Minutes from Previous Meetings:**
Motion to accept Dave's Revised minutes from the August 9, 2023, regular meeting, **JS/DB**. All ayes.
Motion to arrange agenda to accommodate the members present Pond View Circle, 26 Westview, 13 Avenue B **MP/DB**. All ayes.
3. **Comments from the Public:**
 - a. **13 Avenue B – Larry Ellis (LE):** **SK** We've had some serious wash outs and I understand it's not normal rainstorms. Do you have any plans on taking any more precautions? **LE** Yes – I've been in touch with Rob (Road Foreman), we are going to pave our driveway on Avenue B and when we do that, we will also put a curb and gutter along part of Avenue E to keep the water in the road. Part of the issue is there is hardly any drainage system in the streets. The water in the backyard is collecting from everyone's lots up top since it's a corner lot. We did plant grass, but it keeps raining. We do have it 70% under control. The Grass seed popped (sprouted) this week, I will reseed once we get no rain. I could put up another silt fence which I probably will. **SK** So you are going let the lawn get established then go in and fix the ruts? **LE** Yes. That's my plan. **BS** Theres no plan to put any type of detention or a yard drain? **LE** No. **DK** No detention was desired there because the site is so close to the water course so rather than slow the water down he received permission from Rob to make a direct connection from the gutters and leaders to the catch basin at the corner of the street. There's no delaying the water, its piped right to the catch basin. **BS** Just my observation over the last few months, my concern is the amount of water that is going to come around the corner off your property and it's not being controlled properly. We had many rainstorms and many times there was no correction after the storms, no one went there the day after. I stopped there and the water company inspector was fixing things that they were responsible for and cleaning the street, but you were not fixing what you were responsible for. I feel there should be a surface drain (yard drain) from what's coming off the backyard. It's too much water. It should be controlled. **SK** The leaders are all tied into the storm system? **BS** There is a basin on the corner. **MP** The last rainstorm we had there was water coming out of the down spout. I just let Larry know that today. **LE** I will look into



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that right away **DB** It looked like it was coming off the downspout. **BS** there should be some kind of yard drain to pick up the water. **SK** Something to look into. **DK** Yes, we can talk to Rob about it because it should be an easy connection and grab it before it gets to that point where it erodes the embankment. **BS** Redirect it towards the corner. **FB** What did you put under there going into the storm system, a 4- or 6-inch pipe? **LE** I'm not sure. I will find out, I hope it's 6 inch. I will find out as soon as we leave here. I would like for 2 weeks to get more grass growing in the back. There is a lot of water coming down and I may have to put a drain in. Grass or not the down spout needs to be a 6 inch. **BS** Maybe a silt fence? Up and around the corner? **DK** I think the silt fence would be helpful since the driveway will be paved. **BS** Majority of the water is not coming from the driveway. **BS** There should be a silt fence or two in the side yard. **LE** Will put silt fence up and address the gutter.

- b. 412 Blackberry Hill Rd. Dave Rempt (DR) – **DR** Last time I was here 6 months ago there was water coming off the back lot behind my house and water is continuing to come down. I brought prints and I'm curious what's going on? **SK** I'm going to be honest we dropped the ball. **DR** What if I tar that? Is that legal? **DK** It depends. **SK** David Keating, please get the printout and call Dave (homeowner) 203-723-1194. **SK** I apologize we dropped the ball.

4. Public Petitions

None

5. New and/or Pending Applications

- a. Pond Spring Development LLC C/O Jeff Respler – 61 Lancaster Dr (Lot 24): **BS** and **JS** Recuse themselves from the discussion to avoid any possible appearance of a conflict of interest and exit the room.

SK We were asked last month by the WEO what we thought of the concept of filling in the pond. I said we could not address it because we didn't have the print or anything in front of us. Since then, we have reviewed the application materials and SK, DG, JS, and FB separately visited the site and as far as the concept, we do not like it. We are not in favor of filling in any portion of the detention basin. There is not enough information to support it provided in the report we got from the engineer.

SK Reads the following notes that he made many years ago and recently found in his downstairs: March 10th, 1999: Received application A-99-183 - Relocation of Detention Pond. Public hearing needed - the public hearing was set for Wednesday, March 31, 1999, at 7:00 pm.

March 31, 1999 - Public Hearing A-99-183, 7:00 pm start. – Property owners received registered letters pertaining to the relocation of the detention pond and emergency access road. Letter received by Fire Marshal 03/31/1999. "No activity until Coca-Cola gets approved." Lot 24 will be the detention pond. Who will maintain the pond? No wetlands were on the plans. There has been an access road in there. Less discharge with the new pond than on the original plan. Closed Public Hearing 7:40 pm, Approved: 6 yes, 0 no.

April 14, 1999: Revised Industrial Park - Coca Cola has been passed.



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That just backs up our reasoning saying that pond is sized the way it is, for Coca Cola.

JR Lot 24 is not the detention basin; the other lot is. **SK** Right here in your own report, 2nd paragraph, you said “the object is also to determine the effect to fill in a portion of the basin. Lot 24 is currently undeveloped and a portion of the detention pond.” It IS the detention pond according to application A-99-183. **JR** It was revised in 2004. Right now, it is on the neighbor’s property. We have a drainage easement on the neighbor’s property.

SK The bottom of your pond is elevation 177.9, and you propose to fill it and then have the first floor of the building at elevation 194. You mean to tell me you’re going to dig down 16 feet for the new footings for the building? **JR** No. **SK** Look where you start, 177.9 – the bottom of the pond.

SK The application isn’t complete because the application fees have not been paid and we will need to schedule at Public Hearing if the applicant wants to proceed, but before we do that, I want to poll the members to see if they are in favor of filling a portion of the existing detention basin. I am NOT in favor to fill it. **DB** not in favor, **FB** not in favor, **MP** abstained because he did not visit the site. **SK** Having said that, if the applicant wants to proceed, we can table this until next month and they can pay their application fee and we can schedule a public hearing and inform the neighboring property owners.

DK It’s the commissions call, **JR** has some information for you to review. **SK** You don’t have the original print or drainage calculations from when the industrial park was first approved. **JR** Right now the detention basin isn’t in conformance with the old approved plans. Nothing is done correctly on this; we’re looking to correct it. There’s no water in the basin. **SK** Like I said, this application isn’t fully complete, the applicant knows how the board feels. Until the application is complete with the fee, I will table this until next month. Then we will have a public hearing and send all the adjacent neighboring owners registered letters. We will accept any new drawings you have. **JR** I think we have a wrong understanding of what lot it’s on. The drainage easement allows us to drain whatever we want to the neighbor’s property. **SK** Until there’s something in black and white before the board that says they changed it since 1999, I’m going with that we have on record. Any other questions? I appreciate it and thank you. David - you will get together with the engineer and come up with the fee numbers so they can complete the application and we can move forward? **DK** Yes, I will.

JS and BS returned to the meeting.

6. Old Business/Wetlands Enforcement Officers Report:

- a. Lot 26 Westview – Marco Miranda (agenda item L) (**MM**) I have a lot of pictures of the crossing. It was done over the weekend; it was very successful. We are very happy with how it came out. **SK** We would like to keep the pictures (Board members view documentation and pictures) **SK** Noted that there are NO TRESPASSING signs and asked if it’s OK for him or anyone on the board to walk the property if they would like to. **MM** Please do. **DK** Requested as-built verification from the project engineer. **MM** We will get that you. The septic design just got approved by Valley Health District. We also will end up with a little less of degree with the angle on the driveway as well.



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- b. Permit A-2009-283: Alliance Circle Lot 3 (HI Stone):
DB I will stop by there tomorrow.
- c. Permit A-2014-306: 100 Fieldstone Lane-Chatfield Farms Phases 3, 4, & 5
JS All paving is complete, right? **DB** Yes. **DK** I got the report from Chris Olivera that this job will be coming to a close as the last homes are being built. Close out process will start soon, please let us know what questions you have. He asked the members - As you go out there and see the site, if there are things you notice on site, please let me know. **SK** I have to go out there and check on the runoff issue that was raised by the owners of driveways that are accessed through Bethany. **DK** I've tried to get up there and can't get through the golf course. **SK** I'll call Paul and have him unlock his driveway gate and I'll call you and we can go. **DK** I also made the project inspection engineer aware of the situation. I believe it might be resolved.
- d. Permit A-2018-314, SW-2018-014: Tiverton II, Fairfield Place:
SK Received a call from the Town Engineer saying he got a call from the new owner that he's going to get started, Paul said when he's ready to let us know. **JS** is the plan filed? **DK** What's planned is what's been approved unless they requested an amendment. **JS** At this point they're starting with their new plans? I thought they were going for some modifications. **DK** I have not seen any revised plans. **JS** all we have on file is what's supposed to be there. I thought we should get an as-built on what's there now. **DK** I think the reason we haven't seen a as-built map is because whoever's preparing or reviewing that doesn't like what they see and doesn't want to share it with us. **SK** Understood? **DB** Understood.
- e. Permit A-2019-315, SW-2019-017; A-2019-315-A1, SW-2019-017-A1:
Hopp Brook Developers:
Septic is being reviewed by Valley Health.
- f. Permit A-2019-316, SW-2019-018: Shawn Classey, 363 & 375 Burton Rd:
No update
- g. Permit A-2021-325 & SW2021-026: 251-253 South Main Street/James Martin:
SK + DK Received email from road foreman. **DK** We have a report with pictures and an email from Rob (Road Foreman) "With all the recent heavy rain events the edge of the road has been getting undermined and washed out. I spoke with Mr. Martin about this, and he is working with a contractor on correcting the issue to direct the water to the catch basin. He said he would notify me before any work is started." Jim is supposed to pave the portion that has eroded in the near future."
- h. Permit A-2021-326 & SW2021-027: 343 Lopus Road, TriTech Americas LLC-Solar Tri-Tech:



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DK You can see where they are getting ready but no construction or demolition has started.

- i. Permit SW-2022-331: TOBF Dolly Drive, Patricia Terrace Rehabilitation:
Complete – Remove from Agenda.
- j. Permit A-2022-331 & SW-2022-032: TOBF Burton Road Rehabilitation:
No Updates
- k. Permit A-2022-333 SW-2022-332: 30 Lorraine Drive/Charles Edwards Estate:
No updates **DK** No construction – 2 or 3 lots have been sold. **FB** They were purchased by the same person. **DK** It is now 4 lots.
- l. Permit A-2022-336 SW-2022-335: 7 Rimmon Hill/LanKolga LLC:
No updates
- m. 35-37-39 Avenue D:
No updates
- n. Detention/Retention Pond Maintenance:
DK Taken care of.
- o. Review of IWWC Regulations, Ordinances, Fee Structure; Conditions of Approval & Inspection: **DK** mentioned that it is all set. **SK** Can we remove? **DK** No because they are amending the ordinance.
- p. 14 Lorraine Dr., Filling and regrading of backyard:
No updates

7. New Business
None

8. Correspondence / Payment of Bills:
None

9. Petitions from Commissioners:
None



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10. Adjournment

A motion was made to adjourn the meeting at 8:22 PM. **JS/DB**, all ayes.

Respectfully submitted,

Nicole Pastor
Clerk, IWWC