

**Beacon Falls Inland Wetlands & Watercourses Commission
10 Maple Avenue
Beacon Falls, CT 06403**



**BEACON FALLS INLAND WETLANDS & WATERCOURSES COMMISSION
Public Hearing
October 09, 2019
MINUTES
(Subject to Revision)**

1. Call to Order / Pledge of Allegiance

Chairman John Smith called the Public Hearing to order at 7:00 P.M.

Members Present: John Smith, Stephen Knapik, Brian Swan (arrived at 7:13 PM), Walter Opuszynski, and Doug Bousquet

Not Present: Mike Opuszynski

Others Present: Dave Keating, Jim Galligan, Atty. Bellis, Manny Silva, Alex Vygoder, Mark Kehrhahn, and 14 Members of the Public

2. Application A-2019-315 and Application SW-2019-017, Hopp Brook Developers, Chatfield Farms II

J. Smith asked the clerk to read the call. M. Scirpo read as follows:

Application A-2019-315 and Application SW-2019-017 for a Proposed Development of 109 single family detached units in an open space development located East of Fieldstone Lane and South of Oakwood Drive in Beacon Falls, CT. Application for Chatfield Farms II submitted by Hopp Brook Developers, 475 Whitney Avenue, New Haven, CT.

At this hearing, parties in interest and citizens may appear and be heard and written communication received. Copies of said applications are on file with the Inland Wetlands & Watercourses Commission , Beacon Falls Town Hall, 10 Maple Avenue, Beacon Falls, CT.

Dated this 16th day of September 2019.

J. Smith asked if there was anyone present representing Hopp Brook Estates. Atty. Steve Bellis indicated that he was representing the owner and applicant Hopp Brook Estates. Atty. Bellis provided proof of contacting the adjacent property owners.

Atty. Bellis indicated that the previous owners received approval for their application for 295 units approximately. Atty. Bellis noted that the project was never developed and it was removed from Zoning. Atty. Bellis indicated that a text amendment was done known as an open space development. Atty. Bellis indicated that the text amendment was approved which allowed up to 135 units as the maximum, open space must be designated, and must have all private roads.

Atty. Bellis indicated that the wetlands area was investigated. The flags and soil were confirmed by Bill Kenney's office and Manny Silva put the wetlands on a map. Atty. Bellis noted that the project was designed to stay away from the wetlands. The project is not in the regulated wetland area nor in the upland review area. Atty. Bellis also indicated that there is approximately 40 acres dedicated for open space.

Atty. Bellis noted that the project will be done in phases and each of the phases have phase lines which will be approved by Planning & Zoning. M. Silva met with the Health Dept. and test holes were dug. Atty. Bellis also noted that he met with some of the neighbors to talk about their concerns. There was a concern about traffic and there is an idea to extend a driveway to Miller Road. Atty. Bellis indicated that he spoke with the operator of Beacon Heights Inc. and received a verbal approval for using their internal roads as an emergency access and only for that reason – not for the residents' use.

Manny Silva, a registered Civil Engineer in the State of Connecticut, indicated that the proposed plan is for 109 units on a portion of approximately 135 acres and having an open space area of approximately 40 acres. M. Silva noted that entrance is from Oakwood Drive. M. Silva noted that there are 2 detention ponds to control storm water. The roads are normally kept to a minimum width of 24 feet and there are some parking playground area. M. Silva also noted that each unit will have a 2-car garage and three bedrooms. All the units are single family detached units with their own individual driveway. All the phases will be no more than 16 units and each unit will have their own septic system.

M. Silva noted that will soil erosion control during construction, the plan is to have no impact to the wetlands. There will be a perimeter reinforced silt fence with hay bales behind it and the silt fence dug in on the front side. Also, there will be anti-tracking pads and silt sacs in every catch basin. M. Silva also noted that there will be a general soil stockpile on Phase 7, which is the last phase.

M. Silva indicated that there is an additional feature inside the ponds is a plunge pool inside the ponds, 4-bay. Also as a soil erosion measure, there is a hay bale check dam. M. Silva also indicated that the project will have public water. M. Silva noted that originally there was a subsurface level spreader and the filtration calculation was reviewed. The ponds have a control structure with a rear-walled with some measured holes so water could leak out slowly. There is a gallery that is half-buried in the ground to collect the water.

M. Silva indicated that J. Galligan asked for a phase narrative for how the soil erosion controls are going to work so he created a consequencing for each phase. They are different for each phase and there is a general soil erosion control for stabilizing the area during construction.

M. Silva noted that J. Galligan had comments. The first comment was to evaluate the detention capacity for the 25-year storm for 12 hours. M. Silva mentioned that his design was based on a 24-hour storm, which is typical for him. M. Silva indicated that the reduction from 83.3 to 68.3 so the south pond existing condition was at 114 CFS and will be reduce to 7 ½. M. Silva noted that there was a comment regarding the subsurface level spreader. M. Silva mentioned that the plan was changed to a surface level spreader.

Atty. Bellis introduced Bill Kenney, the Soil Scientist, who provided a report to the Commission. B. Kenney indicated that the property was evaluated and the site is forested. B. Kenney also indicated that there are no proposed activities in the wetlands and nothing within 100 feet of the wetlands. B. Kenney noted that in conclusion, the wetlands will not be impacted based on the proposed stormwater management, both during and after construction, and on the proposed sanitary disposal systems/septic systems.

J. Smith indicated that the Public Hearing will be opened to questions, comments, and concerns by the Commissioners.

S. Knapik noted a concern that Miller Road is a Bethany Road and permission would need to be received from Bethany to open up to it. M. Silva mentioned that there is a portion in Beacon Falls. S. Knapik mentioned that approved will need to be received from Bethany. Atty. Bellis mentioned that this will be addressed when the applicant goes to Planning & Zoning. S. Knapik also noted a concern regarding the binder coat since regulations call for a finished coat. Atty. Bellis mentioned that that is correct but the regulation for this particular zone does allow for a binder coat, which is different from the rest of the town.

D Bousquet noted a concern for whom will be responsible for the cleaning out of the basins. Atty. Bellis indicated that the Homeowners' Association will be. W. Opuszynski asked if it will be before final construction or after final construction for the Homeowners' Association and Atty. Bellis replied that, generally, a declaration is prepared that declares from the developer to the homeowners' association the rights of maintenance. This is prepared prior to construction so it is noted for the construction mortgage. W. Opuszynski also asked for a copy of the Association Agreement and Atty. Bellis replied yes but it is not done now.

B. Swan asked about access to the retention ponds in case they get filled up. M. Silva indicated that the area is relatively flat and a gravel road could be created for access. D. Bousquet asked if the ponds would be fenced in and M. Silva replied yes. B. Swan also asked about the access way to Beacon Heights and Atty Bellis indicated that he spoke with the owners who noted that there is an existing gate which the fire department/police department have a key to the gate and suggested to create a road the that gate. B. Swan suggested to add a few silt sacs to the existing ponds on Oakwood Drive in regards to safety.

J. Smith asked if the road will be developed now that would lead to Miller Road and M. Silva indicated that it would be in future phase, not now. J. Smith also asked about the drainage coming off the road and M. Silva noted the dry wells underneath the catch basins. J. Smith asked if the road would be paved, curbed. Atty. Bellis noted that they would have to think about it.

J. Smith indicated that on the Pre-Construction Phases, a statement should be added stating that a meeting with the Commission before starting construction.

D. Keating asked about keeping the disturbance to less than 5 acres at any given time due to needing a permit from the DEEP and M. Silva indicated yes, they will be building on smaller areas at one time. D. Keating asked about the reduction in the storm water runoff and the calculation is based on measuring cubic feet per second, or peak flow. D. Keating noted that by doing this, the total amount of runoff is increased and the total volume of runoff increases due to the development. M. Silva indicated that the rate is reduced with the pond being oversized.

J. Smith asked about cutting all the trees and grubbing afterwards in several phases and Atty. Bellis indicated that they will be staying in one phase at a time.

J. Smith indicated that he will open up questions from the public at this time.

Tom Bunosso, 5 Oakwood Drive, asked how long the project is going to take, how long are they going to have to deal with this. Atty. Bellis indicated that under the regulations, it is a 5-year project with a 5-year extension. J. Smith noted that the permit is good for 10 years and would need to renew the permit after the 5-year extension. T. Bunosso asked if it would be possible to use the Miller Drive proposal and use Oakwood Drive as an emergency access. Atty. Bellis will be discussing this with Planning & Zoning. T. Bunosso also asked if the landfill could be used as an access during construction and Atty. Bellis replied no. T. Bunosso also asked who will be watching for the soil erosion controls to be in place and J. Smith indicated that this Commission will be.

Chris Anderson, 2 Oakwood Drive, noted that he has a traffic concern and S. Knapik indicated that traffic questions/concerns are not for this Commission but for Planning & Zoning. C. Anderson asked how much will the units be selling for and Atty. Bellis indicated that he does not know at this time.

Kevin Dokla, Timber Ridge, asked about the water tower and its size. Atty. Bellis indicated that this would be specified by the water company. K. Dokla asked when the soil testing was done and M. Silva indicated last November. K. Dokla noted that his property was tested and the results failed miserably. K. Dokla mentioned that he had to sue the developer since they had to blast through ledge. M. Silva indicated that 16 test holes were dug and were approved by the Health Dept. K. Dokla also asked about a problem with mosquitos due to the ponds and M. Silva noted that they are not wet ponds but a dry bottom pond which drains out within 72 hours.

J. Smith asked if there were any questions for or against from the Members or from the public. S. Knapik noted that the discussion should be tabled for another month in order review everything.

3. **Adjournment**

J. Smith made a motion to continue the Public Hearing for Hopp Brook Developers, Application A-2019-315 and Application SW-2019-017, on Wednesday, November 13, 2019, starting at 7:00 P.M.

Motion to continue the Public Hearing for Hopp Brook Developers, Application A-2019-315 and Application SW-2019-017, on Wednesday, November 13, 2019, starting at 7:00 P.M.:

Smith/Knapik; *no discussion*; all ayes.

Respectfully submitted,

Marla Scirpo
Clerk, Inland Wetlands & Watercourses Commission