

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



**BEACON FALLS INLAND WETLANDS & WATERCOURSES COMMISSION  
Public Hearing - Continued  
November 13, 2019  
MINUTES  
(Subject to Revision)**

**1. Call to Order / Pledge of Allegiance**

Chairman John Smith called the continuation of the Public Hearing to order at 7:01 P.M.

Members Present: John Smith, Stephen Knapik, Brian Swan, and Doug Bousquet

Not Present: Mike Opuszynski and Walter Opuszynski

Others Present: Dave Keating, Jim Galligan, Atty. Bellis, Manny Silva

**2. Continuation of the Discussion of Application A-2019-315 and Application SW-2019-017, Hopp Brook Developers, Chatfield Farms II**

J. Smith indicated that the applicant will have the opportunity to finish the presentation and then open the hearing to the Members and the public for any questions.

Atty. Bellis indicated that he had a reply to some of the comments previously during the Public Hearing. Atty. Bellis indicated that the retention ponds and roads will be privately owned by a Homeowners' Association and not conveyed to the town so a bond to maintain the stormwater and retention ponds would be illegal. Atty. Bellis noted that the Wetlands Commission may condition its approval that a Homeowners' Association must maintain the ponds and stormwater drainage system. Atty. Bellis indicated that there is no evidence that the proposed activity will have a likely impact on wetlands or watercourses and evidence of potential damage based upon a mere possibility is insufficient. Atty. Bellis also indicated that there is no state law that permits a Wetlands Commission to regulate activities in the upland review area in the absence of a likely impact upon wetlands thus the applicant does not have to present any feasible product alternative to the proposed activity.

J. Smith asked if Dave Keating and Jim Galligan had any questions or concerns. D. Keating noted that he was all set. J. Galligan noted that M. Silva addressed concerns that he had.

J. Smith asked if the plan is to clear cutting all the roadways at one time or phase-by-phase. M. Silva replied that the clear cutting would be phase-by-phase. J. Smith asked how many phased there is going to be and M. Silva indicated that there will be 7 phases plus Phase 0 for the retention pond so a total of 8 phases.

J. Smith asked if the Members had any questions and S. Knapik noted a concern for the locations of the septic system.

J. Smith asked if anyone present from the public had any questions. Chris Anderson, 2 Oakwood Drive, noted his concern about house values and the amount of traffic going in and out of Oakwood Drive. J. Smith indicated that these questions/concerns are for Planning & Zoning, not this Commission.

Dave Gordon, 18 Oakwood Drive, mentioned that there has been a lot of target shooting on the property and was wondering if there will be testing for lead. B. Swan any if there was any documentation regarding the shooting, any police reports. J. Smith indicated that the Commission will look into this matter and thanked D. Gordon for bringing this to our attention.

D. Bousquet asked if the Fire Marshall has been contacted regarding the access road and Atty. Bellis replied no, not at this time. B. Swan asked about access to the detention ponds for cleanouts and M. Silva noted that a gravel road could be added.

J. Smith asked three times if there was anyone to speak in favor of the application. There was no one at this time. J. Smith asked three times if there was anyone to speak against the application. C. Anderson and D. Gordon both indicated that they were against the project.

J. Smith asked if there were any further questions, comments, or concerns and there was none at this time.

### 3. **Adjournment**

J. Smith asked for a motion to close the Public Hearing for Hopp Brook Developers, Application A-2019-315 and Application SW-2019-017.

Motion to close the Public Hearing for Hopp Brook Developers, Application A-2019-315 and Application SW-2019-017 at 7:19 PM: **Knapik/Bousquet**; no discussion; all ayes.

Respectfully submitted,

Marla Scirpo  
Clerk, Inland Wetlands & Watercourses Commission