



Town of Beacon Falls
Planning and Zoning Commission
Regular Meeting Minutes
October 19, 2023
C/O Town Clerk
10 Maple Avenue Beacon Falls, CT 06403
(Subject to Revision)

Members Present: Michael Rupsis (**MR**), John-Paul Dorais (**JPD**), Michael Pratt (**MP**), Marc Bronn (**MB**), Jack Burns (**JB**), Jonathan Conte (**JC**)

Members Absent: Steven Orloski (**SO**), William Fredericks (**WF**)

Others Present: Town Planner Keith Rosenfeld (**KR**), 10 members of the public.

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

MR called the meeting to order at 7:31 PM and led the assembled in the pledge of allegiance.

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

Motion to accept the 9/21/23 meeting minutes made by **MP** and Seconded by **JC**. All ayes

3. **Comments from the Public:** None

4. **Old Business**

a. **Chatfield Farms/EG Home LLC:** Clerk to send report to commissioners.

b. **Pond Spring Village:** **KR** Jeff Respler has sent a letter to withdrawal application for excavation. That portion of the application has been withdrawn. (**KR** Reads letter received from **JR** to the board). As to the bond and remaining work that needs to be done, his attorney has a copy of the submitted invoice that the paving company had given to us, they have a new company and we've been assured the work will be done within the next 3 weeks. **MP** Dec 15th is the cutoff date for O&G right now. **KR** We were told it would be done before the paving plants are finished and that they would like it done within the next 3 weeks. I don't know if we can hold them to the 3 weeks, but we can hold him that if it's not done this paving season then my recommendation at that point would be to schedule the public hearing to decide to call the bond because we've been listening to this for 3 years. **MR** Do we have to have a public hearing to pull the bond? **KR** Yes, we do. **MB** So we should schedule one now. **MP** We have to give him the opportunity until the date the asphalt plants close. **MR** Let's put the public hearing in motion for Dec 21st. I'll make a motion that we schedule the public hearing for Dec 21 at 6:00 in lieu for the bond to be pulled if the work (paving) is not completed. **MR** made a motion for public hearing **MB** 2nd, all ayes.

David Cyr (DC) – 136 Pond View Cir: He is backing out of the excavation permit? What can he do? **MR** He can level the lot if he wants to, but he cannot take any material off. **KR** The special permit approval was for the removal and placement so he cannot remove it. If he was to take it off the property and move it anywhere, he must get an excavation permit. **DC** Can he build on it? **MR** He cannot get a permit. **KR** He can finish off the work that he started. **MP** To move forward with that you guys must approve it. **MR** The town won't issue anything. To answer your question, he can level it and push it around but that's the only thing he can do.

Sue Pizzuto (SP) (**81 Pond View Cir**) – Is there a way to know what the new paving company's



Town of Beacon Falls
Planning and Zoning Commission
Regular Meeting Minutes
October 19, 2023
C/O Town Clerk
10 Maple Avenue Beacon Falls, CT 06403
(Subject to Revision)

plans were? Will they do the 2 inches? So, we'll get a good product in the end. **KR** What we have on paper is what is required. **MP** Will they notify us prior to start? **KR** Yes.

Bill Coogan (BC) (51 Pond View Cir): What does that mean call the bond **MR** It means he has a bond with the town for \$129,000 to protect the road so if he doesn't complete the work, we take the bond and pay to have the work done and get our own contractor to do it. Depending on the cost, the association would have to make up the other end. So, the best option is to have him pave this and let him get it done.

Frank Pilicy (FP) (Pond Spring Village Association Attorney): I want to clear up the number of units authorized is 90, he has a couple left to get to 90, he was asking if he could build 92. In order to build 92, he would have to pursue that, and I don't think he's pursuing that any longer. **MP** I was under the impression that you guys were allotted 88 so 4 more would be 92. **FP** Within the past year he asked someone at the association to go to 92 and someone pointed out, for any number greater than 90, he needs permission from the association. That vote requires 80% approval of all owners. He probably realized that's not likely to occur so that's where we are with the number of units. **MR** I can assure you with everything that's transpired, no more units will be approved. **FP** Thank you very much for all your help again.

Greg Wright (GW) (98 Pond View Cir): My question is more for Frank, it's not just a matter of voting in favor - we would also have to amend our declarations, correct? **FP** Yes.

- c. **Tiverton 1:** **KR** Paul has said the road can go through and we're waiting for the work to begin. **MP** While were on that real quick, the paving of that its full completion topcoat and everything, correct? **KR** They can start building with a binder, with a bond in place. Before they start work, we are going to make sure that our bonds are in order. **MB** Who sets the bond amount? **KR** The Town Attorney. But we will investigate that to finalize it. **MP** I know in other developments the topcoat had to be on before a permit was issued. I think we need to look into that, if the topcoat needs to be on. **KR** I am working with Paul right now on our subdivision regulations, about bonding, on what can and cannot be released. **MP** I know he (Paul) feels the same way. I believe our regulations say differently. I think we do agree upon that.
- d. **HI Stone:** **MR** to **JC** – You've been working over there what's going on? **JC** I haven't seen anything. They should be starting soon. **MP** What about the fees, I thought its supposed to be quarterly? **KR** Let me talk to Natasha about that and I will send a letter to Paul tomorrow.
- e. **Tri-America:** **KR** I believe they're starting soon. **MR** The fire department is burning the house and barn on Nov 12th. They removed all the asbestos and they're going to burn it and do training.
- f. **75 Pent Road:** **KR** We received a letter from Clare who asked for the application to be withdrawn. **MR** For the future when that does happen can you let us know? **KR** We will certainly do that. **DC** For 75 Pent Rd. - is it done for now? **MR** We don't know what their next step is but the application to change the zoning is gone for now.



Town of Beacon Falls
Planning and Zoning Commission
Regular Meeting Minutes
October 19, 2023
C/O Town Clerk
10 Maple Avenue Beacon Falls, CT 06403
(Subject to Revision)

5. **New Applications/New Business:**

- a. **Hawks View Subdivision:** **KR** JohnPaul Garcia is here, the applicants engineer but I'm going to read the memo I put out today (**KR** Reads memo to board regarding a few missing items from the subdivision application for Hawks View). My recommendation would be let's hold off on discussion. **JPG** I have no issues with that at all. **MR** It will stay on the agenda just like it is now. **MP** I have a question, the houses that are on Haley Ridge aren't they on wells? **MB** Yes. **JPG** When we did Tiverton, they ran tests on the mains. There is water in that development. **MR** Is there water all the way up to the cul de sac? **JPG** It's my understanding that there's a water line in there. **MB** I believe they all have wells. **JPG** Then Aquarion has a couple things to answer for me. **MR** So you're good with what we need? **JPG** I have no issues here. What I don't want to end up having is 4 sets of plans running around.
- b. **2024 Meeting Schedule:** **MR** We're going to do Jan, Feb, and March 6:30 pm, April – September 7:30 pm and October, November, and December 6:30 pm. **MB** Made a motion to make a change for the monthly meetings Jan, Feb, March, October, November, December 6:30 all others will be 7:30 on every 3rd Thursday of the Month. **JC** Seconded. All ayes.

6. **POCD Update:** **KR** We've been working behind the scenes with COG. Rob from SLR, Savannah-Nicole and I are going to meet to plan for the open house/workshop. The open house consists of hearing from the public and prioritizing those objectives from the survey. We will put all that together and meet in a big room and figure out what is a priority of the commission, what is a priority to the residents, what is priority to the other commission members, and we'll put it together and they'll give us a draft. **MP** Is that considered a special meeting? **KR** Yes. **MR** Would the 9th work? I would say the 9th at 7:00 pm **MP** If we could use the auditorium at the schools that would be way better. **KR** We have to check with the schools and Gerry. **MR** What do we want as a backup day? The 15th is the second date. **MB** Does Beacon Falls meet the state affordable housing? **KR** No.

7. **Reports:**

- a. **Zoning Enforcement Officer:** **KR** Nicole and I have been working to reinforce our zoning enforcement capabilities as well as our blight enforcement capabilities.
- b. **Town Engineer:** No updates. **KR** We are working with Paul on the bonding issue, the fact that the money cannot go back to developer in partial phases. **MB** Are we doing the escrow for professional fees? **KR** Yes. (Discussion followed about blight enforcement.)
- c. **Town Planner:** **KR** We are doing a lot of things in the office. We are also announcing that within the next couple of weeks we will be having someone shadowing me.

8. **Petitions from Commissioners:**

MR Robert Mut is no longer with us – he resigned effective tonight, October 19th, 2023. So we



Town of Beacon Falls
Planning and Zoning Commission
Regular Meeting Minutes
October 19, 2023
C/O Town Clerk
10 Maple Avenue Beacon Falls, CT 06403
(Subject to Revision)

have a vacancy on our board.

MR We were talking about the subdivisions and the binder courses, when they put the binder course down, they always leave the structures up, I would like to know what wording we have to change to when they put the binder course down, so the structures are at binder course level then they will be picked up the 1 ½ or 2 inches prior to finish so the water can get into the drains. Stormwater management becomes an issue, they're damaging plows when they're trying to clean it off, or they're damaging the structures. Its something that we should change. **MP** A lot of places that allow just a binder course in place, that's one of their things it says you have to keep your structures at level because of stormwater management. If you're allowing someone to put a binder course down then they're building 10 houses, it could take years. **KR** So the binder level needs to be the same level as the structures. **MR** I think it's something we have to address because when we have subdivisions going on, we have water everywhere **MP** Or they end up like Pond Spring Village, damaged. **KR** I am going to talk to Paul about a couple of these issues. **MP** I just want to look back down before that new development.

9. **Correspondence & Payment of Bills:** None

10. **Adjournment:** **MP** Motion made to adjourn at 8:40 PM **JC** Seconded. All ayes.

Respectfully submitted,

Nicole Pastor
Clerk, Planning & Zoning