



Town of Beacon Falls
Planning and Zoning Commission
Regular Meeting Minutes
December 21, 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**), Steven Orloski (**SO**), William Fredericks (**WF**)

Members Absent: None

Others Present: Community Planner Molly Johnson (**MJ**), Richard LeClaire (**RL**) and Robert B. Ramdei (**RR**) representing Tiverton, Attorney Stephen Bellis (**SB**) representing Hopp Brook, 1 member 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 11/16/23 meeting minutes made by **MB** and Seconded by **JC**. All ayes

3. **Comments from the Public:**

Joann Delenick (JD) – 243 Bethany Road: Request for an ordinance prohibiting the installation of artificial turf manmade materials composed of any and all classes of PFAS molecules. The purpose is to protect local ground water sources from contamination and to prevent local soil contamination by persistent carcinogenic substances. This ordinance will preserve local property values and circumvent costly environmental remediation with respect to persistent carcinogenic substances. **MR** One question – did you go to the Town Clerks and file the formal paperwork for an ordinance change? **JD** Not yet, my priority is to be on record.

MR if you want to do that, that is fine, it would go to the Town Clerk then he would give it to us then it would go to a Public Hearing. If that is what you want to do fill out the paperwork, then we'll act on it and take it from there.

4. **Old Business – MP** made the motion to rearrange the agenda to accommodate members present. **JC** Seconded. All ayes.

a. **Chatfield Farms/EG Home LLC:** Motion to accept the report as presented. **MP/JC**. All ayes.

b. **Pond Spring Village:** **MR** Last month we did not move on it because we didn't



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- have a letter from the attorney, we now have a letter from the attorney dated December 14th. They've got a 1 year warranty on the workmanship and materials through the paving company. With that said and we have this letter from their attorney I think we should take it off the agenda. We've received the letter that members are satisfied; we no longer have a need to hold onto the bond. **MB** Made motion to release bond, **JC** Seconded. All ayes.
- c. Tiverton 1: **RR/RL** We just found out the bonds were not transferred. I called the bond company, and they will not just transfer it. We contacted the insurance company - we are all set, just waiting for a dollar amount... you (Clerk/NP) said just check with Paul - we checked with Paul (Town Engineer) and he said to check with you guys. **MR** Who sets that number? **MP** I was under the impression Paul reviews and sets the number. **RR/RL** We have a quote from G&H for \$70,000 **MP** Made motion to accept bond for \$70,000, providing R&R can supply written quote from G&H. **JC** Seconded. All ayes.
MR Anything else? **RL/RR** We have the new plans for Lots 1 + 2 separately then both shown together. **MR** What do you need from us tonight? **RL/RR** The sign off. **MR** I just want to go on record that I know you've had some roadblocks - it was not stopped by Planning and Zoning, and we apologize, it's good to hear you're going to get it paved in the spring.
- d. HI Stone: **MJ** We did reach out to Paul to get a update, he said SLR completed a survey of the site in 2021 but he has not heard of any new survey. **MR** We have to tell Paul that we need a survey done to see where we are.
- e. Tri-America: **MP** It's up. **MJ** I have a comment from Rob @ Public Works – he had a question on a knowledge of a drainage easement in place for the new pipe location and whos' responsible for the manholes and new pipe outlets because he believes there might a difference in the site plan we first saw and what it is now. **MR** The site plan originally came in then the State said they had to keep the barn then they redid the site plan, so I bet they never saw the new site plan. **MP** We were told the current site plan stayed the same even though they took the building down. The solar stayed in the same layout. **MP** When we get plans is there anything signed and stamped that says Fire Marshall, Public Works, etc. saw this and is OK with it? **NP** Not currently but we are working on something in the new year. We have a meeting set for early January.
- f. Hawks View Subdivision: No update – Public Hearing set for January 18th at 6:15 PM.



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

- a. **Hopp Brook Special Exception:** **SB** I just want to give you an update – we met many months ago, you asked us to see if we could hook up to sewers and we tried at length, met with Chatfield Board of Directors and the bottom line is no we cannot hook up to the public sewers on either property. Having said that, what we did was took your recommendations that we had. Just to remind everybody the court did say we have final approval for 109 homes under 8-30g and we don't have to submit anything else to Zoning or anyone else. However, we took your suggestions and had the engineer make those changes, reduced the units to 94 from 109, widened the roads, eliminated the connection to Miller Road, we tried to do everything that was discussed so I think at this point it has to be scheduled for a special exception which I believe under your regulations is usually a Public Hearing, so we need a date for that. **MR** I reviewed the drawings, I see you eliminated the Miller Road connection, so we have to go to a public hearing. What you have here is not 8-30g, this is all market value homes? **SB** Correct. **MR** So we need to set a public hearing at this time. **MJ** I just want to acknowledge that we are waiting on fees. **SB** I can address that... We filed special exception under this PROD and Barbara Schellenberg asked us to withdrawal it because there was an issue, the text amendment was invalid because of the notice given by the boards clerk so we did withdrawal it so the fee should be applied again at this time. I discussed it with Vin Marino. It was paid. It was withdrawn without prejudice so if I filed a new one the fee would apply. **MR** If Vin says that and that's what was agreed upon, I don't have a problem with it, Vin just needs to tell us. I just need to talk to Vin. I don't want to set a date until I talk to him. With that, let's table it until next month which our meeting is the 18th and we'll talk to Vin and if we have everything we'll set the public hearing date then. **MP** Did you do perk testing? **SB** I have the perk test and a letter from Naugatuck Valley saying it's acceptable for septic systems. What we are going to do, if approved, is a condition on approval of community septic system. What they told us is DEEP will turn over the community septic system projects to the local health department, they already passed that law however they haven't written the regulations so it may not go to DEEP it might go back to Naugatuck Valley so I can't say which one, but I can say it would be a zoning approval that either DEEP or Naugatuck Valley approve the community septic system. **SB** Are there any new rules? **MP** You should post a sign on the property. **MR** Okay so you'll hear from us, we'll be in touch.



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6. **POCD Update: MJ** We did the open house on Dec 6th, we had a pretty good turnout. Now we are proceeding to the vision statement process then SLR and us will be reaching out to the round table groups to get feedback from town leaders, so just keep in mind if you, as a commission, want to submit anything specifically to go into the plan or to have SLR consider. **MB** Who should we email our comments and thoughts to? **NP** Me/Clerk.
7. **Reports:**
 - a. Zoning Enforcement Officer: No update
 - b. Town Engineer: No update
 - c. Town Planner: **MJ** I don't have much of an update but last month you asked for research on the turf regs so I did write a memo on that.
8. **Petitions from Commissioners:**

MB Manny's roofing continues, there's construction materials and truck there. The dumpster continues to be there, so we sent a letter then 2 weeks later we're back to the noncompliance, so we need to address that. **MR** Mario was told they could have pickup trucks, vans, no box trucks, no construction equipment, no materials, or debris. But there is still a construction like dumpster/trailer. Material on the ground, against the building. I did give a little leniency as far as 1 box truck there but now that nothing is changing, we are going back to what we originally said - no box trucks, no construction equipment, materials - no. Also, we are supposed to see if vehicles are registered to Beacon Falls. **MB** Can we put that on the agenda for next month too?

MR Region 16 - is there a road bond for the project protecting the road? **NP** Not that I know of. **MR** We need to figure that out and a road bond needs to be set. **NP** Who will set that amount? **MR** It should be an agreement with Paul and their engineer. HI Stone is not supposed to be taking any incoming material into Alliance Circle. It was supposed to only leave per their agreement.

MR (to clerk/NP) Can you find the agreement for HI Stone conditions and agreement and see when it expires again? **MP** While we're talking about them also the Scale House sitting on the town's property.



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9. **Correspondence & Payment of Bills:**

Bill from Marino, Zabel, & Schellenberg, PLLC: **MP** motioned to accept. **JC** seconded. All ayes. All ayes.

10. **Adjournment:** **MB** Motion made to adjourn at 7:31 PM **JC** Seconded. All ayes.

Respectfully submitted,

Nicole Pastor

Clerk, Planning & Zoning