



**TOWN OF BEACON FALLS
PLANNING & ZONING COMMISSION MONTHLY MEETING
C/O TOWN HALL
10 MAPLE AVE.
BEACON FALLS, CT. 06403**

November 13, 2020

Town Clerk Leonard C. Greene
c/o Town Hall 10 Maple Avenue
Beacon Falls, CT 06403

Dear Mr. Greene:

Please be advised that the **Town of Beacon Falls Planning & Zoning Commission** has scheduled a **Regular Virtual Monthly Meeting** for **Thursday, November 19, 2020**. The Meeting will begin at **7:30 P.M.**

Residents will be able to listen by phone with the dial in information provided.

Dial by your location

1 646 876 9923

Meeting ID:

744 807 2640

Due to technical limitations, public comments should be submitted via email to ldaigle@beaconfallsct.org by noon on Friday, November 20, 2020. Public comment will then be added to the meeting minutes.

AGENDA

1. Call to Order/Pledge to the Flag
2. Roll Call
3. Election of Officers
4. Read and Approve Minutes from Previous Meetings
 - a. Special Meeting 9.24.2020
 - b. Regular Monthly Meeting 10.15.2020
5. Comments from the Public
6. Reports
 - a. Zoning Enforcement Officer

- b. Town Engineer
 - c. Town Planner
- 7. Comprehensive Plan of Conservation & Development
- 8. Old Business
 - a. Chatfield Farms
 - b. Pond Spring Village
 - c. Tiverton
 - d. Transition Zone
 - e. 57 Lancaster Drive
 - f. Hopp Brook Development
 - g. Board/Commission Member Training
- 9. New Business
 - a. Permitted Use/Residential District
 - b. Fire Cisterns Oakwood Drive
- 10. New Applications
- 11. Petitions from Commissioners
- 12. Correspondence & Payment of Bills
- 13. Executive Session (if needed)
- 14. Adjournment

Respectfully submitted,

Lisa Daigle
Planning & Zoning, Clerk

Beacon Falls Planning & Zoning Commission
10 Maple Avenue
Beacon Falls, CT 06403



BEACON FALLS PLANNING & ZONING COMMISSION
Monthly Meeting
October 15, 2020
MEETING MINUTES
(Subject to Revision)

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

Chair McDuffie called the meeting to order at 7:30 P.M.

Members Present: Kevin McDuffie (KM), Lisa Daigle (LD), Tom Bunosso (TB), Jack Burns (JB), Michael Rupsis (MR), Donald Molleur (DM), Patricia Hinman (PH), Robert Starkey (RS)

Members Absent: William Giglio (WG)

Others Present: Selectman Michael Krenesky (MK), Keith Rosenfeld (KR), Mike Mormile (ZEO), 2 members of the public

2. **Read & Approval Minutes from Previous Meetings**

3. **Motion made to approve the Regular monthly meeting minutes from September 17, 2020 as presented - DM/RS, all ayes.**

Motion made to approve the Public Hearing meeting minutes from September 24, 2020 as presented – MR/JB, all ayes.

Motion made to approve the Special meeting minutes from September 24, 2020 as presented – **Approval of these meeting minutes were not discussed and overlooked by the chair. They will be reviewed at the November meeting.****

RS was not at meeting – attendance on minutes revised.

4. **Comments from the Public**

None

4. **Reports**

- a. **Zoning Enforcement Officer** – ZEO stated that he delivered the site plan of Hopp Brook Estates to board members for their review. Two members did not receive a copy. ZEO will provide. **KM made motion to accept report, seconded by DM, all ayes**
- b. **Town Engineer** – no report this month. KM – I have not spoken with him and will have to reach out to him.
- c. **Town Planner** – KR I do not have a written report but can comment on some ongoing items. I am meeting next Monday with Borgazi Builders re: the site plan for the indoor shooting range. I met with Paul concerning Chatfield Farms and some other issues and he is onboard and up to speed on everything. He is also right on top of Tiverton and he is working with Charlie to get the right set of plans and the as build. Transition zone – I provided a copy to members for review and to edit if needed. I did some research through towns in CT and came up with some good solutions to those buffer areas. Hopp Brook – I have jumped right into this and have a meeting scheduled next week with the town attorney. The town attorney is very concerned about the application. We are concerned about the site plans. The zone

change and plan of conservation development are set in stone, but the site plan needs work. There needs to be a public hearing in February. KM – we are only 30 days in but have 65. KM – Commissioners, start taking your notes on the plans. This will be an important public hearing. We will probably hold it at the Fire House. KR – ZEO may want to get the PROD together, the site plan and then section 51 & 52 of the regulations. KM – I will work with ZEO to get these items.

DM made motion to accept report, seconded by RS, all ayes

5. **Comprehensive Plan of Conservation & Development** – KR stated right now we are not doing anything. We have another year and holding at this point.
6. **Old Business**
 - a. Chatfield Farms – LD – the Skokorat Road, has anyone looked at that? KR – there has been some discussion with Ron Nault from DeCarlo & Doll. Matt Gilcrest has asked for his bond to be returned. Reports from Milone & MacBroom were passed to Ron. We are in the process of determining the quality of the roadway now and how it relates to the original before the work was done. Most of the people that I have spoken too concerning that roadway and my visual inspection, it appears that it remains in very good condition and probably no reason why we cannot release the bond. We should have an official report next month.
 - b. Pond Spring Village – no new updates.
 - c. Tiverton – KR noted the town attorney is working with Charlie to obtain actual plans that show elevations and the proper ones that will be placed there. There are some different things that he needs to do to correct what is there now. KM – has there been any more discussion regarding the water volume for Tiverton. KR – last I heard the water company would be working with Charlie.
 - d. Transition Zone – KR – document presented to commission and will be discussed at the next meeting.
 - e. 57 Lancaster Drive – KR – working with the builder for site plan. They should be submitting that in the next few weeks.
 - f. Hopp Brook – KR – next Tuesday meeting with the town attorney to figure out review method.
 - g. Board Commission Member Training – KM – some previous certificates submitted to clerk. MR – asked if any links had been sent for training. KM – will send you link for a training.
7. **New Business** – 2021 Meeting Schedule – MR made motion to approve the 2021 meeting schedule, seconded by RS, all ayes.

MR noted that the car hauler is parked on Main Street again. KM – noted he does have a lot on Lopus Rd. but was unable to maneuver the truck in the spot. He is clearing more currently so that he has more room. MR – there are oil spots now on Main Street. He was already told once not to park there. ZEO noted that police would have to issue a citation.
8. **New Applications** – KM – none
9. **Petitions from Commissioners** – KM – read resignation letter from LD who will be stepping down after today.

TB – submitted request on clarification regarding proxy voting, attendance, in person requirements etc. KM – there is nothing that can be done about attendance. There is nothing in our ordinance about attendance. LD – can we as a board recommend changing language. KM – it was asked, but it has been a few years. MK – just as a point of information, there is an ordinance committee that has been formed and are in the process of reviewing town ordinances, so if you have something that you want changed I suggest you get it to that group. DM – 2013 was the last ordinance change we had in this town.

TB – are we also allowed to call into the meetings? I do not remember getting a notification that we can all call in through zoom meeting. Clerk noted that it is a zoom meeting and there is a dial in provided. Nothing is streamed in the video. Clerk recommended that if a board member is going to be dialing in to let the clerk know ahead of time and which number you would be calling from. MK noted that there is no proxy voting on any municipal boards.

DM – it is my understanding that we have not found the book for the application numbers and we have nothing in our files for 2019. KM – Kerry stated she went through file cabinets and found

nothing. DM – what are we going to do about it? Clerk noted, she went through file cabinet. There was sporadic information for 2019 and 2018. Everything is scattered and not in any filing system. TB inquired about keys. Clerk has all 4 keys, unsure who would have had them before. The laptop only had the zoom information from April. There was no backup data or previous information on the laptop. TB – so this is an oops or intentional? KM – I know that when they replaced the carpet, they did not put the files back in order. DM – that does not make a difference if they were locked. DM – requested that the Chair get ahold of previous clerk to find out what the story is. KM – she informed me the items were here, but I will ask.

KM – a couple years ago, the P&Z Commission gave ZEO a two year term and I am seeing that ZEO's are in short supply, Mike does so much for us and many of you do not see it. Often, he is here on the weekends. I would like to extend his two-year term. People around town are raving about how our Building Department is the best it has ever been. I would like to make a motion to extend ZEO appointment from April 2022 to April 2024, PH seconded, DM for discussion – why do we have to extend it now? KM I would like to secure his position. When you have good talent, you would like to keep it. TB – considering the shortage, it makes sense. KM – we had a problem when the former ZEO left and we were in limbo for a while and it was almost a lawsuit. All ayes. ZEO thanked Board, noting that December marks 4 years that he has been in this position and he tries to go out of his way to help the residents of this town.

10. Correspondence & Payment of Bills – KM – check for \$5.00 for Hockanum Glen for copy of the plans approved by the Board.

11. Executive Session (if needed) – none

12. Adjournment

Motion made by LD to adjourn at 8:23PM, DM seconded, all ayes.

Respectfully submitted,

*Kerry McAndrew
Clerk, Planning & Zoning*

Beacon Falls Planning & Zoning Commission
10 Maple Avenue
Beacon Falls, CT 06403



BEACON FALLS PLANNING & ZONING COMMISSION
Special Meeting
September 24, 2020
MEETING MINUTES
(Subject to Revision)

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

Chair McDuffie called the meeting to order at 7:24 P.M.

Members Present: Kevin McDuffie (KM), William Gigilio (WG), Lisa Daigle (LD), Jack Burns (JB), Michael Rupsis (MR), Donald Molleur (DM), Patricia Hinman (PH), Tom Bunosso (TB), Robert Starkey (RS)

Others Present: Mike Mormile (ZEO)

2. **To consider and act upon the request for a text amendment to section 42.2 which would permit an Indoor Gun Range as a Permitted Use in the Industrial Park District at the address of 57 Lancaster Drive.**

KM asked the Commission members if there were any questions. TB noted that he worked down at the new range facility in New Haven and working outside of the building a foot away, and there is no smell or sound coming from the facility.

KM asked for any other questions or discussions. No further discussion or questions by Commission members.

DM made a motion to approve the application as submitted for a text change with the amendment that the first draft go to the town attorney to make sure that the language is approved, seconded by PH, all ayes.

3. **Adjournment**

Motion made by DM to adjourn at 7:27PM, MR seconded, all ayes.

Respectfully submitted,

Kerry McAndrew
Clerk, Planning & Zoning

Lisa Daigle

From: Brior Sweeney <ctsweeneys@sbcglobal.net>
Sent: Tuesday, November 17, 2020 9:18 AM
To: Lisa Daigle
Subject: housing

Follow Up Flag: Follow up
Flag Status: Completed

i have lived in Beacon Falls all of my adult life and the changes coming are not Good. Our "little "town cannot accomodate all the new housing. The schools, the fire station, the police and the roads! PLEASE if there is anyway to stop this I will help as much as i can. Thank you B Stack-Sweeney 105 Beacon Valley Rd., Beacon Falls, ct.

Lisa Daigle

From: Nathan Zonas <nzonas86@gmail.com>
Sent: Wednesday, November 18, 2020 3:49 PM
To: Lisa Daigle
Subject: correspondence for P&Z 11/19

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern,

I am writing to the planning and zoning commission to express my strong opposition to any proposed or planned expansion to Oakwood Drive. From what I understand there have been some questionable things that have happened early in the approval process including potential conflicts of interest with commission members (former and current) and contractors along with other ethically questionable conduct.

Outside of potential corruption and ethics issues, is this a development that Beacon Falls really wants? Is our town infrastructure prepared to take on such an enormous increase in people and structures? Some things to consider would be the following:

- additional road traffic on BF roads with some roads standing to become inundated with traffic as they will be traffic bottlenecks (oakwood and blackberry)
- additional wear and tear on roads
- additional maintenance on roads
- additional children into our shared school system (CT has one of the highest per pupil spending in the United States)
- additional trash removal
- additional fire service coverage
- additional ambulance service coverage
- additional police coverage

Just to name a few.

Furthermore, most people who have stayed in Beacon Falls or moved here did so to avoid the large town life. Is this something we are prepared to give up? Are we willing and prepared to accept such an influx in town population? Phase one of this development is 109 stand alone housing units, based off of a standard 4 family member household, phase one could bring nearly 450 new people into town! Future phases could bring hundreds and hundreds more people into town. Someone in town hall owes taxpayers an explanation of how the town plans to absorb this without burdening everyone with significant tax increases as the revenue generated by initial permits, applications and ultimately property taxes would not likely be enough to offset the drain on town infrastructure.

In addition to the above concerns I would like someone in town hall to explain how a project like this has made it so far in the approval process with nearly no one in town knowing? It took a social media campaign by concerned citizens years after the fact to bring light to this situation. What on earth is going on down at town hall? Approved zoning changes that allow homes worth approximately half what mine is worth to be built a few hundred feet away with only one way in and out-Oakwood. That'll be great for my property value after my family and I invested nearly 400 thousand dollars to purchase a home in this neighborhood several months ago. Someone please explain this and give us a good reason not to list our home tomorrow, leave Beacon Falls and never look back. I appreciate any feedback, relevant information, or corrections brought up for discussion.

Concerned in Beacon Falls,
Nathan S. Zonas

Lisa Daigle

From: Kevin Dokla <kdokla@yahoo.com>
Sent: Wednesday, November 18, 2020 7:52 PM
To: Lisa Daigle
Cc: Kevin Dokla; Dawn Dokla
Subject: Public Comments - Hopp Brook - P&Z Meeting

Follow Up Flag: Follow up
Flag Status: Flagged

Public Meeting Comments, To whom it may concern,

- ~ It's pretty simple, zoning for this proposed development was altered without the town tax payers being part of the decision process.
- ~ There is not enough water and water pressure to supply all this and nobody wants to look at a water tower.
- ~ Oakwood Drive was not designed to support this kind of traffic.
- ~ Those that purchased real estate up on the hill didn't purchase with the intent of having their back woods clear cut to put a 100+ housing development in.
- ~ General wildlife will suffer, what would be done to preserve the wildlife?
- ~ The engineered plans calls out cesspools for street drainage. What is going to be done to prevent mosquitoes with the sitting water?
- ~ The engineered plans calls out shared septic systems. Who's responsible to maintain the systems and what is the backup system for shared housing off the same septic should the system fail or need repairs?
- ~ When Oakwood Drive was approved, it was only approved under the condition of no additional roads to come off it or to be extended. Timber Ridge somehow slid through, that can't happen a second time. The town needs to follow the town rules set in place.
- ~ The power grid that supplies utilities to Oakwood Drive was not engineered to add additional 100+ homes off it. Nobody wants to look at added infrastructure to support such. Bad enough Oakwood Drive has a horrible looking pump system and generator at the entrance.
- ~ Current regional schools are not designed to support the added flux of kids that 100+ families could bring.
- ~ Overall waste management, snow removal, police services. In addition fire safety is a huge concern. What is the ability to extinguish a fire in a cluster development like this? All major burdens on the town services for the advantage of the developer.

Kevin and Dawn Dokla
Timber Ridge Lane

Sent from my iPhone

Lisa Daigle

From: Kevin Dokla <kdokla@yahoo.com>
Sent: Wednesday, November 18, 2020 8:36 PM
To: Lisa Daigle
Subject: Correspondence - Hopp Brook - P&Z Meeting

Follow Up Flag: Follow up
Flag Status: Flagged

- > Correspondence Comments, To whom it may concern,
- > ~ It's pretty simple, zoning for this proposed development was altered without the town tax payers being part of the decision process.
- >
- > ~ There is not enough water and water pressure to supply all this and nobody wants to look at a water tower.
- >
- > ~ Oakwood Drive was not designed to support this kind of traffic.
- >
- > ~ Those that purchased real estate up on the hill didn't purchase with the intent of having their back woods clear cut to put a 100+ housing development in.
- >
- > ~ General wildlife will suffer, what would be done to preserve the wildlife?
- >
- > ~ The engineered plans calls out cesspools for street drainage. What is going to be done to prevent mosquitoes with the sitting water?
- >
- > ~ The engineered plans calls out shared septic systems. Who's responsible to maintain the systems and what is the backup system for shared housing off the same septic should the system fail or need repairs?
- >
- > ~ When Oakwood Drive was approved, it was only approved under the condition of no additional roads to come off it or to be extended. Timber Ridge somehow slid through, that can't happen a second time. The town needs to follow the town rules set in place.
- >
- > ~ The power grid that supplies utilities to Oakwood Drive was not engineered to add additional 100+ homes off it. Nobody wants to look at added infrastructure to support such. Bad enough Oakwood Drive has a horrible looking pump system and generator at the entrance.
- >
- > ~ Current regional schools are not designed to support the added flux of kids that 100+ families could bring.
- >
- > ~ Overall waste management, snow removal, police services. In addition fire safety is a huge concern. What is the ability to extinguish a fire in a cluster development like this? All major burdens on the town services for the advantage of the developer.
- >
- > Kevin and Dawn Dokla
- > Timber Ridge Lane
- >
- >
- >
- > Sent from my iPhone

Lisa Daigle

From: Bryan Townsend <bryantownsend87@yahoo.com>
Sent: Wednesday, November 18, 2020 7:21 PM
To: Lisa Daigle
Subject: Correspondence for P&Z meeting 11/19
Attachments: P&Z comments.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Ladies and Gentlemen of the Planning and Zoning Commission,

I am sending this correspondence to express my fervent disapproval of the proposed Oakwood Dr. extension project. My wife and I recently moved to Beacon Falls after making a large investment into a forever home where we plan to contribute to the beauty of this town, raise our children, and grow old here. Not long after getting settled into our new home, it was brought to our attention that there was an ongoing proposal for a multi-phased development of "cluster homes" to be placed uncomfortably close to our home and property. When we moved into this home, we were told that "they have been trying to make that happen for years" and there was "no chance" of a project like this passing. We soon learned that the individuals that brought us to comfort with these statements were the same ones to have a hand in the development themselves. While I understand that lying or misleading is not a crime punishable by law, it is my belief that such outright deceit combined with the apparent collusion of local P&Z officials, is criminal behavior. The plans for this cluster housing project include a single ingress and egress that is less than 15 feet from the end of my driveway. The development would be built along the long axis of our western facing property line which places multiple homes within feet of our side entryway. It is infuriating to have spent over a half a million dollars to move into this beautiful small town on a quiet cul de sac for the purpose of raising a family in a safe and private neighborhood to have hundreds of cluster homes erected so close to my property, undermining the very reasons we chose this home. Not only does the addition of this development affect my family on a personal level, but it would also put undue burden on the town's infrastructure.

- The project was fast tracked and made in exception of standing P&Z rules and regs, under the watch of a party/parties that have conflict of interest.
- Proximity to "Superfund" site is concerning. Deforestation and subsequent top soil erosion has the potential to agitate dormant pockets of pollutants.
- Blackberry Hill Rd. is barely sufficient to allow current populous to travel on it safely. There are choke points and narrow curves that make travel hazardous year-round.
- Tax burden for the addition of these homes will not be offset by property tax alone. Tax rates are already high in town. Members of the community were willing to move here in spite of the high tax low resource ratio because of the privacy and small-town feel.
- Where there are more people there is more crime. There will be a need for a larger police force, more firefighters, more teachers, etc, which all cost money.
- A single ingress/egress is extremely unsafe. The topography of this neighborhood and its orientation causes for high winds and increased likelihood of adversity during storms. The 2017 tornado and subsequent storms have shown that there is potential for disaster if a line of trees and destruction were to cut off the single route, how would the hundreds of people get out safely? Get help?

My wife and I would beg you consider some of the aforementioned points and to appreciate the outrage this project has caused for the citizens of this community. Please do not compromise this beautiful small town and neighborhood for the sake of some underhanded business deals.

Bryan Townsend
25 Oakwood Drive

Lisa Daigle

From: Carson, Caryn <caryn.carson@yale.edu>
Sent: Tuesday, November 17, 2020 10:47 AM
To: Lisa Daigle
Cc: lou@dealerss.net; ksyombathy@gmail.com
Subject: Letter from Westwinds Estates Residents For Nov. 19 P&Z Commission Meeting
Attachments: Letter from Westwind Estates Residents re_ Hopp Brook Development.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Lisa,

Please find attached a letter from the residents of Westwinds Estates expressing our concerns regarding the Hopp Brook Development. We would like to have this shared with the Commission and included in the November 19, 2020 meeting minutes. Please confirm.

Thank you so much for your help,
Caryn

Caryn Carson | Yale University | Department of History

November 13, 2020

To whom it may concern,

We write to express concern regarding the zoning change granted by the Planning and Zoning Commission for the Hopp Brook Development off the end of Oakwood Drive. We do not believe proper town protocol was followed relating to the change of the town POCD. This change allowed town-owned open space to be rezoned for the Hopp Brook Development. This sets a dangerous precedent for other town-owned open space areas.

The Planning and Zoning minutes and the letter sent by First Selectman, Gerard Smith, on 11/1/2020 with the timeline of events for the zone change indicate the process may have been against the town's standard operating procedures. Chairman McDuffie seems to have acted on his own and his actions appear corrupt. We request a full review of the events leading up to the zone change to confirm its validity and address any conflicts of interest.

Additionally, the process leading up to the zoning change was not transparent to town residents. A change to the town POCD should include significant feedback and input from residents. Residents were not aware this change was being considered and it is the duty of the town to keep residents informed throughout the process.

In addition, the area in question is known to be inhabited by a significant amount of wildlife, specifically bobcats, salamanders, owls, hawks, falcons, turkey, deer and bears. A development the size proposed on what was intended to be town-owned open space would have a negative effect on the habitat for all of these species. We request a study of the environmental impacts of this development.

A development of this size would add significant strain to the town's resources such as the power grid, water systems, sewer system, school systems, roads/traffic, fire/safety and so much more.

For these reasons, we would like the zoning change and any permits granted to Hopp Brook Development be revoked until it moves through a process that meets all the town ordinances, and standards. This should include resident feedback in an open and transparent forum. Because this development would have a significant and permanent impact on the town the process should not have the appearance of corruption or malfeasance associated with it.

We plan on attending the November 19th Zoom meeting and hope the concern expressed in this letter is addressed by the board. Thank you for your attention to this important matter.

Concerned Residents from Westwinds Estates (Kaleas Way and Morning Wood Dr.),

Signatures of Residents of Westwinds Estates:

<u>Louis Weissbacher</u>	<u>35 Kaleas Way</u>	<u>[Signature]</u>
<u>Caryn Carson</u>	<u>35 Kaleas Way</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>45 Kaleas Way</u>	<u>Tim Anosini</u>
<u>Michelle Accain</u>	<u>43 Kaleas Way</u>	<u>[Signature]</u>
<u>Heather Sydombathy</u>	<u>42 Kaleas Way</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>42 Kaleas Way</u>	<u>[Signature]</u>
<u>Michael DeNovelli</u>	<u>38 Kaleas Way</u>	<u>[Signature]</u>
<u>Renee DeNovella</u>	<u>38 Kaleas Way</u>	<u>[Signature]</u>
<u>Amanda Wilkins</u>	<u>22 Kaleas Way</u>	<u>[Signature]</u>
<u>Dan Wilkins</u>	<u>22 Kaleas Way</u>	<u>[Signature]</u>
<u>Stephen West</u>	<u>45 Kaleas Way</u>	<u>[Signature]</u>
<u>Jessica Gaggi</u>	<u>45 Kaleas Way</u>	<u>Jessica Gaggi</u>
<u>Karen Hicks</u>	<u>37 Kaleas Way</u>	<u>Karen Hicks</u>
<u>Kevin Hicks</u>	<u>37 Kaleas Way</u>	<u>Kevin Hicks</u>
<u>Matthew Hicks</u>	<u>37 Kaleas Way</u>	<u>Matthew Hicks</u>
<u>[Signature]</u>	<u>1 Morning Wood Dr</u>	<u>Kevin DeWitt</u>
<u>Rachel DeMott</u>	<u>1 Morning Wood Dr.</u>	<u>Rachel DeMott</u>
<u>Milke Rehm</u>	<u>7 morning wood Dr</u>	<u>[Signature]</u>
<u>Stefanie Rehm</u>	<u>7 morning wood Dr</u>	<u>[Signature]</u>
<u>Leannora Lawrence</u>	<u>41 Kaleas Way</u>	<u>[Signature]</u>
<u>Michael Lawrence</u>	<u>41 Kaleas Way</u>	<u>[Signature]</u>
<u>Tyler Bulinski</u>	<u>36 Kaleas Way</u>	<u>[Signature]</u>
<u>Karen Bulinski</u>	<u>36 Kaleas Way</u>	<u>[Signature]</u>
<u>Bobby Bulinski</u>	<u>36 Kaleas Way</u>	<u>[Signature]</u>

~~D~~
Dawn Verrelli
Cole Verrelli
Fred Galarraga
Ana Galarraga
Michelle & Kevin Connell
Scott DiGiorgio
Naomi DiGiorgio
Elizabeth DiGiorgio
Jennifer Bunk
David Bunk

33 Kaleas Way
33 Kaleas Way
33 Kaleas Way
497 Skokorat Rd
497 Skokorat Rd
Michelle & Kevin Connell 8 Morningwood Dr
40 Kaleas Way
40 Kaleas Way
40 Kaleas Way
3 Morningwood Dr
3 Morningwood Dr

Dino Verrelli
Dawn Verrelli
Cole Verrelli
Paul Jones
Ana Galarraga
Michelle & Kevin Connell
~~Michelle & Kevin Connell~~
Naomi DiGiorgio
Elizabeth Bunk
~~Elizabeth Bunk~~

Louisa T Heeman

Louisa Heeman

5 Morning Wood Dr.

Lisa Daigle

From: Corry Overcash <caovercash6@gmail.com>
Sent: Tuesday, November 17, 2020 9:18 PM
To: Lisa Daigle
Subject: Correspondence for P&Z Mtg. 11/19/20

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern:

We are highly concerned about the HoppBrook estates development. We have lived in this small town that we love for 14 years. We moved here because of the small town and have loved it ever since. We would not have chosen to move here ourselves and raise our son here without that. This development will ruin so many aspects of our wonderful town of Beacon Falls. This will put an extreme burden on our towns infrastructure, our school systems, our roads, our fire department and our police force. We are asking that you consider all of this before allowing this to happen.

Extremely Concerned Beacon Falls Residents, Kristopher and Corry Overcash

Sent from my iPhone

Lisa Daigle

From: Robin Pivrotto <rpivrotto@comcast.net>
Sent: Tuesday, November 17, 2020 2:10 PM
To: Lisa Daigle
Subject: Hopp Brook Estates project

Follow Up Flag: Follow up
Flag Status: Flagged

Hi, I want to get on the record. We don't need a large development in the small town of Beacon Falls. We don't have the infrastructure to support we don't have the roadways to support we just can't support this project. I am all for people having access to fair priced housing, however, we don't need hundreds of homes to be built in this small town to accommodate this. We don't have room in our schools. And we're just not that kind of town. Sorry to be so negative but we need to maintain what we have and we can't even do that. If you want to increase the tax base in this town we need more industry. Thank you.

Robin Pivrotto

Sent from my iPad

Lisa Daigle

From: Desiree Brooks <desidoux@gmail.com>
Sent: Wednesday, November 18, 2020 3:55 PM
To: Lisa Daigle
Subject: No to Oakwood Dr.

Follow Up Flag: Follow up
Flag Status: Flagged

I came home from Navy to grow roots and hopefully raise a family. I'm not interested in footing taxes for large numbers of non taxpayers that will overcrowd schools, increase traffic on roads in huge need of repairs already... not to mention destroying beautiful woodlands. This greedy owner should think of major downsizing to number of units and put the rest of property in a land trust to relieve his taxes.

This town has turned to cheap fixes and denies our voices on important matters.

Ben Brooks
16 Dolly Dr.

Lisa Daigle

From: Steve orloski <sorloski@sbcglobal.net>
Sent: Wednesday, November 18, 2020 9:18 PM
To: Lisa Daigle
Subject: Public Meeting Comments Hop Brook Estates

Follow Up Flag: Follow up
Flag Status: Flagged

Public Meeting Comments, To whom it may concern,

~My first comment is why did the Chair and Vice Chair push through a zone change to allow the Hopbrook development to potentially move forward? Why was zoning for this proposed development altered without the town tax payers being part of the decision process.

~ Oakwood Drive cannot support this kind of traffic. There will be excess of 200+ cars per day traveling down this street affecting the health and safety of our quiet neighborhood.

~ We purchased real estate up here in a quiet neighborhood with no intention or prior notification of seeing a potential 100+ housing development dropped on us.

~ Our regional school system will not be able to handle potentially hundreds of children flooding into our schools. This will ultimately raise our taxes and lower the quality of the education for our children due to overcrowded classrooms.

~ This project will also put huge strains on our police, fire and town services.

~ Lastly the overall affect on the wildlife in our area will be devastating.

Lets keep our quiet town the way it has been for years and years.

Steve and Tammy Orloski
Timber Ridge Lane

Lisa Daigle

From: chrisamorrow10@aol.com
Sent: Wednesday, November 18, 2020 7:18 PM
To: Lisa Daigle
Subject: Oakwood Dr development

Follow Up Flag: Follow up
Flag Status: Flagged

Good evening,

I'm writing to say how frustrated I am over the lack of communication with the town regarding this project. Where are the studies on the impact to the town?? Schools? Traffic? Taxes? And so on. What about the impact to wildlife in the area? A project of this scale should not be passed behind closed doors without more communication to the town. Issues like this is what makes citizens lose faith in their government. This project seems to have no real benefit to the town and more of a benefit to certain board members. Please reconsider this or postpone this for more studies and input from the great citizens of our town.

Thank you,
Christopher Morrow

Lisa Daigle

From: Mike Cleary <clearymf@gmail.com>
Sent: Wednesday, November 18, 2020 6:14 PM
To: Lisa Daigle
Subject: Correspondence for P&Z Meeting 11/19

Follow Up Flag: Follow up
Flag Status: Flagged

Public comment regarding the development on oakwood drive by hopp brook estates

My reasons for opposition are numerous, but mainly are driven by

- Have zoning rules and regulations been followed for the approvals on this project?
- Is it actually in the best interest of the town to zone this area in this way? Has any analysis been done?
- One road entrance for hundreds of homes can not be acceptable by fire/ems & associated rules and regulations. We have trees down all the time and the likelihood of an emergency need only rises. If the road is blocked there is no viable way in for emergency services for that many more people.

When you really look at this project something doesn't seem right. Can we please use some resources to do a real analysis of the environmental, safety and zoning concerns associated with this project at the end of oakwood drive?

Concerned Citizen,
Mike Cleary

Lisa Daigle

From: Navy Mom <soulcialfeedia@gmail.com>
Sent: Wednesday, November 18, 2020 4:01 PM
To: Lisa Daigle
Subject: OAKWOID DR. DISASTER

Follow Up Flag: Follow up
Flag Status: Flagged

I purposefully moved to this town for the size and scope of the community. I grew up in Oxford and missed less buildings and traffic. I think this project is a sellout and a travesty of the town zoning process. Hire real Town marketing and put in a solid corporate base, not low income non tax paying bodies that will deplete tight and under funded Fire and Police depth. IM VOTING THOSE IN FAVOR OUT!

Desiree.Brooks
16 Dolly Dr.

Lisa Daigle

From: Joann Overby <overbyj@sbcglobal.net>
Sent: Wednesday, November 18, 2020 3:59 PM
To: Lisa Daigle
Subject: oakwood DR

Follow Up Flag: Follow up
Flag Status: Flagged

Dear P&Z

I am asking for the development to be stopped for Oakwood Dr. The schools, the Fire Department, the Police Department, the wastewater treatment plant could not handle it. As for the roads they never could handle it.

Thank you

Joann Smith Overby
129 Highland Ave
Beacon Falls, CT 06403

Lisa Daigle

From: Glory Smith <gloryjvsmith@gmail.com>
Sent: Tuesday, October 27, 2020 1:18 PM
To: Lisa Daigle
Subject: Housing Development

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Categories: Green category

Hi Lisa,

As a Beacon Falls resident, I would like to have my voice heard regarding the housing project that was mentioned in one of the BF Facebook communities. I do not agree with this development. I can't speak for everyone, but I will speak for myself. I chose to move here because of the town's small size and charm. I chose to move here because it is quiet, and tends to be safe. I chose to be here because I felt that it was a great place to live, at a reasonable price. Like many, I am concerned about how this development will impact taxes, property values, crime rate, and the school system. I am against cutting more and more of our forest down to build these homes, as I do not see it as necessary. I am not against low income housing, but I feel we need to explore alternative proposals, and conduct studies to examine how the community members and systems will be impacted.

Thank You,
Glory Smith

Lisa Daigle

From: Toni Douglass <tldouglass@att.net>
Sent: Tuesday, October 27, 2020 10:50 PM
To: Lisa Daigle
Subject: Proposed low income housing

Follow Up Flag: Flag for follow up
Flag Status: Completed

Additional teachers, cops, trash pickup, snow plowing. Our taxes will go thru the roof. We DO NOT need low income housing in a town this small, we can not support it. We need more businesses. How did this happen without the taxpayers being informed so that we could vote on it. I can't even imagine what would happen to the crime rate in this town. Contrary to the left's argument about how good and diverse this would be, history shows us that low income housing developments are riddled with drugs and crime. Toni Douglass

Lisa Daigle

From: Tucker Bandler-reza <tucker.reza@gmail.com>
Sent: Tuesday, October 27, 2020 9:31 AM
To: Kerry McAndrew
Subject: Hopbrook development

On behalf of the reza family From town. We are deeply concerned about the low income housing that is planned to be built at the end of oakWood dr. We would like to know step we can take to go against the grain of letting this development plan become an actual problem in town. Beaconfalls will be the new derby if this development plan is executed.

Sincerely, Tucker reza. You can contact me at 203-941-9081

Lisa Daigle

From: Lisa Daigle
Sent: Friday, November 13, 2020 9:54 AM
To: Lisa Daigle
Subject: FW: Form submission from: Send Us Comments

Categories: Green category

-----Original Message-----

From: cmsmailer@civicplus.com <cmsmailer@civicplus.com>
Sent: Sunday, November 1, 2020 7:32 PM
To: Kerry McAndrew <kmcandrew@beaconfallsct.org>
Subject: Form submission from: Send Us Comments

Submitted on Sunday, November 1, 2020 - 7:32pm Submitted by anonymous user:
2601:192:101:d499:48e6:8ed0:cce4:c223
Submitted values are:

What does this comment regard? General Comments / Questions to the Town Please include any questions or comments: I heard there will be low income housing of 150 to 250 new home residents in our small low crime town. This is very disturbing and concerning for me, and many fellow residents with children are concerned with the future of our amazing school district. Why has this been on the hush??? I hope no one is getting paid off???? Why didnt we get to vote on this? Many would agree this is a town changing decision. Why has this not been openly advertised with our population???

==Please provide the following information:==

Your Name: Michael Erlingheuser

Your E-mail Address: Erlingheusm1@yahoo.com

Organization:

Phone Number: 2035981748

==Address==

Street: 15 LORRAINE DR

City: BEACON FALLS

State: Connecticut

Zipcode: 06403

The results of this submission may be viewed at:
<https://www.beaconfalls-ct.org/node/2/submission/3146>

Lisa Daigle

From: Elaine Reilly <ereilly07@aol.com>
Sent: Thursday, November 19, 2020 1:39 PM
To: Lisa Daigle
Subject: Oakwood Drive Development

Follow Up Flag: Follow up
Flag Status: Flagged

Please address the fact that the town does NOT want this. Also, their plans for water sources for development?

~Water tank?

~Wells on contaminated land?

~What is the back up water source?

~What are the details of low income housing plan?

~What is the plan for necessary increase in law enforcement?

Please address these questions at the upcoming meeting.

TIA,

Elaine Reilly

Sent from my iPhone

Lisa Daigle

From: Elaine Reilly <ereilly07@aol.com>
Sent: Thursday, November 19, 2020 2:34 PM
To: Lisa Daigle
Subject: Additional question for Oakwood Drive

Follow Up Flag: Follow up
Flag Status: Flagged

~What is the plan to address the influx of potential students that would enter Region 16?

Elaine Reilly

Sent from my iPhone


Lisa Daigle

From: Rebecca <becksters34@yahoo.com>
Sent: Thursday, November 19, 2020 8:04 AM
To: Lisa Daigle
Cc: Donato Rubino
Subject: Re: Hopbrook estates

Follow Up Flag: Follow up
Flag Status: Flagged

Please confirm receipt of this email!
Thank you!

Sent from my iPhone

> On Nov 18, 2020, at 9:54 PM, Rebecca <becksters34@yahoo.com> wrote:
>
> To the Zoning Board:
> As a a current resident of Beacon Falls I'm extremely concerned and displeased with the way this very large development is getting pushed through with zero communication to residents about it.
>
> I have spoken to many friends and neighbors who had never heard about this and are appalled at the thought of it going through.
>
> If you are truly concerned about your current residents and how they feel about this potential development there should be better communication and public forums BEFORE forcing us to just live with this.
>
> We are a small town and MANY of us love that about Beacon Falls and want that feeling to stay and is why we moved here in the first place.
>
> It's disconcerting that it seems like the towns BEST interests (and those who live in it) are not at the heart of this decision and My family and I stand firm in the belief this needs to be stopped.
> Thank you,
> Donato and Rebecca Rubino
> 
>
>
> Sent from my iPhone

Lisa Daigle

From: Martin Hubbard <martin.t.hubbard@gmail.com>
Sent: Wednesday, November 18, 2020 9:20 PM
To: Lisa Daigle
Subject: Correspondence for Planning & Zoning (11/19/20)

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern,

I am writing this letter to express my strong opposition to any expansion of Oakwood Drive.

First, I find the potential corruption and ethical behavior of the Planning & Zoning commission surrounding Hopbrook Development/Oakwood Drive expansion extremely alarming. **During this meeting I am requesting the commission explain/confirm the following:**

- **Where is this project in regards to the approval process? Has it been approved or will there be an upcoming hearing/vote to determine if this will be approved?**
- **How many houses in total are planned to be built? What will be the average/expected cost for each house? How many phases? What type of houses? When is the estimated start?**

Second, I am concerned that Beacon Falls residents' had little to no awareness about a project this size until recently via social media. I can only assume this lack of consideration for town residents led to very few negative impacts addressed or discussed during previous meetings regarding this initiative. **I would like to call out the following considerations that may severely impact our town in a negative manner:**

- **Significantly Increased/Heavy Traffic on Blackberry Hill and Oakwood Drive**
- **Additional Road Maintenance for Heavier Road Usage**
- **Additional Children in School District Requiring More Teachers, Buses, Supplies, etc.**
- **Additional Fire, Ambulatory, and Police Coverage**
- **Significantly Increased Taxes**

Finally, I moved to Beacon Falls for the small-town feel, as well as the great value/investment of my home. I bought this property in hopes of maintaining this small-town feel; however, with this proposed/planned project I fear that will come to an end. Additionally, I am concerned about the property value of not only mine, but my neighbors houses on Oakwood and Timber Ridge. If these new houses value at half the cost of ours, our property value will significantly decrease. **Should this project continue progressing/get approved (if not already approved) I would like to understand how this project moves forward under the current planning and zoning regulations, and why anyone should stay and not list their house tomorrow to leave this town.**

Thank you for the consideration. Please provide any relevant information, clarifications, or feedback during the meeting.

Thanks,

Marty Hubbard
martin.t.hubbard@gmail.com | 203-278-3721
10 Oakwood Drive | Beacon Falls CT | 06403

Lisa Daigle

From: Amanda Gorton <bluangel5279@gmail.com>
Sent: Wednesday, November 18, 2020 8:43 PM
To: Lisa Daigle
Subject: Comments from the Public - RE: P&Z meeting 11/19/20

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern:

Let me start by explaining that we moved to Beacon Falls 5 years ago because we were looking for a small town with great schools for our children and a quiet neighborhood that would allow them to play outside safely, both in our yard and riding their bikes along the streets of the neighborhood. We wanted some place that gave us some privacy and quiet, but also a friendly neighborhood that provided other kids for our children to grow up with life-long friends. We have found that! We love living in Beacon Falls and we love our neighbors (and neighborhood) here on Oakwood Drive.

So today, we are writing this letter to you to express our concerns regarding the Zoning Waiver being sought by a developer to build 109 stand alone housing units that would be accessed via Oakwood Drive. We worry that a development like this, with the potential for an additional 100+ units 10 years later, would take away the peaceful, quiet, safe neighborhood that brought us here in the first place. We worry about the traffic that would be brought to our street with this development, first all of the construction equipment and workers (strangers) during the building phases and then the daily traffic once those homes are sold. Potentially as many as 418 vehicles travelling in and out of one access point on a daily basis. The streets would no longer be a safe place for my children to ride their bikes and play with their neighborhood friends.

Another concern relative to increased traffic in the neighborhood is the possibility for increased crime. More people in and out of the neighborhood could lead to more car burglaries, home invasions, trespassing and narcotic related incidents. While crime does occur in any neighborhood, adding 109+ stand alone housing units would certainly increase those odds.

I mentioned earlier that we also moved here for the school system. We have been thrilled with the education our children have received academically, socially and emotionally, thus far from Laurel Ledge School. As an educator myself, I have concerns about the influx of students that could be brought into our schools by adding an additional 100-200+ homes in the neighborhood. That could mean as many as an additional 400+ students attending our schools. Knowing what it is like to address the needs of students in today's world, I wouldn't want to see our class sizes increasing and availability of services decreasing.

Additionally, we have concerns about the environmental effects this new development would have on our neighborhood. Construction would create a significant amount of sound and air pollution as well as displacing the wildlife that we have become accustomed to seeing in our yard.

We write this letter to strongly express our opposition to any proposed or planned expansion to Oakwood Drive. We have become aware of some questionable decisions that took place early on in the approval process, including probable conflict of interest with commission members (both former and current) and contractors, as well as other ethically questionable conduct. It is highly concerning that these events were allowed to take place or took place without any oversight from the public. It is additionally concerning that a project of this large a scope has moved so far into the approval process without significant input and awareness from the town's people of Beacon Falls. One of the things we love the most about Beacon Falls is the small town feel, the sense of united community and the familiarity of knowing many people around town. We don't want to lose that feeling!

Concerned residents,

Amanda & Daniel Gorton

Lisa Daigle

From: Ashley Georgia <ageorgia001@hotmail.com>
Sent: Wednesday, November 18, 2020 8:26 PM
To: Lisa Daigle
Subject: Correspondence for P&Z 11/19

Follow Up Flag: Follow up
Flag Status: Flagged

Good evening,

I am writing to express my opposition regarding the Oakwood expansion plan. I currently reside on Timber Ridge Lane and have many concerns with the proposed plan. We built our house in this small, quiet community to raise our family in a safe environment for our children to grow up in. Approving this plan would undoubtedly take this away. This expansion would not benefit this community in anyway, in fact it would be a detriment not only to our small neighborhood, but the overall town. Below are a number of reasons why.

- Hundreds of homes with the only point of access coming from Oakwood Drive (this community is filled with children and the car traffic alone because of this development would make our community unsafe for our children to safely play)
- Road damage/wear and tear
- Influx of children in our school system
- Our town isn't staffed appropriately to properly protect the citizens of Beacon Falls (police, fire department, teachers, etc)

For those of us who worked hard and built our dream homes in a beautiful, small, quiet community the prospect of a massive development such as this proposed plan, being built in our own backyards is extremely disheartening. It is becoming clear that many of us were sold our property/land under false pretenses and some of the people that would benefit the most from this expansion were a part of the questionable processes that have taken place to approve such a proposed expansion. Besides the numerous reasons this development is a detriment to our community, corrupt behavior in our town is also not something that can be ignored, and we all deserves answers regarding this as well.

Thank you for your time,

Ashley & Dave Scagliarini

Lisa Daigle

From: signwal@aol.com
Sent: Wednesday, November 18, 2020 6:01 PM
To: Lisa Daigle
Subject: HoppBrook

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern:

I'm sending this email to voice my objection to the development of a high number of housing units for the Hopp Brook Estates development. I'm also extremely concerned about the future to any proposed housing units above & beyond this development. This is going to have a huge impact on our roads and our schools and that scares me. I'm sure the impact is going to be more than that if there's more added to this development. Being on a fixed income as a senior citizen I am extremely frightened as to the tax burden this development may cause. I'm definitely against this over development as it stands.

Ann Walsh
12 Dolly Dr
Beacon Falls CT 06403

Sent from AOL Mobile Mail
Get the new AOL app: mail.mobile.aol.com

Lisa Daigle

From: Shirley Torres <shirleytorres465@gmail.com>
Sent: Wednesday, November 18, 2020 4:16 PM
To: Lisa Daigle

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern,

As a taxpayer and registered voter, I firmly oppose the proposed development at Oakwood Drive. This towns police and fire departments are already running at capacity. Laurel Ledge can not handle anymore children. As a voter I will be watching this and anyone trying to pass it. I will make sure to use social media against anyone that tries to push this forward.

Respectfully,
Shirley Torres

Lisa Daigle

From: Sandra <rsolomita@comcast.net>
Sent: Wednesday, November 18, 2020 4:06 PM
To: Lisa Daigle
Subject: Oakwood Drive Development

Follow Up Flag: Follow up
Flag Status: Flagged

To Whom It May Concern

I am opposed to this proposed development. Our small town cannot handle the extra traffic on our already poorly maintained roads. Our school system will struggle to handle the extra load. I'm not sure why we aren't focusing on bringing in businesses to our industrial park instead of building homes. The homesites off of Fairfield have not sold and that project is stalled.

Thank you for your attention to this matter Sandra Solomita

Sent from my iPhone

Lisa Daigle

From: Pedro Navarro <pedro.o.navarro1@gmail.com>
Sent: Wednesday, November 18, 2020 3:59 PM
To: Lisa Daigle
Subject: Proposed housing complex objection

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern,

As a homeowner, taxpayer and registered voter, I firmly oppose the proposed development at Oakwood Drive. What lured me here was the small town charm Beacon Falls has. After I moved here a friend of mine also purchased his home here after my recommendation. My in-laws and parents are also considering purchasing a home here but if this proposal is pushed through we will most likely move and so would my relatives. This town police and fire departments are already running at capacity. Laurel Ledge can not handle anymore children. As a voter I will be watching this and anyone trying to pass it. I will make sure to use social media against anyone that tries to push this forward.

Respectfully,
Pedro Navarro

Sent from Yahoo Mail for iPhone

Lisa Daigle

From: Donald Schmaling <donschmaling@gmail.com>
Sent: Wednesday, November 18, 2020 2:08 PM
To: Lisa Daigle
Subject: Opposition to Hopp Brook Estates

Follow Up Flag: Follow up
Flag Status: Flagged

In Opposition to Hopp Brook Estates

To Whom it may concern:

I write to you in opposition of the proposed plans for Hopp Brook Estates, the 109 home development of cluster housing, only accessible through Oakwood Drive. Oakwood Drive is not equipped to handle the type of development that is proposed by the developer. As a resident of the Oakwood Drive neighborhood, and living across from the ONLY proposed opening to the development, I personally oppose the turning of this quaint neighborhood into quite possibly one of the busiest streets in Beacon Falls.

The idea of building this vast project will ensure 10+ years of construction traffic as well as noise pollution for the taxpayers of this town.

Additionally the building of the Hopp Brook Development is going to ensure 200+ vehicles will be driving through Oakwood Drive multiple times per day. This will create safety issues for all residents of this neighborhood, especially the young children who play here, as well as wait for busses in the morning and afternoon- the exact times that these bloated traffic patterns will be funneling into the neighborhood.

Oakwood Drive and TimberRidge Lane have had a history of water pressure issues in merely the 5 years that I have lived here. Is it realistic to really think that building this vast project will not have detrimental effects on critical services like water pressure?

The burden this project will put on critical infrastructure should raise red flags for all legitimately concerned with this project. How will fire and police services be affected by this project.

As an educator and the parent of a first grader and a 4 year old who will soon be entering Laurel Ledge Elementary School, it begs the question of whether our schools are equipped to handle the ramifications of this project. Many in this town feel as though our schools are already bursting at the seams. This project will undoubtedly have a negative impact on the learning outcomes of many of this community's children.

While I have addressed some of the issues I have with this development's physical implementation, it also should be noted that there appear to be many issues with the way in which this development came to be in the first place. As highlighted in the November 1, 2020 letter released by First Selectman Gerard Smith, the actions of former Zoning Commission Chairman McDuffie and the peculiar and unusual actions of approving zoning changes already denied by the Board of Selectmen as well as changes to the Beacon Falls Plan of Conservation and Development. The piecemeal

process in which this plan was pushed through reeks of impropriety. To paraphrase William Shakespeare character Marcellus in *Hamlet*, "Something is *Rotten* in the town of Beacon Falls!!"

When my wife and I moved to Beacon Falls, over 5 years ago, the major draws to this community were the small town feel, the quaint and quiet neighborhood we were moving into and the safety this neighborhood provided for our young family. The absurdly proposed expansion of our small neighborhood into a major thoroughfare for sprawling development is contrary to what we, nor the other residents of Oakwood Drive envisioned when we built out homes here.

This pet project of the previously configured Planning and Zoning Commission is nothing but a boondoggle being shoved down the throats of the citizens of Beacon Falls to enrich what appears to be a constant and continuous business relationship between a team of developers and members of the zoning board.

While I understand that economic progress is vital for any community to survive, it is imperative that "progress" is planned in a smart manner that benefits the collective citizenry. The developer, his team of lawyers, and the builders and contractors that he brings into the development represent only a small fraction of the collective citizenry and it is important that this is kept in mind. These parties get into their trucks, every night, at the end of the work day; and 10 years from now when the project is finished- We will be the ones left with an overdeveloped mess and they will be far from here creating havoc on the next community. We, the citizens of this town, are the ones this board has an obligation to serve and whose interests should be represented.

Sincerely,

Don and Brittany Schmaling

19 Oakwood Drive

Beacon Falls, CT 06403

(203) 509-9218

Lisa Daigle

From: Kristen Jockel <kdjockel@gmail.com>
Sent: Tuesday, November 17, 2020 6:54 PM
To: Lisa Daigle
Subject: Correspondence P&Z meeting November 19, 2020

Follow Up Flag: Follow up
Flag Status: Flagged

November 18, 2020

Town of Beacon Falls

To whom it may concern,

I would like to relay my **strong objection** to the HoppBrook expansion of Oakwood Drive. I want to begin by expressing my extreme disappointment and frustration that plans for this development have passed several approvals and zoning changes under the radar of the community. I am **outraged** that these zoning changes were approved when there are conflicts of interests in the form of land acquisition by Chairman McDuffie. Not only was this approval corrupt and immoral, but there was no representation from the public or surrounding neighborhoods. These zoning changes must be reconsidered!!

I believe that this expansion project will cause substantial detriment to the public good and to the neighboring residential community. I would like to state several of my concerns regarding this new development:

- Increased traffic with only one street in/out of the development. A development of this stature will generate constant traffic on neighborhood streets. These streets are not able to handle construction vehicles, or the high traffic volume generated by a development of this size.
 - Increased risk for accidents and injuries. Concerns for safety of pedestrians and children with no sidewalks
 - Will be hard to enforce speed limits with increased traffic on a roads with a steep incline/decline (Oakwood Dr and Blackberry Hill Rd)
 - Will require increased road maintenance and upkeep by the town
 - Concerns regarding road accessibility for emergency vehicles and personnel
- A development of this size will dramatically increase the population of Beacon Falls
 - Concern for increase crime rates
 - Concern for burden on public infrastructures and school systems
 - Devaluation of residential homes and property in the area
 - Loss of Beacon Falls' small-town feel
- Concern for adequate water and sewer infrastructure
 - Oakwood Dr and Timber Ridge already have an issue with water and require pumps at the bottom of Oakwood Dr

- Potential damage to superfund site caused by increased water runoff and septic tank discharges
- Loss of open space
 - Woods are home to various wildlife: bobcats, eagles, deer, bears, turkeys, etc. that will be disrupted and uprooted

Thank you for your consideration in this matter.

Sincerely,

Kristen Jockel and Adam Kelly

20 Oakwood Drive

Lisa Daigle

From: Kathy Novak <kathy.e.novak@gmail.com>
Sent: Tuesday, November 17, 2020 11:37 AM
To: Lisa Daigle
Subject: Hopp Brook Estates

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Planning & Zoning Committee,

I, as a resident of Beacon Falls, oppose the development of Hopp Brook estates. I feel it will be detrimental to our small town and create more traffic which will negatively impact our roads and infrastructure. On the school side, larger class sizes and the need for more teachers will create a larger education budget and increase our taxes.

For all of these reasons above, I am not in favor of this development to be approved.

Sincerely,

Kathleen Novak

Lisa Daigle

From: Kathy Shugdinis <mepa418@aol.com>
Sent: Tuesday, November 17, 2020 10:11 AM
To: Lisa Daigle
Subject: Hop room Estates.

Follow Up Flag: Follow up
Flag Status: Flagged

To members of the planning and zoning committee:

My name is Kathy Shugdinis and I live on Edgewood Drive. I have lived in Beacon Falls for 68 years of my life and I love my quiet little sleepy town where neighbors care about neighbors, strangers become friends, and people volunteer their time and energy to keep it that way. Referring to the Hoppbrook Estates proposal, I as well as many other residents in all parts of our town are now throwing our hands in the air and saying, "What's this all about? First I have heard anything!" The word out is that 100 units of affordable housing in our town to be built in the first stage and more to be built in a second stage? To me there are much more cons than pros to this proposal and I hope that each and everyone of you will take into consideration the huge impact such a development will have on our sleepy little town. To mention a few please look at the impact of more traffic, overcrowded schools, impact on our fire and rescue departments, police department, and many more. I am asking this board to halt anymore action on this proposal until the people of all of Beacon Falls are informed more as it will have an impact on our entire town. Thank you and May all of you stay healthy and safe. Kathy Shugdinis.

ZONING ENFORCEMENT OFFICER'S REPORT

For November 2020

Zoning Compliance (Permits)

90 Burton Road-Inground Pool

350 Pinesbridge Road-Above Ground Pool

6 Bayberry Court-New Home

4 Bayberry Court-New Home

2 Bayberry Court-New Home

50 Twin Oaks Trail-New Home

506 Skokorat Road-Deck Extension

34 Briarwood Drive-Fence

59 Noe Place-Deck

Respectfully Submitted,

Michael Mormile

Zoning Official

Fax: 203.456.8249

Email: vmarino@mzslaw.com

657 Orange Center Road
Orange, CT 06477

www.mzslaw.com



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From: Robert Hammond <hammond.robert@gmail.com>

Sent: Wednesday, October 21, 2020 3:02 PM

To: Vincent Marino <vmarino@mzslaw.com>

Cc: MMormile@TownOfBeaconFalls.com

Subject: Town of Beacon Falls matter

Mr. Marino,

Greetings from Pastor Bob Hammond at Long Hill Baptist Church in Trumbull. At the suggestion of Mike Mormile, I am contacting you in your capacity at town attorney for Beacon Falls.

Our church is potentially interested in leasing retail space at 94 North Main Street in Beacon Falls for the purpose of conducting church services for a small group of Beacon Falls residents. We have reached an agreement with the landlord to rent the space for one year.

Earlier this week, I met with town planner Keith Rosenfeld. He and I reviewed the zoning regulations that cover this property. We noted that the property is located in a business district. Further, we noted that the Business District zoning regulation 31.1.1 permits "any use permitted in a residential district." We also note that Residential District zoning regulation 21.2.5 permits the granting of special exemptions for churches and places of worship. Accordingly, I concluded that a church could be permitted in the business district because (1) the regulation permits anything that is permitted in a Residential District and (2) a church is permitted in a residential district - albeit with a special exemption.

Yesterday, Keith Rosenfeld asked me to contact ZEO Mike Mormile to confirm that he agreed that a church could be allowed with a special exemption (per 31.1.1 and 21.2.5). In response, today, Mike recommended that I reach out to you to confirm that my conclusion is consistent with the regulations.

Yesterday, Keith Rosenfeld asked me to contact ZEO Mike Mormile to confirm that he agreed that a church could be allowed with a special exemption (per 31.1.1 and 21.2.5). In response, today, Mike recommended that I reach out to you to confirm that my conclusion is consistent with the regulations.

And so, I am reaching out to you to ask for clarification / confirmation that a church could be allowed (with a special exemption). Please feel free to call me to discuss at 203-543-7456.

Regards,

Bob

Pastor Robert Hammond

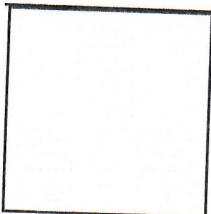
Long Hill Baptist Church

100 Middlebrooks Avenue,

Trumbull, CT 06611

(203) 543-7456 (Cell)

www.LHBaptist.com



Michael Mormile

From: Vincent Marino <vmarino@mzslaw.com>
Sent: Thursday, October 29, 2020 11:50 AM
To: hammond.robert@gmail.com
Cc: MMormile@TownOfBeaconFalls.com; Kerry McAndrew; Gerard Smith
Subject: RE: Town of Beacon Falls matter

Dear Pastor Hammond:

Thank you for your email. You have asked me whether your church can located in the Business District in accordance with section 31.1.1 of the Beacon Falls Zoning Regulations. Section 31.1.1 provides that in the Business District, permitted uses include "any use **permitted** in a Residential District" The regulations concerning the Residential Districts (R-1, R-2, R-3) are codified in Section 21 of Article II of the Beacon Falls Zoning Regulations. The uses "permitted" in a Residential District are listed in section 21.1. A church is not listed as a "permitted" use. A church is permitted in a Residential District pursuant to section 21.2.5 only by special exception.

The answer to the question presented rests on the meaning of the phrase "any use **permitted** in a Residential District. " Clearly, any use listed in section 21.1 is a "**permitted**" use in all Residential Districts and would qualify as allowed uses under section 31.1.1. It is not clear to me, however, whether the Planning and Zoning Commission intended to extend the meaning of the word "**permitted**" to include those uses permitted by special exception, which are listed in section 21.2.

A plain reading of the regulations suggests that it did not so intend. Section 31.1.1 does not address special exception uses. If this regulation is construed to allow Residential District special exceptions, as permitted uses in a Business District, such a construction would arguably remove the wider discretion afforded to the Commission under the special exception process. It is worthy to note that section 31.1.1 specifically extends the application of the requirements of the R-2 regulations in the Business District when a development is used for residential purposes. If the Commission sought to include special exception uses among those permitted in the Business District it likely would have included language saying so. Notwithstanding, since the question rests on the meaning of the phrase "any use permitted in a Residential District" found in section 31.1.1, I am of the opinion that this question should be referred to the Planning and Zoning Commission for its interpretation. As town attorney, I should not supplant by opinion and judgment for that of the Commission. I will ask that Mr. Mormile add this question to the Commission's next agenda.

I thank you for your email, apologize for my delay in getting back to you and will inform you of the Commission's opinion as soon as it is available.

Sincerely,

Vincent Marino

Vincent M. Marino, Esq.
Attorney At Law



**Marino, Zabel &
Schellenberg, PLLC**

Direct Dial: 203.864.4661
Mobile: 203.556.1394
Main: 203.864.4511

ARTICLE II: RESIDENCE DISTRICTS

SECTION 21: RESIDENTIAL DISTRICTS (R-1, R-2, R-3)

21.1 Permitted Uses:

The following uses are permitted in all Residential Districts:

21.1.1 Dwellings

21.1.2 A professional office in a dwelling unit, subject to the provisions of Sec. 8.

21.1.3 Home occupations in a dwelling unit, subject to the provisions of Section 8.

21.1.4 The renting of not more than three (3) rooms, in a dwelling unit to a total of not more than four (4) persons, subject to the provisions of Section 8.

21.1.5 Schools, parks, playgrounds and open space lands for the Town of Beacon Falls.

21.1.6 Farms, including truck gardens, nurseries, greenhouses, forestry and the keeping of livestock and poultry, subject to the provisions of Section 8.

21.1.7 Signs as provided in Section 63.

21.1.8 Accessory uses customary with and incidental to any aforesaid permitted use, subject to the provisions of Section 8.

21.2 Special Exception Uses: ✓

21.2.1 Conversion of dwellings so as to contain two (2) dwelling units.

21.2.2 Roadside stands for the display and sale of farm products grown.

21.2.3 Day nurseries and day care centers.

21.2.4 Convalescent homes, private hospitals and sanitarium, licensed by the State of Connecticut.

✓ 21.2.5 The following uses when conducted by a non-profit corporation and not as a business for profit: Churches and places of worship; parish hall; schools; colleges; universities; general hospitals; cemeteries; sanitarium; and educational, religious, philanthropic and charitable institutions.

21.2.6 Buildings, uses and facilities of the Town of Beacon Falls other than uses specified in Par. 21.2.5 as permitted uses.

21.2.7 summer day camps, provided that there is no furnishing of rooms; recreational campsite.

21.2.8 The following uses when not conducted as a business or for profit: membership clubs; lodges; community houses; nature preserves and wildlife sanctuaries; golf, tennis, swimming, boating and similar clubs.

21.2.9 Public utility substations and telephone equipment buildings provided that there is no outside service yard or outside storage of supplies.

21.2.10 Water supply reservoirs, wells, towers, treatment facilities and pump stations.

ARTICLE VI TOWNWIDE REQUIREMENTS

SECTION 62: PARKING AND LOADING

- 62.1 GENERAL:** Parking and loading spaces shall be provided off the street for any use of land, buildings or other structures in accordance with the standards hereinafter specified. Off street parking and loading spaces required by this Section shall be permanently maintained and made available for occupancy in connection with and for the full duration of the use of land, buildings and other structures for which such spaces are herein required. All off-street parking and loading spaces hereafter established, whether required by this Section or not, shall conform to the standards of the paragraph 62.7
- 62.1.1 Existing Uses:** Any use already existing shall conform to these standards to the extent that it conforms at the time of adoption of this Section. If any existing use of land, building or other structure is changed to a use requiring additional off-street parking and loading spaces to comply with this Section, the additional spaces shall be provided for the new use in accordance with the standards hereinafter specified. Any existing use which does not conform to the standards of this Section shall not be changed to a use which would need additional off-street parking and loading spaces to comply with the standards herein unless off-street parking and loading spaces are provided for such new use as required by this Section.
- 62.2 Dimensions:** For the purpose of this Section, one (1) parking space shall constitute an area with such shape, vertical clearance, access and slope as to accommodate one (1) automobile having an overall length of 20 feet and shall contain an area of 180 square feet; one (1) loading space shall constitute an area 12 feet in width and 30 feet in length with a vertical clearance of 15 feet with such shape, access and slope as to accommodate one (1) truck having an overall length of 30 feet.
- 62.3 Parking Spaces:** Off-street parking spaces shall be provided in such number and location specified as follows:
- 62.3.1 Dwellings:** (and rented rooms): two (2) spaces for each family or dwelling unit plus one (1) space for each bed in the rented room for tourists or roomers, and located on the same lot with the dwelling.
- 62.3.2 Profession Office:** (in a dwelling unit): four (4) spaces, and located on the same lot with the dwelling.
- 62.3.3 Auditorium:** (churches, places of worship, theaters, assembly halls or stadium): one (1) space for each five (5) seats, and located on a lot not more than 300 feet in a direct line from the building; if the building is located in a Residence District, such parking spaces shall be located on the same lot with the building.
- 62.3.4 Undertaker:** one (1) space for each five seats, and located on the same lot with the building.
- 62.3.5 Stores and Offices:** (retail stores, business and professional offices, post offices, financial institutions and medical and dental clinics): one (1) space for each 150 square feet of ground floor area of the building and each 300 square feet of upper floor area, and located on a lot not more than 300 feet in a direct line from the building.
- 62.3.6 Restaurants:** (and other establishments serving food or beverages) one (1) space for each 50 square feet of patron floor area, and located on the same lot with the building.
- 62.3.7 Bowling Alleys:** four (4) spaces for each alley, and located on the same lot with the building.

ARTICLE III: BUSINESS DISTRICTS

SECTION 31: BUSINESS DISTRICT

31.1 Permitted Uses:

- ✓ 31.1.1 Any use permitted in a Residential District but when used for residential purposes, all the requirements of Residential District R-2 shall apply.
- 31.1.2 Stores and other buildings and structures where goods are sold or services are rendered primarily at retail, including package stores.
- 31.1.3 Business and professional offices; banks and other financial institutions; medical and dental clinics.
- 31.1.4 Indoor restaurants and other food and beverage service establishments subject to the provisions of Section 8.
- 31.1.5 Manufacture, processing or assembling of goods for sale only on the premise and at retail, except that no earth products shall be screened, washed, crushed or otherwise processed in any Business District.
- 31.1.6 Undertakers establishments; newspaper and job printing.
- 31.1.7 Cleaning agencies and retail or self-service cleaning establishments; laundry agencies and retail or self-service laundry establishments.
- 31.1.8 Indoor theaters and assembly halls.
- 31.1.9 Research laboratories.
- 31.1.10 Hotels/motels; veterinary hospitals; and bowling alleys.
- 31.1.11 Cold storage locker plants.
- 31.1.12 Automobile service stations, public garages; automobile, trailer and farm equipment sales room; outdoor sales and public parking area. (Self-service automobile service stations are not permitted).
- 31.1.13 Business, commercial or vocational schools whether operated for profit or not.
- 31.1.14 Off-street parking facilities whether accessory to permitted use or not.
- 31.1.15 Signs as provided in Section 63.
- 31.1.16 Accessory uses customary with and incidental to any aforesaid permitted use.

Lisa Daigle

From: Lisa Daigle
Sent: Thursday, November 5, 2020 2:17 PM
To: Brian DeGeorge; Rob Pruzinsky
Cc: Michael Mormile; kevin_mc_duffie@snet.net; Gerard Smith
Subject: Fire Protection Cisterns
Attachments: scan0157.pdf

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Categories: Green category

Hi, Brian & Rob,

Attached are three easements related to Oakwood Drive. Two are fire tank easements and one is a drainage easement.

If you need to look at the maps related to these easements, they are searchable on the Town Clerk's page:

Land Records

<https://www.searchiqs.com/ctbea/Login.aspx> (log in as a guest, select "Maps" from the dropdown menu)

Book 22- Page 81

Book 22- Page 14

Book 22- Page 20

Let me know if you have any questions or need anything else.

Lisa

Lisa Daigle
Clerk, Assessor's Office
Town of Beacon Falls
203.723.5253
203.671.0216

DOCTI
193

Return to:
Beacon Falls Town Counsel

VOL: 193 PG: 176
FIRE TANK EASEMENT

TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL COME, GREETING:

KNOW YE THAT **BLACKBERRY DEVELOPMENT, LLC**, of the City of Shelton, County of Fairfield and State of Connecticut, hereinafter designated as the Grantor, for good and valuable consideration other than money received to the full satisfaction of the Grantor, from the **TOWN OF BEACON FALLS**, a municipal corporation organized and existing by virtue of the laws of the State of Connecticut, herein designated as the Grantee, do hereby give, grant bargain, sell and convey to the Grantee, its successors and assigns forever, the **easement and right to enter upon and use fire suppression tanks** upon the parcels of land identified as **"PROPOSED FIRE TANK EASEMENT IN FAVOR OF THE TOWN OF BEACON FALLS, 1,260 sq. ft."** on a certain map entitled **"FINAL AS-BUILT ZONING LOCATION SURVEY SHOWING LOT 1 - OAKWOOD ESTATES"**, 2 Oakwood Drive, Beacon Falls, Connecticut", Area = 76,934 square feet = 1.77 Acres, Zone R-1, dated October 26, 2010, revised August 22, 2011, Prepared by Michael J. Riordan, L.S., Reg. #14666, Riordan Land Surveying, 701 Middleroad Turnpike, Woodbury, CT 06798, filed in the Beacon Falls Land Records as Map #22-14 .

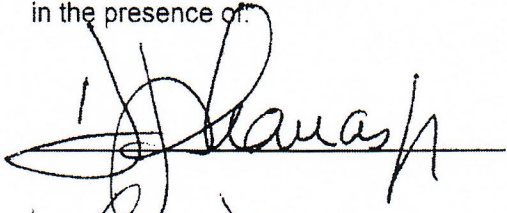

And to maintain the fire suppression tanks and associated structures and, to the extent necessary, to enjoy the rights herein granted, to enter upon the same at anytime for the purpose of constructing, maintaining, repairing or replacing any tank, pipes and structures that may be installed thereon.

RESERVING, however, unto the Grantors, their heirs, successors and assigns forever, the right to continue to use that portion of said easement area which lies within the boundaries of its property, as shown on aforesaid map, for all uses and purposes which do not interfere with or obstruct the rights of the Grantee hereunder. Grantors shall not erect any structures on said easement area.

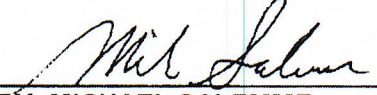
TO HAVE AND TO HOLD the above granted rights, privileges, easement and authority unto the Grantee, and to its successors and assigns forever, to its and their own proper use and behoof.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals this 1st day of September, 2011.

Signed, sealed and delivered
in the presence of:

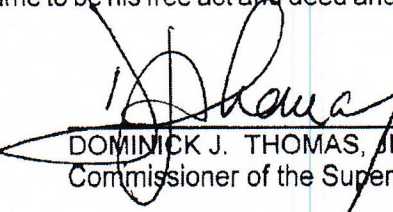



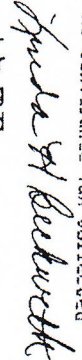
BLACKBERRY DEVELOPMENT, LLC


BY: **MICHAEL SALEMME**
ITS MEMBER
DULY AUTHORIZED

STATE OF CONNECTICUT :
 ss: Derby
COUNTY OF NEW HAVEN :

On September 1, 2011, before me, the undersigned officer, personally appeared, **MICHAEL SALEMME**, authorized member of **BLACKBERRY DEVELOPMENT, LLC**, personally known to me or satisfactorily proven to be the person whose name is subscribed herein, signer and sealer of the foregoing instrument and acknowledged the execution of the same to be his free act and deed and the free act and deed of the limited liability company.


DOMINICK J. THOMAS, JR.
Commissioner of the Superior Court

No Conveyance Tax Collected
Beacon Falls Town Clerk


Doc # 352

Return to:
Beacon Falls Town Counsel
Beacon Falls Town Hall

FIRE TANK EASEMENT

TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL COME, GREETING:

KNOW YE THAT BLACKBERRY DEVELOPMENT, LLC, of the City of Shelton, County of Fairfield and State of Connecticut, hereinafter designated as the Grantor, for good and valuable consideration other than money received to the full satisfaction of the Grantor, from the **TOWN OF BEACON FALLS**, a municipal corporation organized and existing by virtue of the laws of the State of Connecticut, herein designated as the Grantee, do hereby give, grant bargain, sell and convey to the Grantee, its successors and assigns forever, the **easement and right to enter upon and use fire suppression tanks** upon the parcels of land identified as **"PROPOSED FIRE TANK EASEMENT IN FAVOR OF THE TOWN OF BEACON FALLS, AREA = 1,231 SQ. FT."** on a certain map entitled **"FIRE TANK EASEMENT, OAKWOOD ESTATES"**, Oakwood Drive, Beacon Falls, Connecticut", dated 4/9/2012, revised to 4/18/2012, Prepared by Damico Associates, Surveying & Engineering Consultants, 9 Park Road, Oxford, Connecticut, filed in the Beacon Falls Land Records as Map # 22-20.

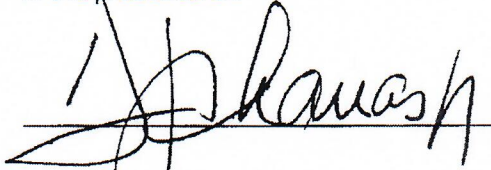
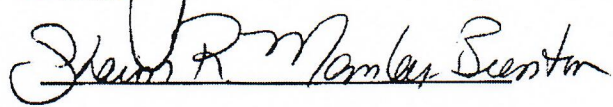
And to maintain the fire suppression tanks and associated structures and, to the extent necessary, to enjoy the rights herein granted, to enter upon the same at anytime for the purpose of constructing, maintaining, repairing or replacing any tank, pipes and structures that may be installed thereon.


RESERVING, however, unto the Grantors, their heirs, successors and assigns forever, the right to continue to use that portion of said easement area which lies within the boundaries of its property, as shown on aforesaid map, for all uses and purposes which do not interfere with or obstruct the rights of the Grantee hereunder. Grantors shall not erect any structures on said easement area.

TO HAVE AND TO HOLD the above granted rights, privileges, easement and authority unto the Grantee, and to its successors and assigns forever, to its and their own proper use and behoof.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals this 30th day of April, 2012.

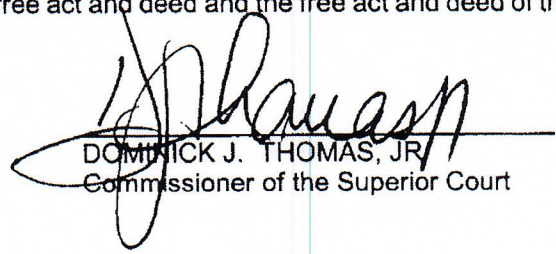
Signed, sealed and delivered
in the presence of:

BLACKBERRY DEVELOPMENT, LLC

BY: **MICHAEL SALEMME**
ITS MEMBER
DULY AUTHORIZED

STATE OF CONNECTICUT :
 :
 : ss: Derby
COUNTY OF NEW HAVEN :

On April 30, 2012, before me, the undersigned officer, personally appeared, MICHAEL SALEMME, authorized member of BLACKBERRY DEVELOPMENT, LLC, personally known to me or satisfactorily proven to be the person whose name is subscribed herein, signer and sealer of the foregoing instrument and acknowledged the execution of the same to be his free act and deed and the free act and deed of the limited liability company.


DOMINICK J. THOMAS, JR.
Commissioner of the Superior Court

Doc #
794

Return to Beacon Falls Town Council

193 PG#

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DRAINAGE EASEMENT

This is a grant of a **DRAINAGE EASEMENT**, by **BLACKBERRY DEVELOPMENT, LLC**, a Connecticut limited liability company, with its principal place of business in the City of Shelton, County of Fairfield and State of Connecticut, hereinafter referred to as "GRANTOR", for the Purposes hereinafter stated, in favor of **THE TOWN OF BEACON FALLS**, a municipal corporation, organized under the laws of the State of Connecticut, and located in the County of New Haven and State of Connecticut, hereinafter referred to as "GRANTEE".

WITNESSETH:

WHEREAS, Grantor is the owner of all that certain piece or parcel of land located in the Town of Beacon Falls, County of New Haven and State of Connecticut, shown and designated as "**DRAINAGE EASEMENT IN FAVOR OF THE TOWN OF BEACON FALLS, 31,727 sq. ft.**" on a certain map entitled "**FINAL AS-BUILT ZONING LOCATION SURVEY SHOWING LOT 1 - OAKWOOD ESTATES**", 2 Oakwood Drive, Beacon Falls, Connecticut", Area = 76,934 square feet = 1.77 Acres, Zone R-1, dated October 26, 2010, revised August 22, 2011, Prepared by Michael J. Riordan, L.S., Reg. #14666, Riordan Land Surveying, 701 Middleroad Turnpike, Woodbury, CT 06798, filed in the Beacon Falls Land Records as Map # *22-14*, and

WHEREAS, the area noted as "**DRAINAGE EASEMENT IN FAVOR OF THE TOWN OF BEACON FALLS, 31,727 sq. ft.**" as shown on the above described map shall be referred to as the "Easement Area"; and

WHEREAS, the Beacon Falls Planning and Zoning Commission and Inland Wetlands Commission have granted necessary approvals for the development of a subdivision entitled "Oakwood Estates" and a condition of said approvals by the Beacon Falls Planning and Zoning Commission and Inland Wetlands Commission was that the Grantor give to the Grantee a drainage easement on Lot 1 as shown on the said map entitled "**FINAL AS-BUILT ZONING LOCATION SURVEY SHOWING LOT 1 - OAKWOOD ESTATES**".

NOW, THEREFORE, in consideration of the facts herein recited, the Grantor does hereby grant, bargain, sell and convey in perpetuity unto the Grantee, its successors and assigns forever, a **Drainage Easement** over the Easement Area as shown on said map the purpose of which is for the proper drainage and maintenance of Oakwood Drive, a proposed road in the said subdivision and to maintain the said easement with associated structures, if any, and, to the extent necessary to enjoy the rights herein granted, to enter upon the same at anytime for the purpose of constructing, maintaining, repairing or replacing any detention pond and associated structures that Grantee may install thereon. **IT IS UNDERSTOOD HEREIN THAT THE APPROVALS REQUIRE THAT THE GRANTOR AND ITS SUCCESSORS AND ASSIGNS AS THE OWNER OF LOT 1 SHALL HAVE THE RESPONSIBILITY FOR THE MAINTENANCE OF THE SAID DRAINAGE EASEMENT.**

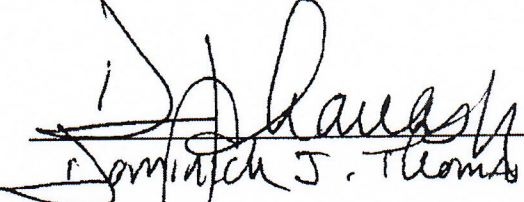
The Grantor, however, reserves unto itself, its successors and assigns, the right to continue to use the Easement Area for all purposes not inconsistent with this Drainage Easement; and the foregoing reserved rights shall be exercisable not only by the Grantor, but, where appropriate, by all those persons owning property interests derived from the Grantor.


This Easement shall apply to and bind the Grantor, its successors and assigns, and shall run in favor of the Grantee, its successors and assigns. The Town of Beacon Falls may enforce the terms and provisions hereof by pursuing all legal and equitable remedies available to the Town of Beacon Falls in any Court of competent jurisdiction.

IN WITNESS WHEREOF, Grantor has hereunto caused these presents to be signed by its authorized member, this 1st day of September, 2011.

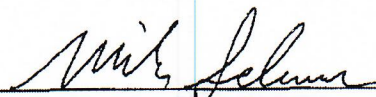
IN THE PRESENCE OF:

BLACKBERRY DEVELOPMENT, LLC



Dominick J. Thomas, Jr.



Lisa DeTullio



BY: MICHAEL SALEMME
ITS MEMBER
DULY AUTHORIZED

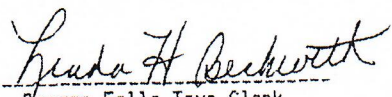
STATE OF CONNECTICUT :
: ss: Derby
COUNTY OF NEW HAVEN :

On September 1, 2011, before me, the undersigned officer, personally appeared, MICHAEL SALEMME, authorized member of BLACKBERRY DEVELOPMENT, LLC, personally known to me or satisfactorily proven to be the person whose name is subscribed herein, signer and sealer of the foregoing instrument and acknowledged the execution of the same to be his free act and deed and the free act and deed of the limited liability company.



DOMINICK J. THOMAS, JR.
Commissioner of the Superior Court

No Conveyance Tax Collected



Beacon Falls Town Clerk

DOC 00000794 REC'D Sep 01, 2011 @ 01:05P KURT NOVAK, TOWN CLERK