

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



**BEACON FALLS INLAND WETLANDS & WATERCOURSES COMMISSION  
Monthly Meeting  
January 13, 2021  
MINUTES  
(Subject to Revision)**

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

Chairman John Smith called the meeting to order at 7:32 P.M.

**Members Present:** John Smith (JS) Richard Minnick (RM), Stephen Knapik (SK), Doug Bousquet (DB), Brian Swan (BS), Fred Bowes (FB)

**Others Present:** Dave Keating (DK) Paul DeStefano (PD)

**2. Approval of Minutes from Previous Meetings**

**Motion made to approve minutes of the December 09, 2020 meeting, as submitted SK/RM, all ayes.**

**3. Comments from the Public**

None

**4. Public Petitions**

None

**5. New Applications**

**a. TOBF, Beacon Valley Road Application**

JS: Dave do you have any comments at this time before we schedule a hearing?

DK: I do not have any comments about the merits of the application. I think it would be good for the Commission to schedule a hearing, so that the public can at least have an opportunity to comment on and give input.

RM: I'm suggesting at our regular meeting the second week of February- February 10th would be the date.

PD: If this is approved on February 10<sup>th</sup>, it shouldn't impact the bidding schedule. If it is approved on the 10<sup>th</sup>, we will probably be bidding the job within the next two weeks.

**Motion to hold a public hearing on applications A-2021-318 and SW-2021-021 -Town of Beacon Falls, Beacon Valley Road Enhancements, for February 10, 2021 at 7:00 pm  
RM/SK, all ayes.**

**b. Sunny Acres, C. Edwards**

JS recused himself, owns properties adjacent to property discussed.

JS: I have absolutely no financial claim on this or anything, I cannot benefit from it all but just the appearance- I don't think I should stay on the board for this discussion.

DK: The application is complete. We got the wetland application, the maps and plans, the stormwater application, and the fee for that. I think it would be appropriate to schedule a public hearing.

RM: I think we need to have a review first with the engineer. Because the biggest concern is there are wetlands across the street. The upslope properties drain into the wetlands area that is set aside as open space. And on that slope, the north slope, we already have property owners that have had major problems with stormwater.

SK: Does the board feel that we should go right to the public hearing or we should give staff some time to review the application.

DB: Paul should look at it first.

BS: I agree

FB: I agree

SK: We're going to table this until next month - we will have the town engineer review it. After he reviews it, we will set a public hearing at next month's meeting.

RM: Do we have the reports from the soil scientists?

DK: Yes (nodding).

## **6. Correspondence**

### **7. Old Business/Reports/Inspections/Staff**

#### **a. Permit A-2003-236 Pond Springs Village / Pent Road / Lancaster Drive**

DB: I received the report by email, tonight, from Mark – it says erosion and sediment controls installed on unit 54- 56, erosion control system functioning properly, no problems. And we also have site excavation work being done on new duplex foundations 30 and 32 Pond Spring Circle.

SK: I went up there Sunday, he put up silt fence from one end of the place to the other on the low side.

DK: Went up there this weekend, things seem to be OK. Occasionally a problem with it when there is construction during the day, but it seems to be attended to.

DB: The owner Jeff, he called me several times about this bond issue.

JS: At this point he hasn't requested a decrease in his bond even though his projects are probably 90% complete.

#### **b. Permit A-2009-283 Alliance Circle – Lot 3**

JS: Dave, you might want to check on this- they're holding on to that processing area. They do track a little bit of stuff that backs down the road. The foreman has contacted me about it once or twice, and I've gone up there, but you just got to keep an eye on that.

- c. Permit A-2014-306 100 Fieldstone Lane – Chatfield Farms Phases 3, 4, & 5

JS: I met with DeCarlo & Doll at the request of the First Selectman to have an independent report done on that piece, because some of the neighbors were concerned. I met with them three months ago, and I still have not heard back. We did get a complaint. A copy of the complaint that was sent to the ZEO. Steve & I looked at this once before. On the tops of the hill where they are processing some of the material- The dust blows right across out to the golf course and covers the green.

JS: MM did address it to him on the 30<sup>th</sup> of December, and I'm going to contact DeCarlo & Doll and make them aware of this concern, and this violation as far as one of the other conditions.

- d. Permit SW- 2014-004 - MJL Realty, 29 Ave D

JS: This is the piece where there was excavation for a foundation, but it was never put in. We have had water issues coming across and affecting the adjacent property owner. Dave Rybinski came in and informed the Commission that he is responsible for the erosion control. We've had a couple of storm events, I've contacted Mr Rybinski, two or three times. He went up there at one time with a little machine for about a half an hour dug a ditch. And we had a major rainstorm overpower the little ditch and flood out the next-door neighbor. I informed him to go back up and put up some silt fence and hay bales, he told me the water was coming from the next-door neighbor's property, and then diverted onto his property. He ended up putting up about six hay bales along the property line, where he thought the water was breaching onto his. I recommend we write a letter to owner of the property stating that the control measures on his property are inadequate and need to be taken care of ASAP.

SK: Should we have the Town engineer go out and properly review this problem?

PD: I do not mind stopping by when I am in town.

RM: Reviewing this issue, it is possible that this may fall under illicit discharge. Dave, I would like you to consider this when you are drafting your letter.

- e. Permit A-2017-313, SW-2017-013, Veira Properties LLC, 144 Blackberry Hill

**Motion to remove Permits A-2017-313 & SW-2017-013 – Veira Properties LLC, 144 Blackberry Hill Road from agenda. SK/RM, all ayes.**

- f. Permit A-2018-314, SW-2018-014 Charles Edwards, Tiverton II, Fairfield Place

SK: Spoke to Charlie earlier tonight. Said he will complete Burton drain on uphill side of the road. Then going to start with the gravel.

PD: It has been a few weeks since I have been out there due to the weather. I advised him that that curtain drain should go in, and he was doing it correctly the last time I was up there. I advised him to put that underdrain in. I told him he could avoid putting French drains in the driveway. When I go look at Sunny Acres, I will probably take a ride over there. I got a call from a resident at the end of Fairfield place about two weeks ago. He said there was some brown water coming down

the street. I had Rob go take a look at it. I do not think anything came of it. I think it was just a matter of having the snow there and melting over time.

**g.** Permit A-2012-296, Toby's Pond, renewed on May 9, 2018 – no discussion

**h.** Permit SW-2019-015, William and Ruth Burritt, Pent Road

DB: I was over there at that last rainstorm because the owner of the house asked me to look at something for him. It was right after that rainstorm and that first catch basin on the left going up his driveway was overflowing with leaves. Somebody has to clean out that catch basin because looks like the water went over the top row again.

JS: That's town property. He only has the right to pass over that. That's town property he drives on.

DB: I thought he was responsible to clean that.

JS: He is responsible for the maintenance. Dave we should follow up with a letter to him that he has to maintain the property, the catch basins.

DB: I have a picture of it I will forward.

**i.** Permit SW-2019-016, TOBF, Sidewalk/Retaining Wall, Burton Rd.

JS: We approved this project from the previous engineer in 2019.

PD: My gut instinct here is that is probably going to totally change. We're still waiting on some answers. My guess is the MMI/SLR will do a redesign. The Town is looking for outside funding. The goal is to get that wall done once and the right way. I believe Nafis and Young's plans were more of a fix in a sense. Leave the current permits active to be safe. If we are hired to redesign, we can take them off.

**j.** Permit A-2019-315, SW-2019-017, Hopp Brook Developers

DK: P&Z has received the application that has been submitted for the next step in the process. And there were changes in the application that were not part of what the Wetlands Commission had initially approved from a wetland or stormwater perspective. So now they have applied to the Commission to incorporate those modifications and changes. There is a change to the stormwater issue because of the new access driveway. We have an application to amend the old permit or issue a new permit, depending on how the commission wants to treat it.

**VOTE:**

***Do you consider Hopp Brook Development's recently submitted application a new application? Should we require the applicant pay the entire application fee or only for the portion of the application that differs from the original?***

**VOTE:**

<b>John Smith</b>	Did not vote
<b>Douglas Bousquet</b>	New application
<b>Steve Knapnik</b>	New application

**Brian Swan**  
**Fred Bowes**  
**Richard Minnick**

New application  
**N/A**  
Public Hearing Addressing Wetlands and Storm Water Issues  
Stormwater fees have to be charged

JS: Do we want to set this where the only fees are related to the changes and not the whole thing, it would be the cost of the public hearing and the cost of any of the changes.

RM: We got a new engineer redoing the whole project, it's going to cost us to review. And there are fees attached to the Stormwater management application that have to be paid.

DB: I looked at the drawings that Dave submitted tonight. This is not what we approved we did not approve Miller road connection. There is a swimming pool involved that was never in the original, and now all the houses are individual. They were going to be four units, or three units combined and now they're separate units. I think a brand-new application needs to be done.

JS: We will table this until the Commission and staff have had a chance to review this.

- k. Permit A-2019-316, SW-2019-018, Shawn Classey, 363 & 375 Burton Road  
no discussion
- l. Permit A-2019-317, SW 2019-019 Berco Tank, 36 Lancaster Drive – no discussion
- m. Cease & Correct (P&Z) Hockanum Glenn – no discussion
- n. Cease & Desist Order 93 South Main Street Mario Trepca

**VOTE:**

***Remove Cease & Desist Order -93 South Main Street Mario Trepca from agenda?***

**VOTE:**

<b>John Smith</b>	No
<b>Douglas Bousquet</b>	No
<b>Steve Knapnik</b>	No
<b>Brian Swan</b>	No
<b>Fred Bowes</b>	No
<b>Richard Minnick</b>	Yes

JS: I will reach out to the First Selectman one more time to see if we can reach out to the Town Attorney on this issue.

**8. New Business**

RM: There is a situation on Dumschott Rd. Have they made an application?

JS: I have gone out there. Jimmy Martin purchased two pieces of property. He has contacted Dave; they are making out applications. In the meantime, he's put up a silt fence tracking pad to get into the property and a drain along Dumschott Road to catch the water that comes off.

RM: He needs an application, and we decide whether they need further applications.

JS: He does not need an application to cut trees.

RM: If he is clear cutting, it needs an application

DK: Jim Martin contacted me. We talked about problems with site. Anytime he touches it, he's going to need an application to this Commission for management of that stormwater. Or if he ends up not doing exactly what the previous permit said, he needs to come back to the Commission.

**a. Election of Officers**

***Motion to nominate Steve Knapnik for Inland Wetlands and Watercourses Chairman, John Smith for Vice Chair, and Brian Swan as Secretary. RM/DB, all ayes.***

**9. Payment of Bills**

**a. Administrative Officers**

***Motion to approve payment of David Keating's December invoice of \$ 203.49, as submitted. RM/DB, all ayes.***

**b. State of Connecticut Fees**

DK: All set with fees.

**c. Engineering - none**

**d. Other Invoices - none**

**10. Petitions from Commissioners**

RM: I am working with Town Hall. They are redoing the ordinances, looking at our fees. We need to look at currently what they are. I will put together what I can find and send it out to the different members. We really need to provide input.

DB: Paul – would you look at 37-39 Avenue D, its on the corner. Long Driveway.

JS: That came before the board about 15 years ago. We had a hearing and the owner said he would pave the road. I think the property has changed hands two or three times since. But the owner at the time challenged us on this.

DB: The catch basin is full of stone, overflowing onto the road. Another catch basin on other side of driveway is also full of stone.

PD: I will take a look at it.

**11. Executive Session (if needed)**

none

**12. Adjournment**

***Motion to adjourn at 8:41 PM RM/DB, No discussion. No Vote.***

Respectfully submitted,

*Lisa Daigle*

*Clerk, Inland Wetlands & Watercourses Commission*