

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



**BEACON FALLS INLAND WETLANDS & WATERCOURSES COMMISSION  
Monthly Meeting  
February 10, 2021  
MINUTES  
(Subject to Revision)**

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

Chairman Stephen Knapik called the meeting to order at 7:30 P.M.

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

**Members Absent:** Fred Bowes (FB)

**Others Present:** Dave Keating (DK) Paul DeStefano (PD) Keith Rosenfeld (KR) Alan Sheppard (AS) on behalf of Sunny Acres/C. Edwards, Attorney Steven Bellis and Manny Silva (MS) on behalf of Hopp Brook Estates (SB)

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

**Motion made to approve minutes of the January 13, 2021 meeting, as presented.**

**DB/RM, all ayes.**

**3. Comments from the Public**

None

**4. Public Petitions**

None

**5. New Applications**

**a. Sunny Acres, C. Edwards**

JS recused himself and left room, as he owns properties adjacent to property discussed.

SK: The Stormwater Management report needs to be reviewed by Town Engineer & Staff.

RM: Dave, did we get a soil scientist to review this?

DK: I don't recall getting a soils report regarding this one. Although the wetland soils on the map are 500 feet away from where there's any proposed work and I'm guessing on the dimension there, but they're quite a distance away and from my observation there's no wetland or watercourse down near where the work is taking place.

SK: No intermittent watercourses? DK: I didn't see any in the vicinity of the work area. SK: Still need a soil scientist report. DK: I'll pursue that.

**VOTE: Table Sunny Acres/C. Edwards discussion until next meeting to give Town Staff and Town Engineer a chance to review newly submitted materials.**

<b>John Smith</b>	<b>Did Not Vote, Recused self from meeting.</b>			
<b>Douglas Bousquet</b>	<u><b>Aye</b></u>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
<b>Steve Knapnik</b>	<u><b>Aye</b></u>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
<b>Brian Swan</b>	<u><b>Aye</b></u>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
<b>Fred Bowes</b>	<u><b>Aye</b></u>	<b>Nay</b>	<b>Abstain</b>	<u><b>Absent</b></u>
<b>Richard Minnick</b>	<u><b>Aye</b></u>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>

AS: If I can't find the old wetlands report, will we have to have a new soil scientist go up there?

SK: Yes.

RM: My biggest concern is the intermittent watercourses coming out of the side of that hill. We don't want it to go to the adjacent properties on Bonna Street.

AS: Any problems the neighbors have currently you know about?

RM: I recently joined the board, not that I know of.

**b. A-2021-318 and SW 2021-021: TOBF, Beacon Valley Road – Discussion & Action**

JS returned to the Commission.

RM: Everything that was presented to us. I think it'll make definite improvements in stormwater management, and with the proper design which shows for the outflows- not changing any outflows -should improve the impact of the wetlands. However, I do not have any kind of documentation with the conditions in front of me to make a motion. Once all the members can review the conditions of approval, I suggest that we have a special meeting to approve this application.

SK: How does a special meeting on February 24, 2021 at 7:00 pm sound?

RM: As long as we get the conditions of approval in front of the members.

**c. Hopp Brook Estates**

SB: The last time I was before this Commission was December 11, 2019. You approved a Wetlands Application A-2019-315 and a Stormwater application SW-2019-017. For the homes, interior roads, retention pond. We provided the board with an overall site plan, but only concentrated on the northern lot on the

southern lot we showed a connecting road going to Miller road, but we didn't present that to this Commission. We always said to you we would come back. Well, we're coming back because the Planning and Zoning Commission thinks that you ought to weigh in on the wetlands issues before we actually give them our pitch about that connecting road to Miller road. Everything else is done. So the only thing that I'm asking you to review would be the connecting road from the project that you're approved going to Miller road. I would say like 90% of that is an up land, no wetlands. However, when you get closer to the Bethany line, there are some wetlands there. We hired a soil scientist. He prepared a report - sent to you all. We also had Manny Silva, who you may remember is our engineer, look at the storm water, he gave it to Milone and McBroom, they had some comments, and I think Manny's responded. So, the long and short of it is that, that I think that this would be an improvement because what we currently have is a little gravel road going right in the wetlands. And what we're proposing is to bend that road outside the wetlands, keep it in the dry land, and then continue on up to the project. So, I think it's an improvement. And the report that the soil scientist gave us stated that there was likely no impact on the wetlands and he too believed that it would be an improvement to what's existing there now. So, with having said that, that's why I'm back.

SK: Do you have an application in front of the town of Bethany? The access road you're asking to go out onto is Miller Road and then Bethany, do you have anything before their wetland or any of their commissions?

SB: No. Between our property, where our property ends, Miller Road actually is a gravel road that goes still stays in Beacon Falls, it goes through a couple other property owners and then it hits Bethany, When I say the word Bethany, I'm just trying to give you a direction of where this road is. The Hopp Brook Property does not border Bethany. These are abutters that are Beacon Falls owners before it ever hits Bethany.

SK: This this road has to come out on Miller Road in Bethany, correct?

SB: Eventually, yes.

SB: I called the Bethany Town Attorney -he said that we did not need to have anything go before the Town of Bethany, because Miller road in Bethany is a public road. And as I said to you before, he said that the portion of the road that touches Hopp Brook's property is still in Beacon Falls. So his opinion was that we did not have to file anything in Bethany.

SK: Vincent Marino is the Town Land Use Attorney for Beacon Falls and Bethany, correct? SB: Yes.

RM: I wasn't on the board when it was approved previously. My biggest concern is stormwater management. This looks like you're protecting your wetlands. But you're going to be clear cutting a lot of area. I didn't review the data yet, but I saw some concerns from the Town engineer. Other stormwater is going to be

managed with the extension, of the road connecting to Miller Road. That's my biggest concern. The slopes towards the Beacon Heights Coalition into the site.

SB: That portion of the project has already been approved, so we're not talking about up there.

RM: I'm still going to express my concern. We definitely do not want to increase, any runoff headed into that area. When they put the cap on it, we did not on that side go down sufficient to put any sub soil run off, so if we do anything that increases that, I think the owners up there as well as the Town could be put in jeopardy. So, we want to review this do this very carefully. So, we're not flushing more leachate out of that landfill.

MS: The previously approved project, which is this northern piece has two retention ponds, one in the north one in the south, because the, the drainage areas kind of split. This drainage is controlled by this pond, from this ridge north, and then the rest goes to the south. Those ponds were designed actually over designed so that there was a reduction in stormwater runoff off site in the northern section was to this wetland area that's near the Oakwood Subdivision. And then the South was to collect and reduce the discharge to this wetland that's going into the South.

What we represented to the Commission at that time was that we were toying with the idea of creating a phase where we take the existing road (Woods Road) that comes to Miller Road. And as Steve was saying, there's two other properties, before you get to the Town of Bethany. What we're going to do is pull this Woods Road out of the wetlands. We're going to pull that further south. We are going to create two retention ponds, one in the northern section that collects all the water off of that Miller Road Extension. And then from the point below a pond will collect. We have is designed it from the 200-year storm. We have a reduction of 36% at the 2 year, 55% at the 10 year, 57 at the 25 year, and about 55 % reduction at the 100-year storm. So, we're actually reducing the amount of runoff by about half for this road. Also, because we have pretty good infiltration here at this site. We can we're building up these ponds. You know, the water quality will be pretty good because, we're up infiltrating the majority of this water. So, what we have is detention, basically level spreaders for emergency spillway after the pond fills up so we believe that this is the best management practice for a road extension like this. I don't know if you remember the previous application Chatfield 2. This is much less developed than what was proposed by the previous owner.

The owner wants to have interconnects because, so there is another access onto the property down into Bethany, which is to the south. The only change is that instead of having this Woods road, which we were going to reuse this gravel road. We're going to realign it and create a paved road, up to interconnect with the property. I think that the impact, based on the road to the wetlands is minimal. The proposed southern connection road, and the site related improvements based on the assessment, we conclude that the proposed project

will not result in adverse impacts to wetlands watercourses and the capacity to perform inland wetland functions.

RM: Are they retention or detention ponds?

MS: The northern ponds are retention. I would classify the southern ponds for the road extension as more of detention even though they don't have a discharge, like a pipe that's on the bottom of them. I would say, at least in my classification, it would be a detention pond.

RM: The Town is not interested in maintaining any more retention/detention ponds. They should be your homeowner's association.

SB: I agree.

MS: We do have a gas line and a water line that's interconnecting with Chatfield 1. We were asked by the by the water company to provide water tower which that was part of the original approval. And that will interconnect through this Miller road extension to Chatfield 1 which then connects to the rest of the town. It's a tank sitting on grade that holds surplus volume of water. That was part of the original application that was approved last year. So, what we're asking for here is the road and then the water main extension.

JS: Besides the extension of the Miller road, is there any change in the water tower in the print that is being presented to P&Z and the one that we have right now.?

SB: The print is the same. We had a recreation area that we showed you back in 2019. It was always delineated on the prints that we gave you back then, but now we show what's inside that recreation area and that's a pool, which is a swimming pool, and an adjacent changing room next to the road. And there's parking for people that want to use that pool.

JS: Any additional impervious surfaces added to this?

MS: We actually ran the numbers again and I submitted that as a revised drainage report- there's really no change to any of the stormwater.

DB: Is there a bathroom in the changing area?

MS: No, not at this point. Just changing rooms.

SK: Who is going to own the open spaces?

SB: That would be up to the town. There are two ways to go about this- one would be a deed of open space to the Town, the other could be done by a conservation easement where there's no building or allowed in that area.

KR: Condition number 34 of the original permit, stated that the Commission has recognized that septic systems were indicated on the approved plans are

conceptual. And the final design of the substance systems must be approved by the local health department- has that been secured at this point?

SB: You don't get approval from the Health Department until the project is approved. What we do have is an approval for I think you said the word conceptual, where they agreed that you could put 16 houses in a septic field that we've shown, we just showed it here on phase one.

KR: Will you be required to show reserve areas?

SB/MS: Yes.

SK: On the IWWC conditions of approval on this project, if the location of the septic system change, then it's a change to the whole print.

PD: There were PERC tests done and those are viable locations for the systems?

MS: Yes.

PD: When were the roadways, lot layouts all approved?

SB: December 11, 2019.

PD: By PZ?

SB: No, by this Commission.

PD: I'm talking about the actual physical features like the road geometry.

SB: No that hasn't gone to them yet.

PD: My concern is that if the roadway geometry is not adequate, that can potentially move roads, and that could potentially, therefore, change the layouts of the roads and the proximity of the roads to the wetlands. Cuts, Fills, of course all that could play a role in it as well. My thinking is if we put the cart ahead of the horse, we might run into some issues here, because if the roadway geometry does have to change, then the wetlands might come back into play. If you have to soften up some curves if you have to lengthen some curves vertical curves horizontal curves, whatever it may be, you know, all of a sudden say if the wetlands approved this, then you guys could be coming back.

Regarding stormwater management, understanding that connection to Miller road is a fairly steep incline. You are going to have to manage that obviously very well throughout. And also, to the fact that Bethany is kind of out of the picture is a little worrisome. You know I only say it because you're going to have construction, you're going to have equipment, you're going to have vehicles coming up and down Miller road. And for them not to have a say in this. I'm not, I'm not really quite sure how you could get around that. Just by the impact that you're going to have to their street with construction equipment that they have to maintain. You

know, I think I think that's about it for me. I haven't dissected the new information that was sent over.

MS: I agree with him. I told Steve that we really should go to zoning, see what they say, because this whole interconnect actually came from zoning. We should see what zoning wants from us and then come back to wetlands with any changes.

SB: The law says otherwise. We have to get wetlands approval for something that we're proposing to P&Z. I think we all agree that if a change has to be made, that's going to impact the wetlands, we will come back to the Commission.

BS: Does the 500-foot rule (notifying other towns) rule apply to Bethany?

SK: Yes.

SB: I gave the Town of Bethany notice, and the NV COG notice of the application.

**Motion to table Hopp Brook Estates discussion to next month's Regular Monthly Meeting to allow Staff and Commissioners time to review recently submitted material, and to include Hopp Brook Estates on next month's Regular Monthly Agenda including a discussion and possible vote. JS/DB, all ayes.**

**6. Correspondence -none**

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

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

BS & JS recused themselves from the Commission. Three members, no quorum during this discussion.

DB: No monthly report.

BS: I'll contact Jeff and ask him to submit a report.

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

BS & JS returned to meeting.

JS: At Magna Steel last week- seemed like it was tightened up. Road was clean.

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

SK: I got a call back in November from the ex-owner of Woodhaven Golf Course that there that there was dust coming off their stockpiles. We got in touch with the ZEO. He sent us a letter back in December, saying that he notified P&Z. I just got a call this month in February, three months later, that the snow is all brown. So, I called the First Selectman and I take it that someone went out there. Any other concerns?

JS: Around six months ago, the First Selectman asked me to meet with DeCarlo and Doll and do a walk-through site, they wanted an independent look at the whole

piece, as there were some complaints from the residents. I still have not received that report from DeCarlo re: Chatfield.

KR: I was supposed to have a meeting, that was canceled yesterday with PZ Chairman and the Chatfield Farms homeowner's association. We are going to follow up on some of the inspections that we had done. I also did get a report that they will be starting a sewer pump station near Bayberry Court.

SK: Is that near any wetlands?

KR: I don't know.

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

DB recused himself.

SK: We have someone interested in buying this site. And I know prior that all offsite improvements that we wanted to be done prior to construction, is that going to hold true? With a new application, or we don't know, because we don't have it? They have to come back to us because the application ran out. And the board's consensus is that what we approved, was a while ago, that the offsite improvements will have to be done. And for the town engineer there, it looks like it needs to be done. Is that correct?

PD: If it was previously approved, I would assume the offsite improvements have to be done before there's any lots sold.

DK: I don't think we can demand that the property not be sold until the site improvements be done. Now, the new owner needs to become responsible for those site improvements. But I don't think we can hold up a sale.

SK: That's not what he's saying. Just no home construction until offsite improvements are done.

RM: We're looking at the application 2014 versus the date now, I believe, unless we got an extension, that permit really has expired. Whether it's currently a homeowner or property owner or the new one, they would need to come back to the board, but with the application.

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

SK: No monthly report.

PD: I didn't see anything new. Pretty frozen solid when I was up there.

DK: Same thing. Pretty stable because its frozen.

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

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

BS: Nothing new since I went up there a few weeks ago.



- h. Permit SW-2019-016, TOBF, Sidewalk/Retaining Wall, Burton Rd.  
PD: Ongoing project. We are going to be doing some drilling within the next 3-4 weeks. Looking into funding.
- i. Permit A-2019-315, SW-2019-017, Hopp Brook Developers – discussion earlier in the meeting.
- j. Permit A-2019-316, SW-2019-018, Shawn Classey, 363 & 375 Burton Road  
no discussion
- k. Permit A-2019-317, SW 2019-019 Berco Tank, 36 Lancaster Drive  
JS: I was out there. I want to look at their print again. When the snow leaves, someone should do a site walk.
- l. Cease & Correct (P&Z) Hockanum Glenn

**VOTE:**

***Remove Cease & Correct (P&Z) Hockanum Glenn from agenda?***

**VOTE:**

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

- m. Cease & Desist Order 93 South Main Street Mario Trepca  
JS: First Selectman suggested that we send Mario a letter asking him for the results of the compaction test that was required by us. So that we wouldn't have to hold up the Certificates of Occupancy for his building.

**8. New Business**

- a. 163 Munson Road  
DK: I met with the property owner on Saturday afternoon, pointed out areas that need to have a silt fence, leaving plenty of room for the piles of material to be spread out, he wants to fill in the low spot. He said that there was a house there in the past that had been demolished and when they removed the house, they didn't fill it back up to grade, they left it low in his estimation. He wasn't happy about needing to provide a silt fence. I will follow up with a letter to him just to verify it. And obviously in the snow he can't be putting on so fence and he's not doing any activity at this point. So, it'll probably be two weeks or so before the silt fence gets in. But we spent a while out there and I explained to him why it was necessary and responded to every argument that he gave me as to why he didn't think he needed to do it.
- b. Detention/Retention Pond Maintenance

RM: I sent a letter to the Board of Selectmen reminding them about the survey that was done with Nafis & Young and us. He brought the subject up with Public Works. Right now, no activity.

LD (clerk): Rob said he would drop off the mylars that he has of the basins to Town Hall next week. I will call you Rich, and we can go over them.

- c. Dumschott Road, James Martin

RM recused himself.

SK: We went for a site walk, and he was cutting a couple of trees to put in a pipe to keep the water off the street. He wasn't going to do anything else until he got ahold of an engineer. As soon as he has something drawn up, he will come before the board.

**9. Payment of Bills**

**a. Administrative Officers**

**Motion to approve payment of David Keating's December invoice of \$ 377.91, as submitted. JS/DB, all ayes.**

**b. State of Connecticut Fees**

DK: All set with fees.

**c. Engineering - none**

**d. Other Invoices - none**

**10. Petitions from Commissioners- none**

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

none

**12. Adjournment**

**Motion to adjourn at 8:50 PM RM/DB, all ayes.**

Respectfully submitted,

*Lisa Daigle*

*Clerk, Inland Wetlands & Watercourses Commission*