

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



BEACON FALLS INLAND WETLANDS & WATERCOURSES COMMISSION
Monthly Meeting
April 14, 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: Richard Minnick (RM), Stephen Knapik (SK), Doug Bousquet (DB), Brian Swan (BSw), Fred Bowes (FB) John Smith (JS)

Others Present: Dave Keating (DK) Paul DeStefano (by phone) (PD) Keith Rosenfeld (KR) Barbara Schellenberg (BSch) Attorney Steven Bellis (SB) and Manny Silva (MS) on behalf of Hopp Brook Estates

2. Approval of Minutes from Previous Meetings

Motion made to approve and accept the minutes from the Regular monthly meeting on March 10, 2021 with revisions.

Motion Made by Richard Minnick/Seconded by Doug Bousquet

VOTE:

John Smith	<u>Aye</u>	Nay	<u>Abstain</u>	Absent
Douglas Bousquet	<u>Aye</u>	Nay	<u>Abstain</u>	Absent
Steve Knapnik	<u>Aye</u>	Nay	<u>Abstain</u>	Absent
Brian Swan	<u>Aye</u>	Nay	<u>Abstain</u>	Absent
Fred Bowes	<u>Aye</u>	Nay	<u>Abstain</u>	Absent
Richard Minnick	<u>Aye</u>	Nay	<u>Abstain</u>	Absent

3. Comments from the Public

Andrew Keane, 2 North Main Street. A member of the Beacon Falls Conservation Commission. Our Commission has always had a positive relationship with the IWWC. A member of the CC will try to attend the monthly IWWC Meetings.

4. Public Petitions

None

5. New Applications

a. Sunny Acres, C. Edwards

FB recused himself from the Commission.

JS recused himself from the Commission.

SK: Just received the soil scientist report. Now that application is complete.

RM: The Town Engineer - has not received additional information he requested from the applicant. Because of the problems we have had with that area, related to runoff from that area, I believe it should go to public hearing.

Motion to schedule a hearing for Sunny Acres/C. Edwards for May 12, 2021 at 7:00 PM.

Motion Made by Richard Minnick/Seconded by Brian Swan

VOTE:

John Smith	<u>Recused</u>			
Douglas Bousquet	<u>Aye</u>	Nay	Abstain	Absent
Steve Knapnik	<u>Aye</u>	Nay	Abstain	Absent
Brian Swan	<u>Aye</u>	Nay	Abstain	Absent
Fred Bowes	<u>Recused</u>			
Richard Minnick	<u>Aye</u>	Nay	Abstain	Absent

FB & JS returned to the Commission.

b. Hopp Brook Estates A-2019-315-A1, SW-2019-017-A1

SK: They already have an approved Wetlands & Stormwater Management permit from 2019. They wanted to add on a pool, bathhouse, and drainage to Miller Road in Bethany. I had a concern about the pool issue – what would happen if the pool leaked. They addressed that.

RM: Last correspondence received from Paul on April 13, the Miller Road connection, and the hydrogen dynamic separators.

MS: We have no issue using the method Paul prefers regarding hydrogen dynamic separators. You can add that to the Conditions of Approval.

RM: The addressed the other issues in Attorney Bellis' letter. Staff provided us with a Conditions of Approval or Denial letter.

DB: Changing room – any bathrooms? SB: No, just a changing room.

JS: What is the actual status of Miller Road? SB: Miller Road is a paper road in Bethany. Then there is a right-of-way that goes through three properties in Beacon Falls, and then Miller Road comes into Hopp Brook property. Right now, it is a gravel/dirt road, and I don't know if in the future P&Z would like us to pave it, if they do, we address the engineers concerns about water runoff. If they don't want us to pave it, it will just stay the way it is.

MS: Right now, it is an improved gravel road. Chatfield I, as part of their project, they improved it so it is graded for a fire access.

JS: So steps have been taken to control the water if you have to?

DK: Think it should be clear that the IWWC is dealing with this request of an amendment only with respect to Stormwater management and its impact on

Wetlands. They are not dealing with it from a “should the project be approved by the Planning and Zoning Commission; how does it affect neighbors or traffic etc.” Just stormwater management.

SK: I feel that our wetlands are protected with what is in front of us.

RM: Stormwater Management also makes sure that we do not have a net increase in flow to adjoining properties either.

PD: Just make sure to make that hydrodynamic separator part of the Conditions of Approval.

c. Motion to Approve Amended Application with Conditions Hopp Brook Estates A-2019-315, SW-2019-017

The original application and present amendment will now be referred to as Hopp Brook Estates A-2019-315, SW-2019-017 & A-2019-315-A1, SW-2019-017-A1

Motion Made by Richard Minnick/Seconded by Doug Bousquet

VOTE:

John Smith	<u>Aye</u>	Nay	Abstain	Absent
Douglas Bousquet	<u>Aye</u>	Nay	Abstain	Absent
Steve Knapnik	<u>Aye</u>	Nay	Abstain	Absent
Brian Swan	<u>Aye</u>	Nay	Abstain	Absent
Fred Bowes	<u>Aye</u>	Nay	Abstain	Absent
Richard Minnick	<u>Aye</u>	Nay	Abstain	Absent

Motion made to revise agenda to discuss Town Engineer report.

Motion Made by Richard Minnick/Seconded by Doug Bousquet

VOTE:

John Smith	<u>Aye</u>	Nay	Abstain	Absent
Douglas Bousquet	<u>Aye</u>	Nay	Abstain	Absent
Steve Knapnik	<u>Aye</u>	Nay	Abstain	Absent
Brian Swan	<u>Aye</u>	Nay	Abstain	Absent
Fred Bowes	<u>Aye</u>	Nay	Abstain	Absent
Richard Minnick	<u>Aye</u>	Nay	Abstain	Absent

PD: Nothing new to report. We are going to be starting some paving in May, nothing detrimental to stormwater system. As well as doing work on the basketball reconstruction in Pent Road.

6. Correspondence -none

7. Old Business/Reports/Inspections/Staff

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

Bsw recused himself from the Commission.

Monthly Report Submitted from PSV.

SK: Ask PSV to send Monthly Reports directly to the Town Hall, a few days in advance of the meeting.

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

Bsw returned to meeting.

SK: There was a lot of dirt and dust on the road. Doug took some pictures. I spoke to a gentleman at the scale house, asked him to make sweeping a daily/weekly thing.

DB: It is getting swept daily now.

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

SK: I was there two weeks ago. No silt fence, no soil erosion controls, mud all over the streets. It's been six weeks. They promised us last month that it would be addressed, and they would send pictures. We never received them. Doug went up today and took pictures.

DB: Lots 15 to 18, 17 to 16 to 14 to 13 - No silt fence. Silt is going over the top of the fence which is lying flat on the ground. Detention Pond on Lot 218- silt fence is rolled up and, in the pond, along with a bunch of building materials.

EG Home Monthly Report reviewed by Commission.

SK: I think we have no choice but to issue a Cease and Correct.

Motion made to issue a Cease and Correct Order to EG Home and set a Show Cause Hearing for Tuesday, April 27, 2021 at 7:00 PM.

Motion Made by Brian Swan/Seconded by Doug Bousquet

VOTE:

John Smith	<u>Aye</u>	Nay	Abstain	Absent
Douglas Bousquet	<u>Aye</u>	Nay	Abstain	Absent
Steve Knapnik	<u>Aye</u>	Nay	Abstain	Absent
Brian Swan	<u>Aye</u>	Nay	Abstain	Absent
Fred Bowes	<u>Aye</u>	Nay	Abstain	Absent
Richard Minnick	<u>Aye</u>	Nay	Abstain	Absent

JS: Over a year ago, the First Selectman asked that I meet with DeCarlo & Doll to walk the entire EG Home site. I've been looking for a report. I see a bunch of information from Ron Nault on daily inspections, but no recommendations. I don't know if this is the supposed to be the report we asked for. I'm still waiting for that report.

RM: Keith, if you would let the First Selectman know what is happening and what is not happening, in your discussion with him on the DeCarlo & Doll report.

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

FB recused himself from the Commission.

SK: no monthly report. Silt fence down on the left-hand side. Told Mr. Edwards he needs to repair. Dave - please send a letter and let him know we need a monthly report that addresses soil erosion.

- e. Permit A-2012-296, Toby's Pond, renewed on May 9, 2018

FB returned to the meeting. RM recused himself from meeting.

No updates.

RM returned to the meeting.

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

SK: Received a letter dated March 18, 2021 from the First Selectman requesting that the Permit 2019-016, TOBF Sidewalk/Retaining Wall Burton Road be removed from the IWWC Agenda.

Motion made to remove Permit SW-2019-016, TOBF Sidewalk/Retaining Wall Burton Road from the agenda.

Motion Made by Doug Bousquet/Seconded by Fred Bowes

VOTE:

John Smith	<u>Aye</u>	Nay	Abstain	Absent
Douglas Bousquet	<u>Aye</u>	Nay	Abstain	Absent
Steve Knapnik	<u>Aye</u>	Nay	Abstain	Absent
Brian Swan	<u>Aye</u>	Nay	Abstain	Absent
Fred Bowes	<u>Aye</u>	Nay	Abstain	Absent
Richard Minnick	Aye	<u>Nay</u>	Abstain	Absent

- g. Permit A-2019-315, SW-2019-017, Hopp Brook Developers – discussion earlier in the meeting.

BSch: If there was any difference between what was stated in the motion and what was specified on the paper, it is what was stated counts, as that was what was voted on.

RM: Nothing changed in the conditions.

- h. Permit A-2019-316, SW-2019-018, Shawn Classey, 363 & 375 Burton Road - no discussion.

- i. Permit A-2019-317, SW 2019-019 Berco Tank, 36 Lancaster Drive

JS: Concern about the storage tanks being brought in. The tanks are all over the place. Dave - take a walk over there when you have a chance- see if anything is running. Still some construction that has to be done there.

BSw: Wasn't that part of the requirements? To keep them in one area?

- j. Cease & Desist Order 93 South Main Street Mario Trepca.

JS: Spoke to the First Selectman- said it is the Board's decision. It's been six years. We should write him one more letter. DK: I'll draft it with you and Steve before sending it out.

- k. Permit A-2021-318 & SW-2021-021 - TOBF, Beacon Valley Road - no discussion.

8. New Business

- a. Detention/Retention Pond Maintenance - no updates
- b. Review of IWWC Ordinances & Fees

RM: One change - 54-I-3-B, Commission shall contain one member from P&Z - I'm suggesting we delete that. JS: It was always a member of P&Z to step onto our board. FB: I think there should be someone here to communicate between the two boards.

Motion made to keep original language in Chapter 54-I-3-B of the Town of Beacon Falls Ordinances, having one member of P&Z serve on IWWC

Motion Made by John Smith/Seconded by Doug Bousquet

VOTE:

John Smith	<u>Aye</u>	Nay	Abstain	Absent
Douglas Bousquet	<u>Aye</u>	Nay	Abstain	Absent
Steve Knapnik	<u>Aye</u>	Nay	Abstain	Absent
Brian Swan	<u>Aye</u>	Nay	Abstain	Absent
Fred Bowes	<u>Aye</u>	Nay	Abstain	Absent
Richard Minnick	<u>Aye</u>	Nay	Abstain	Absent

RM: Another suggested change to this section 54-I-3 —all members required to attend or participate in training sessions every two years, rather than annually. Newly appointment members are required to participate within 12 months of appointment.

Motion made to revise language in Chapter 54-I-3 of the Town of Beacon Falls Ordinances, requiring all Commissioners to participate in a training session every two years, with newly appointed Commissioners required to participate within 12 months of appointment.

Motion Made by Richard Minnick/Seconded by Brian Swan

VOTE:

John Smith	<u>Aye</u>	<u>Nay</u>	Abstain	Absent
Douglas Bousquet	<u>Aye</u>	Nay	Abstain	Absent
Steve Knapnik	<u>Aye</u>	Nay	Abstain	Absent
Brian Swan	<u>Aye</u>	Nay	Abstain	Absent

Fred Bowes	<u>Aye</u>	Nay	Abstain	Absent
Richard Minnick	<u>Aye</u>	Nay	Abstain	Absent

Motion made to accept suggested language revisions to Section 54-I-3-C of the Town of Beacon Falls Ordinances

Motion Made by Richard Minnick/Seconded by Brian Swan

VOTE:

John Smith	<u>Aye</u>	Nay	Abstain	Absent
Douglas Bousquet	<u>Aye</u>	Nay	Abstain	Absent
Steve Knapnik	<u>Aye</u>	Nay	Abstain	Absent
Brian Swan	<u>Aye</u>	Nay	Abstain	Absent
Fred Bowes	<u>Aye</u>	Nay	Abstain	Absent
Richard Minnick	<u>Aye</u>	Nay	Abstain	Absent

Motion made to accept suggested revisions to Chapter 54-Article II- Designation as Aquifer Protection Agency of the Town of Beacon Falls Ordinances

Motion Made by John Smith/Seconded by Doug Bousquet

VOTE:

John Smith	<u>Aye</u>	Nay	Abstain	Absent
Douglas Bousquet	<u>Aye</u>	Nay	Abstain	Absent
Steve Knapnik	<u>Aye</u>	Nay	Abstain	Absent
Brian Swan	<u>Aye</u>	Nay	Abstain	Absent
Fred Bowes	<u>Aye</u>	Nay	Abstain	Absent
Richard Minnick	<u>Aye</u>	Nay	Abstain	Absent

RM: Dave Keating proposed language for Article III, Chapter 54 (54-III-4 B- Applicability, Exemptions). Right now, developments that disturb less than 5000 square feet of land area are exempt. We need to define this better. I'm suggesting we include language that is more definitive. Dave's language would require any new/or replacement impervious surface area with an increase of 1000 square feet or more, must have a professional engineer prepare the calculations and the plan of storm water management.

BS: I don't agree- if you want to increase your driveway, you need to get a professional engineer?

SK: I think a discussion is needed.

RM: Next meeting lets comeback with suggestions on this section.

Motion made to table discussion of Article III, Chapter 54 (54-III-4 B- Applicability, Exemptions) of the Town of Beacon Falls Ordinances until next meeting.

Motion Made by Doug Bousquet/Seconded by John Smith

VOTE:

John Smith	<u>Aye</u>	Nay	Abstain	Absent
Douglas Bousquet	<u>Aye</u>	Nay	Abstain	Absent
Steve Knapnik	<u>Aye</u>	Nay	Abstain	Absent
Brian Swan	<u>Aye</u>	Nay	Abstain	Absent
Fred Bowes	<u>Aye</u>	Nay	Abstain	Absent
Richard Minnick	<u>Aye</u>	Nay	Abstain	Absent

Motion made to accept suggested revisions to Chapter 54-Article IV- Illicit Discharge and Connection Agency- of the Town of Beacon Falls Ordinances

Motion Made by Doug Bousquet Seconded by Fred Bowes

VOTE:

John Smith	<u>Aye</u>	Nay	Abstain	Absent
Douglas Bousquet	<u>Aye</u>	Nay	Abstain	Absent
Steve Knapnik	<u>Aye</u>	Nay	Abstain	Absent
Brian Swan	<u>Aye</u>	Nay	Abstain	Absent
Fred Bowes	<u>Aye</u>	Nay	Abstain	Absent
Richard Minnick	<u>Aye</u>	Nay	Abstain	Absent

Motion made to accept suggested revisions to Chapter 54-Article V- IWWC Citations- of the Town of Beacon Falls Ordinances

Motion Made by John Smith Seconded by Doug Bosquet

VOTE:

John Smith	<u>Aye</u>	Nay	Abstain	Absent
Douglas Bousquet	<u>Aye</u>	Nay	Abstain	Absent
Steve Knapnik	<u>Aye</u>	Nay	Abstain	Absent
Brian Swan	<u>Aye</u>	Nay	Abstain	Absent
Fred Bowes	<u>Aye</u>	Nay	Abstain	Absent
Richard Minnick	<u>Aye</u>	Nay	Abstain	Absent

9. Payment of Bills

a. Administrative Officers

Motion to approve David Keating March invoice of \$348.84, as submitted.

Motion Made by John Smith/Seconded by Douglas Bousquet

VOTE:

John Smith	<u>Aye</u>	Nay	Abstain	Absent
Douglas Bousquet	<u>Aye</u>	Nay	Abstain	Absent
Steve Knapnik	<u>Aye</u>	Nay	Abstain	Absent
Brian Swan	<u>Aye</u>	Nay	Abstain	Absent
Fred Bowes	<u>Aye</u>	Nay	Abstain	Absent
Richard Minnick	<u>Aye</u>	Nay	Abstain	Absent

b. State of Connecticut Fees

DK: All set with fees.

c. Engineering - none

d. **Other Invoices** - none

10. **Petitions from Commissioners**

DB: Lopus Road – dumping concrete. Dave look at that. RM: There was also a P&Z permit with that as well.

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

none

12. **Adjournment**

Motion to adjourn at 9:05 PM JS/DB, all ayes.

Respectfully submitted,

Lisa Daigle
Clerk, Inland Wetlands & Watercourses Commission