

**TOWN OF BEACON FALLS  
INLAND WETLANDS & WATERCOURSES COMMISSION  
10 Maple Avenue, Beacon Falls, CT 06403  
Monthly Meeting Minutes –Revised 2.9.2022  
December 8, 2021**

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

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

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

**Members Absent:** Harry Roscoe (HR)

**Others Present:** David Keating (DK),

**Motion to rearrange agenda. Motion made by John Smith/Seconded by Douglas Bousquet. All ayes.**

**2. New Applications – 343 Lopus Road /TriTec Americas LLC**

**Christopher Gagnon, PE- BL Companies, 355 Research Parkway. Meriden, CT.**

Correspondence dated December 7, 2021, from Chris Gagnon, P.E., Project Manager/BL Companies, to Lisa Daigle, Town of Beacon Falls Land Use Coordinator outlining potential prudent or feasible alternative stormwater management schemes related to the proposed photovoltaic array, entered into the record.

DB: DB: I believe you answered everything we asked you. Addressed our comments, town engineer reviewed, and approved.

FB: Addressed our questions. No other questions

JS: If possible, I ask you to investigate and inspect the pipe that takes runoff on Lopus, just make sure we don't have a failure on that later on. **CG:** Couldn't find during the initial survey. It is our obligation to maintain the conveyance on Lopus. Should it be discovered; we have to maintain that.

BS: None

RM: Thank you for response provided report as to alternatives. I don't see them as being feasible. Page 2 of the letter, 2nd paragraph. 300-foot-long level spreader. Difference in elevation 1-1.5 ft. **CG:** The way pond is designed, there is an overflow spillway. That helps us control where it leaves the pond. If we ever have an overflow. Propose this armor overflow spillway, so water will leave that area first, but before it hits the property line, the water will be dispersed along 300 ft spreader. Control in the event of the pond filling up. Spillway set at an elevation a little less than the other. Safety feature.

RM: I am asking these questions for the adjoining property owner. I don't think we need a public hearing. I want one of the conditions to be you get a sign off from adjoining property owner in manner of discharge. O&G is the adjoining property owner.

**Resolution & Motion re: A-2021-326/343 Lopus Road/TriTec Americas LLC**

I, **Richard Minnick**, on this date December 8, 2021, make a motion to approve the application for a **9.57 acre lot Industrial** development located on **343 Lopus Road** in Beacon Falls, Connecticut, application number **A-2021-326**, based on substantial evidence heard at the meeting/s on 9/8/2021, 10/13/2021, and 11/10/2021 presented by the Applicant, **TriTec Americas LLC**, the Beacon Falls Inland Wetlands and Watercourse Commission, (Commission), Commission Staff including the Town's Engineer, Administrative/Enforcement Officer, Commission Members, that the Commission grant the application whereas, finding that such activity shall have no impact on the wetlands and watercourses providing that the plans are implemented as presented and approved.

This permit is granted subject to the following conditions:

1. Construction shall be in accordance with the plans submitted to and reviewed by the Commission as follows:

Plans Prepared by **BL Companies, 355 Research Parkway, Meriden, CT 06450**, and dated as indicated below.

	<u>No. of Sheets</u>	<u>Description</u>	<u>Date Issued</u>	<u>Date of Last Revisions</u>
a.	1	Title Sheet	9/1/2021	11/16/2021
b.	1	EX-1 Existing Conditions Map	8/26/2021	8/26/2021
c.	1	GN-1 General Notes	9/1/2021	11/16/2021
d.	1	DM-1 Demolition Plan	9/1/2021	11/16/2021
e.	1	SP-1 Site Plan	9/1/2021	11/16/2021
f.	1	GD-1 Grading and Drainage Plan	9/1/2021	11/16/2021
g.	1	EC-1 Sediment and Erosion Control Plan	9/1/2021	11/16/2021
h.	1	EC-2 Sediment and Erosion Control Notes	9/1/2021	11/16/2021
i.	1	EC-3 Sediment and Erosion Control Details	9/1/2021	11/16/2021
j.	2	DN-1 & DN-2 Details Sheet	9/1/2021	11/16/2021

Stormwater Management Report for the Proposed Solar Photovoltaic Array. Prepared for TriTec Americas, LLC, 888 Prospect Street, Suite 200, La Jolla, CA. Prepared by: **BL Companies, 355 Research Parkway, Meriden, CT 06450. Dated September 1, 2021.**

Wetland and Watercourse Evaluation Report - Beacon Falls Solar Development Project. Prepared for TriTec Americas, LLC, 888 Prospect Street, Suite 200, La Jolla, CA. Prepared by: **BL Companies, 2601 Market Place, Suite 350, Harrisburg, PA 17110. Dated August 30, 2021.**

**Correspondence dated October 5, 2021, from Chris Gagnon, P.E., Project Manager/BL Companies, to Paul DeStefano, P.E.- Beacon Falls Town Engineer, outlining responses to Town Engineer's review of project plans and materials.**

**Correspondence dated December 7, 2021, from Chris Gagnon, P.E., Project Manager/BL Companies, to Lisa Daigle, Town of Beacon Falls Land Use Coordinator outlining potential prudent or feasible alternative stormwater management schemes related to the proposed photovoltaic array. Correspondence includes three pages, and:**

	<u>No. of Sheets</u>	<u>Description</u>	<u>Date Issued</u>	<u>Date of Last Revisions</u>
a.	1	ED-1 Existing Area Drainage Plan		8/27/2021

**An electronic version of the above drawings/prints in a format approved, and as approved by this Commission and subsequently by other Boards and /or/Commissions shall be provided to the IWW Commission & Town Clerk prior to commencement of any work activity.**

2. This permit is not transferable without prior, written consent of the Beacon Falls Inland Wetlands and Watercourse Commission. If transfer is approved by the Commission, the terms and conditions of this permit shall bind all successors, heirs and/or assigns of the Applicant.
3. The Commission reserves the right to suspend or revoke the permit for due cause and in accordance with the procedures of the Connecticut General Statutes, Section 22a – 42a (d). Any minor revisions to the documents identified in paragraph 1 above shall be submitted to the Town Engineer, the Commission's Administrative Enforcement Officer, and one (1) of the following members of the Beacon Falls Inland Wetland and Watercourse Commission for review: Chairperson, or Vice-Chairperson. The decision as to whether a change is minor will be made by the Commission member to whom the proposed revisions are submitted. The decision as to whether to approve proposed minor revisions or to deny proposed revisions as substantial in nature shall be at the discretion of that Commissioner. Changes which are deemed by that Commissioner to be substantial in nature will require submission to and review by the entire Commission in accordance with Section 7.8 of the Inland Wetland and Watercourse Regulations of the Town of Beacon Falls. Any increase in the extent of regrading, development, disturbance, or impacts within or to the wetlands or watercourses, or in the regulated areas around the wetlands or watercourses, i.e., the one hundred (100) feet setbacks, will require prior submission to and review by the entire Commission in accordance with Section 7.8 of the Inland Wetland and Watercourses regulations of the Town of Beacon Falls.
4. With the above documentation, it has been noted that there is no wetlands on site.
5. During the construction of the roads, water channels, drainage system and utilities, written reports from the Applicant shall be submitted to the Commission each month. The reports must be received at or prior to the regularly scheduled meeting on the second Wednesday of each month. The reports shall be detailed and shall review all work undertaken at the site including, but not limited to:
  - Types and amounts of materials moved on and/or removed from site;
  - Types of materials brought to the site;
  - Sources and content of material brought to the site;
  - Extent and locations of grading, filling, excavation, and other changes to the site;
  - Seeding, planting, transplanting and other efforts to create and/or restore vegetative cover;
  - Sediment/erosion/siltation and other control measures used on site, how effectively those controls are functioning, and what controls can or will be

installed within the next thirty (30) days to control activities and conditions at anticipated work areas;

- The Commission may require other information as appropriate and/or necessary.
6. The Applicant is responsible for obtaining any and all additional permits and approvals necessary to complete the project. The permit from the Beacon Falls Inland Wetlands and Watercourses Commission concerns only the work within and adjacent to regulated areas and the storm water detention system and sediment and erosion control plan necessary for the implementation of the project. The Commission advises the Applicant that approval must be obtained from other local departments and commissions and a water diversion or dam permit might be necessary from the CT Department of Energy & Environmental Protection. The Applicant shall provide to the Commission a copy of such permits or, written confirmation that such approvals are not necessary.
  7. The Applicant shall verbally notify the Town Engineer and also shall notify the Wetland Enforcement Officer and or Chairperson in writing no less than ten (10) days prior to the commencement of construction and/or excavation and/or other disturbance activities at the site. The Staff will inspect the erosion controls to make sure that they are sufficient and as per plan. All sediment and erosion control measures should be maintained until all disturbed areas are stabilized and re-vegetated.
  8. To deal with the on-site conditions and to prevent degradation of/and negative impact to wetlands and/or watercourses, the Applicant shall use sediment/erosion controls and environmental protection measures shown on the plans, in the application, and per the Standards as set forth in "2002 Connecticut Guidelines for Soil Erosion and Sedimentation Control" handbook. The Applicant shall also use any additional controls and/or measures as may be required by the BFIWWC Enforcement Officer, the Town Engineer or other appointee of the Commission.
  9. All field changes deviating from the approved plans must be submitted by the Applicant to the Town Engineer before any such changes are implemented. If the Town Engineer determines that the field changes are minor in nature, and will not permanently impact the wetlands, watercourses, the wetlands and watercourses set-back areas, other areas regulated by the Commission, or the storm detention system, then the Town Engineer may approve the proposed field changes. If the proposed field changes are substantial, as determined by the Town Engineer, or if they could result in permanent impacts to the wetlands, watercourses, setback areas or regulated areas, or if they involve the storm detention system, then the proposed field changes must be submitted to the entire Commission pursuant to Section 7.8 of the regulations of the Commission. Such modifications due to field conditions cannot be implemented unless and until approved by the Commission.
  10. No equipment or material, including without limitation, fill, construction materials, debris, or other items shall be deposited, placed, or stored in any wetland or watercourse on or off site unless specifically authorized by this permit.
  11. Extra sediment/erosion controls (fencing, stone, etc.) shall be stored on site and in immediately accessible areas to deal with unforeseen circumstances and emergencies.
  12. During inclement weather and at the end of each day, or when work is discontinued for any other reason, the site must be secured and safe. All necessary and appropriate sediment and erosion controls are to be in place and functional at the end of each day.

13. Adequate precautions and safeguards shall be undertaken by the Applicant whenever heavy rains or high-water flow are predicted. These precautions and safeguards include, but are not limited to;

- a. Securing and reinforcing all sediment/erosion/siltation control measures;
- b. Properly protecting or removing from harms way any stock piled material that may erode;
- c. Removing machinery from low areas subject to flooding; and
- d. Any other measures as may be necessary.

14. This permit is being authorized for a period of five (5) years and shall expire on **DECEMBER 8, 2026**. It is understood that the project may take longer to complete, depending on market conditions. If the project is proceeding in accordance with the approved plans and applicable stipulations and conditions; and problems, difficulties and unforeseen circumstances have been promptly corrected and addressed by the Applicant, then the Commission may extend the permit in increments of one (1) year to a maximum total of five (5) years, pursuant to Section 22a – 42a (d) of the Connecticut General Statutes.

**Motion seconded by Commissioner – Douglas Bousquet**

**Discussion: Re: the above conditions of approval,**

**Vote: In favor: 6**

**Abstained: 0**

**Opposed: 0**

**Resolution & Motion re: SW-2021-027/343 Lopus Road/TriTec Americas LLC**

I, **Richard Minnick**, this date December 8, 2021, make a motion to approve the application for **9.57 acre lot Industrial** development located on **343 Lopus Road** in Beacon Falls, Connecticut, application number **SW-2021-027** based on substantial evidence heard at the meeting/s hearing presented by the Applicant, **TriTec Americas LLC**, the Beacon Falls Inland Wetlands and Watercourse Commission, (**Commission**), acting as the responsible **Agency for Stormwater Management**, Commission Staff including the Town's Engineer, Administrative/Enforcement Officer, Commission Members, Registered Intervener, the Public, and others, during the course of the proceedings, that the Commission grant the application whereas, finding that such activity as presented shall will be in accord with Connecticut State Statues 7-148 (c)(8) (A), 8-2 (b) and 22a-36 to 22a-45 inclusive providing that the plans are implemented as presented and approved.

This permit is granted subject to the following conditions:

1. Construction shall be in accordance with the plans submitted to and reviewed by the Commission as follows:

Plans Prepared by **BL Companies, 355 Research Parkway, Meriden, CT 06450**, and dated as indicated below.

	<u>No. of Sheets</u>	<u>Description</u>	<u>Date Issued</u>	<u>Date of Last Revisions</u>	
a.	1	Title Sheet		9/1/2021	11/16/2021
b.	1	EX-1 Existing Conditions Map		8/26/2021	8/26/2021

c.	1	GN-1 General Notes	9/1/2021	11/16/2021
d.	1	DM-1 Demolition Plan	9/1/2021	11/16/2021
e.	1	SP-1 Site Plan	9/1/2021	11/16/2021
f.	1	GD-1 Grading and Drainage Plan	9/1/2021	11/16/2021
g.	1	EC-1 Sediment and Erosion Control Plan	9/1/2021	11/16/2021
h.	1	EC-2 Sediment and Erosion Control Notes	9/1/2021	11/16/2021
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j.	2	DN-1 & DN-2 Details Sheet	9/1/2021	11/16/2021

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	<u>No. of</u>		<u>Date</u>	<u>Date of Last</u>
	<u>Sheets</u>	<u>Description</u>	<u>Issued</u>	<u>Revisions</u>
a.	1	ED-1 Existing Area Drainage Plan	8/27/2021	8/27/2021

**An electronic version of the above drawings/prints in a format approved, and as approved by this Commission and subsequently by other Boards and /or/Commissions shall be provided to the IWW Commission & Town Clerk prior to commencement of any work activity.**

2. This permit is not transferable without prior, written consent of the Beacon Falls Inland Wetlands and Watercourse Commission. If transfer is approved by the Commission, the terms and conditions of this permit shall bind all successors, heirs and/or assigns of the Applicant.
3. The Commission reserves the right to suspend or revoke the permit for due cause and in accordance with the procedures of the Connecticut General Statutes 7-148 (c)(8) (A), 8-2 (b) and 22a-36 to 22a-45 inclusive.
4. Any minor revisions to the documents identified in paragraph 1 above shall be submitted to the Town Engineer, the Commission’s Administrative Enforcement Officer, and one (1) of the following members of the Beacon Falls Inland Wetland and Watercourse Commission for review: Chairperson, and Vice-Chairperson, the decision as to whether a

change is minor will be made by the Commission member to whom the proposed revisions are submitted. The decision as to whether to approve proposed minor revisions or to deny proposed revisions as substantial in nature shall be at the discretion of that Commissioner. Changes which are deemed by the Commission's staff and one of the above Commissioners to be substantial in nature will require submission to and review by the entire Commission.

5. **Stormwater Management** line of credit and/or cash in the amount of **\$20,000** must be submitted to the Inland Wetlands and Watercourse Commission as the responsible Agency for Stormwater Management, prior to any disturbance or excavation work-taking place in connection with this project. The performance bond and surety shall be in a form that is immediately accessible to the Town upon the failure of the developer to properly install or maintain appropriate and necessary sediment and erosion controls. If the Commission is forced to use any or all of the line of credit and/or cash amount for **Stormwater Management** control measures, the permit to the developer shall be suspended and may not be reactivated until after a hearing is conducted by the Commission and the full line of credit and/or cash amount is restored and the developer clearly demonstrates to the Commission's satisfaction that all stormwater management control measures can and will be properly maintained in the future.
6. During the construction of the driveway, written reports from the Applicant shall be submitted to the Commission each month. The reports must be received at or prior to the regularly scheduled meeting on the second Wednesday of each month. The reports shall be detailed and shall review all work undertaken at the site including, but not limited to:
  - Types and amounts of materials moved on and/or removed from site;
  - Types of materials brought to the site;
  - Sources and content of material brought to the site;
  - Extent and locations of grading, filling, excavation and other changes to the site;
  - Seeding, planting, transplanting and other efforts to create and/or restore vegetative cover;
  - Sediment/erosion/siltation and other control measures used on site, how effectively those controls are functioning, and what controls can or will be installed within the next thirty (30) days to control activities and conditions at anticipated work areas;
  - The Commission may require other information as appropriate and/or necessary.
7. The Applicant is responsible for obtaining any and all additional permits and approvals necessary to complete the project. The Commission advises the Applicant that approval must be obtained from other local departments and commissions and a water diversion or dam permit might be necessary from the CT Department of Energy and Environmental Protection. The Applicant shall provide to the Commission a copy of such permits or, written confirmation that such approvals are not necessary.
8. The Applicant shall submit documentation acceptable to the Commission to clearly set forth the responsibilities of the owner/s of the lot, with respect to the maintenance of the storm water detention basin on said lot.
9. The Applicant shall verbally notify the Town Engineer and also shall notify the Wetland Enforcement Officer and or Chairperson in writing no less than ten (10) days prior to the

commencement of construction and/or excavation and/or other disturbance activities at the site. The Staff will inspect the erosion controls to make sure that they are sufficient and as per plan. All sediment and erosion control measures should be maintained until all disturbed areas are stabilized and re-vegetated.

10. All field changes deviating from the approved plans must be submitted by the Applicant to the Town Engineer before any such changes are implemented. If the Town Engineer determines that the field changes are minor in nature, and will not permanently impact the Stormwater Management system, then the Town Engineer may approve the proposed field changes. If the proposed field changes are substantial, as determined by the Town Engineer, or if they could result in degradation of the Stormwater Management system, then the proposed field changes must be submitted to the entire Commission. Such modifications due to field conditions cannot be implemented unless and until approved by the Commission.
11. During inclement weather and at the end of each day, or when work is discontinued for any other reason, the site must be secured and safe. All necessary and appropriate sediment and erosion controls are to be in place and functional at the end of each day.
12. The Applicant is required to obtain written authorization from the owners of the parcel located on Lopus Road/Assessor's Map **007-002-0014**, prior to conducting any activity on the site. A copy of this authorization must be submitted to the Beacon Falls Inland Wetlands and Watercourses Commission.
13. Adequate precautions and safeguards shall be undertaken by the Applicant whenever heavy rains or high-water flow are predicted. These precautions and safeguards include, but are not limited to:
  - Securing and reinforcing all sediment/erosion/siltation control measures;
  - Properly protecting or removing from harm's way any stock piled material that may erode;
  - Removing machinery from low areas subject to flooding; and
  - Any other measures as may be necessary.
14. This permit is being authorized for a period of five (5) years and shall expire on December 8, 2026. It shall run in concurrence with any IWW permit associated with the above-mentioned project. It is understood that the project may take longer to complete, depending on market conditions. If the project is proceeding in accordance with the approved plans and applicable stipulations and conditions; and problems, difficulties and unforeseen circumstances have been promptly corrected and addressed by the Applicant, then the Commission may extend the permit in increments of one (1) year to a maximum total of a number of five (5) years.

**Motion seconded by Commissioner – Douglas Bousquet**

**Discussion: Re: the above conditions of approval,**

**Vote: In favor: 6**

**Abstained: 0**

**Opposed: 0**

**3. Read and Approve Minutes from Previous Meetings**

**Motion to accept and approve the minutes for the Regular Monthly Meeting on November 10, 2021, as submitted Motion Made by Douglas Bousquet/Seconded by Fred.**

**Vote: In favor: 6**

**Abstained: 1 (JS)**

**Opposed: 0**



4. **Public Petitions**- none

5. **Correspondence** – none

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

RM: - Catch Basins on Cook Lane/Oak Drive/Anelli Property- We visited the street. Reviewed where the catch basins on Cook Lane/Oak Drive No additional water is going on that site. Discharge Mr. Anelli is concerned about is not coming from there.

SK: An A-2 survey, and Soil Scientist report required if he comes back with an application.

- a. Wetlands Enforcement Officer's Report – No formal report, will chime in as we review Old Business.
- b. Permit A-2003-236 Pond Springs Village/ Pent Road / Lancaster Drive – received monthly report.
- c. Permit A- 2018-314, SW-2018-014 – Charles Edwards/ Tiverton II/ Fairfield Place – **FB recused from meeting. DB:** Took a person to the site that was interested.  
**SK:** Received letter from JTP Construction - no longer interested  
**SK:** Contacted by Todd Romagna - expressing interest in project – requesting advisement on any and all concerns that the Town may have. **DB:** Silt fence needs to be fixed on site. **JS:** Let's contact estate or current owner. Dave, please reach out. **FB returned to the meeting.**
- d. Permit A- 2012-296, Toby's Pond – RM: attended a meeting with Town engineer. He has some ideas.
- e. Permit A-2009-283 Alliance Circle – Lot 3 – no updates.
- f. Permit A-2014-306 100 Fieldstone Lane – Chatfield Farms Phases 3, 4, & 5- SK: Monthly Report Submitted.
- g. Hopp Brook Developers A-2019-315, SW-2019-017, A-2019-315-A1, SW-2019-017-A1 -no updates.
- h. Permit A-2019-316, SW-2019-018, Shawn Classey, 363 & 375 Burton Road - no updates.
- i. Permit A-2019-317, SW 2019-019 Berco Tank, 36 Lancaster Drive- no updates
- j. Permit A-2021-320/SW-2021-023- 808 South Main Street/MCH 83 (Storage Facility) – DK: Still waiting for revised plans
- k. Permit A-2021-318 & SW-2021-021 - TOBF, Beacon Valley Road Paving –FB: Still waiting for correct catch basins.
- l. Permit A-2021-321 & SW-2021-043 – TOBF, Cook Lane Storm Drainage Improvements- no updates.
- m. Permit A-2021-322 & SW-2021-025 – TOBF, Beacon Valley Rd Bridge Rehabilitation – no updates
- n. Permit A-2021-325 & SW-2021-026 – 251/253 South Main Street – James Martin –**RM recused self.** no updates. **RM returned to meeting.**

7. **New Business**

- a. Detention/Retention Pond Maintenance - no updates
- b. Review of IWWC Ordinances & Fees –SK: Met with Town Planners to discuss conditions.
- c. 35-37-39 Avenue D – DK: Letter was sent to property owners.
- d. DeCarlo & Doll – no updates
- e. Escrow Account – no updates

8. **Payment of Bills**

- a. **Administrative Officers & Other Invoices**

**Motion to approve payment of David Keating's November 2021 invoice of \$311.60 and, as submitted. Motion Made by Douglas Bousquet /Seconded by Fred Bowes. All ayes.**

**b. State of Connecticut Fees – no updates**

**c. Engineering - none**

**9. Petitions from Commissioners- none**

**10. Adjournment**

**Motion to adjourn at 8:33 PM JS/DB, all ayes.**

Respectfully submitted,

*Lisa Daigle*

*Clerk, Inland Wetlands & Watercourses Commission*