

Town of Beacon Falls Inland Wetlands and Watercourses Commission

MOTIONS

Meeting Date: February 24, 2021 – Special Meeting 7:00 pm

MOTION:

Motion to approve budget items presented

Motion Made by Doug Bousquet

Seconded by Brian Swan

VOTE:

John Smith	<u>Aye</u>	Nay	Abstain	<u>Absent</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>Aye</u>	Nay	Abstain	Absent
Richard Minnick	<u>Aye</u>	Nay	Abstain	Absent

MOTION:

**Beacon Falls Inland Wetlands and Watercourses Commission
Wetlands
Findings and Conditions of Approval**

I, **Douglas Bousquet**, on this date February 24, 2021, make a motion to approve the application for “**Rehabilitation of Beacon Valley Road**”, a section of Beacon Valley in Beacon Falls, Connecticut, Wetlands permit application number **A-2021-318**, for activity in or with review area of inland wetlands and watercourses.

FINDINGS

The public hearing before the Inland Wetlands and Watercourses Commission of the Town of Beacon Falls (hereinafter “IWWC” or “Commission”) on this application was convened and adjourned on February 10, 2021. Notice of the application was presented to adjoining properties owners, those possibly impacted, the Town Clerk of the Borough of Naugatuck, to the Naugatuck Valley Council of Governments along with submission to

CT Department of Transportation (CT DOT) and CT Department of Energy and Environmental Protection (CT DEEP). At the public hearing, the IWWC received and considered evidence presented in favor and concerns, by interested and affected parties, commission members, commission staff, the public and others. After consideration of all of the evidence submitted, and with the professional guidance of Commission staff on technical issues, and relying also upon the individual expertise of Commission members, the Commission finds that:

- A. There are no prudent and feasible alternatives to those presented in the application, which are likely to cause less disruption to inland wetlands and watercourses,
- B. The proposed activity will have minimal environmental impact, both in the short-term and the long-term, on the wetlands and watercourses,
- C. There will be no irreversible and irretrievable loss of wetlands or watercourses due to implementation of the project,
- D. The impacts of the project on wetlands and watercourses outside of its borders will be minimal or non-existent; providing that the plans are implemented as approved herein.

CONDITIONS OF APPROVAL

Therefore, this permit is granted based on substantial evidence heard at the public hearing presented by the Applicant, The Town of Beacon Falls, the Beacon Falls Inland Wetlands and Watercourses Commission, IWWC, (**Commission**), Commission Staff including the Town's Engineer, Administrative/Enforcement Officer, Commission Members, 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 Statutes, Section 22a – 42a (d). inclusive providing that the plans are implemented as presented and 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 and data, specifications prepared by: Milone & Macbroom and dated as indicated below.

	<u>Sheet Number</u>	<u>Description</u>	<u>Date Issued</u>	<u>Date of Last Revisions</u>
a.	01	Cover Page	-----	--
b.	02	Index Page	Nov 2020	-
c.	03	Typical Cross Section	Nov 2020	-
d.	04	Miscellaneous Details	Nov 2020	-
e.	05 - 11	Miscellaneous Details CDOT Standards	Nov 2020	-
f.	12 - 16	Existing Conditions & Baseline Layout	Nov 2020	-
g.	17 - 21	Roadway Plans	Nov 2020	-
h.	22 - 26	Roadway Profile	Nov 2020	-
i.	27 - 31	Signage & Pavement Marking Plans	Nov 2020	-
j.	32 - 42	Cross Sections	Nov 2020	-

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 and the Town Clerks shall be provided to the IWWC 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 Watercourses 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).
4. Any minor revisions to the documents identified in paragraph 1. above shall be submitted to the, the Commission’s Administrative Enforcement Officer, Supervisor Public Works Department and one (1) of the following members of the Beacon Falls Inland Wetlands and Watercourse Commission for review: Chairperson, and/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 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 in accordance with Section 7.8 of the Inland Wetlands and Watercourses 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 100 (100) feet setbacks, will require prior submission to and review by the entire Commission in accordance with Section 7.8 of the Inland Wetlands and Watercourses Regulations of the Town of Beacon Falls.
5. During the Rehabilitation activity construction of the roads, 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 from private landowners, as necessary to complete the project. The Commission advises the Applicant that approval must be obtained from other local departments and commissions and permit that is necessary from the CT Department of Energy and Environmental Protection (DEEP). 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 submit documentation for any necessary easement acceptable to the Commission and Town Clerk to clearly set forth the permission of adjoining private properties to discharge stormwater.
 8. The Applicant shall verbally notify the Supervisor of the Public Works Department and also shall notify the Inland Wetlands and Watercourses Administrative/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 Commission 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.
 9. All field changes deviating from the approved plans must be submitted by the Applicant in writing to the Supervisor of the Public Works and the Commission Chairperson before any such changes are implemented. If the Supervisor of the Public Works and the Commission Chairperson determines that the field changes are minor in nature, and will not permanently impact the wetlands, watercourses and/or Stormwater Management system, then the Commission Chairperson may approve the proposed field changes. If the proposed field changes are substantial, as determined by the Commission Chairperson, or if they could result in degradation of the wetlands, watercourses and/or 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.
 10. The Engineer and Owner shall ensure that any storm drainage outfalls that are affected and/or improved as part of this project be incorporated into the next revision/update to the town's MS4 permit.

11. 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.
12. 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.
13. Extra sediment/erosion controls (fencing, stone, etc.) shall be stored on site and in immediately accessible areas to deal with unforeseen circumstances and emergencies.
14. 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.
15. 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 stockpiled material that may erode;
 - c. Removing machinery from low areas subject to flooding; and
 - d. Any other measures as may be necessary.
16. This permit is being authorized for a period of five (5) years and shall expire on February 23, 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 (not to exceed February 23, 2031 pursuant to Section 22a – 42a (d) of the Connecticut General Statutes.

Motion seconded by Commissioner Richard Minnick.

VOTE:

John Smith	<u>Aye</u>	Nay	Abstain	<u>Absent</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>Aye</u>	Nay	Abstain	Absent
Richard Minnick	<u>Aye</u>	Nay	Abstain	Absent

MOTION:

Beacon Falls Inland Wetlands and Watercourses Commission Stormwater Management Findings and Conditions of Approval

I, **Douglas Bousquet**, on this date February 24, 2021, make a motion to approve the application for “**Rehabilitation of Beacon Valley Road**”, a section of Beacon Valley in Beacon Falls, Connecticut, application number SW- 2021-021, Stormwater Management.

FINDINGS

The public hearing before the Inland Wetlands and Watercourses Commission of the Town of Beacon Falls (hereinafter “IWWC” or “Commission”) on this application was convened and adjourned on February 10, 2021. Notice of the application was presented to adjoining properties owners, those possibly impacted, the Town Clerk of the Bourgh of Naugatuck, to the Naugatuck Valley Council of Governments along with submission to CT Department of Transportation (CT DOT) and CT Department of Energy and Environmental Protection (CT DEEP) At the public hearing, the IWWC received and considered evidence presented in favor and concerns, by interested and affected parties, commission members, commission staff, the public and others. After consideration of the information submitted, and with the professional guidance of Commission staff on technical issues, and relying also upon the individual expertise of Commission members, the Commission finds that:

- A. The proposed activity will have positive results, both in the short term and the long term, in controlling the stormwater on the road and protecting the nearby wetlands and watercourses,
- B. The proposed activity will minimize or eliminate the impact of stormwater from the roadway onto the adjacent and nearby property owners,
- C. The impacts of the project on wetlands and watercourses outside of its borders will be minimal or non-existent; providing that the plans are implemented as approved herein.

CONDITIONS OF APPROVAL

Therefore, this permit is granted based on substantial evidence heard at the public hearing presented by the Applicant, The Town of Beacon Falls, the Beacon Falls Inland Wetlands and Watercourses Commission, IWWC, (**Commission**), acting as the responsible **Agency for Stormwater Management**, Commission Staff including the Town’s Engineer, Administrative/Enforcement Officer, Commission Members, 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 chapter 98,124 126, 440, 444 and 46h and 7-148 (c)(8) (A), 8-2 (b) and 22a-36 to 22q-45 of the Connecticut State Statues (C.S.G.) inclusive providing that the plans are implemented as presented and 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 and data, specifications prepared by: Milone & Macbroom and dated as indicated below.

Town of Beacon Falls IWWC Special Meeting – Motions – Feb 24, 2021

	Sheet No.	Description	Date Issued	Date of Last Revisions
a.	01	Cover Page	-----	--
b.	02	Index Page	Nov 2020	-
c.	03	Typical Cross Section	Nov 2020	-
d.	04	Miscellaneous Details	Nov 2020	-
e.	05 - 11	Miscellaneous Details CDOT Standards	Nov 2020	-
f.	12 - 16	Existing Conditions & Baseline Layout	Nov 2020	-
g.	17 - 21	Roadway Plans	Nov 2020	-
h.	22 - 26	Roadway Profile	Nov 2020	-
i.	27 - 31	Signage & Pavement Marking Plans	Nov 2020	-
j.	32 - 42	Cross Sections	Nov 2020	-

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 and the Town Clerks shall be provided to the IWWC 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 Watercourses 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 22q-45 inclusive.

4. Any minor revisions to the documents identified in paragraph 1. above shall be submitted in writing to the, the Commission's Administrative Enforcement Officer, and the Supervisor Public Works Department 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 by the applicant/permittee to and review by the entire Commission.

5. **Stormwater Management** During the Rehabilitation activity construction of the roads, 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 from private landowners, as necessary to complete the project. The Commission advises the Applicant that approval must be obtained from other local departments and commissions and permit that is necessary from the CT Department of Energy and Environmental Protection (DEEP). 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 submit documentation for any necessary easement acceptable to the Commission and Town Clerk to clearly set forth the permission of adjoining private properties to discharge stormwater.

8. The Applicant shall verbally notify the Supervisor of the Public Works Department and also shall notify the Inland Wetlands and Watercourses Administrative/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 Commission 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.

9. Applicant shall submit documentation for any necessary easement acceptable to the Commission and Town Clerk to clearly set forth the permission of adjoining private properties to discharge stormwater The Commission 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 in writing by the Applicant to the Supervisor of the Public Works and the Commission Chairperson before any such changes are implemented. If the Supervisor of the Public Works and the Commission Chairperson determines that the field changes are minor in nature, and will not permanently impact the Stormwater Management system, then the Commission Chairperson may approve the proposed field changes. If the proposed field changes are substantial, as determined by the Commission Chairperson, 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. The Engineer and Owner shall ensure that any storm drainage outfalls that are affected and/or improved as part of this project be incorporated into the next revision/update to the town's MS4 permit.

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;

1. Securing and reinforcing all sediment/erosion/siltation control measures;
2. Properly protecting or removing from harms way any stockpiled material that may erode;
3. Removing machinery from low areas subject to flooding; and
4. Any other measures as may be necessary.

14. This permit is being authorized for a period of five (5) years and shall expire on February 23, 2026. It shall run in concurrence with any IWWC permit associated with the above-mentioned project. It is understood that the project may take longer to complete, depending on site 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 (not to exceed February 23, 2031).

Motion seconded by Commissioner Richard Minnick

VOTE:

John Smith	<u>Aye</u>	Nay	Abstain	<u>Absent</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>Aye</u>	Nay	Abstain	Absent
Richard Minnick	<u>Aye</u>	Nay	Abstain	Absent

MOTION:

Motion to adjourn at 7:12 pm

Motion Made by Brian Swan

Seconded by Doug Bousquet

VOTE:

John Smith	<u>Aye</u>	Nay	Abstain	<u>Absent</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>Aye</u>	Nay	Abstain	Absent
Richard Minnick	<u>Aye</u>	Nay	Abstain	Absent

Respectfully Submitted,

Lisa Daigle