



## Memorandum

**To:** Beacon Falls Planning and Zoning Chairman  
**From:** Keith Rosenfeld, Town Planner  
**Date:** September 29, 2022  
**Re:** Suggested Motion with Associated Conditions  
PZC-08182022-1-SP 30 - Edwards Woods Resubdivision  
Lorraine Drive/Charles Edwards Estate

### Commissioners:

It is the recommendation of staff that the following motion be made regarding PZC-08182022-1-SP 30 Lorraine Drive/Charles Edwards Estate utilizing the following referenced plans:

- Existing Conditions Plan of Edwards Woods Resubdivision, 30 Lorraine Dr., Beacon Falls, Connecticut dated 9/8/2021, revised 1/14/22 prepared by Accurate Land Surveying, LLC:
- Edwards Woods Resubdivision Plan, 30 Lorraine Dr., Beacon Falls, Connecticut and dated 7/20/22, revised 8/16/22, 8/17/22, 9/21/22 prepared by B & B Engineering.
- Site Development Plan of Edwards Woods Resubdivision, 30 Lorraine Dr., Beacon Falls, Connecticut and dated 7/20/22, revised 8/16/22, 9/21/22 prepared by B & B Engineering.
- Soil Erosion & Sediment Control of Edwards Woods Resubdivision, 30 Lorraine Dr., Beacon Falls, Connecticut and dated 7/20/22, revised 8/16/22, 9/21/22 prepared by B & B Engineering.
- Utility Plan of Edwards Woods Resubdivision, 30 Lorraine Dr., Beacon Falls, Connecticut and dated 8/16/22, revised 9/21/22, prepared by B & B Engineering.
- Construction Notes and Details of Edwards Woods, 30 Lorraine Dr., Beacon Falls, Connecticut and dated 7/20/22, revised 8/16/22, 9/21/22, prepared by B & B Engineering.
- Construction Notes and Details II of Edwards Woods Resubdivision, 30 Lorraine Dr., Beacon Falls, Connecticut and dated 8/16/22, revised 9/21/22, prepared by B & B Engineering.

**MOTION TO APPROVE: PZC-08182022-1-SP 30 Lorraine Drive/Charles Edwards Estate subject to the conformance with referenced plans and the following additional conditions. In granting approval, the Planning and Zoning Commission has attached the following conditions it deems necessary in order to bring PZC-08182022-1-SP into full conformity with the provisions of the Subdivision Regulations.:**

1. A copy of all final approved plans with revisions shall be submitted to the Town Planner, Town Engineer and Building Official for review and comment prior to the endorsement signing of the mylar by the Planning and Zoning Chair or Secretary.
2. Applicant shall add the following statement to the Record Resubdivision Plan "In accordance with the Connecticut General Statutes, all work in connection with this Resubdivision shall be completed within five (5) years of the date of approval. The completion date shall be September

29 2027.” prior to the endorsement signing of the mylar by the Planning and Zoning Chair or Secretary.

3. Applicant shall amend Record Resubdivision Plan Notes to state that "The construction of improvements as shown on the plan, including all structures and driveways is to be in accordance with the Planning and Zoning Regulations and Driveway Regulations of the Town of Beacon Falls in effect at the time of submission of the As-Built plan."
4. Applicant shall amend Record Subdivision Notes to state that “The common accessway shall be constructed in its entirety with all utility lines (including but not limited to electric, telephone, cable, gas, and water services) from the street line to the property line of each individual lot and shall be completed prior to the issuing of any building permits”.
5. Applicant shall add the following note to the Soil Erosion and Sediment Control plan. “This Soil Erosion and Sediment Control Plan has been reviewed by the Town Engineer, and when signed below, is certified to be in compliance with the applicable requirements of the Connecticut Guidelines for Soil Erosion and Sediment Control, as amended. Certifications by the Town Engineer do not relieve the owner, Applicant, contractor or interested party from the responsibility to maintain or increase soil and erosion control measures, as necessary. Other additional measures may be required by the Town Engineer in order to maintain compliance with the Connecticut Guidelines for Soil Erosion and Sediment Control, as amended.” prior to the endorsement signing of the mylar by the Planning and Zoning Chair or Secretary.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

6. All final plans submitted for signature shall require the seal and live signature of the appropriate professional(s) responsible for the preparation of the plan prior to the endorsement signing of the Record Resubdivision Plan mylar by the Planning and Zoning Commission Chair or Secretary.
7. Live signature of the Wetlands Soil Scientist who delineated the wetlands as mapped prior to the endorsement signing of the Record Resubdivision Plan mylar by the Planning and Zoning Chair or Secretary.
8. Applicant shall provide written certification from the Town of Beacon Falls Water Pollution Control Authority of the applicant’s right to tie into public sewer lines per Section 4.11 (Section 2.36) prior to the Record Resubdivision Plan being recorded in the Beacon Falls Land Records.
9. If required by the Beacon Falls Water Pollution Control Authority (BFWPCA), a performance bond secured by a line of credit and/or cash, in the amount determined by the BFWPCA and in a form satisfactory to the Town Attorney, shall be submitted to the Planning and Zoning Commission prior to the Record Resubdivision Plan being recorded in the Beacon Falls Land Records.
10. Applicant shall provide written certification from the Aquarion Water Company stating that an application has been made for water main extension and service to serve the proposed resubdivision, that the Aquarion Water Company regulations have been complied with and that satisfactory water supply, pressure and service are available to the proposed resubdivision prior to the Record Resubdivision Plan being recorded in the Beacon Falls Land Records.

11. Applicant shall present “recordable” documents related to the “open space” land swap between the Estate of Charles Edwards and the Town of Beacon Falls in a form satisfactory to the Town Attorney prior to the Record Resubdivision Plan being recorded in the Beacon Falls Land Records.
12. Applicant shall present “recordable” easements and deeds describing the land dedicated to proposed open spaces, sanitary sewers, water supply, electricity, other utilities, storm drainage, etc. in a form satisfactory to the Town Attorney prior to the Record Resubdivision Plan being recorded in the Beacon Falls Land Records.
13. Applicant shall present “recordable” easements regarding the shared driveway and associated maintenance agreements, aka “appurtenant easements” prior to the Record Resubdivision Plan being recorded in the Beacon Falls Land Records.
  - a. The agreement should spell out any shared costs to repair or maintain; whether the driveway is shared equally for the entire length; and any restrictions on parking or repairing vehicles.
  - b. It should also include how any work is to be completed and whether any notices are required; and how and who decides on the scope and quality of any work to be completed. It should include:
  - c. A legal description of the driveway through a land survey to measure the lot, record data, and research land records.
  - d. How the parties share the driveway.
  - e. Specifics on sharing costs of maintenance, snow and ice removal, and other improvements and
  - f. Penalties for nonpayment.
14. The shared accessway is to be constructed in accordance with Section 70 of the Beacon Falls Zoning Regulations and shall include a graded base of at least eight (8) inches and meeting Grade "B" gradation requirements as called for in the State's Specifications for Roads and Bridges, Form 814A, or as amended. Gradation tests shall be performed by the developer and submitted to the Town Engineer for review and approval prior to use.