

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



**BEACON FALLS
INLAND WETLANDS & WATERCOURSES
Revised Public Hearing Minutes
March 11, 2015
MINUTES
(Subject to Revision)**

1. Call to Order / Pledge of Allegiance

Members Present: Stephen Knapik, Arlene Brumer, Jamie Lillis, Bill Giglio, Walter Opuszynski, and Michael Opuszynski

Not Present: John Smith (adjacent property owner)

Others Present: Dave Keating; Jim Galligan; John Paul Garcia, John Paul Garcia & Associates; and 12 members of the public.

S. Knapik called the Public Hearing to order at 7:10 P.M.

2. Application A-2015-307 – C. Edwards Company

Application A-2015-307 for Proposed Development of Tiverton 2 in Beacon Falls, CT. Application submitted by Charles Edwards, C. Edwards Company, 30 Lorraine Drive, Beacon Falls, CT.

S. Knapik is Chairing the Public Hearing since J. Smith is an adjacent property owner.

S. Knapik asked the clerk to read the call for tonight's public hearing. M. Scirpo read the call as printed in the Waterbury Republican.

S. Knapik asked if the adjacent owners' notification receipts have been received and D. Keating confirmed that they have been received and submitted for this public hearing. He then asked if there was a representative for C. Edwards Company.

John Paul Garcia, a licensed professional engineer and land surveyor with John Paul Garcia & Associates, is the representative for C. Edwards Company for tonight's public hearing. He began by indicating that the property is approximately 53 acres located on the east side of Fairfield Place in Beacon Falls. The Commission had approved the property for a subdivision of 32 lots two years ago. They are now proposing only 8 lots now in the lower portion. It is 6 building lots and 2 large parcels. One lot is accessed from Burton Road. An extension of Fairfield Place by about 100 feet will provide access for 5 fire building lots clustered around the end of Fairfield Place. Two large lots access off Fairfield Place and Hailey Ridge. They are looking for approval for the eight parcels/6 building lots. It is basically the same proposal as two years ago with a detention pond on the west side, a house accessing off Burton Road with a crossing of the watercourse, and very little impact to the wetlands. There is a strip of wetland approximately parallel to the long access of Fairfield Place that has been subject to a permit previously. The two other areas of wetlands are located on the north side of the property against Burton Road and a pocket of the west side of property. Drainage has been designed with a detention basin that will treat the runoff, as well as having a swale on the south edge to pick up any runoff that will carry it down to a settling pond then discharging into another swale. This was all presented previously. He indicated that as a matter of housekeeping, he would like the record of the previous application to be part of this application since some the information contained in that application pertains to the same property. The wetland permit is still good but the mylar was never filed. That application was approved by this Commission.

S. Knapik indicated that he will open the discussion to the Commission first for any questions and then to the public. S. Knapik asked if the detention pond the same size as previously proposed. J. Garcia indicated that it has been rearranged a little bit so that if someone decides to develop the addition parcels, the proposed 6 building lots, the detention pond could handle it because it is through the detention pond and it sized the same. The calculations are in the hands of Nafis and Young. It is the same stormwater treatment chain as previously proposed. The swale above the new lots on the south side of Fairfield Place directs to the same detention pond as previously with another swale to prevent any crossflow into the houses along the north side of Fairfield Place.

B. Giglio asked if the numbers are still net zero and J. Garcia indicated that there are still net zero. J. Garcia indicated that if nothing is done on the property above then the basin is probably 2 to 3 times more than it needs to be. They are planning for it now in case it does get developed in the future. W. Opuszynski asked about the maintenance and J. Garcia indicated that there is a hardened access from Fairfield Place to get into it. W. Opuszynski also asked about the language as previously discussed and if it will be addressed at this point. J. Garcia noted that it will be addressed with subdivision. The town will have to have access easements and access rights so they can get in to maintain the basin. W. Opuszynski asked who owns the detention basin. J. Garcia indicated that the town would own the stormwater system and the owner of lot #4 will have to grant an easement to the town. W. Opuszynski noted that it was not the town's intent to take the maintenance.

J. Garcia noted that if the town is accepting the road and taking the stormwater from the road, it does not make sense that the homeowner takes care of the basin. It is a town drainage system and the town should take the maintenance of the basin. It is designed to go 5 to 10 to 15 years without maintenance and still function. W. Opuszynski asked if it takes into consideration upper development and J. Garcia said that it does.

C. Edwards indicated that they are still working this out in regards who maintains the detention basin. He will include the wording in the deed however the town would like. J. Garcia mentioned that property taxes are paid for things like this. You cannot depend on the homeowner to maintenance the basin and the town would end up coming in to clean the basin. J. Garcia also noted that you cannot separate the drainage as town road drainage or not town road drainage. C. Edwards noted that he will do what the town would like him to do. M. Opuszynski indicated that this is not a decision for this Commission to make right now and is a concern with the application.

W. Opuszynski asked if there is development on the upper property, where would the access be from and J. Garcia indicated off Hailey Ridge and on the southern part of the property from Fairfield Place. M. Opuszynski asked if the swale was new to this application and not included in the previous applicant and J. Garcia replied correct. M. Opuszynski then asked about the swale capturing everything from the top of the hill flowing down, and then brings it to dump into the detention pond and J. Garcia replied correct. M. Opuszynski asked about the trail that was in the previous application and J. Garcia indicated that the trail is gone. W. Opuszynski asked about methods to handle spring water still in the application and J Garcia indicated that it should remain the same and handled by the swale.

M. Opuszynski asked if there will be materials brought onto to or removed from the lots. J. Garcia indicated yes, material brought on to construct the house, cuts to create some of the lots, about 4,000 to 5,000 yards. S. Knapik asked if it is balanced and J. Garcia replied that it is not balanced. It is about 10,000 yards to be removed and 4,000 yards to be brought, giving a 6,000 yard excess.

S. Knapik asked if the Commission had any more questions and there were none at this time. He then asked if D. Keating or J. Galligan had any questions. D. Keating asked what the percentage of the water would be coming from the street and from the private property. J. Garcia indicated that it would be about 60/40 or 70/30, private to public. D. Keating then asked for the construction phasing plan and sediment erosion controls to be in place to protect the existing residents on Fairfield Place from added stormwater going in their direction. J. Garcia indicated that there is no construction behind the people on Fairfield Place per say. All the construction is to the east of Fairfield Place. The only person with construction above them is the property in & off of Burton Road. They will put hay bales, a swale, and silt fencing to prevent anything heading in their direction. M. Opuszynski asked about the placement of stockpiles. J. Garcia indicated that the only one is at the end of Fairfield Place at the extension. It will be hay baled and silt fenced, with grass seeded if there for more than a few weeks.

J. Galligan indicated that he reviewed the drainage computation of both the first and this application, and the detention basin is sized for this subdivision and any street drainage for future subdivision. The drainage is overcompensated at this stage. The basin is oversized at this stage.

S. Knapik asked if the Commission, D. Keating, or J. Galligan had any further questions and there were none at this time. He indicated that he will open the questions up to the public at this time.

Mitch Mulinski, 42 Fairfield Place, asked where the extension of the 100 feet begins. J. Garcia indicated that at the beginning of the turnaround. It is in conformance of the town road spec.

Marilyn and Carl Vought, 9 Maple Avenue, asked about the wells on the property and if they still exist. J. Garcia indicated that they do and the swale is on the plan to handle the runoff. The other question she had was regarding the intersection of Wolfe Avenue, Burton Road, and Maple Avenue. S. Knapik noted that that is a Planning & Zoning question. J. Garcia indicated that there is no impact to that intersection or to Burton Road regarding this subdivision.

John Ozelski, 19 Hailey Ridge Road, asked about how the swale will affect the water to their area since they have well water. J. Garcia indicated that it only controls excess surface water. There is no construction off of Hailey Ridge with this application. J. Ozelski then asked if the new development will be septic or city. J. Garcia indicated that it will be city water, city sewer.

Carl Vought asked if which house/lot would have access to Burton Road to relation to Maple Avenue. J. Garcia showed the map with the intersection of Maple Avenue and where the driveway will be located. C. Edwards noted that it will be a driveway, not a road, to access the one house/lot from Burton Road. J. Ozelski asked how the taxpayers will be affected and J. Garcia indicated that that is a Zoning issue but they are extended Fairfield Place by only 100 feet. The turnaround will allow buses and emergency personnel to use and benefit the resident on Fairfield Place.

W. Opuszynski asked what the grade of the driveway is going to be on the driveway leading out to Burton Road. The driveway details show that it will be with an 8% grade, a typical driveway detail.

3. Adjournment

S. Knapik asked three times if there was anyone to speak in favor of the applicant and there were none at this time. He then asked three times if there was anyone to speak against the applicant and there were none at this time.

Motion to close the Public Hearing at 8:00 P.M.: **M. Opuszynski/Giglio;** *discussion was by W. Opuszynski noted that the language regarding the detention basin be looked at in the timely fashion and M. Opuszynski indicated that when the Commission looks at this application for approval, the wording is included, as well as writing a letter to the Board of Selectmen to review the language; all ayes.*

Respectfully submitted,

Marla Scirpo
Clerk, Inland Wetlands & Watercourses Commission