

*Conservation/Inland Wetland Commission*  
*Town of New Fairfield*  
4 Brush Hill Road, New Fairfield, CT 06812  
Tel: (203) 312-5640 Fax: (203) 312-5608  
**Meeting Minutes**  
**Tuesday August 15, 2023 7:15 PM**  
Zoom Meeting

**Call to Order**

Tom Quigley called the regular meeting of the Conservation/Inland Wetland Commission to order at 7:15pm.

**Members in Attendance**

Tom Quigley, Chris McCartney, Carolyn Rowan, Margaret DiTullio, Keith Landa, Ernie Dech, Frank Yulo (alt) and EEO Tim Simpkins. Lisa Zustovich took the meeting minutes.

**Appointments**

Tom Quigley appointed Frank Yulo as a voting alternate.

**Violations**

**38 Woodcreek Rd, map 24, block 21, lot 2.5 grading and filling near a wetland & watercourse, Robert & Leila Lomangino, owners.** No owner present. Tim Simpkins spoke with the owner and the survey is done, they did start an application but did not submit in time for this month's meeting. They will have their application ready for next month's meeting. **Continued**

**New Business**

**49 Ball Pond Rd E, map 22, block 5, lot 2.71, maintain annual cutting of brush, weeds, branches and mowing in the right of way for access to the waters of Ball Pond, Christopher Lentz, applicant.** Attorney Ray Lubus present for the applicant and Attorney Kristen Motel present for the property owner. Tom Quigley noted that at last month's meeting the application was denied because the person making the application was not the property owner. Letters were received from attorneys for both the applicant and the property owner. Tom Quigley feels the Commission needs the opinion of Town's attorney on this. Per Mr. Lubus, the Lentz's have a 25 ft right of way which has been block with a fence and gate by the Lisi family. Mr. Lubus states they would be happy to have the Town's attorney review this. Kristen Motel, attorney for the Lisi family stated they are opposed to this application. She also agreed to have the Town's attorney weigh in on this matter. Keith Landa made a motion to table this application until next month, 2<sup>nd</sup> by Carolyn Rowan, all in favor. **Tabled until next month**

**1 Hoover Place, map 27, block 3, lot 108, construct a common driveway to the acreage west of the inland wetlands, Nejame Development LLC/owner.** Ralph Gallagher present for the applicant. Updated plans provided, reviewed and discussed. Area of mitigation with planting and conservation easement discussed. Per Ralph he will provide a mitigation report next month. Tom Quigley stated they will need the Town's Engineer to review this application. Cross sections with changes in grades discussed. Commission discussed with Mr. Gallagher that next month they will have the Town Engineer to review the application and they need to see the mitigation report. Keith Landa made a motion to accept the application for review, 2<sup>nd</sup> by Carolyn Rowan, all in favor. **Accepted & Continued**

### **Old Business**

**8 Lake Dr, map 31, block 8, lot 8 transfer permit # I/W-13-000015-R to Ann Marie Conway.** No owner/rep present. No changes to permit per Tim Simpkins except owner plans to make the deck smaller. Carolyn Rowan made a motion to approve the transfer of permit # I/W-13-000015-R, 2<sup>nd</sup> by Chris McCartney, all in favor.

**Approved**

**25A Ball Pond Rd E, map 22, block 5, lot 9-11, remove existing house structure and rebuild same footprint further from lake with the addition of a garage, Carol Laufer, owner.** Owner present along with Ralph Gallagher. They will demo existing house and foundation and rebuild on same footprint with new concrete foundation. The garage (20'x30') will be built away from Ball Pond, up by Ball Pond Rd East per Mr. Gallagher. Discussed septic, storm water and liter drains. Ralph said he will provide an extra simplified map showing the house, garage and storm water management. Ernie Dech made a motion to approve the application, 2<sup>nd</sup> by Keith Landa, all in favor. **Approved**

**55 Rocky Hill Rd, map 10, block 18, lot 20, grading and filling near a brook, Matthew Foglia & Milena Newmark, owners.** No owner present. Per Tim Simpkins, he and Tom and passed the property last November and the owner was expanding his driveway, they told him that was fine but he was not to do any other work. In March Tim noticed he had filled his entire backyard to the wetlands (Shortwoods Brook) and he was issued a notice of violation. The owner came to a meeting, he submitted an application and paid by check which bounced. Since then he has not attended another meeting and has not returned any of Tim's calls. Tom Quigley suggested the Commission votes to deny the application for lack of sufficient data with the stipulation that the Commission give the applicant 30 days to reapply and fully pay all the fees. If this does not happen, a \$100 per day fine on the violation would be applied until such time as it is corrected.

Margaret DiTullio made a motion to deny the application due to insufficient data with the stipulation that the applicant has 30 days to reapply and pay full fees within 30 days. Thereafter a fine of \$100 per day will be imposed until the violation is corrected, 2<sup>nd</sup> by Carolyn Rowan, all in favor. **Denied**

### **Correspondence**

**Japanese knotweed and phragmites spreading on Old Pine Hill Road extension-Claudia Henry.** Claudia Henry was not present. The Commission said they could not take on trying to remove these highly invasive plants/weeds in town.

### **Administrative**

**Approve Meeting July 18, 2023-** Margaret DiTullio made a motion to approve the 7-18-23 meeting minutes as written, 2<sup>nd</sup> by Chris McCartney, all in favor. **Approved**

**Conservation issues for the Town of New Fairfield-** No discussion

### **Adjournment**

Carolyn Rowan made a motion to adjourn the meeting, 2<sup>nd</sup> by Tom Quigley, all in favor. **Adjourned @ 8:05pm**

Received by email on 08/18/2023 @ 8:30 a.m.  
by Chrystie M. Bontempo, Asst. Town Clerk, New Fairfield