

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 December 19, 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, Joan Archer, Keith Landa, Carolyn Rowan, Margaret DiTullio, 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

None

New Business

314 Route 39, map 2, block 5, lot 13&14, replace a recently demolished single-family dwelling with proposed 3-bedroom single family dwelling with associated grading and relocating the well, Asime Alimi, owner. Nick Yuschak, Landscape Architect, present, representing the owner. Owner also present. Maps reviewed & discussed- roof liter drains, wetlands and erosion controls shown on maps. Relocating well, reusing existing septic. Existing driveway is impervious gravel. Tim Simpkins stated that there was a large amount of erosion coming off the site after Monday's storm and that they need erosion controls on the site ASAP. Roof liters & gutters will be going to a boulder dissipater per Mr. Yuschak. Carolyn Rowan made a motion to accept the application for review, 2nd by Margaret DiTullio, all in favor. **Accepted & Continued**

1 Lost Acre Trail, map 5, block 1, lot 12, partially fill in pond on property but keep the flow of the stream, Eileen Tannenbaum, owner. No owner present. Per Tim Simpkins, the pond was created a while ago that a stream runs through it, the owners want to fill in one side of the pond but keep the stream. Discussed Commission members going to see pond to get a better understanding of what the owner wants to do. Keith Landa made a motion to accept the application for review, 2nd by Carolyn Rowan, all in favor. **Accepted & Continued**

13 Candlewood Road, map 39, block 1, lot 40-43, Extend driveway parking by 6' with new poured concrete wall, Connor Roscoe, owner. Owner present. Building a new wall, drain needs to be repaired as well. Maps reviewed & discussed. Owner also stated that he has a storm water management plan. Distance of disturbance to the lake discussed, Tim Simpkins said he measured it- distance of disturbance is 135 feet, this needs to be added to the maps. Margaret DiTullio made a motion to accept the application for review, 2nd by Carolyn Rowan, all in favor. **Accepted & Continued**

77 Candle Hill Road, map 6, block 4, lot 41&42, construct a 4-bedroom single family dwelling, septic, well, driveway including crossing wetlands and a stream, Andres Vele, owner. Mike Mazzucco Professional Engineer present, representing the applicant. Property is currently a vacant lot. Maps with proposed plans for a 4-bedroom house reviewed & discussed. Proposed culvert map reviewed & discussed, proposed culvert is 36 inches. Wetlands locations discussed. Alternate access to property by way of an easement discussed, Mr. Mazzucco said he would look into this. Property will be staked so that Commission members can walk the site. Chris McCartney made a motion to accept the application for review, 2nd by Keith Landa, all in favor. **Accepted & Continued**

49 Ball Pond Road East, map 22, block 5, lot 27.1, seeking permission to seasonally prune branches, weeds, pickers, poison ivy, all vegetation growth, within the 25-foot wide right to pass and repass to the waters of Ball Pond Road, including mowing the existing grass. This is for the purposes of pedestrian accessway through the 25-foot in width right of way, which would allow pedestrians to swim, fish canoe or paddleboard in the waters of Ball Pond. There are no structures sought to be built or improvements to be made to the existing area, Christopher Lentz, applicant. Attorney for the applicant, Mr. Lubus present as well as Mr. McAndrew, attorney for the property owners. Tom Quigley said per the Town's attorney that the applicant's deeded right is a form of ownership with the right to maintain the easement, the question is -to what extent. Five residents have deeded rights to use the easement. The Commission has received briefs from both the applicant's and property owner's attorneys. Mr. Lubus, applicant's attorney, provided a map showing the width (25') of the easement as well as pictures of what it looked like in the Spring, before the growth and the Summer, when it became unpassable. They are looking to clean it up for pedestrian use and to possibly bring such things as a kayak, canoe or rowboat to the water. Mr. McAndrew, property owner's attorney, stated this application does not have their approval, and questioned how this will affect the wetlands. Ernie Dech asked how much of the 25' width of the easement the applicant wanted to clear. Mr. Lubus said they would like to clean up the full width but if the Commission feels this is too much, they would do what the Commission recommends, what they feel is best for the wetlands. Margaret DiTullio asked about a sign on the property that reads "Protected by the State of Ct" and questioned who is protecting it. Mr. McAndrew said they were directed by Town officials to put the sign up and if they wanted more information regarding this he would provide it at the next meeting. The Commission requested that he provide this information next month. The Commission informed Mr. Lubus that they need to see the proposed path with the work they want to do on the maps. The Commission also asked to see alternatives. Mr. McAndrew was informed that they need to see the state statute regarding the sign on the property. Keith Landa made a motion to accept the application for review, 2nd by Margaret DiTullio, all in favor. **Accepted & Continued**

Old Business

55 Rocky Hill Rd, map 10, block 18, lot 20, grading and filling near a brook, Matthew Foglia & Milena Newmark, owners. Owner present, he has the Soil Scientist report but was unable to share it with the Commission at the meeting. He will drop it off to Tim Simpkins at Town Hall tomorrow. **Continued**

38 Woodcreek Rd, map 24, block 21, lot 2.5 relocate or remove above ground rocks, Robert & Leila Lomangino, owners. Brian Lomangino present. Brian will bring maps to Town Hall with requested info. right after the holidays. **Continued**

21 Deer Run, map 15, block 1, lot 116, construction of lift with upper/lower landings, wood frame shed for lift machinery, upper retaining wall, pervious parking area, wood frame storage shed, pervious pathway, natural stone stair treads and catwalk/dock, Paul Perchal/Thomas Bianco, applicant, Lisa Bianco Trustee, owner. Dainius Virbickas present, representing the applicants. Mr. Bianco also present. Updated maps reviewed & discussed. Parking area sized reduced to 24'x20', tram location moved approx. 10' to the north, seating area down by the water scaled down. Moving the tram to the north requires the removal of less trees and they will not have to remove the stumps previously discussed. They are also no longer looking to

remove trees off the property as previously discussed. The compact seating area down by the water reduces the amount of disturbance compared to the previous plan per Mr. Virbickas. Discussed erosion controls and sequence of construction at the top of the property. They will be removing the 3 trees as recommended in the arborist's report. Ernie Dech recommended dropping the trees and leaving them on the property, property owners agreed with this. Guardrail discussed-a portion will be removed for the work to be completed, then reinstalled to the existing utility pole. The Commission requested that the finished guardrails be shown on the maps. Discussed possibility of staging area being reduced since they are not bringing trees up. **Continued**

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, representing the applicant. Discussed Tony Iadarola's letter with comments on what changes/information was needed. The Commission members also received this information. Some items Mr. Iadarola wanted to see was a new survey with a 35' easement, a 48' long box culvert, and a structural design submitted of the culvert. The Commission needs to see this information as well as the rest of the information Mr. Iadarola requested before making a decision on this application and this application is out of time. It was discussed that they withdraw and resubmit when these issues are resolved. **Withdrawn**

Correspondence

None

Administrative

Approve Meeting November 14, 2023. Chris McCartney made a motion to approve the 11-14-23 minutes as written, 2nd by Margaret DiTullio, all in favor except Joan Archer who abstained. **Approved**

Conservation issues for the Town of New Fairfield. No discussion

Adjournment Carolyn Rowan made a motion to adjourn, 2nd by Chris McCartney, all in favor.
Adjourned @ 9pm

Received by email on 12/22/2023 @ 8:30 a.m.
by Chrystie M. Bontempo, Asst. Town Clerk, New Fairfield