

*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 February 27, 2024**  
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, Keith Landa, Margaret DiTullio, Ernie Dech, Carolyn Rowan, Frank Yulo (alt), Ann Brown (alt) and EEO Tim Simpkins. Lisa Zustovich took the meeting minutes.

**Appointments**

Tom Quigley appointed Frank Yulo and Ann Brown as a voting alternates.

**Violations**

None

**New Business**

**142 Lake Drive South, map 25, block 1, lot 33, demolition of existing single-family residence and construction of new single-family residence, applicant/Peter Coffin, owner/ David & Laurie Pauker/owner.** Alex Bellina present, representing the owners. Maps reviewed & discussed. Plan to demo existing SFD and rebuild new SFD in same location with similar footprint per Mr. Bellina. They also plan site improvements, a pool and new permeable driveway. Commission needs to see erosion controls, distance of disturbance to lake and stock pile locations. The Commission will also need to see drainage and storm water management as they move forward per Mr. Quigley. Driveway maintenance discussed so that it remains permeable over time. Well location discussed as well as erosion controls for when the new well is installed. Retaining walls discussed, some will be 5-6 feet high-engineered. Roof liter drains mentioned. Mr. Bellina said Ralph Gallagher will be able to discuss roof liter & storm water management with the Commission. Carolyn Rowan made a motion to accept the application for review, 2<sup>nd</sup> by Margaret DiTullio, all in favor.

**Accepted & Continued**

**85 Lake Drive South, map 25, block 1, lot 22, remove existing stone patio, build new screened in porch, garage upper floor alterations, Ronald B. Noren/owner, Cris Busnel/applicant.** Cristian Busnel present, representing the owners. They propose to build a 18'x16' screened in porch with gable roof where existing stone patio currently is. Also proposed is a 2<sup>nd</sup> floor addition over existing garage. Maps reviewed. Well and septic locations discussed, these need to be shown on the map. The Commission needs the distance of disturbance to the lake, erosion controls and erosion controls for the new well. Storm water management for porch roof discussed, they plan to tie the gutter to the existing roof liters- this needs to be shown on the map. Ernie Dech made a motion to accept the application for review, 2<sup>nd</sup> by Chris McCartney, all in favor.

**Accepted & Continued**

**63 Woodcreek Road, map 25, block 4, lot 5, repair and reinforce upper driveway, strengthen retaining walls by adding boulders, replace existing wooden retaining wall and stairs with stone wall and stairs on lower driveway, Donald Panos/owner.** Owner Donald Panos present. Mr. Panos added boulders to reinforce his driveway. Chris McCartney made a motion to accept the application for review, 2<sup>nd</sup> by Margaret DiTullio, all in favor. Ernie Dech made a motion to continue for Administrative approval, 2<sup>nd</sup> by Carolyn Rowan, all in favor. **Accepted & Continued for Administrative approval.**

**23 Misty Brook Lane, map 2, block 4, lot 27, three stone retaining walls below the pool 52” high by 24” wide by 120’ long, applicant/Lambert & Barr LLC, owner/Thomas & Stacey Solomon.** No owner/rep present. Retaining wall around swimming pool on a slope. Tim Simpkins, Ernie Dech and Frank Yulo visited the site today and spoke with the owner, thought contractor would be at tonight’s meeting. Margaret DiTullio made a motion to accept the application for review, 2<sup>nd</sup> by Carolyn Rowan, all in favor. **Accepted & Continued**

**335 Route 39, map 2, block 8, lot 5, landscaping, vegetation removal and planting, David Clark/owner.** Owner David Clark present. Maps reviewed & discussed. They would like to remove two large trees adjacent to the home and 3 large trees by the retaining walls as well as invasives. They also propose removing the asphalt driveway and replacing it with pea gravel and install boulder steps for access to the waterfront. Mr. Clark said they want to remove the trees because they hang over the house, concern for the power lines and their foundation as well as one is an older decaying hemlock. Planting plan provided and discussed. Asked what he would put down near the water’s edge, Mr. Clark discussed woodchips/mulch. It was discussed how this could get eroded into the water. Mr. Clark said he could put edging to prevent that and if it was an issue he could switch it to pea gravel. Chris McCartney made a motion to accept the application for review, 2<sup>nd</sup> by Carolyn Rowan, all in favor. **Accepted & Continued**

### Old Business

**36 Lake Drive South, map 20, block 1, lot 54, modification to permit # I/W-21-025, replace existing retaining wall, Simlake LLC/owner.** Robert, rep for owner present. Replacing wall by the road that is falling apart. They will do the work in sections. The Commission said he should consider replacing part of the wall on the opposite side-add it to the modification- he said he would discuss with owner. Margaret made a motion to approve the modification to permit #I/W-21-025, 2<sup>nd</sup> by Carolyn Rowan, all in favor. **Approved**

**5 Fairview Drive, map 13, block 2, lot 1.24, construction of in-ground swimming pool, Doug & Susan Hooper/owners, Total Pool & Patio/applicant.** Owner Doug Hooper present. Tim Simpkins, Ernie Dech, and Tom Quigley have visited the site. Tom Quigley said he has no issues with this application. Keith Landa made a motion to approve the application, 2<sup>nd</sup> by Chris McCartney, all in favor. **Approved**

**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 present, representing the owner. Owners also present. Catch basin installed. Tom Quigley visited the site and noted a lot of runoff from the hillside to the foundation. Mr. Yuschak said silt fence can be installed to handle the runoff. Mr. Alimi discussed the water coming from the hillside – waterproofing around house and collecting water to a catch basin. Tom asked how they will get a machine in to drill the well. Mr. Alimi said he spoke with the contractor and once the foundation is done and backfilled they will be able to get in there to do the well. Carolyn Rowan made a motion to approve the application, 2<sup>nd</sup> by Keith Landa, all in favor. **Approved**

**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.** James Gagliardo present, representing the owner. The pond eroded and slowly got bigger over the years. Maps reviewed & discussed. The area they want to fill is not very deep per Tim Simpkins. Tim Simpkins, Tom Quigley and Ernie Dech have visited the site. Applicant plans to add erosion controls and fill approx. 10 foot area of the pond. Keith Landa made a motion to approve the application, 2<sup>nd</sup> by Margaret DiTullio, all in favor except Ann Brown who abstained. **Approved**

**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.** Mr. Lenz present along with his attorney Mr. Lubus. Property owner Lisi's also present as well as their attorney Mr. McAndrews. Mr. Quigley conferred with the Town's attorney- the applicant as the right to apply for the permit and the Commission has the right to control the activity in the regulated area. The Commission discussed allowing Mr. Lenz to mow a 6-foot-wide path from the street to 25 feet to the water then prune & cut the last 25 feet. Follow a route of least disturbance to the wetlands and vegetation as determined by the EEO. There was discussion on where to end the mowing and start the pruning/cutting. Also discussed that when they cut the grass and prune they need to remove cut debris. Mr. Lubus said that though a 6-foot-wide is less than what they had hoped for his client accepts the Commission's decision. Mr. McAndrews reiterated his previous objections to the applications stating impacts to the wetlands and mentioning prudent alternatives.

Public Comment-

Elissa Johnson- easement holder-opposes the application and voiced concern for habitat for migratory birds.

Dr. Stuart Orsher- easement holder-stated that the easement adds value to the easement holder's properties and felt it unfair that they were being kept from maintaining and using it. He mentioned the work the Lisi's did on their property and asked how that effected the wetlands.

Mrs. Lisi spoke and shared photos of their property and the easement and vegetation along with work they did. She also shared a letter to the Commission. She shared photos of what the microburst did.

Tom Quigley said they will work with the Town's Attorney on the wording of the motion and continue the application to next month's meeting. **Continued**

### Correspondence

None

### Administrative

**Approve Meeting January 16, 2023-** Margaret DiTullio made a motion to approve the 1-16-24 meeting minutes as written, 2<sup>nd</sup> by Keith Landa, all in favor except Ann Brown and Carolyn Rowan who abstain.

**Approved**

**Conservation issues for the Town of New Fairfield-** Carolyn- CLA will have a webinar in early March about zebra mussels. She will share more info about this when she has it.

### Adjournment

Christ McCartney made a motion to adjourn the meeting, 2<sup>nd</sup> by Carolyn Rowan, all in favor.

**Adjourned @ 9:20pm**