

## **BALL POND ADVISORY COMMITTEE**

A special meeting of the **BALL POND ADVISORY COMMITTEE** was held on Tuesday, September 11, 2007 at the **SHAW'S SUPERMARKET** Conference Room. Chairman Cynthia Stevens called the meeting to order at 7:05 PM. Brian Bosley, Helen Gallagher, Walter Hope and Terry Lent were also in attendance. George Buck and Maureen Dangelo were not present.

### **APPROVAL OF MINUTES**

Terry Lent made a motion to accept the minutes as amended of the August 21, 2007 meeting. Brian Bosley seconded the motion. Approved uananimously.

### **GENERAL CORRESPONDENCE**

None

### **PUBLIC COMMENT**

About twenty members of the public present to comment on Ball Pond shoreline construction, and specifically 160 Ball Pond Road, were asked to hold their questions until that agenda item under New Business.

### **OLD BUSINESS**

Cynthia Stevens reviewed the Sandbar Study of the north end of Ball Pond conducted by Paul Hiro and George Benson. Jim Mellett has offered to do core sampling of the sandbar during the month of September and Brian Bosley has offered use of his rowboat by way of assistance to Mr. Mellett.

Cynthia Stevens next reviewed the status of Danbury's Potential Water Source Study which cites Ball Pond as a potential water source in the future. The **BALLPONDADVISORY COMMITTEE** is planning to commission a study by a geo-hydrologist showing that the Ball Pond watershed is not adequate to support Danbury's needs. A formal request will then be made to the New Fairfield Selectmen asking that they inform Danbury and the State of Connecticut that Ball Pond is not a viable option.

### **NEW BUSINESS**

After a brief introduction of the issues surrounding 160 Ball Pond Road by Chairman Cynthia Stevens, Landscape Architect Jane Didona sought clarification of the plans from Wetlands Enforcement Officer Timothy Simpkins and Michele Holmes, the Project Manager representing the owners of 160 Ball Pond Road. A number of questions were raised by members of the public relative to an eleven foot concrete retaining wall that has been erected along the shoreline.

Cynthia Stevens presented a time line which attempted to clarify the sequence of events pertaining to the applications submitted to the

WETLANDS CONSERVATION COMMISSION and the approvals issued by that COMMISSION, and it was discovered that the recently constructed wall had been approved in August 2006. An application approved in August 2007 for 160 Ball Pond Road is for a second wall to appear on the south side of the house on that property. Mr. Simpkins and Ms. Holmes explained that the existing wall was constructed to contain a new septic system. The second wall is to allow for installation of a large propane tank. Jane Didona pointed out that building an eleven foot wall at the shoreline of Ball Pond would not only result in a loss of habitat, but severely damages the aesthetics of the area and creates a dangerous precedent. She stressed that other options which would be more appropriate to the landscape could have been and should have been considered.

Jane Didona and Michele Holmes reviewed maps and documents pertaining to the construction taking place at 160 Ball Pond Road.

- An A-2 survey was provided by Tim Simpkins that showed the shoreline. Jane Didona asked whether the property line is the shoreline or the line between two pins. Jane Didona showed Tim Simpkins that the wall as constructed is not on Miltenbergers' property; it also fills in at least two to three feet of Ball Pond. Jane Didona asked Tim Simpkins whether any mitigation was requested. He indicated no.
- Jane Didona asked Tim Simpkins if he agreed that installation of a sand beach is *not* a recommended shoreline treatment. He agreed that it is not a recommended shoreline treatment.
- Discussion of how to treat the fill slopes required for septic system adjacent to 162 Ball Pond Road did not yield a solution.
- Jane Didona specifically asked Tim Simpkins if he supported this retaining wall solution and he commented that he would have done it differently.

Members of the public at the meeting were overwhelmingly opposed to the above mentioned eleven foot wall and expressed their desire to have it completely removed and replaced by a low stone wall such as other property owners have built along the shoreline. Many of them stated they will attend the meeting of the WETLANDS CONSERVATION COMMISSION September 18 to voice their concern and opposition.

#### ADJOURNMENT

Terry Lent made a motion to adjourn the meeting at 8:58 PM. Brian Bosley seconded the motion. Unanimously Approved.

Respectfully submitted,



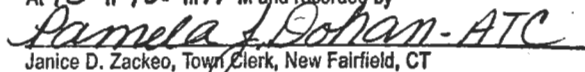
Helen D. Gallagher

BPAC board member and acting secretary in the absence of regular secretary  
Darlene Anderson Alexander

SEP 17 2007

Received for Record \_\_\_\_\_

At 10 h 42 m A M and recorded by



Janice D. Zacke, Town Clerk, New Fairfield, CT