

*Conservation/Inland Wetland Commission
Town of New Fairfield
4 Brush Hill Road
New Fairfield, CT 06812*

*Regular Meeting
April 10, 2007
Police Station Meeting Room
7:15pm*

Call to Order

Pat Del Monaco called the meeting to order at 7:25pm.

Members in Attendance

Pat Del Monaco, Gerry Schwalbe, Tom Quigley, Jennifer Licht.
Minutes were taken by Lisa Zustovich.

Notice of Violation

7 Shore Drive, Excavating Candlewood Lake bottom, Map 10, Block 1, Lot 2, Candlewood Yacht Club. George Bozzuti from Candlewood Yacht Club present. Mr. Bozzuti stated that they only cleaned off the ramp, they did not dredge the bottom. They also removed a stump from under the ramp which they stated they had permission from N.E. Generating to do. The Commission felt the work done fell under routine maintenance. **Dismissed.**

New Business

58 Fairfield Drive, Drainage improvements & erosion & sediment control, Map 33, Block 1, Lots 102 & 103, Cioffelletti. No owner present. Plans reviewed & discussed. Commission members noted that the plans appear to be to hard pipe the brook and fill in the wetlands. Old test holes noted on the plans. Jennifer Licht made a motion to accept the application for review, second by Gerry Schwalbe. All in Favor. **Accepted & Continued.**

13 & 15 Route 37, Cut Tree & drainage pipe installation, Map 24, Block 18, Lots 7 & 8, Santomero/Young, agent. Peter Young representing the owner present. As a temporary measure they did a riprap plunge pool and ran a 15" plastic pipe to another detention basin. Pat Del Monaco voiced concern regarding how this will be maintained. They plan to cut a Willow tree (not removing the stump). It is not in the wetlands but its close. Tom Quigley made a motion to accept the application for review, second by Jennifer Licht. All in Favor. **Accepted & Continued.**

241 Route 39, Above ground pool w/deck, Map 10, Block 14, Lot 2, Bruno/Young, agent. Peter Young representing Anthony Bruno present. Owner wants to put an above ground pool off the deck. (pool size 10x30, 54" high) Septic on the south side is not affected. Wetlands shown on plans. Gerry Schwalbe made a motion to accept the application for review, second by Tom Quigley. All in Favor. **Accepted & Continued.**

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Tom Quigley made a motion to amend the agenda to move the workshop for 57 & 83 Shortwoods Road to after Old Business. Second by Jennifer Licht. All in Favor.

Old Business

5 Shore Drive, Excavating Candlewood Lake bottom, Map 10, Block 1, Lots 3-5 & 8 & 9, Kraska Enterprises, LLC. Owner present and stated they moved rocks out from under the docks and leveled an area. The commission felt this fell under routine maintenance. Owner was notified that before doing any work in the future they should contact Tim Simpkins to make sure that the work they plan to do falls under routine maintenance. Jennifer Licht made a motion to approve the application, second by Gerry Schwalbe. All in Favor. **Approved.**

38 Lake Drive South, Additions, Deck, Map 20, Block 1, Lots 52 & 53, Smalley/Mazzucco, agent. Mr. Mazzucco, attorney representing the owner present. He stated the plan is to close the existing deck and add a deck. Revised plans reviewed. Deck pulled back and will not interfere with the tree. Any ground disturbance will be by hand. They plan to use 2 existing piers and add 1 new pier. They were not yet able to determine if the existing piers will be stable to use and may need to be replaced. They will hand dig the footing. There is an existing retaining wall. Tom Quigley made a motion to approved the application with the stipulation that all work be done by hand and that their will be no stock piling of material. Second by Gerry Schwalbe. All in Favor. **Approved w/stipulations.**

36 Hillside Dr, Filling within 150' of Shortwoods Brook, Map 18, Block 5, Lot 5.14, Tripaldi. Mr. Tripaldi present. Mr. Tripaldi met with Tim Simpkins and walked the property together. Silt fencing is in place. He will not remove any stumps from the trees he plans to remove. He will be using native stones to build a retention wall. Mr. Tripaldi stated that the area is planned for a garden & yard. Silt fencing drawn on the plans by Mr. Tripaldi. Tom Quigley made a motion to approve the application, second by Jennifer Licht. All in Favor. **Approved.**

126 Route 37, Filling & grading, Map 19, Block 15, Lot 5.14, Penna. Mr. & Mrs. Penna present along with Michael Klein, soil/wetland scientist. Soil analysis report of fill pile handed out. Plan as per Mr. Penna is for dredging sediment, install a box culvert and a curtain drain (curtain drain is done), maintain stock pile and existing sediment and erosion control measures. Installation of the septic system and construction of building removed from application. Flow velocity comparison for proposed box culvert supplied and reviewed. Mr. Penna read excerpts from Cynthia Rabinowitz and Michael Kleins reports. Mr. Klein stated that installation of the culvert should be done in late summer/early fall. They would divert the stream around the channel and install the culvert. Tom Quigley voiced concern for the wetlands to the East and sediment control. Mr. Klein stated possibly pre-formed scour holes could be created to help deal with the sediment.

It was noted that 4,700 square feet of wetlands would be affected (filled). Viability of the wetlands discussed. Tom Quigley suggested that Mr. Penna explore alternative plans. The Commission feels this is a considerable piece of wetlands they plan to fill. Jennifer Licht stated she was not comfortable to approve filling wetlands for a future project that may not even be approved.

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The Commission would like to see restoration of the wetlands rather than filling it in. Mr. Klein discussed the functionality of the wetlands. He said the area primarily provides a flow conveyance function and that the culvert can accommodate that. Mr. Klein stated that the area is highly degraded and would not be a significant loss. Pat Del Monaco stated that she would like to see some storm water renovation-remove containments from the storm water-before the water enters Dunham Pond. Tom Quigley recommended that the culvert be redesigned. Gerry Schwalbe discussed velocity calculations at the property line, stating that they would increase at the property line. Pat Del Monaco stated that the area to be filled is a buffer area to Dunham Pond. The Commission suggested that Mr. Penna come back with an alternate plan that does not fill the wetlands to this extent.

The Commission is looking for a mitigation proposal, nothing is on this plan. Containment and removal of sediment discussed. It was noted that a considerable amount of the sediment is coming off the towns roadways. The Commission is more interested in restoring all or at least part of the wetlands, and would like to see alternate plans that don't fill the wetlands. Mr. Klein felt some or all the wetlands may need to be filled for any development to occur. It was discussed whether this project would require an Army Core of Engineers. 100 year flood plane discussed.

Next month the Commission needs to see mitigation plans, alternate plans (that don't fill the wetlands) and flood planes. **Continued.**

***Tom Quigley made a motion to suspend the Regular Meeting and enter into the Workshop for 57 & 83 Shortwoods Rd. Second by Jennifer Licht. All in Favor.

Workshop

57 & 83 Shortwoods Road, 14 lot sub-div., Map 14, Block 2, Lots 1, 2D & 3B, HH&P Dev. LLC & Browne. There are 2 existing homes and plans for 12 new homes. The Commission discussed & reviewed maps. Limits of disturbance discussed. Pat Del Monaco felt that the applicant did a good job of addressing the questions and concerns from both the Commission and the public. Tom Quigley, Jennifer Licht and Pat Del Monaco had no further issues. Gerry Schwalbe was not happy with the design of the detention basin. As per Pat Del Monaco it can be stipulated that at least 1 member of the Commission and the EEO be involved in the review of the planting plan and design of the detention/water quality basin. Tim Simpkins stated that the Town Engineer be involved as well. Tom Quigley made a motion to close the workshop and enter back into the Regular Meeting. Second by Jennifer Licht. All in Favor.

Regular Meeting Resumed

Old Business(cont)

57 & 83 Shortwoods Rd, 14 lot sub-div., Map 14, Block 2, Lots 1, 2D & 3B, HH&P Dev. LLC & Browne Tom Quigley made a motion to approve the application with the following stipulations:

1. Planting plan and design of the detention basin be reviewed by at least 1 member of the Commission, the EEO and the Town Engineer
2. A Home Owners Association be created to maintain the detention basin.
3. Rain Gardens be used on a case by case basis as appropriate.

Second by Jennifer Licht. All in Favor. **Approved w/stipulations.**

Correspondence

- The Habitat-no discussion.
- Revised plans from the Smalley's, 38 Lake Dr South-previously discussed.

Administrative

- Approve legal fees-none.
- Approve March 20, 2007 Meeting Minutes-deferred to next months meeting.
- Discuss Regulations, Fees, Application etc. - Application and check list need revisions. The Commission can't implement any changes until they are approved at a Public Hearing. A Special Meeting was scheduled for the Commission to discuss and revise regulations, fees & application. Meeting scheduled for April 24, 2007 @ 7pm. Tim will find a place to meet.
- Conservation Issues-none.

Adjournment

Gerry Schwalbe made a motion to adjourn, second by Jennifer Licht. All in Favor. Meeting adjourned at 9:20pm.