

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

**Regular Meeting  
March 20, 2007  
Police Station Meeting Room  
7:15pm**

**Call To Order**

Pat Del Monaco called the meeting to order at 7:15pm.

**Members in Attendance**

Pat Del Monaco, Tom Quigley, Peter Viola, Kim Hanson and Jeff Main (@9:30pm) Minutes were taken by Lisa Zustovich.

**Appointments**

Tom Quigley made a motion to seat alternate Kim Hanson, second by Peter Viola. All in Favor.

**Notice of Violations**

**126 Route 37, Filling & grading, Map 19, Block 15, Lot 23, Penna.** Peter Viola made a motion to vote 126 Route 37 on the agenda under New Business. Second by Tom Quigley, all in favor. **Deferred to New Business.**

**36 Hillside Dr, Filling within 150' of Shortwoods Brook, Map 18, Block 5, Lot 5.14, Tripaldi.** Owner has submitted an application. **Deferred to New Business.**

**New Business**

**38 Lake Drive So., Additions & Deck, Map 20, Block 1, Lots 52 & 53, Smalley/Mazzucco, agent.**

Attorney Mr. Zucko and Alex Bellini from DCA Architects present representing the owner. Mr. Bellini stated this project is to add to an existing dwelling. They will be adding a screened in porch and an open deck. They will be 26.9 feet to the lake. Their plan is to use stone piers on-site to support the deck. The septic was discussed. Since there is no expansion of the footprint the existing system is adequate as per Mr. Bellini. Mr. Zucko and Mr. Bellini were notified that the Commission needs to see the following information at the next meeting:

- Statement that piers are suitable for supporting the deck. If not, alternate plans for supporting the deck need to be submitted.
- Signed letter from the owner stating that Mr. Zucko and/or Mr. Bellini will be representing the owner.
- Proof that abutting property owners have been notified about the application.
- Deck revisions showing that there is no interference with the Hemlock as discussed.

Tom Quigley made a motion to accept the application for review, second by Peter Viola. All in Favor. **Accepted & Continued.**

**36 Hillside Dr, Filling within 150' of Shortwoods Brook, Map 18, Block 5, Lot 5.14, Tripaldi.** Mr. Tripaldi present. Area to be filled is 75 x 150 feet. Distance to brook is 210 feet as per Mr. Tripaldi.

It is a steep slope down to the brook. Mr. Tripaldi was notified to bring the following information to the next meeting:

- Copy of the plot plan
- Show location of septic and well
- Erosion control measures
- Information on a retaining wall if there will be one

Commission members will visit the site. Owner is to stake the area he plans to fill. Kim Hanson made a motion to accept the application for review, second by Tom Quigley. All in Favor. **Accepted & Continued.**

**126 Route 37, Filling & grading, Map 19, Block 15, Lot 5.14, Penna.** Mr. Penna present. Soil test reports stating the type of soils present still needs to be supplied. Existing septic shown. Soil Scientist report supplied as well as reports from the owners Engineer and Environmental Consultant. Fill pile is covered with a large tarp and staked all round. There is silt fencing around the perimeter of the property protecting the wetlands. Mr. Simpkins stated that the Engineers plan does not reflect any of the improvements shown on the architects plan. Mr. Penna stated that the architects plan shows a rough plan of what the footprint would be. The Monitoring Wells will be installed in 3 days (Friday, March 23, 2007) and then read thru the 31<sup>st</sup> of May. It was suggested to Mr. Penna that he not include the septic and building plans on this application. He will run out of time on this application before all needed information is available -Monitoring Well results- for the Commission to make a decision. The Commission suggested to Mr. Penna that he submit the septic and building projects on a separate application. Mr. Penna agreed. Kim Hanson made a motion to accept the application for review with the stipulation that the Commission is only accepting par. #'s E1, 2, 3 & 6. They are not accepting/considering #'s 4 & 5 (installation of septic system & construction of bldg). Second by Peter Viola. All in Favor. **Accepted for review as stipulated and Continued.**

### **Old Business**

**57 & 83 Shortwoods Rd, 14 lot sub-division, Map 14, Block 2, Lots 1, 2D & 3B, HH&P Dev. LLC & Browne. Deferred to Public Hearing.**

**31 Route 37, Construction of BOE Bldg, Map 24, Block 18, Lot 10, Town of NF.** 1<sup>st</sup> Selectman John Hodge and Peter Young from RJ Gallagher and Assoc. present. Asbestos removal company contacted as per Mr. Young and reports were supplied to the Commission. Wetlands disturbance will be 4,222 sq ft. Upland disturbance will be 21,000 sq ft. Plan to remove fill from the wetlands and restore approx 4,700 sq ft of wetlands. Mr. Young stated they will be returning parking lot water back into the wetlands to keep it viable. Tom Quigley discussed provisions for removing oil, gas etc. from parking lot run-off before introducing it into the wetland enhancement area. Mr. Young said they could add provisions for that. Mr. Quigley commented on the alternate plans discussed at last months meeting re: making 33 Rte 37 a 2 story bldg. and making the dwelling area of # 31 the parking lot to reduce wetland disturbance. The other Commission members present didn't feel this option would reduce disturbance. Mr. Young stated that a 2 story bldg for use as a Senior Center was not practical. Impervious surfaces, storm water retention, grading and flood planes discussed. Kim Hanson made a motion to approve the application with the stipulation that a Rain Garden plan be brought back for approval prior to any construction at the site. Also that it be demonstrated that the Rain Garden has been properly sized. Second by Peter Viola. In Favor - Pat Del Monaco, Kim Hanson and Peter Viola, Opposed - Tom Quigley. **Approved w/stipulations.**

**33 Route 37, Construction of the Senior Center, Map 19, Block 6, Lot 1, Town of NF.** Peter Young from RJ Gallagher & Assoc. and 1<sup>st</sup> Selectman John Hodge present. The building is slightly closer to the

brook that originally planned. They now plan on attaching the building to the ranch house. The distance to the wetlands is approx. 47 feet. Mr. Hodge stated that they are proposing to keep the temporary bridge but to reduce its size to 12 feet wide. They would be using the same footings, adding rip rap and rock to stabilize the soils and possibly use anchor blocks. Kim Hanson made a motion to approve the application, second by Peter Viola. All in Favor. **Approved.**

**24 Misty Brook Lane, Cutting & clearing trees & grading, Map 2, Block 4, Lot 23, 890 Realty Co, c/o List Svs. Corp.** Owners need to submit an application to NE Generating. Trees have already been removed. As per Tim Simpkins, the area is relatively flat and stable. Stumps were not removed. Property is a wooded vacant lot. Some trees removed were below the 440. The Commission is not approving any further tree removal. If there are plans to remove more trees the owner needs to submit an application. Kim Hanson made a motion to approve the application, second by Peter Viola. In Favor- Kim Hanson, Peter Viola and Pat Del Monaco. Tom Quigley abstained. **Approved.**

**179 Ball Pond Rd, SFD, Map18, Block 1, Lot 2, Pro Construction, LLC.** Engineer Doug DiVesta present representing Pro Construction. The property is a vacant 2+ acre lot. Wetlands have been flagged at the northern end of the property. Silt fencing shown on maps. The silt fencing represents the limits of disturbance, this will be the permanent non-disturbance line. They have a 75 foot set back from the wetlands for the septic system. Has per Mr. DiVesta, they have storm water retention for the roof liters and a portion of the driveway. Kim Hanson made a motion to approve the application, second by Tom Quigley. All in Favor. **Approved.**

**62 & 66 Woodcreek Rd, excavating the bed of Candlewood Lake, Map 20, Block 12, Lot 3, 5 & 6, Carley/McEachern/Loxson.** Mr. McEachern present and was informed that they need to submit and application to NE Generating. The work is already done. They removed (reclaimed) beach sand from the lake and scrapped some gravel from the lake that they put on the roadway. Tom Quigley made a motion to approve the application with the stipulation that the owners apply for a permit from NE Generating. Second by Peter Viola. All in Favor. **Approved w/stipulations.**

**5 Shore Drive, excavating Candlewood Lake bottom, Map 10, Block 1, Lots 3-5 & 8 & 9, Kraska Enterprises, LLC.** No owner present. Tim will send a letter. Ron Kern who resides at 6 Shore Dr. present and spoke about a court decision-court ordered stipulation re: property usage below the 440. This is in regard to excavation he said was done on this site as well as at the yacht club next door. Mr. Kern was notified that this is a zoning issue. Mr. Simpkins said he would meet with Mr. Kern to look at the site at the yacht club where he says excavating was done. **Continued.**

**17 Bogus Hill Rd, re-building existing seawall, Map 6, Block 4, Lots 111 & 112, Bloom.** Owner present along with her attorney Mr. Jeff Sienkiewicz and her mason Mr. Stilson. They are rebuilding the seawall, no new material except some cement will be used. Sonotubes were existing and stairs were pre-existing. No change to the footing. The footprint is the same. The deck is pre-existing and not being touched. They will be replacing an approx 5ft wide concrete deck. Tom Quigley made a motion to approve the application, second by Peter Viola. All in Favor. **Approved.**

**46 Bogus Hill Rd, Construction of seawalls & grading, Map 11, Block 2, Lot 2, Woodward.** Peter Young from RJ Gallagher & Assoc. and owner Mr. Woodward present. New plans submitted. Rain Gardens added, liter drains shown. Construction of the seawall is near completion. Pathway is not done. Gravel and Flagstone will be used for the pathway. Tom Quigley made a motion to approve the application with the stipulation that any work done below the 440 is properly licensed by NE Generating. It was further stipulated that the planting plan be reviewed/approved by the EEO and 1 member of the Commission. Second by Kim Hanson. All in Favor. **Approved w/stipulations.**

Tom Quigley made a motion to suspend the regular meeting and enter into the Public Hearing for 57 & 83 Shortwoods Rd. Second by Kim Hanson. All in Favor.

### **Public Hearing**

**57 & 83 Shortwoods Rd, 14 lot sub-division, Map 14, Block 2, Lots 1, 2D, & 3B, HH&P Dev. LLC & Browne.** Co-owners Peter Joram from HH&P and Diana Browne present along with Peter Young from RJ Gallagher and Assoc. New maps provided. A letter from Ralph Gallagher was read into record (a copy will be included with the minutes). A letter from Diana Browne was submitted into record and will be included with the minutes. The retention basin has been revised as a bio filter. Detention basins and Rain Garden options shown and can be decided upon on a case by case basis. There will be a stipulation that a Home Owners Association will maintain the detention basin. Lot 4 conservation easement discussed. Wetland markers shown and discussed. It was stated by Peter Young that a S.W.P.P.P is not required for the approval process at the local level. A S.W.P.P.P. is obtained after an application has been approved locally. Pat Del Monaco gave the opportunity for Public Comment. There was no Public Comment. Kim Hanson made a motion to close the Public Hearing, second by Peter Viola. All in Favor. **Public Hearing Closed.**

Tom Quigley made a motion to resume the Regular Meeting, second by Peter Viola. All in Favor.

### **Regular Meeting**

Pat Del Monaco stated that the Commission would Workshop the 57 & 83 Shortwoods Rd application at the next meeting.

### **Correspondence**

- Letter from Attorney Jeffrey Sienkiewicz, re: 17 Bogus Hill Rd. Previously discussed
- Maps for 24 Misty Brook Lane. Previously discussed.
- Memo from Aquatic Control Technology, Inc. re: Aquatic Pesticide Permit Application. Briefly discussed. Commission is in favor of grass carp over chemicals. Tom will write a letter. Pat & Tim said it would also be good to speak to the owner directly.
- Letter from Jay Carley, re: authorization letter. Previously discussed.
- Letter (3) from Mr. Doscher, re: Spruce Rigdge Estates. No discussion.
- Letter from Robert Campanelli, re: End of Brook Drive, Candlewood Hills. Brief discussion. Not a wetlands issue.

### **Administrative**

Approve Legal Fees-None

Approve Feb. 20, 2007 Meeting Minutes. Tom Quigley made a motion to approve the 2-20-07 Minutes, second by Jeff Main All in Favor, Pat Del Monaco abstained. **Approved.**

Discuss Regulations, Fees, Application, etc. Will discuss next month.

Conservation issues for the Town of New Fairfield. None.

### **Adjournment**

Tom Quigley made a motion to adjourn the meeting, second by Peter Viola. All in Favor. Meeting adjourned at 10:10pm. **Adjourned**