

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

*Regular Meeting
September 18, 2007
New Fairfield Senior Center
7:15pm*

Call to Order

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

Appointments

Gerry Schwalbe made a motion to seat Kim Hanson, second by Jeff Main, **All in Favor**

Members in Attendance

Pat Del Monaco, Gerry Schwalbe, Kim Hanson & Jeff Main. EEO Tim Simpkins present. Minutes were taken by Lisa Zustovich.

New Business

20 Lake Drive South, Construction of stone wall near Candlewood Lake, Map 20, Block 1, Lot 68, David/Werlinich. No owner present. **Continued**

18 Sunset Dr, Bogus Hill, Construction of rock wall near Candlewood Lake, Map 11, Block 2, Lot 7, Watson. No owner present. **Continued**

18 Sunset Drive South, Bogus Hill, Deck, Map 11, Block 2, Lot 7, Watson. No owner present. **Continued**

79 Pine Hill Rd, placing fill to level out backyard, Map 9, Block 1, Lot 2D, Deldin. Ms. Deldin present accompanied by Pat Reilly. Ms. Deldin plans to grade to the stone wall. Stone wall is the wetlands boundary. The Commission needs to see the following information at the next meeting: contours, location of wetlands and cross section of fill. Kim Hanson made a motion to accept the application for review, second by Gerry Schwalbe, all in favor. **Accepted & Continued.**

6C & 6D Rock Ridge Court, Re-Subdivision, Map 14, Block 1, Lot 26.2, Mead. The title wasn't clear on this land when the original sub-division was done. This is not part of the original Rock Ridge Court subdivision. The title is now cleared and the plan is to divide this into 2 lots. 1 of the septic systems is in the Wetlands Upland Review Area. In the back is a stream on the towns open space property that runs into Candlewood Lake. Kim Hanson made a motion to accept the application for review, second by Gerry Schwalbe, all in favor. **Accepted & Continued.**

Inland Wetland Meeting Minutes-September 18, 2007

Kim Hanson made a motion to amend the agenda under New Business to include 16 Peralta Street, second by Gerry Schwalbe, **All in Favor.**

16 Peralta Street, SFD Proposed house is 38 feet from the wetlands. Proposed septic system to wetlands is 75 feet. Wetlands are flagged. Gerry Schwalbe made a motion to accept the application for review, second by Jeff Main, all in favor. **Accepted & Continued.**

Kim Hanson made a motion to amend the agenda under New Business to include 32 Beaver Bog Road, second by Jeff Main, **All in Favor.**

32 Beaver Bog Road, SFD. Greg Otis present, representing the Griffins who are under purchase contract with the sellers. The Griffins were also present. The proposed driveway to access the southern portion of the site is approx. 1300 feet long. As per Mr. Otis the Health Dept. has approved the site for a septic system. At the next meeting the Commission asked to see grades along roadway, drainage points/road drainage, limits of disturbance on plan and sequence of construction of driveway. As per Mr. Otis, a drainage analysis and profile is being prepared and should be ready for the next meeting. Gerry Schwalbe made a motion to accept the application for review, second by Jeff Main, all in favor. **Accepted & Continued.**

Old Business

85 Pine Hill Road, Construction of Pond, Map 9, Block 1, Lot 2B, Reilly. Owner Pat Reilly present accompanied by Jim Mellett. A 5 year plan to continue to remove and control invasives species presented. Mr. Mellett said applications were sent to the Army Core of Engineers and the CT DEP. The Army Core sent a letter stating that they did not require a permit which was submitted to the Commission. The Army Core voiced their approval of the flood diversion channel and liked the plans for the spillway shelf. Mr. Mellett stated that they haven't heard back from the CT DEP. Proposed pond size is 120' x 200'. Fill will be stored behind wetlands line. Elevations provided. Flood diversion channel discussed. Mr. Mellett stated that the stream east of the pond was dug in the 40's by the department of agriculture to drain the swamp; it is not a natural stream. Fragmities impact on the environment discussed as well as methods to control their growth. Shelf construction discussed- Mr. Reilly will work with Tim Simpkins on the plantings. Plan for the control of invasives pertains to the area around the pond and along the stream. The Commission questioned what would be done with the fragmities that were removed. Mr. Reilly stated that he wants to dry them out and burn them. Pat Del Monaco felt this project would restore a habitat for species that can not survive now and it is not taking away wetlands function, it is enhancing it. Kim Hanson felt this will decrease function, decrease storm water renovation. Jeff Main made a motion to approve the application with the stipulation that the owner obtain a permit from the CT DEP prior to construction, second by Gerry Schwalbe. Jeff Main, Gerry Schwalbe and Pat Del Monaco approve. Kim Hanson Opposed. **Approved w/stipulations 3-2.**

Inland Wetland Meeting Minutes-September 18, 2007

66 Woodcreek Road, Deck w/steps and RR steps, Map 20, Block 12, Lots 5 & 6, McEachen. Peter Young present, representing the applicant. An A2 Survey provided which shows the location of the stairs, watercourse location and limits of disturbance. Set of stairs to access the water of Candlewood Lake. Does not interfere with drainage watercourse and meets setbacks. Pat Del Monaco went to visit the site and feels there will be no interference with drainage swale and also felt this is the best location on the property for the stairs. Richard Johnson resides next to this property and his well line runs under the area where the proposed stairs are to go. The Commission agreed that there is no impact to the lake and no impact to the drainage swale. The Commission informed Mr. Johnson that the well line issue is not a wetlands issue, it is a civil issue. Mr. Johnson states that the drawings show the drainage outlet pipe in the wrong location and disagrees with the survey. Mr. Johnson showed his own survey. The Commission informed him that they had to go by the survey supplied by the applicant (which was done by a licensed registered land surveyor). The Commission informed Mr. Johnson that they have to see if the proposed stairs had an impact on the watercourse or wetlands. The Commission does not see a potential for impact. Gerry Schwalbe made a motion to approve the application, second by Kim Hanson, all in favor. **Approved.**

18 & 22 Sunset Drive/Bogus Hill Tax District, Common Drive drainage improvements, Map 11, Block 2, Lots 6 & 7, DeLuke/Watson. Mr. John McCoy, design engineer and agent for the applicant present. Mr. McCoy stated that Mr. Watson does not like the current design-level spreader and plunge pool-which would be mostly on his property. An alternative plan submitted and discussed. This plan calls for running a pipe to the 440 line, excavate a 5' x 5' trench which would be lined with filter fabric and filled with boulders. The outlet of the main pipe would be split into 2 smaller pipes, both with slotted drains and discharged into crushed stone to help dissipate flow. As per Mr. McCoy, Brain Wood from First Light prefers the level spreader option but would be open to the pipe. The Commission members discussed that the level spreader would not be adequate for a large storm event. Also, Mr. McCoy stated there is a 10 foot pedestrian easement which belongs to a 3rd party (the estate of Mr. Smith). The level spreader may impede access to the easement. Gerry Schwalbe felt that with the level spreader, there would still be erosion. Pat Del Monaco agreed. Kim Hanson made a motion to approve the application with alternate plan (1A-5A), second by Gerry Schwalbe. Kim Hanson, Pat Del Monaco and Gerry Schwalbe approve, Jeff Main abstained. **Approved.**

224 Route 37, Site improvements, addition, AGP, Map 13, Block6, Lot 11, Kunak. Jeff & Lynn Kunak present. As per the Kunaks, their plan would be to first remove trees and boulders as indicated on the plans and plant a lawn. Next, they plan to start the addition in April 2008. The distance of the addition to the wetlands is 45 feet. The enclosed porch is existing. A foundation would be dug for the addition. The Commission wants to see a buffer-10 foot non-disturbance zone off the wetlands. The Commission instructed the Kunaks to leave trees numbered 8-12 (as indicated on the drawings). This would be a non disturbance zone. Mr. Kunak said he'd like to remove trees 9 & 10 since these are hickory trees and feels they cause a problem with rodents. The Commission wants those trees to stay since they are in the area of non -disturbance. A swale to redirect water coming from the side property discussed. The swale would be done when the addition is done. Roof Liter drains discussed. One drains to the driveway and one drains to the front lawn. Owners were informed that the Commission need to see roof liter drains for the addition. Wetlands are flagged. Commission member will visit the site before the next meeting. **Continued.**

Inland Wetland Meeting Minutes-September 18, 2007

Correspondence

Letter from Rick Jowdy, re: plantings in detention pond. This is regarding revising the planting plan for the detention basin on Madeline Drive-Sonnebron Estates. The commission has no issue with the substitutions for the plantings that were presented. Kim Hanson made a motion to approve the changes to the plantings plan as per Michael Klein for Sonneborn Estates, second by Gerry Schwalbe, all in favor, **Approved**

Letter from Town Clerk, re: Summons-Friends of Ball Pond, Inc & Charles Pavarini, III vs. Kenneth Miltenberger, 160 Ball Pond Rd & the Inland Wetland Commission of the New Fairfield. Pat Del Monaco stated that this is an appeal of the amendment the Commission made to the permit last month where they allowed a wall on the south side of the property. The appeal period for the wall on the north side has expired. On the advice of council the Commission can not discuss this since there is pending litigation.

Kim Hanson made a motion to amend the agenda to include an Executive Session with regard to the summons for 160 Ball Pond Road, second by Jeff Main, **All in favor.**

Kim made a motion to enter into Executive Session regarding pending litigation with regard to 160 Ball Pond Road, second by Jeff Main, **All in favor.**

Entered into Executive Session at 9:25pm.

Kim Hanson made a motion to re-enter the Regular Meeting, second by Jeff Main, **All in favor.**

Re-Entered into Regular Meeting at 9:45pm.

Regular Meeting-Correspondence Continued

Letter from Cynthia Stevens, re: requesting discussion of 160 Ball Pond Rd and shoreline construction. As per advice of council this was not discussed.

Letter from DEP, re: Approval of General Permit. No discussion.

Letter from DEP, re: Approval of General Permit. No discussion.

Letter from CLA, re: FERC mandated Shoreline Management Plan. Tim Simpkins said there may be a public hearing in New Fairfield regarding this issue.

Letter from Keith McEachern, Right to dig on property. Previously addressed

Letter from the Henry's re: Eradicate Knotweed. Tim Simpkins will get in touch with the builder, Mr. Keeler regarding this issue.

Letter from Robert Cioffoletti re: withdrawal of their application. No discussion

Inland Wetland Meeting Minutes-September 18, 2007

Letter from Patrick Reilly re: 35 day extension. No discussion.

2007 Municipal Inland Wetland Commission Training Program Segment III. Tim Simpkins said this would be good for Jennifer Licht to attend.

Administrative

Approve Legal Fees- None

Approve August 21, 2007 Meeting minutes. Kim Hanson made a motion to approve the 8-21-07, second by Gerry Schwalbe, Kim Hanson, Gerry Schwalbe and Pat Del Monaco approve, Jeff Main abstained. **Approved**

Discuss Regulations, Fees Application, etc. Public Hearing is being planned during the Regular Meeting of the New Fairfield Inland Wetland Commission's December meeting for the purpose of getting the new fees schedule approved.

Conservation issues for the Town of New Fairfield. **No discussion.**

Adjournment

Kim Hanson made a motion to adjourn, second by Jeff Main, all in favor. **Adjourned @ 9:55pm.**