

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

*Regular Meeting  
February 19, 2008  
New Fairfield Library  
7:15pm*

**Call to Order**

Patricia Del Monaco called the Inland Wetlands meeting to order at 7:20pm.

**Members in Attendance**

Patricia Del Monaco, Tom Quigley, Jennifer Licht, Gerry Schwalbe and Mary Aragonés. EEO Tim Simpkins present. The minutes were taken by Lisa Zustovich.

**Notice of Violations** None

**New Business**

**63 Lake Drive South, Stone Patio, Map 20, Block 8, Lot 3, Jordan.** No owner present. Tim Simpkins said this application came in administratively. Tim Simpkins and Tom Quigley went out to look at it. They felt it was quite an extensive project with a steep slope and thought it should come before the Commission. The plan is for a 12 foot high wall with a patio. The Commission needs to see an A2 Survey with contours, well and septic locations, distance to the lake and the 440 line needs to be shown. Tom Quigley made a motion to accept the application for review, second by Jennifer Licht, all in favor. **Accepted & Continued**

**73 Woodcreek Road, Improve Wood Rd and construct a SFD, Map 20, Block 12, Lot 24, Matranga.** Doug DiVesta present representing the owners. Mr. DiVesta stated that their plan is to improve the entrance of Wood Road up to a driveway leading to the proposed SFD. They are within the 200 feet of regulated area of Candlewood Lake. The septic has been approved by the Health Dept. (outside the 200 feet regulated area). The Commission would like to see proof of clear title and right of access. A resident of the area stated that adjoining property owners had not received notification of this meeting. Robin Kahn, an attorney for the owners stated that they had sent out letters and would re-notify the neighbors for next month's meeting. Pat Del Monaco stated that we would make sure all adjoining property owners would be properly notified. Gerry Schwalbe made a motion to accept the application for review, second by Tom Quigley, all in favor. **Accepted & Contined**

**Old Business**

**33 Route 37, Amend permit # 07-014 Senior Center, Map 19, Block 6, Lot 1, Bob Rawlings, RBC for the Town of New Fairfield.** Withdrawn

**27 Misty Brook Lane, Retaining Wall, Map 2, Block 4, Lot 25, Gotlieb/Young.** Peter Young present and stated that the maximum wall height would be 30" and be above the 430. Peter has modified drawings showing elevations, he will bring them to Tim Simpkins office. Tom made a motion to approve the application, second by Jennifer Licht, all in favor except Mary Aragonés who abstained. **Approved**

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**29 Lakeshore North, Demolish & rebuild existing structure, Map 40, Block 6, Lots 30 & 31, Ross.** Frank and Kathy Ross present. The proposed plan is to demolish an existing house and rebuild on the same footprint. The deck is not part of this application. Zoning required they remove the proposed deck due to lot coverage restrictions. The driveway will remain the same except the grade will be brought up and change the pitch of the driveway away from the house. Stock piling and erosion control measures discussed. Construction sequence and rain garden designs supplied to the Commission. Road drainage and roof liter drains discussed. The roof liters will drain to the lake and the surface run-off will drain to the rain gardens. Pat Del Monaco stated that the applicant needs to submit modified drawings without the deck. Tom Quigley made a motion to approve the application, second by Gerry Schwalbe, all in favor except Mary Aragonés who abstained. **Approved**

**5 Patterson Street, SFD, Map 39, Block 9, Jackel.** Doug DiVesta present. They replaced the rain gardens with an infiltration system which was designed for a 25 year storm. The Infiltration system is shown on drawings and was discussed. Doug DiVesta stated there will be zero run-off at the westerly property line. Jennifer Licht made a motion to approve the application, second by Gerry Schwalbe, all in favor except Mary Aragonés who abstained. **Approved**

**7 Patterson Street, SFD, Map 39, Block 9, Jackel.** Doug DiVesta present. The only change on the plans are that they removed the rain gardens and added the infiltration system. Tom Quigley made a motion to approve the application, second by Gerry Schwalbe, all in favor except Mary Aragonés who abstained. **Approved**

**9 Patterson Steet, SFD, Map 39, Block 9, Jackel.** Doug DiVesta present. They removed the rain gardens and added an infiltration system. The Commission wants to see a temporary fence constructed around the tree to protect it during construction. Gerry Schwalbe made a motion to approve the application, second by Tom Quigley, all in favor except Mary Aragonés who abstained. **Approved** \*\*The applicant will receive stamped approval once new drawing are submitted.

Tom Quigley made a motion to suspend the regular meeting and enter into the workshop for 33 Beaver Bog Road, second by Jennifer Licht, all in favor.

### **Workshop- 33 Beaver Bog Road, SFD, Map 13, Block 6, Lot 1.4, Griffin/Redecka.**

Commission member Jeff Main could not be present for this meeting. He submitted a letter with his statement of intent which was read into record by Pat Del Monaco (copy attached).

Tom Quigley stated that the plans have the builders building right on the wetlands edge and in some cases they will need to go into the wetlands during construction. He also felt this is a perstine and very functional wetlands and was concerned with the potential for accidnetal contamination to the wetlands. He felt that a significant risk analysis was not done and that if there was an incident of accidental contamination it could be catastrophic and irreversable. Tom also stated that the Commission did not see designs or descriptions of the stormceptors. With regard to the Gabion Wall System, Tom felt that for such an extensive project there would be major problems if these failed and needed repair. He also felt uncomforatbale with the fact that the applicant intends to do the construction of the Gabions but doesn't have experince doing so. Futhermore he felt that prudent alternatives had not been explored and felt the applicant should have tried to get an easement from neighboring property owners as an alternate way to access the property. He also stated that there was a good chance of erosion during the Phase 2 segment.

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Tom stated that he agreed with the points Jeff Main stated in his letter and would deny this application.

Jennifer Licht stated that she agreed with Jeff Main and Tom Quigley. She felt there would be a definite wetlands disturbance and felt there would be some permanent loss or alteration of the wetlands. Jennifer also felt that feasible and prudent alternatives had not been considered. She also felt that the risk of a long term impact and harm to this very sensitive wetlands seems far greater than the short term benefit of constructing a house. She felt construction of the driveway and the extensive amount of impervious surface required could have a serious detrimental effect on the aquifer. Jennifer stated that the degree of injury to the wetlands and aquifer could be very serious should an accident or severe storm occur during construction or even after it is completed. She stated that she felt compelled to deny this application.

Gerry Schwalbe felt that we should protect the aquifer at all costs. He didn't agree with the other board members regarding the alternatives. While he felt it was worth asking for the easements he didn't feel they could force an applicant making his application viable by getting access somewhere else and felt there was no alternative way to access the property. Gerry felt that this is a very difficult site and didn't feel he had enough information regarding the phasing plan. He felt he needed more details. Regarding the Gabions, Gerry said that he has experience with Gabions and that they are excellent products but that they do have a life expectancy. He felt that when they start to go, that it would be a serious issue to try to replace/repair them. He didn't feel that we can count on them to the extent necessary for this application.

Pat Del Monaco stated that her comments follow Gerry's. She doesn't see other alternatives on site. She also felt that the construction of the driveway could not be properly buttoned down and contained if severe weather were to occur. Pat stated that she is not comfortable with the Gabion Wall System. She questioned how they could be repaired on the wetlands side without impacting the wetlands significantly. She further stated that the 18 foot high walls would channel the stream in large storm events. She also felt there was not enough detail on the phasing plan.

Tom Quigley made a motion to adjourn the workshop and proceed with the Regular Meeting, second by Jennifer Licht, all in favor.

### **Old Business-Continued**

**32 Beaver Bog Road, SFD, Map 13, Block 6, Lot 1.4, Griffin/Redecka.** Tom Quigley made a motion to approve the application, second by Jennifer Licht, all opposed except Mary Aragonas who abstained. **Denied**

### **Correspondence**

**Letter from John Hodge, 1st Selectman re: Appointment of Mary Aragonas.** No discussion  
**Additional info from D. DiVesta re: 5, 7 & 9 Patterson St.** Previously discussed  
**Letter from CT DEP re: approval of Authorization of work at Squantz Pond.** No discussion  
**Copy of First Amended Complaint re: Lawsuit on 160 Ball Pond Rd.** No discussion

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### **Discuss Pool Doctor Property-**

Tim said that the monitoring wells were done and the data has been received. Mr. Penna has not come forward with an application. They have not applied for a septic permit. Pat asked if we can charge him to have the soil removed. Tim said it was a zoning violation. Tim suggested that they visit Mr. Penna or send him a letter. He said he will speak to John Hodge for permission to speak with the town attorney regarding this matter.

**The Habitat.** No discussion

**Letter from CT DEP re: Pesticide Program.** No discussion

**2008 Municipal Inland Wetlands Commissioner Training Program.** Mary Aragonés was encouraged to attend.

### **Administrative**

**Approve Legal Fees-** None. Regarding legal fees, it was noted that Mr. Keating has been paid for legal invoices for the Inland Wetlands Commission. The Commission is not seeing the legal fees charged to them.

**Approve January 15, 2008 Meeting Minutes.** Jennifer Licht made a motion to approve the January 15, 2008 meeting minutes, second by Gerry Schwalbe, all in favor except Mary Aragonés who abstained. **Approved**

**Discuss Regulations, Application, etc.** New fees are in place. Tim suggested that the Commission should plan to discuss the regulations at next month's meeting.

**Conservation issues for the Town of New Fairfield.** None

### **Adjournment**

Mary Aragonés made a motion to adjourn, second by Tom Quigley, all in favor. **Meeting adjourned at 9pm.**