

**Conservation/Inland Wetlands Commission  
Town of New Fairfield  
4 Brush Hill Road, New Fairfield, CT 06812  
Regular Meeting  
New Fairfield Senior Center  
October 21, 2008  
7:15pm**

**Call to Order**

Patricia Del Monaco called the meeting of the Inland Wetlands Commission to order at 7:15pm.

**Members in Attendance**

Patricia Del Monaco, Tom Quigley, Gerry Schwalbe, Mary Aragonas, Jennifer Licht and Niev Duffy. EEO Tim Simpkins present. Minutes were taken by Lisa Zustovich.

**Cease & Desist Order**

**160 Ball Pond Rd, Shoreline south of the dwelling has been extended 2-5 feet into Ball Pond with sand, dirt & stones, Map 34, Block 9, Lot 9+11.1, Miltenberger/Michele Holmes, LLC.** No owner/representative present. As per Pat Del Monaco, the material was removed from the pond as requested. The turbidity curtain worked well. The work was monitored by Tim Simpkins and board members have visited the site during the removal and after the work had been completed. **The Cease and Desist order has been lifted.**

**New Business**

**3 Coves End, In-Ground Pool, Map 15, Block 9, Lots 8 & 9, Schiff.** Owners present. The Commission informed the owners that they need to see the following information:

- Distance of disturbance to lake (which owners stated was 165 feet) shown on maps
- Any drainage on site should be shown on maps
- Location of the existing septic system needs to be shown

Owners stated that they do not have a well on site. They have an off site community well. The owners were informed that they need to supply the Commission with a letter designating an agent to represent them in their absences since owners stated they will be out of town for next months meeting. Tom Quigley made a motion to accept the application for review, 2<sup>nd</sup> by Gerry Schwalbe, all in favor. **Accepted & Continued**

**44 Old Road-Vaughn's Neck, Replace seawall, dock stairs and decks, repair and replace retaining walls, new patios and landscaping w/walkways, Map 3, Block 1, Lot 10, Sekelsky.** Owner present and stated the property is only accessible by boat. He also informed the Commission that the seawall is in bad shape and showed pictures on his camera to them. He said he will print out pictures to include them with the application. The Commission notified Mr. Sekelsky that they need to see the following information:

- Distance of disturbance to the lake
- Drainage details
- Distance of the 9'x5' generator pad to the stream
- Septic location
- Details of the wall, construction details, type of footings
- How material will be brought in by barge (procedure details)

There is no well on the property; water is received from an uphill stream.

Tom Quigley made a motion to accept the application for review, 2<sup>nd</sup> by Jennifer Licht, all in favor. **Accepted & Continued.**

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**34 Windmill Rd, Additions, deck, porch, detached garage and driveway, Map 10, Block 1, Lots 18 & 19, Kraska.** No owner present. Maps reviewed. Work is 50 feet from the 440 line. The Commission needs to see the following information:

- Distance of disturbance to the lake
- Septic location
- Contours
- Dimensions on the addition
- Any walls that may need to be constructed

Jennifer Licht made a motion to accept the application for review, 2<sup>nd</sup> by Gerry Schwalbe, all in favor. **Accepted & Continued**

Tom Quigley made a motion to amend the agenda under New Business to include 160 Ball Pond Road, 2<sup>nd</sup> by Jennifer Licht. Pat Del Monaco, Tom Quigley, Gerry Schwalbe and Jennifer Licht approved, Mary Aragonés abstained and Niev Duffy opposed. The Agenda has been amended to include 160 Ball Pond Rd.

**160 Ball Pond Rd, remove stump, build steps, rebuild an existing wall at water's edge. Map 34, Block 9, Lot 9+11.1, Miltenberger/Michele Holmes, LLC.** Michele Holmes present representing the Miltenbergers. As-built drawings supplied and reviewed. Michele was instructed to have the drawings corrected to reflex the present shoreline. (remove the 2008 property edge and show the shoreline now that it has been restored.) The Commission needs to see drawings with all items that have been approved. The Commission asked the applicant to come back with an alternate plan that does not have the 6'x6' retaining wall near the stairs. They would like to see an alternative with no wall there. Tom Quigley made a motion to accept the application for review, 2<sup>nd</sup> by Gerry Schwalbe. Accepting the application for review were Tom Quigley, Gerry Schwalbe, Pat Del Monaco and Jennifer Licht. Mary Aragonés abstained and Niev Duffy opposed. Niev said she opposed accepting the application for review because she felt the maps were incomplete and inaccurate. **Accepted & Continued**

### **Old Business**

**11 Lake Drive, Clearing property, create a beach and dock, Map 31, Block 7, Lot 30, Huntington.** Mr. Huntington present. As per Tim Simpkins the Town's Council- Mr. Jack Keating- reviewed the information given him regarding this application and said the questions regarding use of the property is not a wetlands issue, that it is a Planning & Zoning issue. As per Mr. Simpkins, Mr. Keating said the Commission may review the application and approve if they feel it appropriate with regard to wetlands issues. The owners propose to build a floating dock, a 16'x6' sandbox area and do maintenance and upkeep of the property. Tom Quigley said he was in favor of the removal of the invasive species and had no concerns regarding the floating dock. Mr. Quigley said he would rather see the applicant use lumber vs. brick as a boarder for the sandbox. Gerry Schwalbe stated that he would like to see untreated lumber used for the sandbox and that the sandbox be built on the ground and not dug into the ground. Jennifer Licht made a motion to approve the application, 2<sup>nd</sup> by Tom Quigley, all in favor. **Approved**

**287 Route 39, Working on retaining wall adjacent to Squantz Pond, Map 6, Block 6, Lot 5, Cantrell.** Applicants not present and informed Mr. Simpkins that they were not ready for tonight's meeting. **Continued**

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### **Correspondence**

**Letter from Michael Brady regarding Old Bridge Road West.** As per Mr. Brady's letter, he felt a wetlands permit should have been received prior to the work that was done. All work is complete. Tim Simpkins stated that the Association had a State Access Permit for the work that was done. The work that was done includes widening the road near Route 39 creating a pull off access @ Route 39 and repaving the road. Tim did not feel this warranted a violation and said he considered it maintenance. No wetlands soils were disturbed and no wetlands have been filled. Pat Del Monaco stated that as per the Commissions regulations –Section 4.1 paragraph D- the work done is considered maintenance.

**Transmittal Sheet from the Town Clerk regarding: Summons-Matranga vs. New Fairfield Conservation Commission.** The Commission expressed surprise regarding the lawsuit and felt it would have been more efficient for the applicant to re-apply.

**CACIWC Flyer-**Anyone interested in attending should speak to Jane McGowan.

**The Habitat-**Commission members have received a copy. No discussion.

### **Administrative**

**September 16, 2008 meeting minutes.** The approval of the 9-16-08 meeting minutes has been tabled till next month so that Niev Duffy may review the tapes prior to asking for an amendment to them.

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

### **Adjournment**

Mary Aragoes made a motion to adjourn, 2<sup>nd</sup> by Jennifer Licht, all in favor. **Meeting adjourned at 8:10pm.**