

**Conservation/Inland Wetlands Commission
Town of New Fairfield
Regular Meeting
4 Brush Hill Road, New Fairfield, CT 06812
New Fairfield Senior Center
October 20, 2009
7:15pm**

Call to Order

Tom Quigley called the meeting of the Inland Wetlands Commission to order at 7:20pm.

Members in Attendance.

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

Violations

12 Lake Drive, Install a gravel driveway without a permit, Map 31, Block 8, Lots 5-7, Deangelis.

Allison Deangelis Huntington present. Tim Simpkins said he had received a complaint that a driveway was built in a wetlands regulated area. Owner said she didn't know that a permit was needed. Work is done. Tom Quigley informed owner that she needs to submit an application for next month's meeting. Since there was some miscommunication between the applicant and EEO's office in Town Hall, it was decided that the Commission would waive the fee for doing work w/o a permit. **Continued**

New Business

68 Lake Drive South, Retaining walls, & patio, remove trees, plant lawn & gardens, floating dock with gangway, replace septic, Map 20, Block 1, Lot 26, McKenney. Paul Russo present, representing the owner. Plans have been submitted to and approved by First Light. Height of seawall will be 3 to 3½' –owner instructed to add height of seawall to the plans. Retaining walls-max height will be 4'-fence shown on plans on top of wall (4' high) is shown if it was required. The owners do not plan on putting the fence on top of the wall unless they are required to do so. Tom Quigley asked for contours and wants the applicant to indicate the amount of fill that will be brought in to put behind the retaining walls. Jennifer Licht asked about the trees being removed. Mr. Russo said 5 trees are being removed- 4 small trees which are approximately 4"-5" round and 1 dead tree approximately 18" round. Gerry Schwalbe made a motion to accept the application for review, second by Mary Aragonés, all in favor. **Accepted & Continued**

100 Gillotti Road, Detached garage, Map 23, block 16, Lot 93, Kupi. Mr. & Mrs. Kupi present. Maps provided and reviewed. Owner submitted a Soil Scientist Report that delineates the wetlands. Garage is about 10 feet from the wetlands. Owner asked to show existing driveways & structure-if any-on the map and bring maps w/requested information to Town Hall prior to next month's meeting. Mary Aragonés made a motion to accept the application for review, second by Jennifer Licht, all in favor. **Accepted & Continued**

48 Route 39, Correct drainage problem, Map 24, Block 15, Lot 38, Rte 48 LLC, Peter Young, agent. Peter Young present. Property is vacant. Soil Scientist report supplied, maps reviewed. Original wetlands vs new drainage water-ravine-discussed. Mr. Young explained his plans to correct the drainage problem. Property was flagged in 2003-as per Mr. Young- the ravine was not there at that time, it was created by drainage coming off the neighboring property (GE) where a new parking lot was put in. Flow Calculations requested. Commission members will visit the site prior to next month's meeting. Mary Aragonés made a motion to accept the application for review, second by Jennifer Licht, all in favor. **Accepted & Continued**

52A Route 39, Improve driveway & storm water detention, soccer field w/bleachers, recreational building w/parking & septic, Map 24, Block 15, Lot 39, J. Kawulicz, owner, 52A Route 39 LLC, Steve Merullo, applicant. Ray Lubus, Attorney, present, representing the owner. New maps provided showing wetlands. Abutting neighbors have been notified of application as per Mr. Lubus. DEP Storm Water Regulations discussed. Commission needs to see:

- Engineered drawings for the 20' retention wall
- Information on how sheet flow water will be handled
- Drainage calculations
- Design for the detention basin
- Applicant needs to file an application with DEP
- Well labeled on map
- Engineered drawing for 10' high wall
- Show additional grading
- Septic shown on maps
- Litter drains-show where they will go

Mary Aragaones made a motion to accept the application for review, second by Gerry Schwalbe, all in favor.

Accepted & Continued

Mary Aragones made a motion to vote 10 Bay Drive onto the agenda under New Business, second by Jennifer Licht, all in favor. **10 Bay Drive voted on agenda under New Business.**

10 Bay Drive, Michael Lau. Michael Lau present. Propose to demolish 12 Bay Drive (which they have purchased next door to 10 Bay Drive). Construction is approximately 150 feet from the wetlands. Commission needs to see:

- Contours
- Distance of disturbance to lake shown on the map
- Erosion control measures
- Show old septic system location

Minimal excavation as per Mr. Lau, house is designed to follow the existing contours. As per Tim, new septic design is approved, 1 well will be abandoned. Gerry Schwalbe made a motion to accept the application for review, second by Jennifer Licht, all in favor. **Accepted & Continued**

Old Business

Ball Pond Brook & Route 37, Pedestrian bridge & walkway part of downtown streetscape, Map 19, Block 1, Town of New Fairfield, John Hodge, First Selectman. John Hodge 1st Selectman & Keith Beaver w/ Didona Associates present. Revised drawings dated 10-6-09 reviewed. This is a portion of the Streetscape (continuing from Town Hall area). Proposed Foot Bridge is adjacent to vehicular bridge that crosses Ball Pond Brook. They will be putting in a stamped concrete walkway, pedestrian bridge, 3 lights and some plantings for mitigation for south end. A grass swale at the end of the bridge and a rip rap slope to handle water off the road discussed. They will not be changing the catch basin @ the north end of the bridge. Pedestrian bridge will be 50' long, 6' wide steel frame bridge w/rails, wood deck and abutments on either end of the bridge for support. Abutments and bridge are out of the wetlands limit lines. Some temporary disturbance during construction will occur for grading and rip rap swale which will be stabilized. DOT & DEP signed a M.O.U. (Memorandum of Understanding) in March of 2009 which states that the DOT does flood management as of March (for transportation projects). As per Mr. Beaver there will be no negative impact to floodway or brook, no increase in runoff and no alteration of existing drainage patterns. No change to brook-as per Mr. Beaver-bottom of bridge will be installed above top of culvert openings. Existing abutments (culvert, road, guiderail) not affected.

3 trees will be removed, to mitigate this, they will be doing plantings. Abutments will be 3'6" below grade. Erosion control measures discussed and shown on plans. Waterline and retaining wall have been taken out of the project. Discussed erosion matting which will be installed where needed. Gerry Schwalbe asked about area between the bridge and Route 37, Mr. Beaver said the area will be planted with a conservation mix. Tom Quigley wants clarification of the M.O.U. Mr. Beaver will contact Ms. Yurasevecz @ DEP re: M.O.U. Mary Aragonés made a motion to approve the application with the stipulation that the M.O.U. be clarified, second by Gerry Schwalbe, all in favor except Pat Del Monaco who abstained. **Approved w/stipulations**

24 Sunset Drive, Building wall in the lake bottom, Map 11, Block 2, Lot 9, Horowitz. No owner/rep present. Tim Simpkins spoke with Town Attorney Jack Keating, the Commission does not have jurisdiction below the 440. Owner will withdraw application. First Light will make owner remove it (wall) as per Tim. **Application withdrawn**

124 Lake Drive South, Detached garage, Map 25, Block 1, Lots 46 & 47, McConvey. Michael Weber present representing the owner. New drawings reviewed. All requested information has been added to the drawings. Excavated material will be removed from the site. Driveway will remain grass. Distance to the lake is 111 feet. Topo-flat as per Tim. No grading. Rain gardens discussed. Gerry Schwalbe made a motion to approve the application, second by Tom Quigley, all in favor. **Approved**

43 Bogus Hill Road, Addition with site work, Map 7, Block 2, Lots 6 & 7, Moliterno. Charles Reppenhagen, Architect present representing the owner. Maps reviewed and discussed. Existing driveway is being eliminated except 1 parking space on top. Proposing a new garage entryway, enclosed porch, new deck in place of old, kitchen addition with activity space below with walkout, bedroom addition, new septic area, meadow filter strip to use for ATV access to beach area, silt fence just above 440, silt fence area at septic, 4 rain gardens-locations discussed, swale on property-arch stone-to slow water. Discussed Well-6" minimum above grade required. Most of the excavated material will be removed from site. Old septic will be abandoned. Tom made a motion to approve, second by Mary Aragonés, all in favor. **Approved**

32 Eastview Road, Stonewalls to create level grass area, Map 10, Block 3, Lot 78-80, Lewis. Michael Schoeller present representing the owner. New drawings w/requested information included. Septic installed last fall. Bringing fill in discussed. No work below the 440. Clarification of drawings-drain on drawings discussed. Silt fence locations discussed, they need to be shown on maps. Gerry Schwalbe made a motion to approve the application with the stipulation that new drawings are submitted with the drain removed, and that shows silt fences and distance to the lake, second by Mary Aragonés, all in favor. **Approved w/stipulations**

Lake Drive North & Sunset Trail, improvement of drainage, Map 15, Block 1 & 6, Candlewood Isle Assoc. Ralph Sammers present. Drainage/flooding on properties discussed. Proposed plans for improvements discussed. Tim has letter of approval from First Light. Rip Rap discussed. Using 5-200lb anchor blocks discussed. Area of disturbance 14' x 10-12' as per Mr. Sammers. Gerry Schwalbe made a motion to approve the application, second by Mary Aragonés, all in favor. **Approved**

Correspondence

- Letter w/maps from Didona & Assoc. re: Ped. Bridge @ Rte 37 over Ball Pond Brook-**Previously discussed/reviewed**
- New map from 124 Lake Drive South-**Previously reviewed/discussed**
- Municipal Inland Wetland Training Program-Neve to attend
- Memo from NW Conservation District-Commission would like it to be included in the budget
- Memo from Ct Federation of Lakes-No discussion
- Revised map from Schoeller & Ruzicka Design, re: 32 Eastview Rd-**Previously reviewed/discussed**

- Drawings for drainage on Lake Drive North & Sunset Trail-**Previously reviewed/discussed**
- The Habitat-**No discussion**
- Letter from Neil Marcus re: 160 Ball Pond Rd, 160 Ball Pond Rd-Construction Procedure & Survey and Map emailed from M Holmes re:160 Ball Pond Rd-Michelle Holmes and owners present. Discussion was had regarding approving final planting plans. Extended area of sand is being shown on map that was not approved in the permit. Mr. Holmes was informed that a professional has to design the area to what was approved in the permit. The Commission informed Ms. Holmes and the owners that they must reduce the area of sand to what is stipulated on the permit. Area between the 28” and 32” maple trees will not have sand as per Mr. Miltenberger. Sand will stop at the 28” maple. Area between the 28” and 32” maples will be planted with material D (climbing hydrangea) as specified in the planting plan. Planting will be done in the Spring. Tim Simpkins said the site is stable. Tim suggested that when vegetation is planted, silt fencing should be in place on south side till the area is stable. Gerry Schwalbe suggested landscape fabric-putting it up against the stone wall before putting sand in. This will help prevent sand from going thru the wall and into the water. **Final planting plans approved as discussed.**

Administrative

Approve September 15, 2009 Meeting Minutes-Tom Quigley made a motion to approve the 9-15-09 Meeting Minutes as written, second by Gerry Schwalbe, all in favor except Pat Del Monaco & Jennifer Licht who abstained. **Approved**

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

Adjournment

Tom Quigley made a motion to adjourn, second by Mary Aragonese, all in favor. **Meeting adjourned @ 9:45pm.**