

**Conservation/Inland Wetlands Commission
Town of New Fairfield
Regular Meeting Minutes
4 Brush Hill Road, New Fairfield, CT 06812
New Fairfield Senior Center Community Room
June 15, 2010
7:15pm**

Call to Order

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

Members in Attendance

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

Notice of Violation

121 Ball Pond Rd, Creating a beach on Ball Pond, Map 36, Block 1, Lot 1A, 2, 7 & 8, Zbryski. No owner/representative present. Applicant is not the owner of this property. Tim Simpkins said the applicant will be at next month's meeting. Tim stated that the applicant said they have deeded access. **Continued**

75 Lake Drive South , Building walls and stairs, Map 25, Block 1, Lot 13, Angrist.

Deferred to New Business.

New Business

75 Lake Drive South, Renovate & create structures including patios, barbeque, walkways, play area and retaining walls, Map 25, Block 1, Lot 13, Angrist. Owners Sarah & Greg Angrist present. Tim Simpkins went to the site and noted work had been done without a permit. Notice of Violation issued and work stopped. Applicants are making a walking path from the house to the lake. There is an existing hiking path per owners. They are re-doing the retaining walls by the patio and enlarging the patio slightly. Also, planning to add a retaining wall on the side of the house and grading to make a flat play area. Down by the lake they plan to repair the existing set of stairs. Lot is sloped, elevations discussed. 15-25% slope as per Tim Simpkins. Discussed closest distance of disturbance to lake, proposed play area is 150 feet from the lake. Work is approximately 50-60% complete. Jennifer Licht made a motion to accept the application for review, second by Tom Quigley, all in favor. **Accepted & Continued**

Old Business

8 Sylvan Road, Transfer & modification of existing permit for SFD, Map 25, Block 2, Lot 9, Fagan, owner, Gallagher, agent. Attorney Neil Marcus, owner Mr. Fagans, builder Paul Russo and Engineer Ralph Gallagher present. New maps provided and reviewed. Per Mr. Marcus, the lower portion of the pathway surveyed, spot elevations were done, cross sections are actual. Largest amount of fill in an area will be approximately 5 feet. Applicant has modified the construction sequence. Specifically discussed was #6 of the sequence of construction-work area will be stabilized every day. They will rake and seed any disturbed area. Pictures of work being

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done in permitted area (upper portion of walkway) reviewed as well as pictures of the pathway (approx 6 ft wide) shown. Also shown were pictures of the construction equipment in use and pictures of building materials being used. Mr. Marcus discussed using jute netting to help stabilize any areas that may be subject to eroding. The type of vehicle the road/pathway is designed for is a yard utility van with a 64" width as per Mr. Marcus. A letter from Melinda Miller of the Hollywyle Association read into record by Mr. Marcus, in support of the application. Mr. Marcus also read a letter regarding planting remediation from Ellen Hines of Hines & Associates, landscape architects. A planting list was attached. Gerry Schwalbe suggested planting in the fall for better chance of the plants survival. Mr. Quigley noted that no alternative of a walking path was provided as requested. Applicant said they shifted the path (to better follow contours) going around big boulders which decreases disturbance. Mr. Russo said they will be using clean stones, no processed stones. The final surface will be ¾" clean stone. Mr. Russo wants to use porous pavement on the turns. They will delineate on the plans the areas to use porous pavement. Tim Simpkins said a durable surface is need on the steep slopes. There was a discussion that porous pavement should be used on turns and slopes steeper than 25%. Gerry Schwalbe said there should be no wider path then what is shown on the maps. Mr. Russo said they will call Tim Simpkins when they begin work on the steeper slopes and turns. 3 trees will be removed. Propose to level the 18' x 25' area at the end of the path with crushed stone. The gazebo will be on sonotubes. Bulk head discussed-will be piling into existing rock (signed off by First Light).

Pat Del Monaco said she felt the impact has been minimized from previous discussions. Tom Quigley said that he would ask for a Notice of Violation and a Stop Work order if work being done is not what has been approved. He does not want to see larger areas of disturbance that what has been discussed and shown on maps. Commission members were concerned that they would permit a 4-5' path and would find a larger area of disturbance. Pat Del Monaco said she felt that it is very important that the sequence of construction and inspection protocol be built into the permit. This way we are checking for erosion control and assuring that the applicant is staying with the limits of disturbance as shown on the maps. Tom Quigley suggested planting down the slope of the path to mitigate as they go. Jennifer Licht stated that she appreciated the decrease in impact by moving the path but still has concerns regarding erosion and felt that a footpath is still a prudent and feasible alternative. Gerry Schwalbe stated that he felt his concerns were addressed and was happy that the limits of disturbance have been tightened and that porous pavement will be used on slopes greater than 25%. He wants to make sure the applicant doesn't disturb more than what is shown on maps. Mary Aragonas stated that she appreciated the changes that were made. She feels that if we get a heavy storm/hurricane that part of the path will end up in the lake. Mary said that is the engineers feel this can withstand heavy rain storms, she will defer to them. Tim Simpkins said he felt there should be daily inspections. He would like the applicant to have an erosion control inspector- while the path is being constructed- to inspect and report to him weekly and after rainfall of ½" or more within 24 hours. Mr. Russo said he felt the path would be completed in 6 months. Inspections after heavy rainstorms and stabilization of the area when not being worked on was discussed. Mr. Russo discussed #6 of the sequence of construction.

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Tom Quigley made a motion to approve the application with the following stipulations:

1. Slopes greater than 25% and on turns are to be paved with porous pavement material.
2. Construction sequence presented this evening will be incorporated into the permit, paying careful attention to #6 and jute netting is to be used to stabilize the hillside.
3. Weekly inspections by the applicant with report to the Commission and the EEO. Site is also to be inspected and reports submitted after rainfalls of ½" or more within a 24 period.
4. Construction will end when weather conditions become unfavorable as decided by EEO Tim Simpkins.
5. Final plantings will be determined by a licensed landscape architect and planted in the Fall, not the Summer.

Second by Gerry Schwalbe, all in favor except Jennifer Licht who opposed. Approved 4-1.

Approved w/stipulations.

9 North Drive, Addition & Deck, Map 19, Block 7, Lot 3, Gammarano. Mr. Gammarano present. Discussed the septic pipe that will cross the intermittent stream- pipe will be buried under the stream -to be done if the existing septic system fails. Distance from the deck to the stream is 28'. Gerry Schwalbe discussed the rain garden-the existing drains should stop and drain into the rain gardens. Mary Aragonés made a motion to approve the application with the stipulation that the liter drains on the west side of the house will be tied into the rain garden and the east side drains be stopped so they drain into the rain garden, second by Jennifer Licht, all in favor. **Approved w/stipulations**

9 Forest Hills Drive, Remove of trees & brush, fill & grade to create a grassy area, Map 31, Block 2, Lots 12 & 13, English/Morelli. Maps reviewed and location of the areas of grass discussed. Tom Quigley made a motion to approve the application, second by Mary Aragonés, all in favor. **Approved**

25 Lakeshore North, Demolish & rebuild existing dwelling, Map 40, Block 6, Lots 26 & 27, Lamonte. Ralph Gallagher present, representing the owner. They propose to demolish the house and rebuild on the same footprint. They plan to move the garage back and incorporate it into the dwelling. 2 rain gardens 6' x 16' x 18" deep will be below the 440. Nothing planned below the 440 except the rain gardens and ground cover. Ralph Gallagher said there is 70-80' from the property line to the water line (430 line). Sequence of construction and erosion controls discussed. Tom Quigley told the applicant to put up construction fence during demolition. Location for stock pile locations and construction fence discussed. Tom Quigley made a motion to approve the application with the stipulation that the stock pile will be located between the septic and garage and that there will be construction fence along the 440 line and up the property lines as the house is being demolished, second by Mary Aragonés, all in favor. **Approved w/stipulations**

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East Lake Brook @ Smoke Hill Dr, Old Farm Rd, Williams Rd and Indian Hill Rd, Replacement of culverts, Maps 23 & 28, Blocks 8, 11, 13, 3 & 7, Lots N/A, Town of New Fairfield, Robert Rzasa, Director of Public Works. Charles Hornak from Cardinal Engineer Assoc. and Robert Rzasa, NF Director of Public Works present. Mr. Hornak was contracted by the town to do a Flood Study which was performed in March 2009 & revised in September 2009. The Flood Study was presented at the Selectmen's meeting in October 2009. They plan to replace the existing culverts with culverts that have wider openings. They will also be reconstructing drainage in the area. East Lake Brook is part of a public water supply/watershed for the Town of Danbury. Danbury Dept of Public Health has put constraints on them. Applicant has applied for a storm water discharge permit with the state. Discussed Smoke Hill Drive catch basins. There is a 15" concrete pipe that discharges at the edge of the brook. They are proposing to put in another catch basin to the north of the road and use a grass lined drainage ditch as a buffer before the water discharges into the brook. They need to obtain a drainage easement and a temporary construction easement to construct the drainage ditch. Old Farm Rd has a 24" pipe that discharges at the edge of the brook on the north side of the road. They are unable to get 100' of separation (only able to get 50'). They have sent an application to the Dept. of Health. Mr. Hornak said the drainage ditches will have 6" of granular fill as a base then 1" modified riprap (larger stone) and smaller riprap on top of that which will be covered with 6" topsoil then erosion matting w/grass on top of that. They will only be constructing one culvert at a time. Staged construction of culverts discussed/explained. Discussed the re-routing of the water during construction/placements of the new culverts. They are replacing the culverts to reduce flooding. Gerry Schwalbe stated concern with down steam flood conditions. Also asked if there are any septic systems near the new swales. Mr. Hornak did not identify septic systems in the areas. EEO, Tim Simpkins instructed Mr. Hornak to get in touch with the Health Dept regarding septic system locations. They looked at water elevations-existing vs. proposed. Per Mr. Hornak, at Smoke Hill Dr, they will be lowering the water surface elevations during flood conditions. Bobby Rzasa, for the Town of New Fairfield will be overseeing this project. They have sized drainage for the worst case scenario per Mr. Hornak.

Smoke Hill Drive has 2 30" pipes being replaced with 10' x 5' culvert, Old Farm Rd has 2 30" pipes being replaced with 10' x 6' culvert, Williams Rd has a 48" metal pipe being replaced with a 10' x 5' culvert and Indian Hill Rd has a 36" metal pipe being replaced with a 48" concrete pipe. Pat Del Monaco asked what would be done with sedimentation. Mr. Hornak said they will set up silt fence all around the perimeter downstream, on the side of the brook they will set up a temporary stone dike and a turbidity control curtain. Discussed the temporary stone dike-it will be inspected and maintained (this is included in the erosion control plan).

Jennifer Licht made a motion to approve the application, second by Mary Aragonese, all in favor.
Approved

14 Bay Drive, Golf cart path to waterfront, Map 15, Block 12, Lots 3-5, Buckley, applicant/Thuesen, owner/Young, agent. As per Mr. Young, they are awaiting the Surveyor.
Continued

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Correspondence

- Letter from Suzanne Abryski, re: 121 Ball Pond Rd- **Previously discussed**
- Letter from R. Gallagher re: Letter of extension-**Previously discussed**
- Letter from Denise Ruzicka, DEP IWRD, re: approval of minor grading for beach maintenance-**No discussion**
- Letter from R. Gates, First Light Power Resources, re: Letters sent to owner of Pine Island- **Was not included in the Commission members packets.** Per John Hodge, residents of Candlewood Isle complained about activity of Pine Island. Per Tim Simpkins there were buildings and activity on Pine Island that may end up with violations being issued and brought before this Commission. First Light has stated that any structure below the 440 line must be removed per Tim Simpkins.
- Letter from A. Howland, re: SFD at 1 Old Hickory Lane, Sherman-Brief discussion Pat Del Monaco stated she received an email from Jim McAllister from CWI (Candlewood Watershed Initiative) whose goal is to improve the quality of the lake. He would like the Commission to sign on to support the group's projects. The Commission members were in favor of supporting the CWI.

Administrative

- **Approve May 18, 2010 Meeting Minutes-** Tom Quigley made a motion to approve the 5-18-10 Meeting Minutes as written, second by Gerry Schwalbe, all in favor. **Approved**
- **Conservation issues for the Town of New Fairfield-** None discussed

Adjournment

Jennifer Licht made a motion to adjourn the meeting, second by Mary Aragonas, all in favor.
Adjourned @ 9:30pm