

Conservation/Inland Wetland Commission
Town of New Fairfield
4 Brush Hill Road
New Fairfield, CT 06812
(203) 312-5640

Regular Meeting Minutes
New Fairfield Senior Center – Community Room, 33 Route 37
October 19, 2010
7:15 PM

Call to Order

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

Members in Attendance

Pat Del Monaco, Tom Quigley, Jennifer Licht, Gerry Schwalbe and EEO Tim Simpkins. Minutes were taken by Arlene Fagans.

Notice of Violation

71 Candle Hill Rd: Filling & grading adjacent to wetlands.

Map: 6 Block: 4 Lot: 38, Lebott.

Owner present. EEO Tim Simpkins responded to a complaint. The owner moved a pile of rocks from one part of the property and deposited them to another area on the property that was adjacent to wetlands. Tom Quigley observed that it was a large amount of large rocks, that it impinged upon the septic and that filling in the area was done without permits. Mr. Quigley stated that the commission should go to the property to take a look as the land slopes down to wetlands. Mr. Lebott stated that he moved the rocks to level out the land as sloped area posed a danger to his small children. Mr. Lebott would like to re-grade the property.

Pat Del Monaco recommended completing a permit application for next month. Tim Simpkins suggested getting the edge of the property flagged so commission can see where the wetlands are.

Continued

31 Deer Run: Construction of stone wall & cutting down trees without permit.

Map: 15 Block: 1 Lot: 127-128, Mayhew.

Owners present. EEO Tim Simpkins saw wall and that a tree was cut down when at the neighboring property of 33 Deer Run. He issued a notice of violation. Owners reported that they removed a tree that was tilting and that the septic was exposed due to erosion. They constructed a retaining wall and planted grass to cover septic tank. They extended the retaining wall from septic area and created a concrete and bluestone patio for aesthetic purposes. The area in question is approximately twenty feet from the lake.

Tom Quigley stated that he heard the septic tank was damaged during the construction with a pick axe. The owners reported that the tank was not damaged. Tim Simpkins stated that the leaching fields are likely below the 440 line. Mr. Quigley told the owners to find out where the 440 lies and to talk to

Brian Wood of First Light Power Co. about obtaining permits with them. The owners should get a survey done of the property.

Pat Del Monaco suggested the owners file a permit application with the commission for the work that has been done and for any other work they still plan to do. Tom Quigley asked that a sketch of what was done be brought back with the application. The area where the tree was cut was discussed and the owners reported that they filled the area with tall grasses and other plantings.

Continued

Motion to add 1 Partridge Lane to agenda made by Tom Quigley, second by Jennifer Licht, all in favor.

New Business

134 Lake Drive South: Creating a path to Candlewood Lake.

Map: 25 Block: 1 Lot: 39, Lee.

Peter Young present for R.J. Gallagher & Associates. Peter Young presented maps to the commission. Owner wishes to create a path with steps to continue down to the water. The solid rock present in the area will mitigate erosion, according to Mr. Young. The path is to be essentially a walking path but could be accessed by machinery if needed. The path will be six feet wide and covered with gravel with fifteen feet of disturbed area. The path will be surrounded with wooded vegetation, mature trees and shrubs.

EEO Tim Simpkins requested that the center line and limits of disturbance be staked. The 470 to 460 contour lines will be marked with ribbon according to Peter Young. So far it is rough built from approximately the 476 contour line with a silt fence put in place. Gerry Schwalbe inquired about the existing stairway. Peter Young said he believes it will remain, as it is built into the contours and would create more disturbance if changed. He will consult with owners. Concerns about water flow were discussed. Mr. Young said they will address them. Motion for review was made by Tom Quigley, second by Jennifer Licht, all in favor.

Accepted

36 Sunswept Dr.: 2-lot Subdivision.

Map: 23 Block: 16 Lot: 50, Scampone.

Peter Young present for R.J. Gallagher & Associates. Peter Young presented maps of Sunswept Dr. and Weldon Woods. Access to subdivision will be off of Weldon Woods Rd. Tom Quigley noted that the wetlands are flagged and there are no restrictions to deed. The subdivision can go through as long as it receives zoning approval. Tom Quigley wants to see depiction of water courses on engineered drawing. Gerry Schwalbe wants to see grading for building pad and driveway, gutters and leader drains to be indicated. House and driveway also need to be staked. Motion to accept application was made by Jennifer Licht, second by Tom Quigley, all in favor.

Accepted

1 Partridge Lane: Garage with deck retaining wall.

Map: 20 Block: 4 Lot: 93-95 & 111. Wagenheim, owner/ Sacco agent.

No owner present. Agent Alfred Sacco appeared late, discussion was summarized for him and continued when he arrived.

Tom Quigley noted that this was an ambitious project. Owner wishes to extend 32 feet out and the slope is extremely steep. The disturbed area will go from the 496 to 455 contour lines. Gerry Schwalbe requested that grading on adjacent lot be shown on application. Tim Simpkins noted that the proposed retaining walls will be part of the structure. A retaining wall will be built to support garage. The commission discussed their desire that an alternate plan be proposed. The alternate plan should include excavation of the rocky area so that the proposed structure could be moved west away from the lake. Mr. Sacco reported that blasting is not possible on Candlewood Isle and that the garage cannot be detached because zoning will not allow. The commission agreed that drainage is to be addressed and an alternate plan for less disturbance be submitted for the next meeting. Motion to accept application was made by Tom Quigley, second by Gerry Schwalbe, all in favor.

Accepted

Old Business

14 Bay Drive: Golf cart path to water front.

Map: 15 Block: 12 Lot: 3-5, Buckley, applicant/Thuesen, owner/Young, agent.

Peter Young present for Mr. Buckley. Peter Young presented maps. Trees have been located and area has been staked. Drainage was discussed. Pipe is to be installed under walkway to address drainage. Tim Simpkins suggested removal of declining tree and straightening out of path to decrease disturbance. EEO also wants some stream restoration done to deal with area that is heavily eroded. Peter Young agreed that plantings could be installed. He reported that it will be a gravel path, six feet wide with maximum disturbance of 15 feet in steep area, which is staked. Tom Quigley recommended that trees over six inches not be removed.

Stipulations:

- Path to be straightened at the 442 contour line.
- Stream bank stabilization with stone at the beginning of path near Bay Dr., from 458 to 440 contour lines.
- 30 inch maple tree to be protected.
- No trees other than Hickory to be removed.

Motion to approve with stipulations made by Tom Quigley, second by Jennifer Licht, all in favor.

Approved with stipulations.

33 Deer Run: Addition, deck, walkways & redo driveway.

Map: 15 Block: 1 Lots: 129-131, Schultes/owner, Berman/agent.

Owner Mr. Shultes and architect Jeff Berman present. Maps were presented and drainage was discussed. Mr. Berman stated that drainage pipe by garage will lay close to the foundation to avoid tree roots and ledge between house and garage. Water will be directed into rain garden. Planting plan was discussed. Planting will be done in a manner to leave as much of the site intact as can. Planting will be done around the site and layered down the hill to lessen disturbance. Planting plan includes mostly native species from approved planting list. Existing foundation will be utilized for new structure and will not go outside of existing footprint. Additional foundation will be built on large piece of ledge. Pat Del Monaco noted that no sequence of construction plan has been presented and that one should be presented with plan. Jennifer Licht made note that material stockpile by lake should be moved up slope away from lake. Gerry Schwalbe inquired about rain garden overflows into check dam. He suggested that a channel be defined up to the rock ledge to properly divert any overflow. Mr. Scwalbe also inquired about whether the septic tank and pump chamber would require fill. Mr. Berman stated

that Pembroke Septic Co. said it would be ok. Gerry Schwalbe stated that the rain garden be built as part of the sediment trap.

It was discussed that the three foot high retaining wall that is part of septic leaching fields is not engineered.

In construction the foundation should be pinned to bedrock, the cement truck is to be parked on driveway and pumped from there. Tom Quigley added that four foot construction fence is to be installed to catch demolition debris from going into lake.

Stipulations:

- Rain garden to be constructed first to act as sediment trap.
- Some of the foundation is to be dug by hand to lessen disturbance.
- Erosion control measures and construction fence to be installed and reviewed by EEO.

Motion to approve with stipulations made by Tom Quigley, second by Jennifer Licht, all in favor.

Approved with stipulations.

69 Bogus Hill Rd: Build seawall with bulkhead for dock.

Map: 11 Block: 2 Lot: 28, Denaro, owner/Young, agent.

Peter Young present for Paul Denaro. Peter Young presented survey and plan with modifications. Owner wishes to remove existing floating dock and replace with new floating dock in another location to be connected to bulkhead with a catwalk. Owner wishes to continue existing seawall all the way to edge of property because land is very steep. All work is to be done below the 440 line. Mr. Young presented pictures of existing deck and seawall. Deck is to remain. Commission expressed concern about maintaining natural shoreline, and would like to see an alternative plan in regard to the docks and seawall to minimize disturbance. Peter Young will present commission recommendations for alternate plans to owners.

Continued

46 Columbia Drive, 11 & 17 Hammond Road: Request for a 5 year extension for a proposed 9 lot subdivision.

Map: 17, 38, 12, - Blocks: 3, 2, 1, - Lots: 1.91, 1, 11.2, - Toomey, Denike, Russo, owners/Michael Mazzucco, agent.

Agent Michael Mazzucco present. Agent requests that permit issued be given five year extension. Permit originally filed on 11/09/04. Discussion was had about correct date for issuance of permit. EEO and commission agree original permit issue date to be July 12, 2006, to expire on July 12, 2011. The owners are timely in their request for extension. Motion made by Gerry Schwalbe to approve extension of permit#: W-04-073B valid from 7/12/2006 – 7/12/2011 to be extended to be valid until 7/12/2016, second by Jennifer Licht, all in favor.

Approved

Correspondence

Municipal Inland Wetland Commissioner Training Program – N/C with Voucher for one member. Tom Quigley will attend.

Administrative

Approve September 21, 2010 Meeting Minutes. Minutes were approved by Pat Del Monaco, Gerry Scwalbe and Jennifer Licht. Tom Quigley abstained.

Adjournment

Tom Quigley made motion to adjourn meeting, second by Gerry Schwalbe, all in favor. Meeting adjourned at 8:50pm.