

**Conservation/Inland Wetlands Commission
Town of New Fairfield
Regular Meeting Minutes-REVISED
4 Brush Hill Road, New Fairfield, CT 06812
New Fairfield Senior Center
January 19, 2010
7:15pm**

Call to Order

Patricia Del Monaco called the meeting of the New Fairfield Inland Wetlands Commission to order at 7:25pm.

Members in Attendance

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

Notice of Violation

4 Harbour View Drive, Clear cutting, cutting down trees, Map 2, Block 4, Lot 34, Falk.
Deferred to New Business

New Business

4 Harbour View Drive, Clear cutting, cutting down trees, Map 2, Block 4, Lot 34, Falk.
Peter Young present representing the owner. Owner was issued a Notice of Violation for cutting down trees. Maps were submitted to Brian Wood of First Light who issued a Letter of Consent to the applicant. Maps reviewed. As per Mr. Young, any cleared area will be replanted with low growing shrubs. Some trees were cut, work stopped when the N.O.V. was issued. Peter Young will mark on the drawings which trees have been cut and which ones they plan to cut. There will be no cutting above the 440 line, only planting. Jennifer Licht made a motion to accept the application for review, second by Mary Aragonese, all in favor. **Accepted & Continued**

66 Woodcreek Road, SFD, Map 20, Block 12, Lots 5 & 6, MacEackern, owner/Peter Young, agent.

Application had previously been withdrawn so that all parties that have rights to the property could be properly notified. Work below the 440 has been approved by Brian Wood of First Light and applicant has received a Letter of Consent. Area on right-50' strip with stairs on it- was previously approved by the Wetlands Commission on 9-25-08 per Mr. Young. Applicant is proposing a 3 BR SFD with plantings planned below the 440. The Commission requested the applicant provide a Sequence of Construction, show stock pile area, show how they plan to handle the water on Woodcreek Road, and to show (label) the piping which was already installed as existing on the maps. Gerry Schwalbe made a motion to accept the application for review, second by Tom Quigley, all in favor. **Accepted & Continued**

Old Business

100 Gillotti Road, Detached garage, Map 23, Block 16, Lot 93, Kupi. Mr. Kupi present and proposed a 60' x 40' pre-fabricated, detached garage to store trucks and tools. Maps and photos of the property provided and reviewed. Per Tom Quigley, garage as proposed would be 5' from the wetlands flag. Mr. Kupi said the proposed garage would be 40' from the property line.

Septic is in the front yard, the well is in the backyard approx 20' from the house. Foundation would be poured concrete or block foundation. It was discussed having Mr. KUPI take 10' off the back of the building, and move it forward 10' closer to the house. There are roof gutters on the building, the Commission asked where will the water go from the roof drains? Rain Gardens discussed for roof liter drains. Lot is flat. Tom Quigley made a motion to approve the application with the following stipulations:

- Garage is to be moved 25 feet from the wetlands
- Rain Gardens with planting plan designed to handle roof liter drains
- Erosion Controls (silt fences, hay bales) installed before construction begins and needs to be approved by EEO Tim Simpkins
- All stipulations to be shown on a new map to be approved before work starts
- No hazardous materials to be stored over consumer commodities

Second by Jennifer Licht, all in favor except Niev Duffy who abstained. **Approved w/stipulations**

132 Gillotti Road, To place fill material within 50 foot radius of Well II & TB/BD-2, Map 31, Block 9, Lot 1, Aquarion Water Co., owner/Michael Shortell, agent. No owner/rep present. **Continued**

52A Route 39, Improve driveway & storm water detention, soccer field w/bleachers, recreational building with parking and septic, Map 24, Block 15, Lot 39, J Kawulicz, owner, 52A Route 39 LLC, Steve Merullo, applicant. Deferred to Public Hearing

8 Sylvan Rd, Modifications to existing permit for SFD, Map 25, Block 2, Lot 9, Fagan, owner, Gallagher, agent. Ralph Gallagher present, representing the owner. This is an amendment to a previous application. 22 acre parcel. Proposed plans submitted and reviewed. Applicant changed the driveway, pushed back the house and added a pool. Proposed construction is 440 feet from the lake. Golf cart path previously approved, owners want to modify this path to supply access to the lake for another house lot. The Commission needs more information/detail on lower portion of the golf path. The Commission will review 1st application. Jennifer Licht made a motion to approve the modification to the driveway, the location and design of the house and the location of the pool, second by Mary Aragonés, all in favor, **Approved.** Dock, gazebo and golf cart path portion of permit modification continued to next month.

Tom Quigley made a motion to suspend the Regular Meeting and enter into the Public Hearing for 52A Route 39, second by Jennifer Licht, all in favor.

Public Hearing

52A Route 39, Improve driveway & storm water detention, soccer field w/bleachers, recreational building with parking & septic, Map 24, Block 15, Lot 39, J. Kawulicz, owner, 52A Route 39 LLC, Steve Merullo, applicant. Ralph Gallagher, Engineer and Attorney Ray Lubus present. With regard to the discussions at last month's meeting, the Floodway and Flood Plan are now shown on the map. The circular pattern driveway has been removed from the plans. The driveway will be on the East (left) side to access both upper and lower parking lots. Road removed on the right side (West), field shifted toward the left away from the wetlands.

The entire property drainage flows to the East side per Ralph Gallagher. Deeded right of way from 48 Route 39 shown on maps. Flood plain/Floodway discussed with regard to the FEMA and DEP regulations and the lower portion of the roadway and bridge. There is a 0' elevation change in the Floodway and Flood Plain as per Ralph Gallagher.

Pat Del Monaco stated concern regarding construction on the property because there is a lot of cut and fill. She questioned the phases of construction. Ralph Gallagher said they would build from the top of the property and work their way down. They would phase the building and upper parking then phase the lower parking and field. Tom Quigley suggested that they put a construction detention pond at the site of the field while constructing upper part of the property. Ralph Gallagher said they could put detention ponds in each section below the section to be constructed (with erosion/sediment controls).

Retention wall behind recreational building discussed. Wall has been brought down from 20' to 14'. Mr. Gallagher said he may be able to get it down to 10-12'.

Commission wants to see:

- Sequence of construction
- Description of construction siltation (erosion controls), include temporary stages
- Show/explain how hillside will be stabilized as work progresses

Public Comment

Hugh Bilecki, adjacent owner questioned if the drawings for the wall were engineered –yes as per Ralph Gallagher. He also question % of grade of the roadway-Pat Del Monaco explained that this was not a Wetlands issue.

Ed Moore, adjacent property owner question whether the right area, near the wetlands was raised-no as per Ralph Gallagher. As per Pat Del Monaco regarding the bridge to the roadway, there would be no change in elevation.

Elevations in floodway and flood plain will stay the same as they are now.

Niev Duffy voiced concern with work being done within the 100 year flood line. Flood insurance rate maps (FIRM) vs Floodway maps discussed. 100 year flood line is at the bottom of the field. Ralph Gallagher will do cuts & fills to show that he will be taking out more than he is filling. They will have a greater volume of storage for a 100 year flood.

It was discussed pipes being but in the roadway -15'-24' diameter.

Pat Del Monaco said she was concerned with increasing the flow downstream.

The Commission asked for an extension on the application from the applicant to get information on the construction sequence. Attorney Ray Lubus granted an extension. The Commission members felt if they dropped the road, it would be more effective than piping under the road.

Niev Duffy said she wanted to ask for mitigation. Mr. Bilecki said the bridge is part of the project, the property never flooded prior to the bridge installation. Mr. Gallagher said the bridge is existing, and they are not changing it. Pat Del Monaco said the Commission is to evaluate the application to make sure this project doesn't impact the water courses/wetlands. She said that the Commission tries to make sure that they are consistent with Flood plain/Floodway

regulations. Tom Quigley stated that he felt the application has a minimal wetlands impact. Niev Duffy said looking at a pool designed to catch run-off and sediment from a large project she had concern regarding flooding and overflow of the pool and its contents going into the wetlands. Pat Del Monaco questioned what negative impact this application is having on the wetlands/water course. She stated that mitigation is for impact on the wetlands. Ralph Gallagher said there will be 0' wetlands/water course disturbance. Mary Aragonas said that Mr. Bilecki has a problem that was subsequent to this application but asked if there is anything that can be done to help Mr. Bilecki's property in the process. Ralph Gallagher said he will lower the road which will allow more water to flow across it. Mr. Bilecki asked to see a West to East cross section.

Tom Quigley made a motion to continue the Public Hearing to next month's meeting and re-enter the Regular meeting, second by Jennifer Licht, all in favor. **Extension granted, Public Hearing continued**

Regular Meeting

Correspondence

Letter from Daine Ifkovic, I/W Resource Division, State of Ct, re: review of New Fairfield's Flood Plain Overlay District Regulation. Previously reviewed/discussed

CFL News-Commission members have received a copy.

Administrative

Approve December 15, 2009 Meeting Minutes-Tom Quigley made a motion to approve the 12-15-09 meeting minutes as amended, second by Gerry Schwalbe, all in favor. **Approved as amended**

Approve January 9, 2010 Site Walk Minutes-Tom Quigley made a motion to approve the Site Walk Minutes from 1-9-10, second by Mary Aragonas, all in favor. **Approved**

Conservation issues for the Town of New Fairfield- No discussion

Adjournment

Jennifer Licht made a motion to adjourn the meeting, second by Tom Quigley, all in favor. Meeting adjourned at 9:35pm.