

**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
March 16, 2010
7:15pm**

Call to Order

Patricia Del Monaco 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 Aragonas, and EEO Tim Simpkins. Minutes were taken by Lisa Zustovich.

New Business None

Workshop

52A Route 39, Improve driveway & storm water detention, soccer field w/bleaches, recreational bldg w/parking & septic, Map 24, Block 15, Lot 39, J. Kawulicz, owner, 52A Rte 39 LLC, Steve Merullo, applicant. Tom made a motion to move the workshop to the end of old business to allow time for Gerry Schwalbe to arrive so he could participate in the workshop, second by Jennifer Licht, all in favor.

Old Business

132 Gillotti Rd, 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. Withdrawn

52A Route 39, Improve driveway & storm water detention, soccer field w/bleaches, recreational bldg w/parking & septic, Map 24, Block 15, Lot 39 LLC, Merullo, applicant. Deferred until after workshop.

8 Sylvan Road, Transfer & Modification of existing permit for SFD, Map 25, Block 2, Lot 9, Fagan, owner, Gallagher, agent. Peter Young present representing the owner. First Light letter allowing work below 440 received. Existing road is not part of this application, applicant will start road where existing road left off. R3 map reviewed. Discussed previously approved and partial constructed road vs. road proposed for this application. Pat Del Monaco stated she expected a foot path/cart path, not a road. She said she felt it looks more like a driveway than a foot path. Mr. Young stated that they will not be using the same company. Existing road was done by a separate applicant and a separate construction company. Mr. Young stated that they don't plan to construct their portion of the path in the same manner as the existing road has been done. It was discussed having the proposed path flagged so that the Commission members can go visit the site. It was also suggested asking the owners of the neighboring property for the right of way to pass from their property to reduce the amount of disturbance. With regard to the yard area, there is a 4' difference in contour (proposed area would be 18' x 25'). Tim Simpkins suggested a 2 level area. Pat Del Monaco asked about drainage calculations.

Mr. Young will flag the path (limits of disturbance) and the yard area and will consider a 2 level yard area. He will provide some drainage calculations on the area of the proposed path. He will mark any trees they plan to remove and will approach neighbors regarding shared access (right of way). **Continued**

4 Harbour View Drive, Clear cutting, cutting down trees, Map 2, Block 4, Lot 34, Falk. Peter Young present representing the owner. Planting plan received. Peter Young reviewed plan with Brain Wood from First Light who has signed off on it. Native, deer resistant plants-low shrubs and ground cover-to be densely planted per Mr. Young. Proposing approximately 50 plants and 250 feet of ground cover. Tim Simpkins asked when planting will be done. Mr. Young said as soon as weather permits, saying it should be done by the end of May. Gerry Schwalbe recommended that plants be check in a year to check for their survival. Gerry Schwalbe made a motion to approve the application with the stipulation that planting be done by May 31, 2010 and that plants be checked after a year of being planted to check for survival of plants, second by Jennifer Licht, all in favor. **Approved w/stipulations**

66 Woodcreek Road, SFD, Map 20, Block12, Lots 5 & 6 MacEackern, owner/Young, agent. Peter Young present representing the owner. Construction sequence discussed. Peter Young reviewed the construction sequence step by step. With regard to the bushes on the property line, they of 4' off the corner of the retaining wall. Steps will be completed. Pipe sizes clarified-18" to 15". Location of pipes discussed and shown on maps. The Commission wants sizes of the trees on the drawings. Containing/controlling run-off during construction discussed. Erosion controls including temporary retention pond for outlet pip to be added to sequence of construction. It was recommended stipulating that construction cannot start in the months of December, January or February. Tom Quigley suggested stipulating that if there is any breech in erosion controls it be handled immediately and that a Project Manager be reachable 24/7 and felt site should be inspected weekly. If work stops area needs to be stabilized until work resumes.

Richard Johnson, neighbor, discussed the holly bushes by the retaining wall-Mr. Young said the bushes would not be removed. Mr. Johnson was also concerned with water coming down the hill and flooding his yard.

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

- Proposed parking area be constructed and the drainage installed after the trees are cut and chipped
- There will be protection provided at the end of the 15" drainage pipe where the proposed detention basin is so siltation from construction is caught before it goes into the lake
- Erosion controls will be inspected weekly and reports provided to the EEO.
- If construction is stopped for 2 weeks or more, site is to be stabilized
- Site manager be named and reachable 24/7 for any breeches in erosion controls
- No existing bushes-below the 440-near the detention basin will be removed during construction
- Construction is not to begin in the months of December, January or February

Second by Mary Aragonas, all in favor. **Approved w/stipulations**

1 Haviland Hollow Rd, (formerly 211 Rte 37), Dog park, Map 8, Block 2, lot 1, Regional YMCA Western Ct, owner, Steve Merullo for the Town New Fairfield, applicant. Continued

1 Haviland Hollow Rd, (formerly 211 Rte 37), Emergency Communication Radio Tower, Map 8, Block 2, Lot 1, Regional YMCA Western Ct, owner, Steve Merullo for the Town of New Fairfield, applicant. Continued

6 Spinning Wheel Lane, SFD, Map 19, Block 4, Lot 31, Jusufi, owner/Gallagher, agent. Peter Young present representing the owner. Septic is installed. They are adding an additional catch basin to the proposed driveway and moving detention basin further down the lot. Discussed possible alternate locations for the outlet pipe. Neighboring owner complained of erosion coming off this property, silt fence locations discussed. Commission needs to see a Sequence of Construction, plans to stabilize the lot-specifically concentrating on the area discussed and indicated on map-prior to construction to minimize the run-off down the slope and alternative sites for outlet pipe. **Continued**

13 Candlewood Road, Additions, deck and redo existing retaining wall, Map 39, Block 1, Lots 40-43, Fricette. John Danise from Solimine Contracting present representing the owner. Mary Aragonés recused herself. Requested information was received but not on drawings as Commission had requested. Plan to demolish the existing house except 1 rear wall. Drainage discussed. Overflowing to a rain garden discussed. Neighbor Edwin Fraiser residing at 15 Candlewood Road was concerned there is a discrepancy with the property line. Mr. Fraiser was informed that that is a zoning (ZBA) issue. Mr. Danise will include all requested information on the maps. He was informed that he also needs to show the well on the plans. **Continued**

Discussion regarding timber harvest on Regional YMCA property. Mr. Gillespie, Certified Forester present and notified the Commission of activity to see if the Commission feels it needs an application. Mr. Gillespie said the forestry is considered agriculture like farming and is exempt from wetlands. Work proposed to be done in the summer, cut trees and leave the stumps. Pat Del Monaco said she wants to check with the town attorney to give his opinion regarding forestry rights in a wetlands regulated area.

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

Workshop

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

Pat Del Monaco said she felt the applicant did a good job managing storm water run-off and flood concerns and that the Sequence of Construction was acceptable. She wants to make sure site inspections are done frequently to make sure site is stabilized as they move thru the phases of construction. Pat Del Monaco wants to make sure there is maintenance of the detention basins during construction and a plan for maintenance after construction is complete. She asked the Commission if they wanted to have the applicant to post bond prior to construction.

Tom Quigley said he agreed with Pat Del Monaco's comments and would like to have bond posted. He feels the applicant met all his concerns.

Mary Aragonés agrees with Pat Del Monaco and Tom Quigley. She felt the applicant did a good job of making changes requested. She voiced concern regarding how to enforce maintenance of the detention basins. Felt bond is a good idea.

Jennifer Licht agreed with the Commission members and felt that bond was a good idea. She was concerned with monitoring site during construction.

Tim Simpkins said they can require that the site be inspected weekly and after major rain events-1" or more-during construction and reports submitted.

Gerry Schwalbe said the bond should be to stabilize the site if left abandoned. He suggested a bond of \$20,000.

Tom Quigley suggested \$50,000 and release portions of the bond as the site become more stabilized.

Niev Duffy was absent from the meeting but submitted her concerns in writing for the record. (Letter attached to minutes).

Tom Quigley made a motion to exit the workshop and re-enter the Regular Meeting, second by Gerry Schwalbe, all in favor.

52A Route 39, Improve driveway and storm water detention, soccer field w/bleaches, recreational bldg w/parking & septic, Map 24, Block 15, Lot 39, J. Kawulicz, owner, 52A Route 39 LLC, Steve Merullo applicant. Steve Merullo and Attorney Ray Lubus present.

Jennifer Licht made a motion to approve the application with the following stipulations:

- Construction sequence is followed
- Weekly inspections conducted by a certified erosion professional with reports to the town and inspections are also done after any rain storms in the amount of 1” or more in a 24 hour period.
- Weekly inspections will also include detention basins.
- Owner will clean detention basins at the conclusion of construction and maintenance of detention basins will be done at least twice yearly and after significant rainfalls of 3” or more in a 24 hour period
- Applicant will impose a \$50,000 bond for site stabilization prior to the start of construction and owner can present a schedule of release of bond as phases of construction are complete
- If construction stops for a period greater than 14 days, site will be stabilized to prevent erosion

Second by Gerry Schwalbe, all in favor. **Approved w/stipulations**

Correspondence

Letter from the Oblong Land Conservancy, Re: Dog Run & Communications Transmission Tower. **No discussion**

Letter from Chipman, Mazzucco, Land & Pennarola, LLC, re: Dog Park/Emergency Communications Tower & Cell Tower. With Open Space Grant Agreement & Walter Gordon Merritt, last will and testament. **No discussion**

Letter from Solimine Contracting, re: 13 Candlewood Road. **Previously discussed**

Letter from James Gillespie, Certified Forester, re: Timber harvest on Regional YMCA of Western Ct property.

Previously discussed

Letter from Town Clerk, re: St of Ct- DEP ruling. **No discussion**

Administrative

Approve February 22, 2010 Meeting Minutes. Jennifer Licht made a motion to approve the February 22, 2010 Meeting Minutes, second by Tom Quigley, all in favor. **Approved**
Conservation issues for the Town of New Fairfield. **No discussion**

Adjournment

Tom Quigley made a motion to adjourn the meeting, second by Mary Aragonas, all in favor.

Adjourned @ 9:40am