

**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
May 18, 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 Aragones, and EEO Tim Simpkins. Minutes were taken by Lisa Zustovich.

Notice of Violations

9 Forest Hill Drive, cutting trees, rock wall & grading for grass area, Map 31, Block 2, Lots 12 & 13, English/Morelli. Application has been submitted. **Deferred to New Business.**

121 Ball Pond Road, Creating a beach on Ball Pond, Map 36, Block 1, Lots 1A, 2, 7 & 8, Zbryski. No Owner present. Tim Simpkins received a complaint and went to the site. Brush was cleared and sand was dumped into Ball Pond, creating a beach. Owners were issued a Notice of Violation. The Commission wants an application with remediation. Cynthia Steven, resident who lives on Ball Pond would like to see the sand taken out. The Commission said they would like to see the sand removed. **Continued**

New Business

9 North Drive, Addition & deck, Map 19, Block 7, Lot 3, Gammarano. Thomas Gammarano present. Pat Del Monaco informed owner that he needs to supply the closest distance from the proposed disturbance to the stream. No contours or elevations have been provided but Tim Simpkins said the area for the addition is relatively flat. Mary Aragones had visited the site and asked for the drains she saw be added to the maps. There is an intermittent stream on the property. The existing septic is in front of the house. The new septic system's location is just north of Lot 41- they will need to cross the steam with a pipe. It is a backup system and wouldn't be built unless the existing system failed as per Tim Simpkins. The Commission wants to see a design of how new septic will cross the stream. Owner stated that due to the banks restrictions, all work needs to be done by July 22nd. Discussed granting administrative approval of the application for just the addition and the deck. The owner would have to come back for the septic. As per Tim, the area behind the house was previously disturbed. It was decided that after 15 days from tonight's meeting Pat Del Monaco and Tim Simpkins will plan to go and look at the site. If it is okay, then administrative approval will be given for the addition and deck only. Owner made aware that he still needs to come to the June 15th meeting to give more information on the septic, specifically the pipe crossing the stream. Jennifer Licht made a motion to accept the application for review, second by Gerry Schwalbe, all in favor. **Accepted & Continued**

New Fairfield Conservation Inlands/Wetlands Meeting Minutes 5-18-10

9 Forest Hills Drive, Removal of trees & brush, fill & grade to create a grassy area, Map 31, Block 2, Lots 12 & 13, English/Morelli. Dave & Christine English present. Tim Simpkins received a complaint regarding activity on the property. Owners were not aware they needed a permit. They are creating a yard. Tim admitted that the property needs work and allowed the owner to continue to work to stabilize the site. Silt fences are up, area is stabilized. Owners pulled wood out of the wetlands (they did not put it in the wetlands per Tim Simpkins). Still need to do grading and seeding. Owners had cut trees and brush, they added fill and graded to create a grassy area. Tom Quigley made a motion to accept the application for review, second by Jennifer Licht, all in favor. **Accepted & Continued**

25 Lakeshore No, Demolish & rebuild existing dwelling, Map 40, Block 6, Lots 26 & 27, Lamonte. Ralph Gallagher present and provided new maps. Existing septic is hatched below the 440 line per Mr. Gallagher. It will be abandoned and the tank will come out. Sequence of Construction provided. Per Ralph Gallagher, First Light has given approval for landscaping and rain garden below the 440 line. Mary Aragones made a motion to accept the application for review, second by Tom Quigley, all in favor. **Accepted & Continued**

East Lake Brook @ Smoke Hill Drive, Old Farm Road, Williams Rd & Indian Hill Rd, Replacement of culverts, Map 23 & 28, Blocks 8, 11, 13, 3 & 7, Lots n/a, Town of New Fairfield, Robert Rzasa, Director of Public Works. Civil Engineer David Artz present. Public watershed. Areas have seen significant flooding as per Mr. Artz. They will have full time construction inspections. The Town will obtain temporary construction and drainage easements. 7,300 sq feet total construction impact, not losing any wetlands per Mr. Artz. Erosion controls discussed. Roads will be closed during construction. Tom Quigley made a motion to accept the application for review, second by Jennifer Licht, all in favor. **Accepted & Continued**

14 Bay Drive, Golf cart path to waterfront, Map 15, Block 12, Lots 3-5, Buckley, applicant/Thuesen, owner/Young, agent. Ralph Gallagher present, maps provided. Owners have an exclusive easement thru Lot 9, they will make a path for access to the lake. The Commission needs to see details on the path (dimensions, materials). As per Ralph, the path will be crushed stone. A2 survey will be provided. Gerry Schwalbe made a motion to accept the application for review, second by Mary Aragones, all in favor. **Accepted & Continued**

Old Business

1 Haviland Hollow Rd (formerly 211 Route 37), Dog Park, Map 8, Block 2, Lot 1, Regional YMCA Western Ct, owner, Steve Merullo for the Town of New Fairfield, applicant. No owner/rep present. Application is out of time. As per Tim Simpkins the Dog Park is now planned to be put up at the High School and not at Haviland Hollow. Tom Quigley made a motion to approve the application, second by Jennifer Licht, all opposed. **Denied for lack of information.**

Conservation Inlands Wetland Meeting Minutes 5-18-10

1 Haviland Hollow Rd (formerly 211 Route 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. No owner/rep present. Application is out of time. Gerry Schwalbe made a motion to approve the application, second by Jennifer Licht, all opposed.
Denied for lack of information.

Tom Quigley made a motion to move 84 Lake Drive South ahead of 8 Sylvan Rd ahead on the agenda, second by Jennifer Licht, all in favor.

84 Lake Drive South, Repair bulkhead, retaining wall, pathway & steps, Map 20, Block 1, Lot 8, Cheneski. John Cheneski present. New maps provided with changes requested. Propose to install fieldstone and mortar steps to the bulkhead. The Bulkhead is existing-needs repair. Propose to build a 24”H x 12”L wall below the 440 line. Digging will be done by hand. Jennifer Licht was at the site, she felt that it doesn’t look like there will be much disturbance. Discussed buffer gardens. Owner said he has spoke with Brian Wood from First Light regarding buffer gardens. Gerry Schwalbe made a motion to approve the application, second by Mary Aragonas, all in favor. **Approved**

8 Sylvan Road, Transfer & Modification of existing permit for SFD, Map 25, Block 2, Lot 9, Fagan, owner, Gallagher, agent. Ralph Gallagher present representing Mr. Fagan. Mr. Gallagher said they have tried to incorporate all the comments from the previous meetings and the site walk. Revised dock location to the South. Revised path to the way they thought it would work best while in the field walking it. Mr. Gallagher did 3 typical sections of the road:

- AA- up just before the split of the current path
- BB- on the turn where parcel 2 & 2A meet
- CC- ½ way between section BB & the lake

One section has 2’6” of fill on the low side and at grade on the high side; the other 2 sections have 6-8’ of fill on the low side, 1:1 rock slope (rip rap) crushed stone. Very stable, won’t erode as per Mr. Gallagher. Rock will be brought from the house site in buckets with bobcats. They are following the contour of the ground, not cutting and filling, not bringing in dirt. They will pitch to the high side-no water will run down the driveway. No increase runoff. On slopes steeper than 30% they will use porous pavement (asphalt). Between heavy stones and smaller stones they discussed using filter fabric.

The Commission was concerned that this project would result in a lot of disturbance and feels the area is very steep. Pat Del Monaco said she felt that an alternative would be to create a foot path. This would result in a lot less disturbance. The Commission felt that what was originally approved is not what has been done so far. Gerry Schwalbe stated his main concerns are the limits of disturbance and surface erosion. He feels that 30 % for slopes to use porous pavement is too high. Pat Del Monaco and Jennifer Licht both stated that they felt a feasible and prudent alternative would be a foot path. This would create lake access with far less of a disturbance.

Conservation Inlands Wetlands Meeting Minutes 5-18-10

Letter from Larry Marsicano from CLA discussed. Ralph Gallagher disagreed with Mr. Marsicano's comments regarding this project being environmentally risky during construction, being disruptive to natural steep slope and that it would be difficult to maintain.

Area of proposed work is within the regulated area. Mary Aragonese said she feels the 1st permit should be revoked because it was not represented correctly and directly ties into this application. Pat Del Monaco stated she felt the finished area will be double what the Commission thought.

Ralph Gallagher said he did worse case scenario regarding disturbance which would be 20 feet. Most areas will be 5 feet of disturbance. In worst case scenario the area of disturbance would be 4,780 square feet (less than .1 acre). He said there is no possibility to disturb the wetlands. They will **work** foot by foot down the hill with weekly reports. They are only putting down stone. Pat Del Monaco said they would be changing the entire hillside. Ralph Gallagher said they will only be filling in the worst sections, not all the way down the hill. Construction of a foot path further discussed. Ralph Gallagher granted the Commission a 35 day extension to explore alternatives. **Extension Granted, Continued**

7 Penny Lane, Seawall and 13'x 28' 2 story addition, Map 10, Block 11, Lot 11, Enery, owner/Zinick, agent. Ralph Gallagher present. New revised maps were provided with requested information. Distance of disturbance to the lake is 97 feet. Reconstructing existing seawall. Excavated dirt will be placed on the high side to back fill. The Commission needs to see erosion controls for seawall while work is being done. Jennifer Licht made a motion to approve the application with the stipulations that silt fences and haybales be included for the length of the seawall around the rain garden area and the work be completed on the seawall when the lake is drawn down, second by Tom Quigley, all in favor. **Approved w/stipulations**

Correspondence

Letter to Paul Larsen from T. Simpkins re: The Woods @ Dunham Pond, Pizometers. Previously discussed.

Memo from Northeast Tree, Pond & Turf Service, Inc. re: Aquatic Pesticide Permit Application Williams Pond. No discussion.

Administrative

Approve April 13, 2010 Meeting Minutes. Tom Quigley made a motion to approve the 4-13-10, second by Mary Aragonese, all in favor except for Pat Del Monaco who abstained. **Approved Conservation issues for the Town of New Fairfield.** Tom Quigley discussed the Inland Wetland Watercourses Module Municipal Regulation dated 2006 and said this is what most towns use.

Adjournment

Gerry Schwalbe made a motion to adjourn, second by Jennifer Licht, all in favor, **Adjourned @ 9:10pm.**