

**Conservation/Inland Wetlands Commission
Town of New Fairfield
4 Brush Hill Road, New Fairfield, CT 06812
Special Meeting Minutes
NF Senior Center-Community Room, 33 Route 37
September 20, 2011
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, Mary Aragonés and EEO Tim Simpkins. Minutes were taken by Lisa Zustovich.

Notice of Violation

342 Route 37, Map 8, Block 1, Lot 1, Regional YMCA of Western Ct. Violation will be discussed with 402 Route 37 application under New Business.

Deferred to New Business

New Business

402 Route 37, Dredge pond, Map8, Block 1, Lot 4A, Froehlich. Ms. Froehlich present along with her friend Judy and her contractor, Hugh Bilecky. Also present for N.O.V. on 342 Rte 37 is Forester James Gillespie, Forrester for logging on the YMCA land and Gail the Executive Director of the Great Hollow Wilderness School. The property that neighbors 402 Route 37 (owned by Dave Taylor) was used as a staging area for the logging operation. Mr. Gillespie said hay bales were put in place to prevent sedimentation into neighbor's pond. He said no sedimentation into the stream occurred as a result of their work. Logging operation started in July 2010. Tim Simpkins said that before the hay bales were put in place the logger pushed dirt and brush material up against the wetlands and that there was evidence of recent siltation after a storm before the hay bales were put in place. Pat Del Monaco said that the staging area on that property should have had a permit.

James Gillespie showed photos of the pond at present. Terry Froehlich showed photos of the pond before logging occurred and after as well as pictures of the logging/staging area. Ms. Froehlich voiced concern for the fish in the pond. Timeline of when work started and when Ms. Froehlich says sedimentation into pond started was discussed.

Conservation Inlands/Wetlands Meeting Minutes 9-20-11

Pat Del Monaco encouraged members to go to take a look at the property before next month's meeting. As for the NOV, the Commission would have required a permit if they had known that property would be used as the staging area with this activity occurring adjacent to a wetlands. Gerry Schwalbe voiced concern regarding the fish in the pond. He also requested a map showing the entire logging area.

Dave Taylor gave permission for the Commission to walk his property. Gail (Exec. Directory of Great Hollow) questioned why this wasn't addressed when work was in progress. Pat Del Monaco stated that she felt there may have been work done that needed a permit which may have caused sediment into the pond. The Commission was not aware of this when the work was being done. **NOV for 342 Route 37 Continued**

Application for 402 Route 37 reviewed and discussed. Hugh Bilecky, contractor, discussed the sequence of construction. Per Mr. Bilecky they would be removing a few yards a day, with an estimate of 50 yards to be removed in total. Erosion controls also discussed.

Gerry Schwalbe made a motion to accept the application for review, second by Mary Aragonas, all in favor. **Accepted & Continued**

Old Business

20 Hilldale Road, Cutting trees & clearing the lot, Map44, Block4, Lots 71+43+45, Bakacs. Property owner unable to attend, this is not their primary residence.

Don and Cheryl Smith, who reside at 12 Misty Brook-below where trees were cut- were present. They were unhappy with the trees being cut and would like to know what will be done.

Pat Del Monaco explained that the Commission's job is to worry about the impact on the wetlands not aesthetics. She said she did not see any evidence of erosion and no damage to the wetlands. She did not see a need for mitigation. Pat said the area has re-grown/greened over; there was vegetation. Tom Quigley felt the applicant should be fined for doing work without a permit. Pat Del Monaco explained that they have paid the application fee plus a fee for doing work without a permit.

Commission members will go to look at the site. **Continued**

52A Route 39, Repair Rip Rap on roadside, Map 24, Block 15, lot 39, Santomero, owner/Peter Young, agent. Peter Young present, representing the applicant. Maps supplied, reviewed and discussed. Peter said they would have a 2 ½ to 1 slope using all natural material. They will be using existing material, if needed they would bring in 6" stone rip rap.

Conservation Inlands/Wetlands Meeting Minutes 9-20-11

FEMA floodway discussed. Gerry Schwalbe said that building the slope would be adding fill in the floodway, which is not allowed. He discussed options to modify the plan so as to not add fill into the floodway.

Peter Young said he would modify the plan and present it at next month's meeting.

Hugh Bilecky, adjacent property owner, would like to have "illegal" fill removed stating that there was illegal filling of the wetlands from a non-approved crossway being built. Mr. Bilecky's engineer discussed fill placed in the flood plane above the approved amounts. Pat Del Monaco stated that this application is to repair riprap and informed Mr. Bilecky that he is trying to challenge a decision that was approved 20 years ago.

Continued

Correspondence

Letter from Michele Bakacs re: 20 Hilldale Road. Previously discussed

Letter from Stacy Stieber, Senior Hydrogeologist, re: Aquarion Water Co. No discussion

Letter from Energy & Environmental Protection re: 2011 Legislation & Regulations Advisory. Extended the amount of time a permit is good for, now good for 9 years. With a 5 year extension for a total of 14 years

2011 Municipal Inland Wetland Commissioner Training Program: Segment 3. No discussion

Administrative

Approve Special Meeting Minutes-August 23, 2011. Tom Quigley made a motion to approve the 8/23/11 minutes as written, second by Mary Aragonas, all in favor.

Approved

Conservation issues for the Town of New Fairfield- No discussion

Adjournment

Gerry Schwalbe made a motion to adjourn, second by Tom Quigley, all in favor.

Meeting adjourned at 9:00pm.