

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

**Special Meeting Minutes**  
**Tuesday September 27, 2016**  
**New Fairfield Community Room**  
**7:15 PM**

**Call to Order**

Chairman Patricia Del Monaco called the meeting of the New Fairfield Conservation Inland/Wetlands Commission to order at 7:20pm.

**Appointments**

None

**Members in Attendance**

Patricia Del Monaco, Tom Quigley, Gerry Schwalbe, Joan Archer, Khristine Hall and EEO Tim Simpkins. Lisa Zustovich took the meeting minutes.

**Violation**

**24 Sunset Drive Bogus Hill, construction of stone walls, re-installed a propane tank & re-constructed retaining wall supporting the tank, without permits, map 11, block 2, lot 9, Arpair/Steward, owners.** No owner or representative present. Owner currently involved in legal proceeding with First Light. The Commission will wait for the court proceeding to conclude and see what the results of those proceeding is before moving forward. **Continued**

**New Business**

**6 Spruce Ridge Dr, Raised garden bed, map 14, block 2, lot 1.3, Brown.** Owner Steve Brown present. Owners propose building a 30'x30' raised garden bed inside the construction easement. Maps provided and reviewed. Distance to wetlands is approximately 100 feet with a stone wall separating the wetlands from the area for the proposed raised garden. Commission discussed approving administratively. Tom Quigley made a motion to accept the application for administrative approval, 2<sup>nd</sup> by Joan Archer, all in favor. **Accepted and Continued for Administrative approval**

**Old Business**

**49 Knollcrest Road, comply with SMP, retaining wall, planting and stairs to lake front, map 10, block 3, lot 86.4, LF Terrea Phoenix Corp./D. van der Heyden, owner.** Jeremy Oskanay from A.H. Howland present, representing the owner. Revised plans provided. They have removed the pervious paver walkway and steps in the 10 ft. easement. Driveway grading shown and discussed. Wall was shortened to move it out of the 20 ft. common access. Boat lift information provided: Hydraulic lift with pads that sit on lakebed. Per Mr. Oskanay, First Light prefer this type of lift. Mr. Oskanay said that First light wants boat lifts to be consistent with their guidelines and they will give final approval. Dock is existing. Removing existing house and garage. Sequence of construction discussed. Discussed temporarily seeding down by the lake as a buffer before demo/construction begins. Discussed having house demo, foundation, and grading complete and area stabilized prior to working below the 440. Also having the EEO inspect and approve before moving forward with work below the 440. The other option would be doing the work below the 440 first and getting it stabilized before working on the demo, foundation and grading. Applicant wants to run utilities underground, they currently run above ground. Proposed retaining wall coming off the house is 5 ft. in height, this needs to be an engineered wall. Drainage and pervious vs impervious surfaces discussed. Neighbors-non-lakefront owners-who have easement rights to the road present, and voiced their concerns regarding this project. Lori Macomber stated that the non-lakefront owners have retained attorney

Neil Marcus. Mrs. Macomber read a list of her/their concerns into record. Mrs. Macomber said they have filed an appeal against the Zoning Board. She said that they (non-lakefront owners) still have concerns about the owner's planned work in the easement area. The Commission informed these neighbors that their concerns are issues that need to be addressed with Zoning and First Light. Neighbor Rich from 43 Knollcrest voiced concern about the plans regarding grading of the existing roadway. There was a discussion about whether a portion of the work included in the application may be on the neighbor's property across the street. The Commission said they cannot issue a permit for work on someone else's property. To do the road work on the neighbor's property the applicant would have to submit another application. The neighbors present said they would like to see what grading would look like prior to construction. Gabrielle from 37 Knollcrest discussed concerns regarding the landscaping down at the lake. The Commission discussed excluding the work on the common road from the plans so they can move forward with the rest of the project but they would have to resubmit a grading plan. According to Mr. Oskanay, owner Van der Hayden and neighbor Martini own the road and the other neighbors only have an access easement and road maintenance responsibilities. The Commission needs a letter/information verifying road ownership and would need a letter of permission from road owners. **Continued**

**63 Bogus Hill Rd. Retaining wall, SWMP, planting & dock, map 11, block 2, lot 25, Rowan.** Mr. Oskanay present, representing the owner. Boat lift information provided. Storm water management system will be relocated as discussed. **Approved**

**242 Ball Pond Rd, remove trees clean stream of all wood, map 18, block 9, lot 29.2, Renault.** No owner present, application has been withdrawn per EEO. **Withdrawn**

**164 Route 39, Single Family Dwelling with septic, well & driveway, map 15, block 12, lot 18-21, Wolf/owner, Gallagher/agent,engineer.** Ralph Gallagher present, representing the owner. Application reviewed. Discussed plans, watercourses and drainage. Distances to wetland boundary, erosion controls, grading and limits of disturbance discussed. Ralph will revise maps and resubmit. Khristine Hall made a motion to approve the application with the stipulation that the limits of disturbance go from the west side of the septic coming around with the forced main to the east of the septic reserve area in the front of the house, 2<sup>nd</sup> by Gerry Schwalbe, all in favor. **Approved w/stipulations**

### **Correspondence**

Letter from CCA re: Application to New Milford Inland/Wetland Commission for drainage improvements to Candlewood Lake Club. **No discussion**  
The Habitat. **Commission members each received a copy.**

### **Administrative**

**Approve Special Meeting August 9, 2016 minutes.** Tom Quigley made a motion to approve the 8-9-16 meeting minutes, 2<sup>nd</sup> by Khristine Hall, all in favor except Pat Del Monaco who abstained. **Approved.**

Tom Quigley made a motion to approve the 8-31-16 meeting minutes, 2<sup>nd</sup> by Gerry Schwalbe, all in favor.

### **Approved**

Conservation issues for the Town of New Fairfield. Khristine Hall discussed the POCD planning review done by Tom Quigley, EEO Tim Simpkins and herself.

**Adjournment** Tom Quigley made a motion to adjourn the meeting, 2<sup>nd</sup> by Gerry Schwalbe, all in favor.  
**Adjourned @ 9pm.**