

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

## **Minutes**

**Tuesday February 25, 2020**  
**New Fairfield - Town Hall Conference Room**  
**4 Brush Hill Road - 7:15 PM**

### **Call to Order**

Tom Quigley called the regular meeting of the Conservation/Inland Wetland Commission to order at 7:15pm.

### **Members in Attendance**

Tom Quigley, Gerry Schwalbe, Joan Archer, Keith Landa, Christina McCartney, Margaret DiTullio and EEO Tim Simpkins. Lisa Zustovich took the meeting minutes.

### **Violations**

**16 Bogus Hill Rd, building & constructing masonry stairs to Candlewood Lake, map 10, block 21, lot 1, Bogus Hill Association Inc./Benson representative.** Application was submitted. **Deferred to New Business**

### **New Business**

**2 Old Road, rebuild shed, temporary shed, deck and floating dock with bulkhead/catwalk, Richter.** No owner present. Application and maps reviewed and discussed. Shed and deck are above the 440 line. The Commission has questions regarding who the abutting neighbors are. The Commission needs details on the deck and shed as well if sonotubes will be used for the bulkhead. Gerry Schwalbe made a motion to accept the application for review, 2<sup>nd</sup> by Margaret DiTullio, all in favor. **Accepted & Continued**

**16 Bogus Hill Rd, building & constructing masonry stone stairs, map 10, block 21, lot 1, Bogus Hill Association Inc.** Bob Lauria and Cori Benson present representing the Bogus Hill Association. Previously a Notice of Violation. Per Mr. Lauria, a resident that lives next to a piece of property owned by the Association installed a partial set of stone steps on the Association's property without their knowledge or permission. The distance from the bottom step to the water's edge is 150 feet per Mr. Lauria. The resident who built the steps asked the Association if they could complete the steps at the top of the property. The Commission would need to see a detailed plan with erosion controls on work they would like to do, a better description of the stairs as well as how the work will be done. Per Tim work the area where the work has already been done is stable. Keith Landa made a motion to accept the application for review, 2<sup>nd</sup> by Christina McCartney, all in favor. **Accepted & Continued**

### **Old Business**

**7 Birch Drive, Install pipe in open trench & small pond area, install septic, & addition to house, map 2, block 3, lot 18, Moore.** Owner Frank Moore present. Maps and pictures reviewed and discussed. Storm water management discussed. Joan Archer made a motion to approve the application, 2<sup>nd</sup> by Keith Landa, all in favor. **Approved**

**41 Sail Harbour Drive, Relocate existing dock, boat ramp w/retaining wall, and additional site work, map 3, block 3, lot 4, Yamabayashi & Chiao/owners, Mike Mazzucco/agent.** Mike Mazzucco present, representing the applicant. Per Mr. Mazzucco First Light wants the dock relocated. He has been in contact with Lauren from First Light. New dock location discussed. Wall by pool discussed. It will be an engineered segmental wall. Owners are using Engineer Kevin Archer. How wall will be built and materials brought to site discussed. Drainage on the driveway area of the property discussed. Gerry Schwalbe made a motion to approve the application with the stipulation that they receive engineered drawings for the wall prior to permit being issued, 2<sup>nd</sup> by Margaret DiTullio, all in favor. **Approved w/stipulations**

**320 Route 39, site work, light grading and minor drainage, map 2, block 5, lot 10+11, Walko.** No owner or representative present. Commission has no issues with this application. Margaret DiTullio made a motion to approve the application, 2<sup>nd</sup> by Joan Archer, all in favor. **Approved**

**10 Astoria Drive, modification for permit # IW-18-022 for the septic system new single family dwelling, map 32, block 6, lot 12, Astoria Enterprises/Halas.** Dale Halas Jr. present. Application was previously approved for a 2 bedroom house. Modification of permit is to change house to be built to a 3 bedroom home, move the well to the front of the house, move storm water galleries and expand septic system from what was originally permitted. Neighbors present from 15, 8 and 9 Peralta present and voiced concerns regarding drainage issues. These concerns were addressed when the application was previously approved and the changes proposed would not change that per Commission. Tim Simpkins will meet with the owner of 8 Peralta at the site to discuss his concerns. Gerry Schwalbe made a motion to approve the modification of permit, 2<sup>nd</sup> by Joan Archer, all in favor. **Approved**

**25 Misty Brook Lane, transfer permit # IW-17-000023, map 2, block 4, lot 26, Gottlieb.** Owner Larry Turk present. Per Mr. Turk, they bought the property about a year and half ago. Previous owner received the permit but did not do any work. Mr. Turk would like to transfer the permit to his name and do the work. Permit is good until 2022. Keith Landa made a motion to approve the transfer of permit, 2<sup>nd</sup> by Margaret DiTullio, all in favor. **Approved**

**96 Gillotti Road, modification of permit #IW-19-024, map 23, block 16, lot 91, Montellione/owner, Nejame & Sons/agents.** Owner Mike Montellione present. Modification is needed because there was an error with the variance when he applied/was approved the first time. When the application was approved it was based on a variance of 21 feet which was an error, the correct variance is 35 feet. Due to this the owner is putting an above ground pool instead of an inground pool and moving the location of the pool to the other side of the property. Christina McCartney made a motion to approve the modification of permit, 2<sup>nd</sup> by Keith Landa, all in favor. **Approved**

**Correspondence**

\*Tom said he sent a letter to Neil Marcus, NF Town Lawyer regarding the Commission's question about the Commission's jurisdiction to require permits for work being done below the 440 line. Per Tom, Mr. Marcus agreed that the Commission should not require a permit for work below the 440 line but the Commission could require a permit if property above the 440 line would be used/impacted for access areas below the 440 line which would cause an impact to the wetlands.

\*DEP received New Fairfield Conservation Commission's new regulations.

\*Permit revisions discussed. Discussed removing numbers 10,11 & 12 from the permit.

**Administrative**

**Approve Meeting January 21, 2020 revised minutes-Gerry Schwalbe made a motion to approve the 1/21/20 meeting minutes, 2<sup>nd</sup> by Christina McCartney, all in favor. Approved**

**Conservation issues for the Town of New Fairfield-Per Keith Landa the Town is planning to do work/improvements to the Town Beach.**

**Adjournment Joan Archer made a motion to adjourn the meeting, 2<sup>nd</sup> by Margaret DiTullio, all in favor. Approved**

FEB 27 2020

Received for Record \_\_\_\_\_  
at 3:00 p.m. and recorded by \_\_\_\_\_  
Pamela J. Dohan, Town Clerk, New Fairfield, CT

