



## TOWN OF RIDGEFIELD Inland Wetlands Board

### APPROVED/REVISED MINUTES

May 13, 2021

Members present: Patricia Sesto: Chair, Susan Baker: Vice Chair, Tim Bishop (joined at 7:02PM), Alan Pilch, Kory Salomone, David Tatge

Members absent: Tracey Miller

Also present: Agent, Aarti Paranjape, Office Administrator; Kate Throckmorton –Environmental Land Solutions LLC, Michael Mazzucco: P.E., Jon Richer P.E. Tighe & Bond, Daniel Hageman, Charlie Fisher, Brandon Arcamone, Otto Thiell, Taoufik Ghanname, Mr. & Mrs. Caramadre, Ms. Donna Culbert.

#### **I: Call to order**

Ms. Sesto called the meeting to order at 7:01 P.M.

#### **II: Public Hearing:**

- 1. IW-21-17, 10 Kendra Court**, Plenary Ruling Application to remedy a violation (#2020-079-WV) for work within the upland review area of the wetlands.  
*Owner: Mark & Estee Gurwitz. Applicant: Kate Throckmorton.*

Ms. Throckmorton shared the revised plans which included the landscape buffer planting of almost 1000 sq. ft. The site plan shows the 1992 wetland lines along with the recently flagged wetlands. The Belgium block previously used to delineate the lawn boundary will be moved to coincide with the new limit of lawn. The changes were made in response to the Board's directions and she expressed her anticipation that this would be enough mitigation to allow the new patio areas to stay.

Members acknowledged the revised plans and said the changes reflect what the Board requested.

Ms. Sesto asked for public comment. There was none.

The public hearing was closed at 7:07PM.

#### **III: Applications for Discussion:**



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1. **IW-21-17, 10 Kendra Court**, Plenary Ruling Application to remedy a violation (#2020-079-WV) for work within the upland review area of the wetlands. *Owner: Mark & Estee Gurwitz. Applicant: Kate Throckmorton.*

The consensus of the Board was to take up discussion of the application. Ms. Sesto summarized possible special conditions of approval.

- The site plan shall include the 1992 delineation of wetlands as the record delineation
- The subbase of the gravel driveway be certified and documented.

**Mr. Tatge made a motion to approve IW-21-17 with the Board's general conditions, applicable normal special conditions and the additional special conditions articulated by Ms. Sesto. Mr. Salomone seconded. Motion carried 6-0-0.**

2. **IW-21-18, 293 North Salem Road**, Summary Ruling Application for an inground pool and associated site work within the upland review area of the wetlands. *Owner: Scott & Jennifer Soodek. Applicant: Michael Mazzucco.*

Mr. Mazzucco updated the Board on the revisions. He said the rotation was not going to result in the grading being further from the wetland and the homeowner preferred the original location of the pool.

He explored three ways to mitigate the invasive Japanese knotweed, the methods being:

- Herbicide treatment
- Laying a thick mil plastic and letting the Japanese knotweed die and the covering with new plantings
- Mass excavation for mechanical removal

The Applicant added that the owners agreed to remove the shed in the wetlands area and plant the area with red dogwood. Construction access is shown on the new plans. The discharge outlet is now away from the wetlands and there will plantings between the discharge and wetlands boundary. The patio proposed in not pervious but stamped concrete.

Mr. Mazzucco was not aware as where the pool fence is proposed. He added that there is regular fencing around the property. He said the slope adjacent to pool will



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be stabilized by seeded lawn, and with 1 to 3 slope, mowing the lawn will be feasible.

Mr. Bishop stated that he is also aware of the three methods for controlling knotweed as was stated by the applicant. However, he agrees that herbicide treatment doesn't seem feasible given the proximity of the wetlands.

Mr. Pilch and Ms. Sesto suggested diverse plantings at the edge of wetlands, as the chances are if one kind doesn't thrive, the other will grow well.

Ms. Sesto suggested the herbicide treatment would be an effective treatment for mitigating Japanese knotweed given the difficulty in eradicating this plant.

Members discussed conditions of approval, including diversifying plantings with at least three species of plants along the edge of wetlands and allowing control of the Japanese knotweed to be pursued with the best method suited for their removal.

**Mr. Pilch motioned to approve the Summary Ruling application IW-21-18 with the applicable normal special conditions and general conditions, with the added special conditions discussed. Mr. Bishop seconded. Motion carried 6-0-0.**

3. **IW-21-19, Branchville Road & Ethan Allan Highway, Summary Ruling**  
Application to construct a continuous sidewalk along the Route 7 and Branchville Road corridor within the upland review area of the wetlands. *Owner: Town of Ridgefield. Applicant: Raina Volovski; Tighe and Bond*

Mr. Ritcher and Mr. Hageman presented the revisions. Conservation seed mix has been specified, river birch was replaced with sycamore, and lilacs were replaced with Amelanchier. Plantings proposed on the stream bank has been supplemented with additional plants pursuant to CT DEEP directive.

The applicant said the contractor typically manages the plantings for a period of one year. They agreed DOT will also take care with the removal of the invasive Japanese knotweeds. Ms. Sesto added the normal condition which requires a bond to ensure the plants are thriving two years out can be modified to remove the bonding aspect since this is a Town project.

Ms. Sesto and Mr. Pilch suggested questioned if the Amelanchier are salt tolerant species. Mr. Hageman stated he will look into the options of salt tolerant species.



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Ms. Sesto identified possible additional special conditions:

- Management of the removal of the knotweed.
- Trees and shrubs to be monitored for 5 years. Compliance will need 80 percent of the shrubs and 100 percent of the trees to be thriving.

**Ms. Baker motioned to approve IW-21-19 with the applicable normal special conditions and general conditions, with the added special conditions discussed. Mr. Tatge seconded. Motion carried 6-0-0.**

4. **IW-21-20, 384 Branchville Road, Summary Ruling Application** corrective action for an installation of a stone pad for prebuild garage and filling within the upland review area. *Owner/Applicant: Brandon Arcamone.*  
<https://ridgefieldct.viewpointcloud.com/records/81089>

Mr. Arcamone gave an overview of the application. He said that in order to put a stand-alone two garage, he cleared an area and created a stone pad which involved some grading and filling. He added that he also cleared overgrown plants for a shed installation and to manage poison ivy and brambles at the edge of his yard.

Mr. Theall stated the original delineation was along the ditch, noting collected samples didn't suggest buried wetlands soils north of the ditch. Based on a recent site visit, he concluded no wetlands were lost during the activity.

Ms. Sesto asked for clarification regarding the purpose of the fill and clearing adjacent to the wetlands.

Mr. Arcamone confirmed he proposes lawn, and a 2-3-foot-wide border of mulch to protect against ticks.

Ms. Sesto expressed concerns with the lawn and suggested that buffer plantings are best for the wetlands. She suggested buffer plantings averaging 15 feet deep.

Ms. Baker suggested mulch is not a long term solution. Discussion ensued, with members agreeing that the wetland should be protected with robust planting.

Mr. Arcamone agreed to propose native plantings after consulting a nursery who would guide the homeowner on a planting plan. Mr. Arcamone will be at the next on May 27.



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5. **IW-21-22, 2 Farm Hill Road**, Summary Ruling Application for landscaping and associated sitework within the upland review area. *Owner/Applicant: Taoufik Ghanname.*

Mr. Ghanname presented the mitigation plan and proposed clearing the debris. He said the drainage easement is maintained by the Town.

Ms. Sesto confirmed the fence will be on the south side of the easement.

Mr. Ghannam confirmed that the town said as long they have access to the drainage the location of fence worked. Most of the plants are 3-5 gallons. The white pine and service berry are 6-7 feet tall.

Ms. Sesto acknowledged the wetland on the property is of low quality and the proposed plantings which includes, 3-5-gallon size shrubs, 6-7 feet tall trees and 1 quart-sized foam flowers be beneficial to the wetlands. The plantings should be finished by June 30, 2021.

**Mr. Tatge motioned to approve the Summary Ruling corrective application IW-21-22 with applicable normal special conditions and general conditions, and the additional special conditions stated by the Board. Ms. Baker seconded. Motion carried 6-0-0.**

### IV: Applications to be Received:

**Mr. Salomone motioned and Ms. Baker seconded to receive IW-21-24. Motion carried 6-0-0.**

1. **IW-21-24, 239 Peaceable Street**, Summary Ruling Application for renovations and sitework within upland review area of the wetlands. *Owner: Patrick and Katherine Daigle Applicant: Jay Smith. For receipt and scheduling a sitewalk and discussion.*

<https://ridgefieldct.viewpointcloud.com/records/81364>

### III. Administrative Approvals:

1. **IW-21-23, 42 Peaceable Street**, Mr. Connor Rowe



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Mr. Pilch visited the property before issuing the administrative approval for 42 Peaceable Street

### IV. Ongoing Enforcement by Agent:

#### 1. Cease and Correct Order – 33 Beaver Brook Road - Show Cause Hearing

Ms. Sesto recounted the nature of the activities that led to a cease and correct order. She advised Mr. Caramadre this hearing is his opportunity to provide evidence as to why the order was not appropriately issued.

Mr. Caramadre explained the work he conducted at his property. He had replaced the existing drain of corrugated pipe with hard pipe and cleared the path.

Ms. Sesto referenced the area that was excavated possibly for parking and the resulting deposition of fill into the wetland. Mr. Caramadre responded the work was not in a wetland. In response to Ms. Sesto's follow up question, Mr. Caramadre confirmed he did not know where the wetland boundary was.

Mr. Caramadre was joined by Mrs. Caramadre to make their case that they were never informed they had wetlands.

It was the consensus of the Board members that the activity performed by the homeowner is a regulated activity and requires a permit from the Board. Further, the order should remain in effect and a corrective application should be submitted.

**Mr. Salomone motioned to uphold the cease and correct order and require a corrective application be submitted by June 08, 2021. Mr. Tatge seconded. Mr. Bishop abstained due to his absence at the site walk. Motion carried 5-0-1.**

#### 2. 21 Bryon Avenue

The applicant's representative was not present.

Ms. Sesto said a letter submitted by Mr. Kubick's attorney stated they developed the area for agricultural use as a pumpkin patch. The attorney representing Mr. Kubicks stated that the violation should be lifted as farming is allowed as of right under section 4.1, therefore no violation exists.

Ms. Sesto recounted her response to Mr. Mason, advising him of her position. Namely, people cannot self-determine they are exempt and the area was in fact



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developed as lawn, not a crop. Repurposing the area for pumpkins could be utilized as a means to correct the violation. She then asked the Board members if they believe that the homeowner is in violation. They responded affirmatively.

She stated the declaratory application should be submitted to detail the pumpkin patch and where will the shed associated with the farming be placed on the property. Ms. Sesto stated her view that clearing was done near the stream corridor and construction of a wall does not readily appear to be farming relatable.

Consensus was that the homeowner should submit an appropriate application. The homeowner would be given a month to submit an application.

#### **3. 384 Branchville Road**

Summary Ruling application was submitted and discussed with Board.

#### **4. 136 Limekiln Road**

Mr. Tom McCarthy's daughter, Ms. Donna Culbert, informed the board she will be submitting an application to correct the violation on her father's property. She will be hiring an area engineer who will assist her to submit the remedy.

The Board suggested contacting a landscape architect vs an engineer and suggested a wetland delineation will be helpful, if the owner wants to redistribute the wood chips on the property.

Ms. Culbert will be back at the May 27 meeting to report on her progress. At that time the Board will determine the deadline for submission of a corrective action application.

## **V. Other Business**

### **1. Bond Releases**

- 50 Ivy Hill Road - 2015-105-SR
- Pumping Station & Flatrock Drive - #2005-069-S-SR
- Lot #39 Wilton Road East - #2008-119-PR
- 29 Prospect Street - #2014-008-PR-SP-VDC



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Members discussed and decided that the inspection related to the bonds will be conducted by the new wetland agent who will be joining the office next week. Members will assist the agent during inspection.

Mr. Bishop informed that he had contacted the owner at 50 Ivy Hill Road and he is visiting the property on Friday for inspection.

#### **VI. Approval of Minutes:**

**Inland Wetlands Meeting – April 22, 2021**

**Ms. Sesto motioned to approve the minutes as submitted. Ms Tatge seconded. Motion carried 5-0-1, with Ms. Baker abstaining.**

**Site walk Minutes –May 02, 2021**

**Mr. Bishop motioned to approve the site walk minutes. Mr. Salomone seconded. Motion carried 5-0-1, with Mr. Bishop abstaining.**

#### **VII. Adjourn**

Prior to adjourning, Mr. Bishop added that he contacted the homeowner for 21 Powder Horn Drive for a compliance inspection. Mr. Bishop was informed that the work won't start for few more weeks.

Hearing no further discussion, Ms. Sesto adjourned the meeting at 8:41P.M.

Respectfully submitted by,

Aarti Paranjape  
Recording Secretary