



TOWN OF RIDGEFIELD Inland Wetlands Board

APPROVED/REVISED MINUTES

September 23, 2021

Members present: Susan Baker, vice chair, Tim Bishop (joined at 7:02PM), David Tatge, Tracey Miller (Joined at 7:01PM), Patricia Sesto, chair, Alan Pilch, Kory Salomone, secretary

Also present: Andrew P. Hally, inland wetlands agent, Aarti Paranjape, office administrator; Matt Mason, Ross Clark, Patrick Shurr, James Delalla.

I: Call to order

Ms. Sesto called the meeting to order at 7:00 P.M.

II: Applications for Discussion:

1. (Contd.) IW-21-27, 21 Bryon Avenue, Summary Ruling Application and after-the-fact Permit Need determination for a corrective action for a violation within upland review area of wetlands. *The applicant grated extension until September 23, 2021. 40 days used of 65-day extension. Owner: Jennifer Kubick. Applicant: Matthew Mason.*
<https://ridgefieldct.viewpointcloud.com/records/82194>

Mr. Mason addressed the open issues, one being if the trees removed behind the shed in the vicinity are related to the activity of the farming. Ms. Kubick's letter supports that cutting of trees directly relates to the activity to ensure enough sunlight at the proposed planting activity. Second issue was the removal of vegetation conducted at the watercourse area and unrelated to agricultural activity. Mr. Mason stated that can be dealt as a violation which should be addressed separately.

Ms. Sesto inquired the height of trees that had been cut, questioning whether or not those trees cast shadow on the proposed garden. It is not enough to simply say they would cast shadows; the applicant needs to provide proof.

Mr. Mason stated that the trees could have been 20 feet tall, which were hampering the sunlight to ~~fall~~ fail to grow the plants. Mr. Mason said that his client determined that the tree clearing was necessary, and that is as of right.

Ms. Sesto and members didn't find evidence to support the idea that the trees needed to be cut for the pumpkin patch. Miller stated that while tree clearing for the expansion of an



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agricultural crop is as of right, the statutes say that it is the agent, or the board, that should determine what aspect of the clearing is as of right. If an applicant pursues tree clearing activity prior to contacting the agent, then they run the risk that the board will have to make a determination without knowing what was there.

Ms. Sesto stated that the clearing of trees behind the proposed shed doesn't relate to the pumpkin patch and that the trees should be planted back in order to protect the wetlands.

Ms. Miller mentioned that black gum or sweet gum trees would thrive better than dogwood in that area, if the soils are hydric.

Ms. Sesto stated the issue of the removal of vegetation associated with brook still exists. This can be handled with this corrective action application.

Mr. Mason disagreed and provided his reasoning as to why the removal of vegetation should be handled as a separate violation.

Discussion ensued.

Ms. Sesto motioned to 1. approve that pumpkin patch proposed is as of right activity per Section 4, and 2. the trees removed behind the shed were not required for the garden and replacement trees consisting of three 2- 2 ½ inch native understory trees to be planted near the proposed shed. Mr. Kory seconded. The planting to be completed by October 31, 2021. Motion carried 7-0-0.

Ms. Sesto stated that Mr. Hally will issue a new violation to the homeowners for the removal of vegetation adjacent to watercourse.

2. (Contd.)IW-21-41, 28 Sycamore Lane, Summary Ruling application for addition and associated site work to existing residence in upland review area of the wetlands. Owner: Michael & Cathy Hansum. Applicant: Cassie Voisine.
<https://ridgefieldct.viewpointcloud.com/records/80126>

Mr. Clark addressed the concerns of the Board from the last meeting. He said the proposed silt fence follows the existing fence line around the back of the home. He also proposes the hay bales to be placed along with the silt fence.

The planting of 25 native New England plants are proposed along the pond periphery. The Board clarified among themselves that these plantings are being installed at the discretion of the applicant and are not considered a requirement of any permit.



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Discussion ensued regarding the need for extra haybales along the silt fence. Members agreed that if the silt fence is installed properly the applicant need not put the extra haybales.

Ms. Baker motioned to approve the summary ruling application with the applicable normal special and standard conditions of approval. Mr. Bishop seconded. Motion carried 7-0-0.

Publication date is September 30, 2021 and effective date is October 01, 2021.

3. IW-21-43, 613 Ridgebury Road, Summary Ruling application for addition to the existing accessory garage within the upland review area of the wetlands. *Owner: Richard Flood. Applicant: Brian Dean.*

<https://ridgefieldct.viewpointcloud.com/records/83549>

Applicant was not present at the meeting. No discussion held.

4. IW-21-46, 10 Shadow Lake Road, Summary Ruling application for addition and expansion to pool patio, replacement of driveway and associated site work within the upland review area of the wetlands. *Owner: Peter Paulos Jr. Applicant: Patrick Shurr*
<https://ridgefieldct.viewpointcloud.com/records/83396>

Mr. Shurr gave an overview of the proposed activity. He said the proposed work included garage addition at north west side of the house, expansion of patio and replacement of driveway to include a snow melt system. The infiltration system includes a concrete galleries and crushed stone reservoir in the east of patio.

The limit of regulated activities is at the corner of the garage addition and most of the driveway.

Mr. Pilch asked about the property across the pond. He said he noticed that the lawn area goes along the edge of the pond and suggested a vegetated buffer should be installed.

Members agreed that a fifteen-foot deep no-mow buffer along the edge of the pond should be a mitigation effort and would be best for the pond. The buffer should not impede access to the dock.

Ms. Miller motioned to approved the Summary ruling application with the applicable normal special and general conditions, and the additional special condition that a fifteen-foot-deep no mow buffer along the western side of the pond be established. Mr. Tatge seconded. Motion carried 7-0-0.

Publication date is September 30, 2021 and effective date is October 01, 2021.



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5. IW-21-47, 6 Millers Lane, Summary Ruling application for addition of decks, placement of hot tub, redevelopment of outdoor living area and associated site work within the upland review area of the wetlands. *Owner: John & Margaret Pappadoulis. Applicant: James DeLalla.*

<https://ridgefieldct.viewpointcloud.com/records/83659>

Mr. DeLalla gave an overview of the application. The portion of the property where the improvements are proposed had an above ground pool and its associated decking remains. The project entails reworking the decks, stairs, and patio to better meet the owners' needs. The extent of coverage will largely be the same.

The Board sought clarification regarding the disposition of the abandoned garden. Discussion ensued with the Board concluding the area should not be converted to lawn. The Board was open to the applicant submitting plans showing an area of lawn/garden being planted covering an area equal to the square footage of the garden. The goal is to keep lawn away from the edge of the wetlands.

Ms. Miller motioned to approve the Summary Ruling application with applicable special and standard conditions, and the additional special condition that a planting plan be submitted to create a buffer between the lawn and wetland equal in size to the abandoned garden. Plantings shall be completed within six months of completion of project. Ms. Baker seconded. Motion carried 7-0-0.

Publication date is September 30, 2021 and effective date is October 01, 2021.

III: Applications for Submission:

1. IW-21-48, 197 Haviland Road, Summary Ruling application for addition of a screen porch within the upland review area of the wetlands. *Owner: Michael Egan. Applicant: Tara Pagano. For receipt and scheduling a sitewalk and discussion.*
<https://ridgefieldct.viewpointcloud.com/records/83342>

2. IW-21-49, 19 Belvedere Court, Summary Ruling application for addition of pool patio, and Drainage system within the upland review area of the wetlands. *Owner: Sean Adrian. Applicant: Michael Mazzucco. For receipt and scheduling a sitewalk and discussion.*
<https://ridgefieldct.viewpointcloud.com/records/83872>



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3. IW-21-51, 34 Old Branchville Road, Summary Ruling application for addition of pool, patio and fence within the upland review area of the wetlands. *Owner: Daniel O'Brien Trustee. Applicant: Sara DeMici. For receipt and scheduling a sitewalk and discussion.*
<https://ridgefieldct.viewpointcloud.com/records/82415>

Mr. Salomone motioned to receive the above three applications, Mr. Tatge seconded. Motion carried 7-0-0.

Sitewalk scheduled is for October 10 and discussion on October 14, 2021.

IV: Administrative Approvals:

1. IW-21-50, 321 Florida Hill Road, Administrative approval application for addition of roof and concrete floor to the existing accessory structure within the upland review areas of the wetlands. *Owner/Applicant: Brian Truskowski.*
<https://ridgefieldct.viewpointcloud.com/records/83332>

Ms. Sesto motioned to approve the administrative application. Mr. Bishop seconded. Motion carried 7-0-0.

V. Ongoing Enforcement by Agent:

- **33 Beaver Brook Road** - Cease and Correct Order – *Michael & Christine Caramadre*

Mr. Hally informed that the Board's legal counsel sent a letter regarding the notice of violation with a deadline of September 30, 2021 to submit a corrective application.

- **799 North Salem Road**, Peter Moritz

Mr. Hally informed that Mr. Morritz's daughter is having some technical issues with submitting an application. Mr. Hally suggested she contact the office and they will walk her through the submission process. Mr. Esposito is the landscaper who is visiting the site again to give an update to the homeowner.

Mr. Hally suggested if the application is not submitted by next meeting, the Board should send an additional violation notice.

- **104 Haviland Road**; Ken Rosenfield & Jill Kerpcher



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Mr. Hally stated an application lacking substantive information was submitted. The applicant was contacted and informed of the need to submit the site plan, a detailed narrative and planting plan.

Ms. Sesto offered a cautionary reminder that our electronic application submission system can be at odds with statutes. There is no ability not to accept a submission due to incompleteness. In the case of incomplete application, proper written communication referencing the incomplete application submission is needed and should ensure both the applicant and Mr. Hally are clear on the statutorily recognized submission date.

- **25 Hessian Drive;** Joseph & Patricia Shea.

Mr. Hally informed that the homeowner has retained Ms. Throckmorton and will soon submit an application.

- **34 Rustic Road;** Felicia Clem.

Mr. Hally informed that Mr. Jewell attended Conservation meeting and Mr. Grogins, counsel for Conservation, is reviewing the file to determine jurisdiction. According Mr. Jewell, Ms. Clem will submit an application for dock, trellis and fireplace.

- **66 Keeler Drive;** Alexandre & Vanderleia Suter

Mr. Hally informed that Mr. Mazzucco is being retained by the homeowner and he will submit an application.

- **56 Shadow Lake Road;** David & Christine Dicamillo

Mr. Hally informed about the excavation above the potential wetlands and filling towards the east of the property. The violation notice will be sent next week. The homeowner can either apply for application or can attend the next meeting and update the Board of the progress.

Ms. Sesto requested the agenda include a status reports of corrective action permits going forward.

VI: Other Business:

1. **City of Danbury-** Application to conduct regulated activity at 100 Reserve Road, Danbury, CT 06810.



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Mr. Hally informed that the proposed activity in Danbury is more than a thousand feet from the Town of Ridgefield boundary. The proposed warehouse is approximately 190,000 square feet along Saw Mill road. The bridge crosses seasonally ponded part of the wetland to provide access to an office building with associated parking on the northern side. The wetland and watercourse are connected to the Sawmill River and its associated wetland that extends south to the Turner Ridge development.

Mr. Pilch inquired if the Board has to send comments to the City of Danbury, to which Ms. Sesto commented that the referral is a statutory requirement when the property is 500 feet or less from the boundary to provide the Board an opportunity to comment. We are not required to do so.

Members decided to look into the plans independently.

VII: Approval of Minutes:

Inland Wetlands Meeting – September 09, 2021

Ms. Susan motioned, and Mr. Tatge seconded to approve the minutes as submitted. Ms. Sesto, Mr. Pilch and Mr. Salomone abstained. Motion carried 4-0-3.

Sitewalk Meeting- September 19, 2021

Mr. Pilch motioned, and Mr. Tatge seconded to approve the minutes as amended. Mr. Bishop and Mr. Salomone abstained. Motion carried 5-0-2.

VIII. Adjourn

Mr. Hally asked if the Aquifer Protection meeting scheduled for October 14, should be canceled since the agenda has no items.

Ms. Sesto stated that the decision to cancel the meeting will be made closer to the meeting.

Hearing no further discussion, Ms. Sesto adjourned the meeting at 8:27 P.M.

Respectfully submitted by,

Aarti Paranjape
Recording Secretary