



## TOWN OF RIDGEFIELD Inland Wetlands Board

### APPROVED/REVISED MINUTES

October 28, 2021

Members present: Patricia Sesto, chair, Susan Baker, vice chair, Tim Bishop, David Tatge, Tracey Miller, Alan Pilch, Kory Salomone, secretary

Also present: Aarti Paranjape, office administrator; Michael Egan, John Leveton, Daniel O'Brien, Ken & Jill Rosenfield, Robert Jewell, Kate Throckmorton, Ann Marie DelFranco, Ralph Gallagher, Candice Germain, John Scavelli, Jon Roman

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

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

#### **II: Applications for Discussion:**

**1. (Contd.)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.*

<https://ridgefieldct.viewpointcloud.com/records/83342>

Mr. Leveton gave an overview of the project, stating the porch is on piers and is within the wetland upland review area. The porch is in an area already consumed by residential landscaping.

Ms. Baker inquired about the conservation easement identified on the plan, to which Mr. Leveton replied that the property is adjacent to open space.

**Ms. Baker motioned to approved the Summary Ruling with standard and applicable special conditions, Mr. Bishop seconded. Motion carried 7-0-0.**

**Publication date is November 04, 2021 and effective date is November 05, 2021.**

**2. ( Contd.)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.*

<https://ridgefieldct.viewpointcloud.com/records/83872>



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The applicant asked to have the review of the project be continued to December 09, 2021 and has granted extension until next meeting.

**3. (Contd.)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.*

<https://ridgefieldct.viewpointcloud.com/records/82415>

Mr. O'Brien presented the planting plan that consists of plants recommended by the by UConn website for rain garden plants. Ms. Sesto stated that at the last meeting the members had asked to expand the planting south of rain garden towards wetlands. She suggested fifty percent more plants than currently proposed should be enough to extend the planting beyond the rain garden and up to the woods line.

Mr. Pilch emphasized the planting should be installed at the outflow of the rain garden to protect the receiving slope.

Following special conditions were stated:

- Planting plan should be expanded in number by fifty percent more than is proposed.
- The additional planting is to be installed over the berm and down to the woods with emphasis on the protecting the rain garden outflow.
- Herbaceous plant size will be 1-2 gallon and shrubs will be sized 2-3 gallons
- Planting to be completed within six months of receiving CO for pool.
- Bond will be posted.

**Mr. Bishop motioned to approve the Summary Ruling with standard and applicable normal special conditions and the additional special conditions articulated, Mr. Salomone seconded. Motion carried 7-0-0.**

**Publication date is November 04, 2021 and effective date is November 05, 2021.**

**4. IW-21-52, 104 Haviland Road,** Summary Ruling application for corrective action for potential violation, to expand landscape area, install deer fence and evergreens within the upland review area of the wetlands. *Owner/Applicant: Kenneth Rosenfield.*

<https://ridgefieldct.viewpointcloud.com/records/83682>

Ms. Rosenfield gave an overview of the work completed and the proposed work. Trees had been removed and a proposal to enhance the area was submitted. She added the proposal changed since its submission. The plan to bring in fill to raise an area is no



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longer being proposed. There are undulations in the lawn which they would like to fill. She informed the Board that as per the wetland agent's suggestions, river birches will be installed. A deer fence is also desired.

Ms. Sesto expressed concern that the application lacks documentation, including a site plan. There is no record showing the proposed placement of the trees, the limit of lawn, or the area proposed for smoothing.

The discussion ensued on the planting plan regarding the sizes, and type of trees, filling of the undulations in the lawn, and the fence location. The applicant needs to further define the plan.

The Board agreed the homeowner can purchase and install the trees this fall or can plant in the spring season. The homeowner will work with Mr. Hally, who will monitor and approve the location of the trees will be planted should the planting occur in advance of the Board taking final action in December. This permission does not include any fill.

Meeting continued on December 09, 2021 where homeowner will submit a survey showing the placement of the trees proposed/planted.

**5. IW-21-53, 26 Hessian Drive**, Summary Ruling application for corrective action for a prior violation to stabilize cleared area within the upland review area of the wetlands.  
*Owner: 22 LLC. Applicant: Robert R. Jewell*  
<https://ridgefieldct.viewpointcloud.com/records/84112>

Ms. Sesto and Mr. Bishop indicated they visited the site on their own.

Mr. Jewell gave an overview of the activity on the undeveloped lot. The homeowner proposes to use the lot for recreational purposes and removed vegetation as part of this project. The highway department and tree warden were consulted, and the highway department issued their permit. However, work was stopped by the IWB office in response to a complaint and absence of a wetland permit.

Ms. Throckmorton gave an overview of proposed work including the remediation plan for the work done. The stumps are located along the shore line. The area will be developed as meadow, which was overgrown with invasive porcelain berry. A footpath is proposed to extend southward from the meadow into undisturbed portions of the lot. The restoration plan includes two red maples and two shadblows to be planted. The proposed four-foot wide wood stairs with no foundation give a safe access on the steep slopes. The gravel path goes across the Hessian Drive. The native seed mix is proposed, spot treatment of invasive plants with herbicides will be used as needed. The homeowner proposes to use the area for hiking, open space, and recreation.



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Ms. Baker inquired about the edge of the pond and how it will be maintained. Ms. Throckmorton assured there will be a five-foot buffer of woody material like black locust and willow from stumps that will be allowed to grow back. No dock is proposed. The wood chips at the end of road will be removed.

Ms. Sesto recommended a tree protection be used to prevent damage from deer. She said the size of the trees should be 2-2 1/2 caliper for red maple and 6-8 feet high for the shadblow.

Ms. Throckmorton stated the trees will have deer protection.

Mr. Pilch inquired about the seeded area along the shoreline area, and if the path will have any wood chips. He suggested details about the access steps be submitted. Ms. Throckmorton stated there will be no wood chips on the trail and agreed to submit the stair details to the office.

Ms. Sesto asked for public comments. Ms. Delfranco of 420 North Salem Road spoke about the email she had sent expressing her concerns. She informed the Board that she owns majority of pond and expressed concerns about the application of Round Up and the runoff from the cut of the driveway created.

Ms. Throckmorton responded there are no concerns of the runoff as the area is going to be vegetated. She reiterated there will be only be spot treatment of Round Up applied with rags and restricted to upland use. She added creating the meadow will help diversify and manage the aggressive invasive species.

Following conditions will be applicable:

- Corrective action plan be revised to show the pond having five feet depth of willows and locust to revegetate.
- Wood chips to be removed
- Shadblows of 6-8 feet height, red maple of 2 -2 1/2 caliper
- Deer protection plan to be utilized.
- Details of the stairs to be submitted.
- Implementation date of planting is April 30, 2022.

**Mr. Salomone motioned to approved the Summary Ruling with standard and applicable normal special conditions, with the additional specials conditions articulated, Mr. Tatge seconded. Mr. Bishop abstained. Motion carried 6-0-1.**

**Publication date is November 04, 2021 and effective date is November 05, 2021.**



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**6. IW-21-54, 9 Rita Road,** Summary Ruling Application for construction of a new single family residence within the upland review area of the wetlands. *Owner: Candice Germain*  
*Applicant: James Casali.*

<https://ridgefieldct.viewpointcloud.com/records/83178>

Ms. Sesto indicated she visited the site on her own.

Ms. Sesto informed that Board received a petition signed by 28 residents, obligating Board to hold a public hearing. Ms. Sesto explained that following reasons can prompt the Board to raise an application to a plenary review - the activity may have a significant impact on the wetlands or public interest. Public interest can be determined by the Board or a petition has been filed. Why an application is given a public hearing makes a difference when it comes to the criteria of decision, section 10.3.

Board agreed that even without the petition, a plenary review is warranted given the scope of work may have a significant impact to the wetlands and pond. A public hearing will be held on December 09, 2021. Legal notices will be posted two weeks before the public hearing date. The applicant will inform the abutters not less than ten days before the public hearing date and will also submit a biological study conducted by a biologist and any other application requirements.

If the applicant cannot make it for the December 09 meeting, extension needs to be granted by the applicant. This needs to be submitted to the office.

Mr. Pilch asked to have the applicant reflag the wetlands boundary and mark building corners.

Board members will revisit the site individually.

**7. IW-21-55, 36 Old Mill Road,** Summary Ruling application for addition of pool and patio within the upland review area of the wetlands. *Owner: Phillip & Leah Pilla.*

*Applicant: John Scavelli.*

<https://ridgefieldct.viewpointcloud.com/records/84253>

Ms. Sesto stated she visited the site on her own, observing the property from the road.

Mr. Scavelli presented the application, explaining the location of pool, patio and spa. The pool is located at the back of the property which is a flat lawn. Only a small portion of the pool falls in the hundred-foot upland review area. The stormwater system consists of the Cultec infiltrators.



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Members who participated in the October 24<sup>th</sup> site walk did not have access to the site due to a locked gate. Members stated their inclination to see the site before reviewing the application. Accordingly, the discussion is continued to the December 09 meeting.

Ms. Sesto stated that the applicant should submit below information before the December meeting:

- Means to protect the pond from the runoff of fertilizers or pesticides in the long term.
- Submit a planting plan.

### III: Applications for Receipt:

**1. IW-21-56, 0 Rippowam Road,** Summary Ruling application to construct a bridge over a stream within the upland review area of the wetlands. *Owner: Nguyen, Vi. Applicant: Steven Trinkaus.*

<https://ridgefieldct.viewpointcloud.com/records/84238>

**2. IW-21-57, 0 Ives Court,** Summary Ruling Application for Drainage, grading and road improvements to Ives Court to meet Town roadway standards within the upland review area of wetlands. *Owner: Robert Cioffoletti. Applicant: Michele Micoli; Artel Engineering.*

<https://ridgefieldct.viewpointcloud.com/records/84217>

**Ms. Miller motioned to receive the above two applications, Mr. Salomone seconded. Motion carried 7-0-0.**

**Sitewalk scheduled is for December 05, 2021 and discussion on December 09, 2021.**

### IV: Administrative Approvals:

None.

### V: Status of Corrective Action Application-Completion of work

#### 1. 21 Bryon Avenue

The homeowner was sent the new violation and Mr. Mason has sent an email in response to the violation.

#### 2. 148 Ledges Road.



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### VI. Ongoing Enforcement by Agent:

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

Mr. Beecher will be filing for the temporary injunction.

- **799 North Salem Road**, Peter Moritz
- **34 Rustic Road**; Felicia Clem.
- **66 Keeler Drive**; Alexandre & Vanderleia Suter
- **56 Shadow Lake Road**; David & Christine Dicamillo
- **40 Mountain Road**; Robert Deroma

### VII: Other Business:

**1. 60 Keeler Drive, Jon Roman**; Pre application review for the proposed work within the upland review area.

Mr. Roman presented the concept for work he wants to pursue at his property. He intends to fill and grade the backyard and create a lawn within the wetlands and upland review area. He said the rocks and boulders in the backyard will be repositioned to make pile for rock wall.

Ms. Sesto stated the Board's responsibility is to protect the wetlands. She expressed concerns regarding filling of the wetlands. She said the lawn at the edge of the wetlands is not healthy and filling the wetlands to create a lawn is not conducive to protecting wetlands. However, a mitigation plan to enhance degraded wetlands could be a helpful tradeoff for improvements in the wetland buffer.

Members expressed concerns that the filling would impact the health of the maple tree in the back yard.

Members agreed that the homeowner should submit an application with alternatives.

Mr. Roman acknowledged the responses and comments and will submit an application.



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#### **VIII: Approval of Minutes:**

**Inland Wetlands Meeting – October 14, 2021**

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

**Sitewalk Meeting- October 24, 2021**

**Ms. Baker motioned, and Mr. Tatge seconded to approve the minutes. Ms. Sesto and Ms. Miller abstained. Motion carried 5-0-2.**

#### **VIII. Adjourn**

Members thanked Mr. Salomone and Mr. Tatge for their contribution as members since 2019. It was there last day as members of Board.

Hearing no further business, Ms. Sesto adjourned the meeting at 9:18 PM.

Respectfully submitted by,

Aarti Paranjape  
Recording Secretary