

Inland Wetlands Board

APPROVED/ REVISED MINUTES

SPECIAL TELECONFERENCE MEETING

These minutes are a general summary of the meeting and are not a verbatim transcription.

April 16, 2020

Members Present: Susan Baker (Vice Chair)
Tim Bishop
Tracey Miller
Alan Pilch
Kory Salomone (Secretary)
Patricia Sesto (Chair)
David Tatge

Also Present: Thomas Beecher, Inland Wetlands Board Counsel
Beth Peyser, Inland Wetlands Agent & Conservation Enforcement Officer
Aarti Paranjape, Office Administrator/ Recording Secretary
Kitsey Snow, Ridgefield Conservation Commission
Brian Smith, Attorney, Robinson & Cole
Gloria Driscoll, Barnum Place resident

I. Call to order

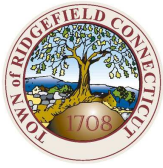
At 7:00 p.m. Chair Ms. Sesto, called the meeting to order. Ms. Sesto gave an overview of the first teleconference meeting protocol. Ms. Sesto stated that she will take a roll call for the Board members and Staff present. She directed members from the public who wish to speak to identify themselves to Ms. Peyser by emailing wetlands@ridgefieldct.org and they will be called on at appropriate time.

II: Old Business

- a. #2020-015-JR Hearing for Jurisdictional Review- Turner Road & Barnum Place (Assessor's ID B01-0002) – Proposal to construct a Multi- family development with nine (9) units on a property consisting of \pm 1.17 acres (continued).

- Dr.Klemen's Report (dated 03/29/2020) to IWB Chair Ms. Sesto.

Chair, Ms. Sesto recounted the Board's jurisdictional review hearing on March 12, 2020, for a Turner Road and Barnum Place development to determine if the Board should regulate the



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activity even though the proposed development site is beyond the regulated upland review area. At that time Board discussed that an expert should be conduct a wood frog habitat study on behalf of the Board agreed that an expert should be retained to conduct a wood frog habitat study on behalf of the Board, to determine if the subject parcel is a potential breeding grounds for the wood frogs. She added that Dr. Klemens was hired by the Board to do the research. Due to COVID 19, Dr. Klemens could not visit the site himself, but based on review maps and additional resources, Dr. Klemens conducted his study remotely and submitted a letter to the Board on March 29, 2020.

In the letter Dr. Klemens acknowledges that the proposed development site is near an essential habitat for the wood frogs. However, due to the extent of development on both Danbury and Ridgefield west of the wetland, the site itself is not critical wood frog habitat. The letter concluded where he states “his professional judgement, assuming jurisdiction over this development site by your Board would be ill-advised”.

Ms. Sesto asked the Board members for their comments or questions in regards to Dr. Klemens report.

Mr. Pilch accepted the letter and further inquired if the stromwater system from the proposed site is directed towards the pond west of the wetlands. He states that the pond is the potential breeding point for the wood frogs questioned if the discharge will be detrimental to the pond.

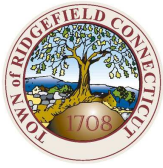
Ms. Peyser commented that the stormwater is directed to the catch basin, daylighting across the street, but not directly into the wetlands.

Mr. Beecher commented that Mr. Chris DeAngelis, peer review engineer hired by the Town, stated that the stormwater system and project has no direct impact to the wetlands.

Ms. Miller expressed concerns about the drainage being in close proximity to the wetlands and inquired if the new construction will have the impact on the wetlands.

Ms. Sesto, acknowledged Ms. Miller’s concerns she stated that at the time of submission the applicant was advised by staff that no wetlands permit was needed, as the proposed activity is not in the regulated upland review area and it was the practice of the former Board to consider stormwater discharge. The inquiry to the Board which prompted jurisdictional review was a question regarding the presence of wood frog activity near the proposed development, and in order to be fair to the applicant, discussion on the stormwater at the present stage of the application review process would not be justified. Ms. Sesto specified that Board may consider reviewing the future applications for stormwater effects on wetlands.

Attorney Smith, read a letter from JMM Wetlands Consulting Services LLC, submitted to him by his client Black Oaks LLC. The letter stated JMM reviewed Dr. Klemens report and agrees



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with that report. The wood frog habitat is surrounded by existing development. Attorney Smith added and the applicant took necessary steps when submitting an application to the previous Inland Wetlands Board and hence the Board has no jurisdiction over the application.

Ms. Peyser stated that letter was electronically submitted to the office on April 16, 2020 before commencement of the hearing but after the end of the business day.

Ms. Sesto called for Public comments and asked Ms. Peyser if any member of public submitted an email to comment at the public hearing. Ms. Driscoll and Ms. Snow emailed Ms. Peyser and showed interest to speak at the hearing.

Ms. Driscoll thanked the board members for their time and considering her request and collecting the data to pursue her query.

Ms. Snow, Ridgefield Conservation Commission asked if Board pursued the Natural Diversity Database (NDD) query with DEEP regarding the species in NDDB.

Ms. Peyser stated Ms. Driscoll had shared information of the presence of a species of special concern, the blue-spotted salamander. That information was shared to the Board.

Ms. Sesto stated that the Board is reviewing the value of the subject parcel as it pertains to wood frogs because the science exists to connect the health of the wetland to the wood frog population. The effect of other amphibian species on wetlands and watercourses has not yet been made.

Hearing no further comments from Board or public, **Ms. Sesto motioned to not take jurisdiction over the Turner Hill and Barnum Place development site based on Dr. Klemens report, seconded by Mr. Bishop. Motion carried 7-0-0.**

III: Adjourn

Ms. Baker motioned and Mr. Salomone seconded to adjourn the meeting at 7:25PM. Motion carried 7-0-0.

Respectfully submitted,

Aarti Paranjape