



TOWN OF RIDGEFIELD Inland Wetlands Board

APPROVED/REVISED MINUTES

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

December 10, 2020

Members present: Patricia Sesto: Chair, Susan Baker: Vice Chair, Tim Bishop, Tracey Miller, Alan Pilch, David Tatge

Members Absent: Kory Salomone

Also present: Beth Peyser: Inland Wetlands Agent, Aarti Paranjape: Office Administrator, Robert Jewell, James McManus, JMM Wetland Consulting Services, LLC., Douglas Clarke, [firm], Ralph Gallagher, [RJ Gallagher & Associates, Ryan Steneken, Anthony Volante, Richard & Laura Flood, Ralph Palladino, Palladino D & Sons Septic Co Inc., Margaret Broderick

I: Call to order

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

II: Discussions:

1. **#2020-058-SR, 4 Black Pine Ridge Road** application to construct a single family residence and associated sitework within the upland review area of wetlands.
Owner/Applicant: Ashlar Historic-Restoration, LLC. Statutorily received on November 12, 2020. Site walk on December 10, 2020. 65 days to render a decision is January 14, 2020.

Mr. Pilch recused himself.

Mr. Jewell, presented the application giving an overview. He said the property is Lot 8 of the Black Pine subdivision and provided details about the subdivision history. In July of 2020, the property owner cut down trees in an area of approximately 100x100 feet in preparation for development. An updated wetlands delineation was conducted by JMM Soils and Ecological Services in September 2020. Mr. Jewell stated that when the subdivision was approved the upland review area was 50 feet as opposed to the new 100-foot upland review area.



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Mr. Jewell said the proposed activity doesn't involve disturbance to the wetlands and a natural buffer is proposed to protect the wetland.

Mr. McManus, soil scientist, stated he performed the wetlands delineation. His narrative and sketch show the current wetlands boundary which has increased in size from what was shown at the time the subdivision was approved.

Mr. Clarke, landscape architect gave an overview of the landscape and wetland planting. He said the invasive species will be hand removed and he has proposed planting a buffer of viburnum, witch hazel, a New England wetland seed mix. A 30-foot buffer is proposed along the edge of the wetlands. All plants are native to the area.

Ms. Sesto asked if a biological evaluation of the property was submitted with the application.

Mr. Jewell stated that for Summary Ruling Application no biological evaluation is required if no activity is proposed in the wetlands.

Ms. Sesto stated that biological study should be submitted.

Mr. Clarke stated the NDDB data from DEEP was submitted which states this property does not fall within an area of concern.

Mr. Jewell said he has never been required to submit the biological study for a Summary Ruling Application when no activity is proposed in wetlands.

Ms. Sesto reiterated this slate of Board has new expectations, regulations, and requirements. In order to determine the level of activity, and whether the wetlands are adversely impacted the Board will require the applicant to submit the biological evaluation.

Ms. Sesto stated the following documents should be submitted to the Board:

- A biological evaluation by qualified expert, providing a description of the wetland's functions, values, and impacts
- A-2 Survey of the tree stumps location.

Ms. Baker asked if the wetland mix will be used within the proposed area of disturbance or outside of proposed area of disturbance. Mr. Clarke confirmed it will be in the proposed area of disturbance along the edge in the 30-foot buffer.

Mr. Bishop asked about marking the limit of mowed lawn.

Mr. Jewell said they are proposing boulders to clearly demarcate the limit of lawn. He added a deed restriction, just like the stormwater management agreement, can be included in the homeowner's manual.



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Ms. Sesto asked about the grading for the septic system, noting the restrictive layer is less than 20 inches down.

Mr. Gallagher said the restrictive layers are 19 inches below grade and 29 inches of fill and approximately two and half inches of sand will be brought in for the septic. He noted the flow path onsite generally runs parallel to the majority of the wetland to the south.

Ms. Miller asked if grading will occur within the silt fence. Mr. Gallagher confirmed no grading was necessary beyond the silt fence or for Cultec infiltration systems.

Ms. Sesto asked for proposed alternatives and if the house can be shifted towards west away from the wetland. Mr. Jewell pointed out the building setbacks and reiterated there are no wetland impacts.

Ms. Sesto asked the Board if the application should be raised to a Plenary Ruling, noting nearly the entire 100-foot upland review area will be reduced by 70%. Discussion ensued. Members agreed the activity may cause a significant impact and the application should be raised to a Plenary Ruling with a public hearing.

Ms. Peyser stated the requirements of the Plenary Ruling application and informed the applicant of the documents needed before the public hearing.

Ms. Sesto motioned to raise the application to public hearing status, Mr. Bishop seconded. Motion carried 5-0-0. Public hearing scheduled at January 14, 2021.

2. **#2020-062-SR, 53 Old Washington Road** application to replace existing deck with a larger deck within the upland review area of wetlands. *Owner: Ryan Steneken. Statutorily received on November 12, 2020. Site walk on December 06, 2020. 65 days to render a decision is January 14, 2020.*

Mr. Pilch was reseated.

Mr. Steneken presented his application to replace and expand the existing deck. The deck will have footings 30 inches closer to the wetlands and over lawn.

Mr. Pilch expressed concern about the drainage going towards wetlands and asked about the design of the deck slats. He suggested that under stormwater regulations, the required gap between the decking planks is 1/8 inch. He also asked about the ground cover under the deck.

Mr. Steneken agreed to keep the gap between the deck planks at 1/8 inch. He added stones are covering the ground under the deck and he intends to maintain this.



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Ms. Sesto asked how deep the stone reservoir was and Mr. Steneken confirmed its couple of inches on top of soil. Ms. Sesto also suggested effort be made to control the small area of *Phragmites*.

Mr. Pilch motioned to approve the Summary Ruling Application with special conditions of approval that the decking gap be 1/8 inch, Mr. Bishop seconded. Motion carried 6-0-0. Publication date is December 17, 2020 and effective date is December 18, 2020.

3. **#2020-064-SR, 254 Bennetts Farm Road** application to construct a garage within the upland review area of wetlands. *Owner: Anthony and Nancy Volante. Statutorily received on November 12, 2020. Sitewalked on December 06, 2020. 65 days to render a decision is January 14, 2020.*

Mr. Volante presented the application to construct a garage. The garage will have a small home office. The location chosen for the garage is at the flat part of the property and he proposes plantings to protect the wetlands.

Ms. Sesto inquired if the garage will have a separate septic system. It will be hooked up to the existing leaching fields. She confirmed only one tree is being removed and if the surrounding trees will be protected to avoid damage during construction.

Mr. Bishop suggested removing the invasive barberry bushes, to which Mr. Volante agreed.

Ms. Sesto acknowledged the planting plan, and suggested adding deer browse protection. She also added the mountain laurel should be 30'-36' in size at the time of planting.

Mr. Pilch inquired if the "L" shaped stone retaining wall will be removed? He suggested that if the stones are removed, to relocate them around the downgrading perimeter which will help in infiltration.

Mr. Tatge motioned to approve the Summary Ruling Application with special conditions of approval, Ms. Miller seconded. Motion carried 6-0-0. Publication date is December 17, 2020 and effective date is December 18, 2020.

4. **#2020-065-SR, 613 Ridgebury Road** application to install septic system within the upland review area of wetlands. *Owner: Richard & Laura Flood. Statutorily received on November 12, 2020. Sitewalked on December 06, 2020. 65 days to render a decision is January 14, 2020.*



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Mr. Flood presented the application for the new septic installation for a proposed accessory apartment in the existing structure.

Ms. Sesto inquired about the pipe which discharges into the brook and the proximity of it to the leaching fields. She asked about the setback of the pipe.

Mr. Palladino stated tight pipe will be used to reroute the pipe around the proposed septic system and will be reconnected to the existing line. There will no earth disturbance on the slope leading down to the watercourse.

Mr. Bishop motioned to approve the Summary Ruling Application, Mr. Pilch seconded. Motion carried 6-0-0. Publication date is December 17, 2020 and effective date is December 18, 2020.

5. **#2020-066-SR, 46 Tally Ho Road** application to install septic system within the upland review area of wetlands. *Owner: Margaret F. Broderick. Statutorily received on November 12, 2020. Sitewalked on December 06, 2020. 65 days to render a decision is January 14, 2020.*

Ms. Broderick presented the application stating the existing septic system is failing, and the new system needs to be installed.

Mr. Gallagher, P.E. gave an overview of the failing system and the proposed septic installation. They have state approval for connecting the pool cabana septic into the new system. The location of the new septic is approximately 30 feet from the manmade drainage ditch at the north end of the property near the pond. He added the proposed location is the only prudent and feasible location to install the system. The new system is the same size as old septic system.

Mr. Pilch said it was concerning to notice the close proximity of the septic to the wetlands, and asked how much fill was being brought. Mr. Gallagher stated approximately 150 cubic yards of fill is needed.

Mr. Bishop motioned to approve the Summary Ruling Application, Ms. Baker seconded. Motion carried 6-0-0. Publication date is December 17, 2020 and effective date is December 18, 2020.



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6. Discussion on 2021 Meeting schedule. % Staff

Mr. Tatge motioned to adopt the meeting calendar for 2021, Mr. Pilch seconded. Motion carried 6-0-0.

III: New Submissions:

Ms. Sesto motioned to receive the below three applications, scheduled site walks on January 10, 2021 and discussion on January 14, 2021, Ms. Baker seconded. Motion carried 6-0-0.

1. **#2020-071-SR, 63 Lincoln Lane** application to install an in ground swimming pool and patio around within the upland review area of the wetlands. *Owner/Applicant: Mary and Tim Dent. Authorized Agent: Craig A. Studer.*
2. **#2020-072-SR, 824 Ethan Allen Highway** application to remedy an existing violation (File # 2020-059-WV) which includes installation of three drains within the upland review area of the wetlands. *Owner: Golf 824 Roger Knick. Applicant: Roger Knick.*
3. **#2020-073-SR, 134 Branchville Road** application to construct a single family home and associated site work, including installation of septic and drainage system within the upland review area of the wetlands. *Owner: AMD Homes. Applicant: Richard Szenkuti (CV Building concepts, Inc).*
4. **#2020-074-SR, 137 Ethan Allen Highway** application to mitigate existing field and create a space for beer garden within the upland review area of the wetlands. *Owner: Robert & Nancy Kaye. Applicant: Robert Kaye.*

IV: Election of Officers.

Mr. Pilch motioned to elect Ms. Sesto as the Chair. Ms. Baker seconded. Ms. Sesto abstained. Motion carried 5-0-1.

Ms. Sesto motioned to elect Ms. Baker as Vice Chair. Ms. Miller seconded. Motion carried 6-0-0.



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Ms. Baker motioned to elect Mr. Salomone as Secretary. Ms. Sesto seconded. Motion carried 6-0-0.

V: Approval of Minutes:

- **Inland Wetlands Meeting – October 22, 2020**

Ms. Baker motioned to approve Inland Wetlands Board minutes as submitted, Mr. Tatge seconded. Motion carried 6-0-0.

VI: Adjourn

Ms. Sesto asked Mr. Pilch for the update on the Application fee structure. Mr. Pilch reported he is working and gathering data from the towns, however each town follows its own pattern and fee structure. This makes comparisons difficult. He mentioned the Connecticut Association of Conservation and Inland Wetlands Commission Inc. (CACIWC) discussed the cost of holding virtual meetings and the technology involved. Some towns are incorporating these costs in their budgets. Mr. Pilch suggested including the technology cost in the fee structure and questioned how much the town pays for the Zoom meetings. Aarti Paranjape, office administrator will provide the Inland Wetlands Board budget for the next meeting.

Hearing no further discussion, Ms. Sesto adjourned the meeting at 9:05 P.M.

Respectfully submitted by,

Aarti Paranjape

Recording Secretary