



TOWN OF RIDGEFIELD Inland Wetlands Board

APPROVED/REVISED MINUTES

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

January 28, 2021

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

Also present: Beth Peyser: Inland Wetlands Agent, Aarti Paranjape: Office Administrator, Ralph Gallagher, RJ Gallagher & Associates, Scott Fergusson, Thomas Nelson P.E., Mc Chord Engineering Associates, Richard Szenkuti, Ralph Frickel, William Osanitch, Blaine Langberg, Mellissa Brent.

I: Call to order

Ms. Sesto called the meeting to order at 7:01 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 held December 10, 2020. 65 days to render a decision is January 14, 2020.

Mr. Pilch recused himself.

The public hearing was closed on January 14, 2021. The draft resolution was distributed to the Board.

Ms. Sesto confirmed the size of the understory trees and called for condition 6.D to state the understory trees to be of 2-2 1/2 caliper.

Ms. Baker motioned to approve the draft resolution as amended for 2020-058-SR. Ms. Miller seconded. Motion carried 6-0-0. Publication date is February 04 and Effective date is February 05, 2021.



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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. Site walk on January 10, 2021. 65 days to render a decision is February 13, 2021.*

Mr. Pilch was reseated.

On behalf of the applicant, Scott Fergusson presented the updated information requested by the Board at the last meeting. Level spreaders have been included and will discharge fifteen feet away from the edge of the water. The pipes will daylight into a 6 x 6 feet bed of gravel to slow down the water. At the end of the gravel, sedges and rushes will be planted up to the existing buffer of vegetation. He added fescue will be added which will not be mowed.

Discussion ensued and resulted in the gravel apron being extended one foot behind the discharge point, and the fifteen-foot-deep buffer will be extended along both side of the river and along the pond, except in areas where the need to pass precludes a buffer of this width.

Mr. Pilch said emphasized that the level spreader pipe needs to be level to be effective. He also suggested obligate plant species be planted within the gravel rock area to increase efficacy and soften the look.

Ms. Sesto stated the conditions of approval:

- 15 foot unmowed buffer will be established on both sides of watercourse and pond
- Stone aprons are placed one foot behind the level spreader.
- Apron be dispersed with sedges and rushes.
- The planting will be complete by April 15, 2021.

Mr. Bishop motioned to approve the Summary Ruling applications with conditions of approval as listed. Mr. Tatge seconded. Motion carried 7-0-0. The publication date of February 04, 2021 and effective date of February 05, 2021.

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). Sitewalked on January 10, 2021. 65 days to render a decision is February 13, 2021.*



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Ms. Sesto said that at the last meeting the Board requested the applicant submit an updated mitigation planting plan and bring the wetlands protection plan up-to-date.

Mr. Nelson reviewed the submitted plan. The silt fence line was used to set the limit of lawn. Boulders will be used to delineate the boundary and the buffer includes wetland mixes and nine native shrubs.

Ms. Sesto expressed concern about the sparse plantings. She suggested eleven understory trees and nine clusters of shrubs comprised of at least 3 shrubs each. The limit lawn should extend from deep test hole F, across the base of the level spreader, over to deep test hole C.

Mr. Szenkuti stated his client's goals, which conflict with Ms. Sesto's suggestions.

Ms. Sesto said that the Board's charge is to protect the wetlands, thus she is not compelled by Mr. Szenkuti's aesthetic priorities.

Mr. Szenkuti asked to suspend discussion so he may consult with his client.

The Board tabled discussion and moved on the next application ready for review.

4. **#2020-077-SR, 28 Nutmeg Court** application for installation of inground pool and associated sitework within the upland review area of the wetlands. *Owner: Ralph Frickel. Applicant: William J. Osanitch, Pool building Company. Site walk on January 24, 2021. 65 days to render a decision is April 03, 2021.*

Mr. Osanitch described the proposal and its relationship to the wetlands.

Ms. Miller asked if any trees are going to be removed and if yes, has a mitigation plan been submitted.

Mr. Frickel, said there is a 14-inch tulip tree and the roots of the tree might be disturbed during construction.

The discussion ensued on the threat to the tree and mitigation planting. The Board made a determination that the applicant may proactively remove the tulip tree and plant one native shade tree and two native understory trees as mitigation. The location of the trees along the wetland boundary where shade would be beneficial, to be approved by staff or the Board



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Ms. Sesto suggested a condition of approval, being one native canopy tree and two native understory trees, each sized 2 -2 ½" caliper, will be planted along the wetlands boundary in a location approved by the Board prior to the commencement of permitted activities.

Ms. Sesto motioned to approve the Summary Ruling application with discussed condition of approval. Mr. Salomone seconded. Motion carried 7-0-0. Publication date of February 04, 2021 and effective date of February 05, 2021.

The Board returned #2020-073-SR, 134 Branchville Road to complete their review.

Mr. Szenkuti reported his client is amendable to the buffer plantings as proposed by the Board.

Ms. Sesto suggested the following conditions of approval:

1. Eleven native understory trees spread out along the stonewall south of the leaching fields. with nine cluster of three native shrubs for a total of 27 shrubs.
2. Limit of lawn from shall extend from deep test hole F over to to deep test hole C.
3. The plantings to be completed within six months of receiving the certificate of occupancy.

Ms. Miller motioned to approve the Summary Ruling with discussed conditions of approval. Mr. Bishop seconded. Motion carried 7-0-0. The publication date of February 04, 2021. Effective date of February 05, 2021.

5. #2021-001-SR, 21 Powderhorn Drive application to install an in ground swimming pool, patio and associated sitework within the upland review area of the wetlands. *Owner/Applicant: Blaine Langberg. Authorized Agent: Ralph Gallagher Jr. PE. Site walk on January 24, 2021. 65 days to render a decision is April 03, 2021.*

Mr. Scott Riassis, licensed architect, gave an overview of the proposed pool. He said the property was challenging given its terrain. The proposed location of the inground pool minimizes earth disturbance as it is the area with the shallowest slope and is away from wetlands. Retaining walls in the southwest corner minimize grading.

Ms. Sesto confirmed the riparian buffer is sized to compensate for the hardscape at a 1:1 ratio. She agreed meadow in between the plantings is appropriate and this area should not be lawn.



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Mr. Gallagher P.E. said that according to the current stormwater regulations, the proposed pool activity is creating the impervious surface greater than the threshold. The stormwater management plan includes high recharge galleries placed south of the pool. The roof leaders and drainage from other impervious surfaces will discharge to the Cultec system.

Mr. Pilch expressed concern regarding the grading plan at the north east corner and suggested that constructing a retaining wall would be appropriate to increase the distance of grading to the wetlands and would be aesthetically pleasing.

Mellissa Brent said putting plants in between the boulders will help in runoff. She added that planting includes native grasses along the edge which also help in soaking up the runoff.

Ms. Miller asked if the terrace size can be reduced and if the pool can be relocated towards the east side further away from wetlands. Discussion ensued regarding various decking configurations.

Ms. Sesto suggested instead of decreasing the size of the patio, the planted buffer could increase to 130% of the proposed pool and patio. This would be functionally better for the wetland. Further, if structurally appropriate, the slope armored with boulders could be planted.

Ms. Miller agreed to Ms. Sesto's suggestions added that the slope be planted with meadow grass stabilizing the slope. The applicant responded they may choose to reduce the footprint of the pool and if so, would the required planting area be reduced in kind? The consensus was this interpretation meets with the Board's intent.

Ms. Sesto suggested the following conditions of approval.

1. Wetland mitigation plan be 1.3 times area of pool and patio
2. Limit of lawn be demarcated by the boulders which are spaced 15 feet on center.
3. Northeast corner of grading associated with the pool will shift 3 feet away from the wetland boundary.
4. There will be no lawn in between the buffer plantings.

Ms. Miller motioned to approve the Summary Ruling application with discussed conditions of approval. Mr. Tatge seconded. Motion carried 7-0-0. Publication date is February 04, 2021. Effective date is February 05, 2021.



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III: New Submissions:

Mr. Pilch motioned to receive the four applications listed on the agenda, schedule site walks for February 07, 2021 and discussion on February 11, 2021. Mr. Bishop seconded. Motion carried 7-0-0.

1. **#2021-002-SR 588 Barrack Hill Road**, application for alterations and additions to a single family residence, driveway expansion and associated site work within the upland review area of wetlands. *Owner/Applicant: Deb & Edward Mackiewicz. For receipt and scheduling a sitewalk.*
2. **#IW-21-5, 900 Ridgebury Road**, application for installation of ground mount solar panels on approximately 0.77 acres within the upland review area. *Owner: Boehringer Ingelheim Pharmaceuticals Inc. Applicant: Daniel Band. For receipt, scheduling a site walk and discussion.*
3. **#IW-21-6, 293 Florida Hill Road**, application for pond dredging and associated site work. *Owner: Ian Duncan. Applicant: Gene Nazzaro. For receipt, scheduling a sitewalk and discussion.*
4. **IW-21-7, 148 Ledges Road**, application for repair of deck within the upland review area of wetlands. *Owner: Gerald Lohan. Applicant: Rebecca Guerrero. For receipt, scheduling a site walk and discussion.*

V: Administrative Approvals:

#C-21-4, 63 Lincoln Lane, approved on **01/19/21** with conditions for new construction of inground swimming pool and associated sitework within the Upland Review Area of wetlands.

VI: List of Ongoing Enforcement by Agent:

10 Kendra Court; #2020-079-WV



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Ms. Peyser informed the members that the violator has been working with the staff. The soil report was done by Mary Jaehnig. Ms. Throckmorton will prepare the environmental assessment. She added that they will present the application in a few weeks.

V: Approval of Minutes:

Inland Wetlands Meeting – January 14, 2021

Ms. Baker motioned a to approve Inland Wetlands Board Minutes as amended. Mr. Salomone seconded. Motion carried 7-0-0.

Sitewalk Meeting - January 24, 2021

Ms. Baker motioned to approve site walk minutes as submitted. Mr. Tatge seconded. Motion carried 7-0-0.

VI: Adjourn

Ms. Sesto raised the issue of Ms. Peyser's departure. She conveyed her appreciation of Ms. Peyser's expertise and professionalism, with special thanks to Ms. Peyser for getting the new board up and running. Other board members echoed the sentiments.

Ms. Sesto went on to discuss the need of board members to assume Ms. Peyser's responsibilities. Ms. Sesto stated that until the position is filled, all seven members will be asked to contribute their time to run the duties of wetland board.

Ms. Peyser gave an overview of the new online permit system. She said all wetlands applications including the Board are submitting online. The members will be responsible to proactively review the applications submitted in the new system.

Ms. Sesto added that going forward when presenting an application at the meeting, it will be responsibility of an applicant to share the maps and documents on the screen.

Ms. Paranjape will inform the applicant their responsibility before the meeting.

Hearing no further discussion, Ms. Sesto adjourned the meeting at 8:55 P.M.

Respectfully submitted by,

Aarti Paranjape
Recording Secretary