



**TOWN OF RIDGEFIELD
Inland Wetlands Board
WEB BASED MEETING VIA ZOOM**

APPROVED/REVISED MINUTES

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

September 28, 2023

Members present: Susan Baker, chair; Alan Pilch, secretary; Carson Fincham, Tim Bishop; Tracey Miller (left meeting at 8:56 PM); Chris Phelps (left meeting at 8:56 PM), David Smith

Members absent:

Also present: Caleb Johnson, IW Agent; Aarti Paranjape, Recording Secretary; Thomas Beecher, Kate Throckmorton, Devin Gregory

I. Call to order:

Ms. Baker, Chair, called the meeting to order at 7:00 PM.

II. Discussion

1.IW-23-30, 37 Limestone Rd. Summary ruling application to construct a two car garage and carport within the upland review area of wetlands and watercourses. *Owner: Deborah Barr. Applicant: Kate Throckmorton. For receipt and scheduling a sitewalk and discussion.*

<https://ridgefieldct.portal.opengov.com/records/93098>

Ms. Throckmorton gave an overview of the proposed work. The property is approximately fourteen acres. The improvements are at the southerly portion. The pond is almost hundred and fifty feet away from the scope of work and wetlands are eighty-five feet away, the vegetation on the property includes red maples, ash and cottonwood. The understory includes spice bush, winterberry. The invasive species of multiflora rose and phragmites are at the edge of the pond. The garage/carport will be on the existing paved asphalt area. Only one tree, a Japanese maple, will be affected. The existing driveway is asphalt which will be replaced by pavers. A concrete wall will replace the rubble wall to support the garage. No stormwater drainage is required. Proper sediment and erosion measures will be installed. A no-mow zone of ten feet is proposed at the edge of the pond. There is an existing large Oak to be preserved, an arborist is hired who will review the conditions. Use of air spade will avoid any damage to the roots of the oak tree.

Mr. Gregory added that addition of the pavers and removing asphalt will create less impervious surface. The Oak tree protection will be considered during the construction.

Mr. Bishop inquired about the distance of the no-mow area to the average edge of the wetlands?

Ms. Throckmorton said that the distance is minimum of 10 feet from the edge of wetlands.

Mr. Pilch inquired if the pavers will be pervious. Ms. Throckmorton said the pavers would replace existing asphalt and not creating any new impervious surface. The pavers will give some infiltration.

Mr. Pilch and Ms. Miller expressed concerns with the width of the riparian buffer. They recommended at least fifteen feet of robust planting buffer at the edge of the pond. Ms. Miller asked if the applicant could do a 25 foot buffer.

Discussion ensued and the members and applicant agreed to have a no-mow buffer of 20 feet tapering to fifteen feet, starting at the tree at the north end of the pond.

Following special conditions were stated:

1. No-mow buffer of 20 feet tapering to 15 feet, starting around the tree shown at the north end of the pond, to be shown on the final plans to be submitted to the wetlands office.
2. Placement of 6 equally spaced boulders between the edge of the no-mow buffer and the lawn.

Ms. Miller motioned to approve the above Summary ruling with special conditions stated and standard conditions. Mr. Pilch seconded. Motion carried unanimously.

Publication date is October 05 and effective date is October 06, 2023.

2. **(Contd.) IW-23-18; 27 Abbott Avenue.** Plenary ruling application for construction of apartment complex, associated parking and drainage infrastructure within the upland review area of the wetlands. *Owner: Alimi Veton. Applicant: Brian Carey.* <https://ridgefieldct.viewpointcloud.com/records/91085>

Ms. Baker stated that the public hearing is closed and no new information will be shared. The discussion will be based on the statements, materials, testimonies presented during the public hearings. She added that the Board will also address the intervention. She stated the thirty-five days to render a decision end on October 19, 2023. She asked Mr. Beecher to go over the purview of the Board in regards to the Section 10.2, 10.4 and 10.6 of the Town of Ridgefield Inland Wetlands and Watercourses regulations.

Mr. Beecher gave the Board their jurisdiction stating that which direction the Board will make a decision, they will have to state the conditions of denial or approval. The Board if denying the application will have to address the issue of feasible and prudent alternatives. The denial will have to state that the proposed project will have a negative impact on the wetlands and watercourses and have substantial evidence on record. He added that the members should be mindful when making a decision to take in account the expert

testimonies and not just speculation. The intervention can be dealt as per the decision. The Board will have to determine that the intervenors claim of the impact on the wetland was unreasonable as opposed to a reasonable impact.

Ms. Baker opened the floor for discussion to the members. Discussion ensued in respect to the width of the substantial buffer and plantings, the feasible and prudent alternatives, thermal pollution, snow removal and staging area of snow, walls around the perimeter of property.

Ms. Baker said that the discussion will be continued to the next meeting. The Staff and Counsel will make the resolution of denial ready for vote.

Discussion continued to September 28, 2023.

III. Application(s) for receipt:

1. **IW-23-34: 54 Ketcham Rd.** Summary ruling application to construct a crossing of intermittent stream with accessway and associated work within the upland review area of wetlands and watercourses. *Owner: Joseph & Diane Fossi. Applicant: Steven Trinkaus. Statutorily received September 14, 2023. For scheduling site walk and discussion.*
<https://ridgefieldct.portal.opengov.com/records/93444>
2. **IW-23-35: 45 West Lane;** Summary Ruling application for inground pool, driveway modification, patio, sewer relocation and associated sitework within the upland review area of wetlands and watercourses. *Owner: Robert & Corrin Arasa. Applicant: Dean Pushlar. For receipt and scheduling a sitewalk and discussion.*
<https://ridgefieldct.portal.opengov.com/records/93450>
3. **IW-23-36: 15 Cedar Lane;** Summary Ruling application for swim spa and associated site work within the upland review area of wetlands and watercourses. *Owner: Richard & Lisa Sauer. Applicant: Dean Pushlar. For receipt and scheduling a sitewalk and discussion.*
<https://ridgefieldct.portal.opengov.com/records/93545>

Mr. Bishop motioned to receive above three applications. Mr. Pilch seconded. Motion carried unanimously.

IV: List of Ongoing Enforcement by Agent:

None

V: Other Business:

1. Ms. Baker informed the Board that Ms. Miller is resigning as a member at the end of her term to pursue a career out of state. Members acknowledge the professional knowledge which Ms. Miller brought at the Board and that she will be missed.
2. Mr. Johnson, informed that Board that the office received an appeal from the applicant for 0 Ethan Allen Highway Application.

VI: Approval of Minutes:

- **Inland Wetlands Meeting:** September 14, 2023

Mr. Bishop motioned to approve the minutes. Mr. Smith seconded. Motion carried 5-0-0.

- **Sitewalk Meeting:** September 24, 2023

Mr. Smith motioned to approve the minutes. Mr. Pilch seconded. Mr. Bishop abstained. Motion carried 4-0-1.

VII: Adjourn

Ms. Baker adjourned the meeting at 9:04 PM

Submitted by

Aarti Paranjape
Recording Secretary