



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.

October 24, 2024

Members present: Susan Baker, chair; Tim Bishop (left at 9:30), vice chair; Carson Fincham, Alan Pilch, Secretary; David Smith

Members Absent: Isaac Flattau

Also present: Caleb Johnson; Inland Wetlands Agent, Robert Jewell, Benjamin Doto, Kate Throckmoton, Peter Olson

I: Call to order:

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

II: Discussion (s)

- I. (Contd.)IW-24-21; 599 Branchville Road;** Plenary Ruling application for a stream crossing and related site work for an accessway/driveway with some related drainage work within the upland review area of wetlands and watercourses. *Owner: Moreton Binn. Applicant: Robert Jewell.*
<https://ridgefieldct.portal.opengov.com/records/97450>

Members acknowledged that the applicant throughout the process of presentation, improved and revised the Plans as requested by the Board.

Mr. Pilch said the amended plans shows that there will not be significant impact to wetlands and watercourses.

Mr. Fincham expressed concerns with the bridge construction and the shading. He referenced the articles he had shared with the Board which talks about the effects of shading of bridge on macrophytes. He added that the applicant was not able to give a better feasible and prudent alternative. He opined that keeping the existing crossing will be a feasible and prudent alternative to building a new one along with decreasing the size of development.

Mr. Bishop expressed concerns with the activity of the development in the upland review area and potential flooding and adverse impacts due to the final development and impervious surface.

Discussion ensued on the removal of the existing bridge, where applicant has mentioned that the removal shall have impact on wetlands, however members believe it will be short term impact.

Mr. Smith inquired if the applicant has put in record that the existing bridge is not suitable to heavy traffic or structural integrity of the bridge.

Mr. Beecher commented that the members should consider when making a decision if the proposed bridge will have a significant impact to the wetlands. Similarly, Board has jurisdiction, if the construction/development will have an impact on wetlands, even if it's proposed in the upland review area.

Discussion ensued regarding possible denial or approval. For denial, the reasons have to be specific regarding the impact of the bridge on wetlands. If the Board is gearing towards approval, then conditions of approval shall have to be discussed and stated.

Board discussed to continue discussion at a Special meeting or continue to November 14, 2024 which is the day to render a decision.

2. **(Contd.) IW-24-19; 27 Abbott Avenue;** Plenary Ruling application for the construction of 10 residential town houses with associated drainage and landscaping within the upland review area of wetlands and watercourses. *Owner: Veton Alimi. Applicant: Brian Carey.*
<https://ridgefieldct.portal.opengov.com/records/97127>

Ms. Baker mentioned that this application involves intervenor and read the prior application denial and the reasons for the denial.

Mr. Beecher added that applicant is making claim that they have addressed the major concerns the Board had with the prior application.

Ms. Baker added that both the peer reviewers commented that the applicant has addressed the concerns raised by previous application.

Mr. Pilch expressed concerns of the revised stormwater plans will have impact to wetlands. The proximity of the stormwater system to the compacted soils and proximity to building will not function as intended. The provided snow storage area is not feasible, planting area is very sparse between disturbance area and wetlands itself and these will have a negative impact on wetlands.

Mr. Smith asked Mr. Beecher to clarify the Board's discretionary power in determining the expert's testimony.

Mr. Bishop also expressed concern with the flooding that might be caused by this project.

Mr. Beecher explained that if the flooding has impact to the wetlands, then the Board has jurisdiction to determine, but flooding issues shall be addressed by Planning & Zoning.

Mr. Fincham also agreed with Mr. Pilch's concerns and said that if the stormwater system fails it will have significant impact on wetlands. He believes that applicant's testimony that they have used LID practices doesn't weigh in because it has been placed after the stormwater system rather than before.

Discussion ensued regarding the BMP and LID practices and if that were revised in this application. Members also talked about the plantings and rain garden.

Mr. Beecher suggested if the Board is leaning towards denial, then the members should work together in determining the reasons of denial keeping in mind to state the permanent adverse impacts to the wetlands.

He added that the Board will decide about the intervenor status and that they will have to state feasible and prudent alternative if the Board decide that intervenor has made its case.

Members discussed if necessary to hold a special meeting in order to continue the discussion.

3. **IW-24-31; 92 Danbury Road;** Summary Ruling application for demolition and removal of existing structures, including the automobile service facilities, construction of a new retail filling station and convenience store, related site work including construction of a new driveway to provide access to Ligi's Way within the upland review area of wetlands and watercourses. *Owner: NEMCO LLC. Applicant: Robert Jewell.*
<https://ridgefieldct.portal.opengov.com/records/98274>

Ms. Baker mentioned that an intervention has been submitted. Members didn't have time to review and will address the intervention at the next meeting.

Mr. Jewell gave an overview of the proposed regulated activity. Currently it is used as a car dealership, proposed activity will include cleanup of this property, a gasoline station (a prior use which has not been abandoned), and a convenience store including food service. There is no current stormwater system, which is proposed. Property is 1.97 acres; property has wetlands on the eastern side.

Mr. McManus delineated the wetlands in the eastern side of the property. The site is disturbed around the edges of existing wetlands. The wetland functions as groundwater recharge/discharge, sediment retention and nutrient removal and some wildlife as this is the only pocket of forested area, other than on the east side of Ligi's Way. The site has been developed for a long period of time. The proposed activity of parking and access drive will disturb approximately 1,631 square feet of wetlands but almost 4,000 sq ft of mitigation is proposed. There are direct impacts but robust erosion and sediment controls will be installed. Water quality will be improved by a stormwater system and plans include plantings. There will be no significant long term

or short-term impacts. The functionality of the wetlands will be improved, which has been neglected over the years.

Mr. Lachick gave an overview of the erosion and sediment controls, stockpile area, catch basins. The site is not in the natural diversity database (NDDDB). Water quality system shall be installed to reduce existing damage. Minimal amount of tree clearing is involved. The new wetlands mitigation plantings will rehabilitate the existing wetlands. All peak flow shall be addressed to the impervious lined concrete underground detention system with level spreaders and will be treated before discharging into the wetlands. An oil grit system is designed to remove trash and debris separation of oil, gas and lead before entering the detention system. The stormwater system is designed to handle large storm events. Rirapp is proposed to reduce the erosion in the wetlands. Hydrodynamic separators have a significant benefit of removing the sediment, phosphorus, nitrogen and metals, dissolved pollutants, oils and greases. Plantings include red maples, river birches, American hornbeams with native shrubs, milkweeds and coneflowers.

Mr. Bishop expressed concerns with the contamination due to gasoline and diesel. In his professional experience as certified environmental professional ecologist and wetlands professional along with private consulting with contaminant hydrogeology, he has doubts about the separation of petroleum with an oil separator as proposed by applicant. His concerns were extensive contamination due to the proposed gas station and some of the functions mentioned by Mr. McManus will be diminished. He inquired if there is evidence of any obligate species.

Mr. Pilch also expressed concerns to direct impacts to wetlands and zero buffer. This wetland is hydraulically connected to the great swamp. He added the question is if there is an alternative plan which would allow the use to some degree and still provide less impact. The planting plan should show limit of disturbance.

At the next meeting, the applicant will have a landscape architect present to discuss the mitigation planting.

The discussion has been continued to November 14.

4. IW-24-33; 233 Mountain Road; Summary Ruling application for replacement of existing, partially collapsed retaining walls within the upland review area of wetlands and watercourses. Owner: Dean Meyer. Applicant: Benjamin Doto.

<https://ridgefieldct.portal.opengov.com/records/98261>

Mr. Doto gave an overview of the proposed activity. He said the site has two retaining walls which collapsed sometime in spring. The wall was old wood retaining walls. The walls will be replaced with terraced wall and in order to save two large trees the wall will swell around the trees and grade between the walls will be changed. Currently the grade is very steep; the proposal is to flatten the area between the walls to allow maintenance. The applicant discussed the ways to build a wall, concrete wall was challenging due to the site location. Modular block walls were most feasible. The wooden walls fell due to the rotting of the wood. The existing grades below and above the wall will stay. It's challenging to bring the equipment, so only small bobcats will be used. Erosion measures will be installed.

Mr. Pilch expressed concerns with impact to any trees.

Applicant mentioned that they are protecting the trees but large trees at the base of the wall will be need to be removed as needed to be sure the walls are stable. There is dense buffer at the end of the wall. He added a jute mix with wildlife mix or perennial grasses will be good erosion barrier. No stockpiles are proposed.

Special condition of stabilization of six-foot-wide strip under southernmost wall and no disturbance below the silt fence. A proper geotextile fabric with appropriate wildlife seed mix will be used.

Mr. Pilch motioned to approve the above application with conditions. Mr. Fincham seconded. Motion carried unanimously.

5. IW-24-35; 625 Ridgebury Road; Summary Ruling application for proposed pond dredging and stream bank stabilization within the upland review area of wetlands and watercourses. Owner: Lessley Burke. Applicant: Katherine Throckmorton.

Ms. Throckmorton gave an overview of the pond dredging application along with stabilization. Work will be in two phases involving cleanup and destabilization to southern portion of watercourse. A masonry dam underneath the existing bridge retains water in the pond. Machines will be used to clean up and remove significant deposits large cobbles deposited over course of time. Stream banks will be stabilized, no additional material shall be brought and the cobbles will be used in the restoration. Stones will be hand placed around the large tree to reinforce the roots. Stream channel will stay in its current configuration. Stone weirs are proposed at the entrance of the basin

Check dams and boulder check dams are proposed in the watercourse to help stop flow of sediment down the water slope. Planting list include understory trees, shrubs and area will be stabilized with seed mix.

Mr. Nelson, P.E. with McChord Engineering gave overview of the stream bank stabilization with large boulders. Spillway will remain as is. The stoned line weir will define the spillover and will be easy for maintenance if it gets filled up.

Mr. Pilch inquired about the staging area and dewatering of the excavated material should be shown on plan Ms. Throckmorton stated that two cofferdams are proposed at the end of each end of the site to dewater the entire work site and water will be pumped up and the intent is not to disturb the pasture area by keeping the staging area is within the pond.

Mr. Pilch added that idea of staging within the pond will be difficult and probably the staging might end up in upland review area in the north east. He stated the planting proposed shall require a landscape architect to be on site for monitoring.

Ms. Throckmorton confirmed she will show the plans with the staging area. She said a special condition can be added for the field location of planting.

Following special conditions were stated

1. Field location of plants will be done by the landscape architect in the field.
2. Dewatering area to be shown on the plan with proper erosion measures.

Mr. Pilch motioned to approve the above application with conditions. Mr. Fincham seconded. Motion unanimously.

6. **IW-24-36; 43 Danbury Road;** Summary Ruling application to redevelop the property for twenty-unit multifamily apartment building within 100-foot offsite drainage ditch. *Owner: Ljatif Ramadani. Applicant: Peter Olson.*
<https://ridgefieldct.portal.opengov.com/records/98580>

Mr. Olson gave an overview of the property. Proposal includes twenty units for multifamily apartment building within hundred foot of an off-site drainage ditch.

Mr. McManus determined that there are no regulated resources on the site, however there is a ditch watercourse to the off-site area in the west. No development is proposed in the hundred-foot review area including driveway or parking.

Mr. Doto gave an overview of the plan stating a part of the of small regulated area will be disturbed. The area is overgrown with vines and it will stay as open space. Existing retaining wall will be rebuilt. No drainage is directly discharged into this area. The upgrades to stormwater will be directed towards the existing DOT system. No increase in runoff and no change in respect to offsite ditch. The site has town sewer and water.

Ms. Adams said the project involves grubbing and cleaning a small portion outside of hundred-foot review to keep a private outdoor space with arborvitaes for screening from the residential building. The invasive will be cleaned and keep existing vegetation.

Mr. Pilch inquired if the small area proposed will stay as is. He inquired if there will be any demarcation between the upland review area.

Mr. Olson confirmed they do not propose any demarcation, the dense vegetation will be the demarcation.

Mr. Pilch opined that the project has no impact which in in purview of this Board.

Mr. Fincham agreed that the purview which falls in Board's jurisdiction is a small portion of area with invasive species.

Following condition was stated:

1. The area in the upland review area will be cleared of invasives and will stay a no mow vegetated area.

Mr. Fincham motioned to approve the above application with conditions. Mr. Pilch seconded. Motion carried unanimously.

IV: Applications for Receipt(s):

1. **IW-24-40; 0 Rippowam Road;** Summary Ruling application for replacing an existing timber bridge within the upland review area of wetlands and watercourses. Owner: Randolph Associates LLC. Applicant: Richard Williams. For receipt and scheduling a sitewalk and discussion.
<https://ridgefieldct.portal.opengov.com/records/97732>

Mr. Smith motioned to receive the above application. Mr. Fincham seconded. Motion carried unanimously.

V: List of Ongoing Enforcement by Agent:

None

VI: Other Business:

1. **0 Pound Street – Preliminary application discussion**

Board tabled it to next meeting.

VI: Approval of Minutes:

- **Inland Wetlands Meeting:** October 10,2024
Tabled to next meeting.
- **Inland Wetlands Sitewalk meeting:** October 20, 2024
- Tabled to next meeting.

VII: Adjourn

Ms. Baker informed about the possible special meeting for the appointment of new member before November 01, 2024.

Hearing no further business, Ms. Baker adjourned the meeting at 10:42 PM.

Submitted by

Aarti Paranjape
Recording Secretary