

Mr. Rob Hendrick, Chair
Cc: Aarti Paranjape, Zoning Enforcement Officer
Planning & Zoning Commission
Town Hall Annex
Ridgefield, CT 06877

August 10, 2026

To: Ridgefield Planning & Zoning Commission
Re: Request for Enforcement of Recorded Drainage Structure Maintenance Agreement –
Retention Basin on Lot 6, Bennett's Meadow Subdivision

Dear Mr. Rob Hendrick, Chair of the Ridgefield Planning and Zoning Commission:

I am writing to respectfully request that the Planning & Zoning Commission review and enforce the recorded Declaration of Easements and Drainage Structure Maintenance Agreement governing the stormwater drainage system within the Bennett's Meadow subdivision, including the retention basin located on Lot 6 owned by Justin Stoney of 225 Bennetts Farm Road.

The owner of Lot 6, Mr. Stoney, made alterations to the retention basin and surrounding drainage area. These alterations included filling and grading, removal or alteration of the drainage swale, removal of riprap, placement of large decorative stones, and conversion of portions of the basin to lawn. These alterations were made by Mr. Stoney without Planning & Zoning approval.

The retention basin on Lot 6 is not simply landscaping or a private feature belonging to one homeowner. It is a component of the engineered stormwater management system approved to serve the subdivision of "Bennetts Meadow" which includes six residential homes. The retention basin and associated drainage structures are governed by the subdivision approvals, approved drainage plans, Declaration of Easements, and recorded Drainage Structure Maintenance Agreement.

The recorded Drainage Structure Maintenance Agreement grants the Town and Planning & Zoning the right to inspect the drainage structures to determine compliance, establishes a corrective procedure when an owner has failed to comply, and ultimately provides the Town with authority to address an unremedied failure and recover costs as provided by the agreement.

I therefore respectfully request that Planning & Zoning:

1. Determine whether the present condition of the Lot 6 retention basin and associated drainage structures complies with the approved subdivision drainage plans and recorded Drainage Structure Maintenance Agreement.
2. Determine whether the June 1, 2026 documentation of the change to the retention basin triggered the agreement's 30-day corrective process.

RECEIVED

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PLANNING & ZONING
COMMISSION

3. If a separate formal notice is required to trigger that process, issue the appropriate notice so that compliance can be addressed without further delay.
4. Obtain and review current survey/as-built information sufficient to document the existing elevations, grading, drainage structures, and other relevant conditions on Lot 6.
5. If the present drainage system does not conform to the approved plans or requirements, initiate the corrective and enforcement procedures provided by the recorded agreement.

Thank you for your attention to this matter and for your assistance in ensuring that the subdivision's approved stormwater management system is maintained in accordance with the approved plans and recorded agreement.

Sincerely,

Christopher J. Ingram and Beth Ingram
227 Bennetts Farm Road
Ridgefield, CT 06877

PLEASE RECORD THIS DOCUMENT AND RETURN IT TO:
DONNELLY, McNAMARA & GUSTAFSON, P.C.
P.O. BOX 2006
150 DANBURY ROAD
RIDGEFIELD, CT 06877


Doc ID: 001046310007 Type: LAN
BK 985 PG 1269-1275

DRAINAGE STRUCTURE MAINTENANCE AGREEMENT

THIS AGREEMENT ("Agreement") made this 25th day of June, 2013 by and between BENNETTS FARM ASSOCIATES, LLC, a limited liability company organized and existing under the laws of the State of Connecticut and having its principal office at 286 Main Street Ridgefield, Connecticut 06877 (the "Owner") and THE TOWN OF RIDGEFIELD, a municipal corporation organized under the laws of the State of Connecticut and having its municipal offices at 400 Main Street, Ridgefield, Connecticut 06877 (the "Town").

WITNESSETH

WHEREAS, the Owner is the owner of the following described real property:

ALL THOSE CERTAIN pieces, parcels or tracts of land, together with the buildings and improvements thereon, located in the Town of Ridgefield, County of Fairfield and State of Connecticut shown and designated as shown as "LOT 2," "LOT 3," "LOT 4," "LOT 5," "LOT 6," "LOT 7" and on that certain map entitled "SUBDIVISION MAP PREPARED FOR BENNETTS FARM ASSOCIATES, LLC Ridgefield, Connecticut R-A Residence Zone Total Area = 15.622 Acres" Graphic Scale (in feet) 1 inch = 50 ft. Survey dated June 22, 2012 and Revised June 17, 2013 prepared by RKW Land Surveying and is certified "Substantially Correct" by Francis J. Walsh Jr. L.S. #70034, which map is on file in the Office of the Ridgefield Town Clerk as Map. No. 9272 (the "Premises").

WHEREAS, the Ridgefield Planning and Zoning Commission (the "Commission") approved an application for a seven (7) lot subdivision as evidenced by a Resolution of Approval dated June 4, 2013 (the "Approval"), which Approval is incorporated herein by reference; and

WHEREAS, the conditions of the Approval require, *inter alia*, that the Owner to enter into a Maintenance Agreement with the Town of Ridgefield for those portions of the maintenance of the storm water management system and related drainage structures, including retention basins on "LOT 6" and within the area delineated as "Proposed Private Road," catch basins with said private road and the accessway, and the pipes connecting these structures (hereinafter referred to as "Drainage Structures"), which are shown on certain plans (hereinafter referred to as the "Plan") on file in the office of the Planning and Zoning Commission of the Town of Ridgefield:

NOW THEREFORE, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged by the Owner, it is hereby agreed as follows:

(1) The Owner, its successors and/ or assigns shall construct the improvements on the Premises in accordance with the specifications and details outlined on the Plan, including all Drainage Structures (for the purposes of the following provisions, the term "Owner" shall at all

times mean the respective owner of the separate parcels comprising the Premises at the time of each occurrence).

(2) The Owner shall perform routine maintenance of the Drainage Structures, including periodic cleaning, in accordance with the conditions of approval including periodic maintenance described in the schedule entitled "Operation and Maintenance Schedule Prepared for Stormwater Management System" dated June 13, 2013 and prepared by Frank G. Fowler, III, P.E., L.S., a copy of which is annexed hereto as Exhibit "A."

(3) The Owner grants the Town of Ridgefield and its Planning and Zoning Commission, their agents and employees, the right to enter the Premises at all reasonable times for the purpose of inspecting the Drainage Structures to determine if Owner is in compliance with this Agreement.

(4) If, after an inspection is made pursuant to this Agreement and the Town or the Commission determine that the Owner has failed to comply with the aforesaid conditions, then the Commission shall give written notice of said determination to the Owner, which notice shall also specify the said failure. Said notice shall be sent by registered or certified mail to the last known address of the Owner. If the Owner disputes the claim, it shall give written notice thereof to the Planning and Zoning Commission within ten (10) days of receipt of said notice, and the Planning and Zoning Commission shall hold a hearing as promptly as possible to decide the merits of the disputed claim. If the claim is not disputed within said ten (10) days, the owner shall have thirty (30) days from the receipt of said notice to correct said failure, unless it is impossible to cure said defect within said time, in which case, the necessary repairs shall be immediately commenced and diligently pursued to completion within a reasonable time.

(5) If the said failure is not remedied within the time frame herein stated, the Town of Ridgefield may proceed to cure the same and charge the actual cost thereof to the Owner.

(6) The Owner, on behalf of itself, its successors or assigns, agrees to reimburse the Town of Ridgefield and/ or the Planning and Zoning Commission for legal fees and court costs if it becomes necessary for the Town of Ridgefield and/ or the Planning and Zoning Commission to sue for reimbursement of same expended by the Town of Ridgefield and/ or the Planning and Zoning Commission in performance of Owner's obligations and the Town of Ridgefield and/ or the Planning and Zoning Commission has prevailed in such suit.

(7) Owner agrees that this Agreement shall apply to and run with the land. It shall be binding on all future owners, administrators, executors, successors and assigns.

(8) The Owner hereby represents to the Town that it is the Owner, in fee simple, of the subject property.

(9) Owner agrees that this Agreement, shall be recorded on the land records at the Owner's expense at the time that a zoning permit is issued.

(10) Owner agrees not to assert the invalidity of this document.

(11) Owner agrees that nothing herein shall be construed to be a limitation

Robert R. Jewell, Esq.
Commissioner of Superior Court

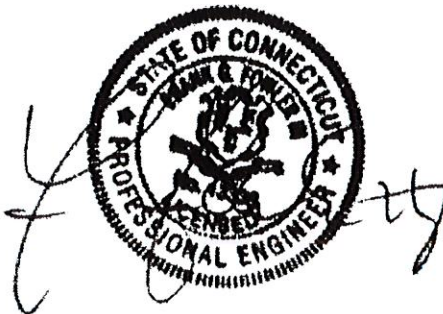
EXHIBIT "A"

OPERATION AND MAINTENANCE SCHEDULE
PREPARED FOR
STORMWATER MANAGEMENT SYSTEM
BENNETTS FARM ASSOCIATES, LLC
BENNETTS FARM ROAD
RIDGEFIELD, CT

PREPARED BY
FRANK G. FOWLER III
CIVIL ENGINEER & LAND SURVEYOR

HOLMES, NY & RIDGEFIELD, CT
(845) 878-2152 (203) 438-9014

June 13, 2013



LONG TERM MAINTENANCE PROGRAM (RETENTION BASINS & CULTEC 330)

It is important during all phases of construction that all the erosion and sediment control devices remain stable and effective to protect down slope areas and off site areas from sedimentation and erosion. Therefore, all erosion control measures shall be inspected on a regular basis. During construction, the owner/developer shall provide a qualified inspector to inspect and ensure maintenance of the erosion control devices during construction in accordance with schedule submitted with the original Engineers Report and attached herewith. Once construction has been completed the "Private Road" it will be the responsibility of the "Homeowners Association" who will be responsible for it as well as the maintenance of the two retention basins and individual Cultec 330 Stormwater Retention chambers which will receive roof runoff on Lots 3,4,5 and 7. The Homeowners Association will hire a qualified professional to inspect both of the on Site Retention Basins and the above referenced Cultec 330 Stormwater Chambers as follows.

Specifically:

Retention Basins

These stormwater facilities shall be inspected weekly for the first three (3) months following the completion of construction. Thereafter, these facilities shall be inspected at a minimum quarterly, and always immediately following a rain event exceeding ½ inch. Upon inspection, facilities shall be immediately maintained and/or cleaned as may be required. Any basin areas exhibiting soil erosion of any kind shall be immediately restored and stabilized with vegetation and/or mulch. Particular attention shall be given to the small orifices on the outlet structures of the basins to prevent clogging of the control devices. Upon each inspection, all visible debris

including, but not limited to twigs, leaf and forest litter and excessive build up of sediment will be removed.

Cultec 330 Stormwater Retention Chambers

The Cultec 330 XLHD units have no access to be cleaned out, however, on each lot where they will be used they will be outfitted with an in line "Stormfilter 330" unit that convey stormwater to the unit and has an access manhole to grade. The filter units, which have a solid bottom and sidewalls will be inspected quarterly or after each rain event in excess of ½ inch. and cleaned out as required.

Reporting

The project engineer will coordinate with the Town Wetlands agent and provide written reports to The Town of Ridgefield and representatives of the "Homeowners Association" as follows: These reports will describe the current state of the stormwater management facilities and make recommendations for any required upgrades or additional facilities required.

Written Report Schedule

1. During road & basin construction- weekly or after any rain event exceeding ½ inch for the first (3) months.
2. Post road & basin construction- once every (2) months for the duration of home construction
Once every 6 months for the first 5 years post construction
Once a year from year 6 forward.

MAINTENANCE OF TEMPORARY EROSION CONTROL MEASURES

	<u>INSPECTION (Developer)</u>	<u>REPLACEMENT (Developer)</u>
Haybales	weekly	yearly or as required
Silt fence	weekly	yearly or as required
Diversion ditches	weekly	every six months
Check Dams	weekly	every six months
Water Bars	weekly	every six months
Seeding	weekly	as required until germination
Anti-tracking apron	monthly	every three months

MAINTENANCE OF PERMANENT EROSION CONTROL MEASURES

	<u>INSPECTION</u>	<u>ACTION</u>	<u>RESPONSIBILITY</u>
RB Outlet Structures	quarterly	clean out sumps	(The homeowners Association)
Retention Basins	quarterly	clean out silt and debris	
Roof runoff infiltrators	quarterly	clean out silt and debris	

Received for Record at Ridgefield, CT
On 07/01/2013 At 10:18:37 am

Barbara S. Philippis
Town Clerk