



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

**UNAPPROVED/UNREVISED MINUTES**

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

November 14, 2024

Members present: Susan Baker, chair; Tim Bishop vice chair; Carson Fincham, Alan Pilch, Secretary; David Smith, Keith Carlson (joined at 7:56)

Also present: Caleb Johnson; Inland Wetlands Agent, Tom Beecher, Robert Jewell, Jim McManus, Ryan Scrittorale, Ryan Dean, Michael Mazzucco, William Bernhardt, Tom Quinn, David McConnell, Jody Cross, Steve Trinkhaus

**I: Call to order:**

Ms. Baker, Chair, called the meeting to order at 7:01 PM.

**II: Discussion:**

- 1. (Continued) 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>

The board, after deliberation, voted to deny the application, stating the following reasons:

The effect of the proposed 75'x25' clear-span bridge to provide access to the northern portion of the subject site was discussed. Applicant provided a written opinion (50) denying any possible shading impacts of the proposed bridge. Applicant did not consider and deemed irrelevant (without argument or evidence) the only guidance regarding bridge structure shading impacts that was set forth in the record (38).

In accordance with the findings of the bridge shading study on the record (38), and as interpreted by the experts on the Board, the proposed bridge will undoubtedly have an adverse impact on the stream and wetland areas that it is designed to cross. Specifically the shading impact will produce an area of decreased macrophyte growth in the affected areas and such decreased macrophyte growth will decrease the habitat and accordingly the populations of local invertebrates in the affected areas.

The record developed during the public hearing(s) showed that there is an existing crossing (alternately referred to as an existing bridge, culvert, or combination of bridges and culverts) that provides access to the northern portion of the subject site.

The Board concluded that whereas the existing bridge(s) already detrimentally impacts the stream on the subject site and whereas the proposed new bridge would additionally detrimentally impact the stream and wetlands, a feasible and prudent alternative would be for the existing structure(s) to be utilized to access the northern portion of the subject site at the existing crossing location, instead of building a new structure at a different location to provide the access.

The Board also noted that the application was not for the entire project, but only for the stream crossing, and therefore the Board did not know for sure what the end use would be that would require the new crossing.

**Mr. Fincham motioned to deny the above application. Mr. Bishop seconded. Motion carried 5-0-0.**

- 2. (Continued) IW-24-19; 27 Abbott Avenue;** Plenary Ruling application for the construction of a 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>

Attorney Beecher guided the Board regarding the determination they have to make for the intervention and state on record the reasons that there is a feasible and prudent alternative to the proposal presented by the applicant and that the proposed project will have a negative impact on the wetlands and watercourses. Members voted that the intervenor had made his case, and to deny the applications stating the reasons:

During the public hearing, Board members questioned the effectiveness of the proposed stormwater management practices given their location in such proximity to the building, including the impacts to the soils that support the practice including soil compaction from heavy equipment used to construct the building during construction.

Soil testing revealed the variability of the soils which has been compromised and highly modified by extraneous materials (glass, brick, ash, slag, etc.) in DTH-1 from the prior land uses on the property. In addition, the applicant's testing showed that there is a high seasonal water table at 44" below grade (DTH-2) and organic layer at 42" to 49", water at 49" in DTS-102. These conditions show that providing three feet of unsaturated soil is not feasible.

Note that the requirement for effective pollutant removal requires a minimum of three feet of unsaturated soil below the chambers and stone placed below the chambers. This will not be achieved under the present design of the proposed chambers.

Snow storage location is impractical and will not happen. Instead, snow plow drivers will push the snow across the paved driveway and will dump the snow over the wall and right into the rain garden. The weight of the snow being dumped into the rain garden will kill the plants, compact the soil, and result in the loss of the infiltrative capacity of the practice – water quality improvement occurs within the planting soil mix – and when that capacity is reduced, the improvement to the water quality does not occur. The dumped snow typically is very high in sediment loads and compromise the ability of the practice to renovate the quality of the runoff.

**Mr. Smith motioned that the Intervenor to this application proved his case. Mr. Fincham seconded. Motion carried 5-0-0.**

**Mr. Pilch motioned to deny the above application. Mr. Bishop seconded. Motion carried 5-0-0.**

- 3. (Continued) 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>

The letter from potential intervenor that had been tabled at the previous meeting was raised. Mr. Jewell asked if he could present evidence to challenge the granting of this status, and Atty. Beecham agreed that it was allowed. Mr. Jewell claimed that the intervenor had not considered the existing damage to the wetland and that the new application would correct the damage rather than increase it. The intervenor will address this challenge at the next meeting.

Ms. Baker queried the board as to whether they wanted to raise this application to a plenary application. After discussion the board opted to keep this application as a summary application. This does not keep there from being an intervenor, which would be discussed and decided at the next meeting.

Mr. Jewell gave an overview of the property and the plans, in particular that the future filling station will also be a electric charging station. As such, the length of “stay” for electric car customers would be longer given the time needed to charge. He reviewed the history of dumping into the great swamp and condition of the wetland, including the recent construction of a pedestrian walkway along the wetland to the east of Ligi Way.

Mr. McManus stated that there will be no loss of undisturbed wetland. There will be 1631 sf of wetland impact in the disturbed areas vs. 3000 sf of enhancement plantings, no tree removal.

Mr. Scrittorale gave an overview of the issues surrounding Ligi Way, including discharged to the Great Swamp from the town’s sewage treatment plant.

Mr. Dean described the landscaping planned for restoration of the disturbed wetland areas.

Mr. Scrittorale provided information on E&S plans, the spill prevention, control, and countermeasure program, states that Mitchell company is committed to maintenance and protection of the petroleum aspects of the business. He described the stormwater systems, including the treatment train. This completed the applicant presentation.

Ms. Baker asked Mr. Jewell for an extension to the next regular meeting on December 12. Mr. Jewell stated that he would be in touch with the office about supplying an extension.

4. **IW-24-37; 0 Adams Road;** Summary Ruling application for construction of new three-bedroom single family dwelling, driveway, septic, well, drainage, and utilities within the upland review area of wetlands and watercourses. Owner: Frank Zarkowsky. Applicant: Michael Mazzucco.  
<https://ridgefieldct.portal.opengov.com/records/98633>

Mr. Mazzuco described the plans for construction of the home, and the relationship of the septic to the rubble wall that separates the wetland area on the property from the upland review area. The property has high seasonal groundwater that will require stormwater management.

Mr. Pilch asked about if the septic could be “rotated” slightly to increase distance from the wetland and keep the stone wall in the same location rather than move some of it to accommodate the sewer. Said it was very important that the stone wall be retained.

Mr. Mazzuco commented that most of the flow from the septic area will not go toward the wetland, but he will take a look if any change could be made.

Mr. Pilch asked about where the stormwater will go, and Mr. Mazzuco stated it would go into a new catch basin on Adams Road.

Mr. Fincham asked whether the stormwater system on Adams Road will be able to handle the additional input from this site.

Mr. Bishop requested that at the next meeting the impact on the wetland when so much water is now being directed to the catch basin be addressed.

Mr. Smith asked if the number of trees to be removed could be stated for the record.

Continued to next regular meeting on December 12.

5. **IW-24-39; 116 Oscaleta Road;** Summary Ruling application for proposed construction of a detached garage within the upland review area of wetlands and watercourses. Owner/Applicant: William Bernhardt.  
<https://ridgefieldct.portal.opengov.com/records/98276>

Mr. Quinn gave an overview of the location chosen for the garage as being the only place for the structure to be placed. The site is well drained, and minimizes the possible impact on the wetland. There is an infiltration system for roof drains and gravel driveway, designed for 50 year storm. Downhill area is currently a meadow, and will be maintained as such.

Members requested special conditions of having the upland review area line added to the site plan, replant disturbed area with meadow mix, and add a 24” sump to the catch basin in front of the garage to be able to clean out driveway gravel that might end up in the infiltration system.

**Mr. Bishop motioned to approve the above application with conditions. Mr. Pilch seconded. Motion carried 6-0-0.**

- 6. 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.  
<https://ridgefieldct.portal.opengov.com/records/97732>

Mr. McConnell reviewed the plans to remove the old bridge which has become unsafe and replace it with a new concrete structure that has an increased span. Removal of two trees will be necessary. Care will be taken to remove the bridge structure from the creek bed. A planting plan shows replanting of the nearby areas that will be disturbed during construction.

Mr. Bishop commented on the appropriate time of year to do the work during low flow season.

Mr. Pilch asked about whether some stones that are the current abutments will be left in place. Mr. McConnell responded that they will leave in stones that will not affect construction and only remove stones that have to be in order to put in the new abutments. He also showed a stone rip-rap embankment for the steeper slopes near the bridge.

Special conditions of approval will be the addition of two shade trees to the planting plan and that the work is to be done during low-flow period of July 1 to September 30.

**Mr. Smith motioned to approve the above application with conditions. Mr. Pilch seconded. Motion carried 6-0-0.**

**IV: List of Ongoing Enforcement by Agent:**

**V: Other Business:**

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

Mr. Trinkhaus requested advice from the board regarding a possible building site on the above property. Members provided comments. There is no application at this time, so there was no vote.

**VI: Approval of Minutes:**

- **Inland Wetlands Meeting:** October 10, 2024, October 24, 2024, October 28, 2024 (Special Meeting), November 04, 2024

**Mr. Fincham motioned to approve the above minutes. Mr. Smith seconded. Motion carried 5-0-0.**

- **Inland Wetlands Sitewalk meeting:** October 20, 2024, November 10, 2024

**October 20:**

**Mr. Bishop motioned to approve the above sitewalk minutes. Mr. Fincham seconded. Motion carried 3-0-3.**

**November 10:**

**Mr. Pilch motioned to approve the above sitewalk minutes. Mr. Smith seconded. Motion carried 3-0-3.**

**VII: Adjourn**

Hearing no further business, Ms. Baker adjourned the meeting at 10:28 PM.

Submitted by Susan Baker, Chair