

INLAND WETLANDS  
COMMISSION  
Telephone (203) 563-0180  
Fax (203) 563-0284



TOWN HALL  
238 Danbury Road  
Wilton, Connecticut 06897

April 28, 2023

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Marc Nogid  
Old Driftway, LLC  
36 Signal Hill Road  
Wilton, CT 06897

Subject: Wetlands Permit Application #2871 – **OLD DRIFTWAY, LLC**  
0 Mountain Road, Wilton, CT (Map#25 Lot#2)

Dear Mr. Nogid:

The Inland Wetlands Commission of the Town of Wilton has **GRANTED** your application to conduct "regulated activities" within the Town of Wilton. Your attention is directed to the enclosed Resolution #0423-19WET. It contains a description of the permitted work and the terms and conditions attached. Please review it carefully. Your work must conform to your permit. This permit is valid for five years. Refer to General Condition #2 for additional information. The Director of Environmental Affairs must be notified 24 hours prior to commencing on-site work.

If you have not already done so, you should contact the State of Connecticut, Department of Energy & Environmental Protection, Bureau of Water Management to determine the requirement, if any, for State authorization. If your project involves filling of, or discharge to, federally regulated wetlands or watercourses, you should contact the U.S. Army Corps of Engineers in Concord, Massachusetts.

For your records, a copy of the Legal Notice of the Commission's decision is enclosed. If you have any questions or comments regarding your permit, please contact this office. Thank you for your cooperation in protecting the valuable natural resources of the Town of Wilton.

Sincerely,

Rick Stow  
Chairman

Encl. Resolution #0423-19WET  
General Conditions  
Legal Notice of Publication

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April 28, 2023  
Resolution #0423-19WET  
WET#2871

Upon review by the Commission's duly authorized agent, the following decision was made:

**RESOLVED:**

that Wetlands Application #2871 to conduct "Minor Regulated Activities," as defined by Section 2.1.z of the Wilton Wetlands and Watercourses Regulations be granted to Old Driftway, LLC for property located at 0 Mountain Road, Wilton, CT (Assessor's Map#25 Lot#2). The authorized activity consists of proposed temporary wetland crossing for soil testing as depicted in the following documents:

1. Application for a Minor Regulated Activity, with supporting documentation, dated April 2, 2023, signed by the Owner and Agent
2. Assessment Parcel Map, printed from Town of Wilton GIS System
3. Portion of GIS Map, undated
4. Narrative, undated, unknown preparer
5. Wetland Delineation, dated March 10, 2023, prepared by Aleksandra Moch Soil & Wetland Scientist, signed by Aleksandra Moch, SS
6. Portion of GIS Map, undated, prepared by Aleksandra Moch, SS
7. Portion of GIS Map, undated, prepared by Aleksandra Moch, SS
8. Portion of GIS Map, undated, prepared by Aleksandra Moch, SS
9. Zoning Location Survey, dated March 31, 2023, prepared by All Seasons Land Surveying, unsigned, unsealed
10. Topographic Survey, dated March 30, 2023, prepared by All Seasons Land Surveying, unsigned, unsealed
11. Email correspondence between Agent and Staff, dated April 4, 2023
12. NDDB Determination, dated April 26, 2023, prepared by CT Dept. of Energy & Environmental Protection

This permit is subject to the following Special Conditions and the attached General Conditions:

1. Prior to the commencement of any on-site permit related activity, the applicant shall submit an estimate for the cost of the temporary wetland crossing for approval by this commission or its staff for the purpose of determining a bond amount.
2. Prior to the commencement of any on-site permit related activity, the applicant shall post a bond in a form and an amount acceptable to this commission and town counsel. In the event the applicant fails to properly restore the temporary wetland crossing area, the Town reserves the

right to use the bonded funds to correct such deficiencies.

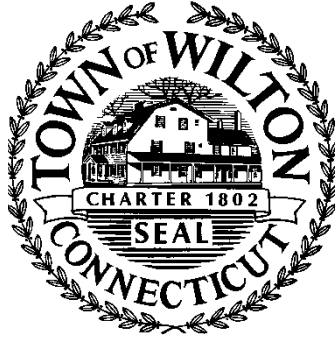
3. Prior to the commencement of any on-site permit related activity, the applicant shall submit photo documentation of the site. The photos shall be both wide angle and close up shots. They shall be labeled and cross referenced on a site plan.
4. In following the guidance provided by the Connecticut Department of Energy & Environmental Protection's NDDB Determination #202303369 (attached), the applicant shall retain the services of a herpetologist familiar with preferred habitats of the Eastern box turtle and Ground beetle. Prior to the commencement of any on-site permit related activity, the herpetologist shall develop a written plan, for approval by this commission or its staff, to ensure the best protection strategies are employed for the site and the scope of the work.
5. The herpetologist shall be on site at all times the excavator is on site. The herpetologist shall walk ahead of the excavator to sweep the path for any turtles.

END  
Res#0423-19

**GENERAL CONDITIONS IN THE ISSUANCE OF ALL WILTON INLAND WETLANDS COMMISSION PERMITS**

1. The permittee shall notify the Director of Environmental Affairs 24 hours prior to the commencement of work and upon its completion.
2. If the authorized activity is not completed on or before 4/28/2028 said activity shall cease and, if not previously revoked or specifically extended, this permit shall be null and void.
3. No equipment or material including fill, construction materials, or debris, shall be deposited, placed, or stored in any wetland or watercourse on or off site unless specifically authorized by this permit.
4. All work and all regulated activities conducted pursuant to this authorization shall be consistent with the terms and conditions of this permit. Any structures, excavation, fill, obstructions, encroachments or regulated activities not specifically identified and authorized herein shall constitute a violation of this permit and result in its modification, suspension, or revocation. Upon initiation of the activities authorized herein, the permittee thereby accepts and agrees to comply with the terms and conditions of this permit.
5. Prior to commencement of any construction, including road, accessways, drainage systems, and lots, each and every general contractor and subcontractor employed by the applicant or subsequent purchaser shall execute a document in the form annexed indicating that the contractor or subcontractor has fully familiarized itself with and understands the Wilton Inland Wetlands and Water Courses Regulations as they apply to its project, and with the terms of the permitted activity, including the general and special conditions which pertain.
6. The permittee shall employ best management practices, consistent with the terms and conditions of this permit, to control storm water discharges, to prevent erosion and sedimentation and to otherwise prevent pollution of wetlands or watercourses. For information and technical assistance, contact the Director of Environmental Affairs. The permittee shall immediately inform the Commission of any problems involving wetlands or watercourses which develop during the course of, or which are caused by, the authorized work.
7. In evaluating this application, the Commission has relied on information provided by the applicant and, if such information subsequently proves to be false, deceptive, incomplete and/or inaccurate, this permit shall be modified, suspended or revoked.
8. Nothing in this permit shall obviate the requirements for the applicant to obtain any other assents, permits or licenses required by law or regulation by the Town of Wilton, State of Connecticut and the Government of the United States, including any approval required by the Connecticut Department of Energy & Environmental Protection and the U.S. Army Corps of Engineers. Obtaining such assents, permits or licenses is the sole responsibility of the applicant.
9. This permit is subject to and does not derogate any present or future property rights or other rights or powers of the Town of Wilton, conveys no property rights in real estate of material nor any exclusive privileges, and is further subject to any and all public and private rights and to any federal, state and local activity affected hereby.
10. This authorization is not transferable without the written consent of the Wilton Inland Wetlands Commission.
11. Where applicable, the oil tank shall be above ground or in the basement of the dwelling.

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**CONTRACTOR AGREEMENT**

RESOLUTION NUMBER: 0423-19WET

WETLANDS PERMIT NUMBER: #2871

As a contractor/subcontractor engaged by \_\_\_\_\_ to perform the regulated activities described in Wilton Inland Wetlands Commission Permit referenced above, I am familiar with the applicable State and Town of Wilton Inland Wetlands and Water Courses Regulations and the Permit, and will comply with all the conditions therein.

Work will commence on or about \_\_\_\_\_ and will be completed within \_\_\_\_\_ weeks.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

\_\_\_\_\_

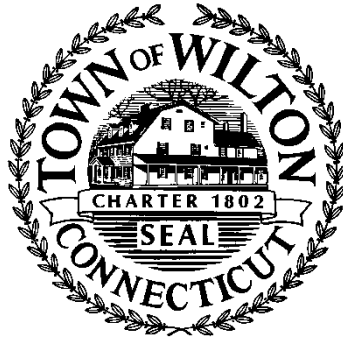
Signature

\_\_\_\_\_

Date Signed

MAIL TO: Wilton Inland Wetlands Commission  
Town Hall Annex  
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#### **LEGAL NOTICE - PUBLISH ONCE**

The Wilton Inland Wetlands Commission took the following ACTION on April 28, 2023

**GRANTED** with conditions, Wetlands Application **WET#2871 – OLD DRIFTWAY, LLC** – proposed wetland crossing for soil testing at 0 Mountain Road, Wilton CT (Assessor's Map#25 Lot#2)

The full record of the Commission's action is available for public review at its offices in the Town Hall Annex at 238 Danbury Road, Wilton, CT.

Dated this day 28th day of April, 2023 at Wilton, CT  
**PUBLISH in the WILTON BULLETIN May 4, 2023**

Penelope Koechl  
Secretary