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



TOWN HALL 238 Danbury Road Wilton, Connecticut 06897

# APPLICATION FOR AN INTERMEDIATE REGULATED ACTIVITY

For Office Use Only:	WET#
Filing Fee \$	Wilton Land Record Map#
Date of Submission	Volume # Page #
Date of Acceptance	Assessor's Map # Lot#

**APPLICANT INFORMATION:** 

Applicant Patti Griffin	Agent (if applicable) William Kenny Associates LLC
Address 67 Borglum Road	Address 195 Tunxis Hill Cutoff S
Wilton, CT 06897	Fairfield, CT 06825
Telephone 914-649-9459	Telephone 203-366-0588
Email pgriffin@sscinc.com	Email wkenny@wkassociates.net
PROJECT I	NFORMATION:
Property Address 67 Borglum Road, Wilton	Site Acreage 1.63
Acres of altered Wetlands On-Site 0.0	Cu. Yds. of Material Excavated $0.0$

Linear Feet of Watercourse  $\frac{0.0}{0.0}$ 

Linear Feet of Open Water 0.0

Sq. Ft. of proposed and/or altered impervious coverage 0.0

# Site Acreage 1.63 Cu. Yds. of Material Excavated 0.0 Cu. Yds. of Material to be Deposited 0.0 Acres of altered upland buffer 0.0 Sq. Ft. of disturbed land in regulated area <10,000

### **APPLICATION REQUIREMENTS:**

Is The Site Within a Public Water Supply Watershed Boundary? NO <u>×</u>YES\*\_\_\_\_\_ Is The Site Within 500 Feet of a Town Boundary? NO × YES\* YES\*

\* If the answer is yes, then the applicant is responsible for notifying the appropriate water authority and/or adjoining community's Wetlands Department. Instructions for notification are available at the office of the commission.

### Page 2 Application for an Intermediate Regulated Activity

Project Description and Purpose: <u>To authorize property improvements and plantings</u>.

In addition, the applicant shall provide nine (9) collated copies of the following information as well as an electronic submission
via email to <u>mike.conklin@wiltonct.org</u> & <u>elizabeth.larkin@wiltonct.org</u> **

()	A.	Written consent from the owner authorizing the agent to act on his/her behalf			
()	B.	A Location Map at a scale of 1" = 800'			
()	C.	A Site Plan showing existing and proposed features at a scale not to exceed $1'' = 40'$			
()	D.	Sketch Plans depicting the alternatives considered			
()	E.	Names and addresses of adjoining property owners			
()	F.	A narrative describing, in detail			
		a. the proposed activityc. impactsb. the alternatives consideredd. proposed mitigation measures			
()	G.	Soils Report prepared by a Certified Soil Scientist and Wetlands Map prepared by a Registered Land Surveyor			
()	H.	Description of the chemical and physical characteristics of fill material to be used in the Regulated Area			
()	I.	Description and maps detailing the watershed of the Regulated Area			
()	J.	One original application form and eight (8) copies			

# \*\*Application materials shall be collated and copies of documents more than two pages in length shall be double sided.

See Section 7 of the Wetlands and Watercourses Regulations of the Town of Wilton for a more detailed description of applications requirements.

The Applicant or his/her agent certifies that he is familiar with the information provided in this application and is aware of the penalties for obtaining a permit through deception, inaccurate or misleading information.

By signing this application, permission is hereby given to necessary and proper inspections of the subject property by the Commissioners and designated agents of the Commission or consultants to the Commission, at reasonable times, both before and after a final decision has been rendered.

Applicant's Signature:		Date:
Agent's Signature (if applicable)	Willeffung	Date: 4/20/2021

### WILLIAM KENNY ASSOCIATES LLC

SOIL SCIENCE ECOLOGICAL SERVICES LAND USE PLANNING LANDSCAPE ARCHITECTURE

April 20, 2021

Inland Wetlands Commission Town of Wilton Town Hall Annex 238 Danbury Road Wilton, CT 06830

Re: Application for an Intermediate Activity 67 Borglum Road, Wilton, CT

Dear Members of the Commission:

On behalf of Patti Griffin, enclosed is an application for an Intermediate Activity. The permit is being sought to authorize property improvements and plantings at 67 Borglum Road. The following application documents are enclosed for your review:

- 1. One (1) original and 8 copies of the application form.
- 2. A letter of consent from the owner authorizing William Kenny Associates LLC to act as the owner's agent regarding the application to the agency.
- 3. Nine (9) copies of a letter from Patti Griffin dated January 26, 2021.
- 4. Nine (9) copies of a letter from Cain Ranhan, MD dated March 30, 2021.
- 5. Nine (9) copies of a USGS Topo & Watershed map.
- 6. Nine (9) copies of a list of all adjoining property owners.
- 7. One (1) original and 8 copies of a Wetland and Watercourse Delineation letter-report prepared by William Kenny Associates and dated November 4, 2020.
- 8. Nine (9) copies of the drawing titled *IWWA Permit Application Property Improvements Plan* prepared by William Kenny Associates and dated April 5, 2021.
- 9. A filing-fee check for \$960.00.

195 TUNXIS HILL CUTOFF S FAIRFIELD, CT 06825 PHONE: 203 366 0588 FAX: 203 366 0067 www.wkassociates.net Members of the Commission Re: 67 Borglum Road, Wilton, CT April 20, 2021 Page 2

If you should have any questions or comments regarding this application, please do not hesitate to contact me.

Sincerely,

Willie

William L. Kenny, PWS, PLA Principal

Copy: Patti Griffin

Ref. No.: 4679

Patti Griffin 67 Borglum Road Wilton, CT 06897

April 19, 2021

Inland Wetlands Commission Town of Wilton Town Hall Annex 238 Danbury Road Wilton, CT 06830

Re: Application for an Intermediate Activity 67 Borglum Road, Wilton, CT

Dear Members of the Agency:

I hereby authorize the firm of William Kenny Associates LLC to serve my agent in securing all necessary approvals from the Fairfield Conservation Commission for the above-referenced matter.

Sincerely,

Patti Griffin

Patti Griffin

4-19-2021

Date:

### January 26<sup>th</sup> 2021

Town of Wilton, CT Inland Wetlands Commission Town Hall 238 Danbury Road Wilton, CT. 06897

Re: 67 Borglum Road (Map 123 Lot 22)– Cease & Desist

Dear Commission: Michael Conklin, Director of Environment Affairs Attachments to <u>mike.conklin@wiltonct.org</u>; <u>Elizabeth.larkin@wiltonct.org</u>

Please note I did not intentionally intend to violate any statutes or codes.

As a responsible homeowner, I thought I was performing all proper due diligence for my safety to inhabit as well as the safety and private property of my neighbors.

There were quite a few tasks I was performing to ensure this could happen in late spring early summer 2021.

- Soil Scientist William Kenny call into their office if items need to be rectified
- Surveyor Roland Gardner call placed and survey updated
- Septic Laurel Hill Septic plan is already going back in for review
- David's Tree Service & Landscaping LLC landscape plan attached.

Currently there is no heat, water or waste disposable and was taking one task at a time but also overlapping.

Town water is turned off, the oil tank was emptied/abandoned. Existing cesspool/septic is not functioning. Well in rear is not yet abandoned which Septic contractor will take care of.

Also it should be known I am not today expanding the footprint of the existing structure. The original request by prior purchaser notes that in October. I did not purchase until November 6th

Simultaneously as the property was overgrown and dangerous, I hired a contractor and a Licensed Tree company to clear items for safety concerns. Many trees in the back like on the side property were split in half and or down from another tree hitting them or dead. Those that were precarious or leaning I took those down. As I am not living on the side property that can come later with the exception of right by the smaller structure as I also have the paperwork for a generator, that structure will be fixed to code for that.

In speaking/learning from Zen Herter, my contractor who is licensed, is not an arbortor/arborist, which I did not know was required. It was not evident to me to contact Inland Wetlands for the interior of my property. From this link and the survey I thought I was understanding what was needed for a single family permits, <u>https://www.wiltonct.org/sites/g/files/vyhlif4046/f/uploads/zoning\_regs\_revised\_jun\_25\_2019\_updated\_app\_b\_0.pdf</u>. I was contacting Inland for a review on the garage side and the street side over my wall, because I wanted to make sure I was not touching neighboring private property or town property.

To get the property to a semi-viable state for me to navigate as I am deemed handicap by the state of NY where I am a resident, I cannot safely walk with leaves, acorns, pinecones, pine needles, sap and vines. Depending on the day I can have a cane, a roller walker or wheelchair. Note my license plate and NYC handicap parking placard for work.

If I had questions I was contacting the building department, or the surveyor, both who are very helpful.

The trees I took down were to prep for mobility around my property. I have the paperwork to go into DOT for potential street egress. Those in the back and some on both sides were either already down to be cleaned up or taken down to prepare for a handicap ramp and that my architect andI decide a permanent solution. I did not take pictures of tress that were leaning on other trees or already down as those to me were obvious to come down. I hired David's Trees for this cleaned up before bad weather and during the last two wind storms before they even entered property more trees broke. I went over this with surveyor.

I have the paperwork ready to go to the building department for the handicap ramp as an add-on accessory. For now, it is anticipated as a temporary solution on 3 sides of the house to help navigate safely. Also I need space on both side of the house to be able to take a small motorized cart fully around the property and on the handicap ramp for those days I cannot walk or where the weather requires.

There is a structure that will house the generator, that permit is also going to be filed and that area was also cleared of dead trees or other shrubbery.

I have attached pictures of what things looked like recently and my landscape contract has already drawn a place and order trees. Many planted where they were not before but certainly replace those removed.

The trees on the garage side were not yet take down. They are flagged because of boundary. The trees right up against the garage, those I will put in for review and a permit in to replace those with Evergreen and Cypress for both privacy and easy to maintain.

I would also like to make as part of my review on the very far right side of property when I can start to clean that up what needs to be done there. As I am the new owner neighbor have expressed displeasure in the look. Although it is clear it has been this way for at least 5 to 7 years I will take pride and at least put up privacy trees to help the view.

Thank You in advance for your consideration that my actions were not to be construed harmful or malicious to the environment or the neighborhood. I respectfully ask that the remediation be considered as to provide a quality of life that is needed and necessary to be a safe and secure homeowner.

Patti Griffin

### CAIN RANJAN, MD PRIMARY CARE/RHEUMATOLOGY LIC 206587 NPI: 1750487336

This letter is to certify that the patient of Dr. Ranjan, Ms. Griffin, made an appointment to ensure she met every criteria of your Cease & Desist request. Ms. Griffin is deemed handicap and is not able to maintain the overwhelming type of tree species in her barrier free walkable yard space that was explained to Dr. Ranjan. Given Ms. Griffin's allergies as well as disease; rotted trees are dangerous to navigate and leave as is. For those trees that fell down are not ravigable, including coming down this past weex. Trees in jeopardy of coming down while Ms. Griffin will not be able to quickly get out of the way if that were to happen. Or the structure modifications on the garage to utilize or the bouse dwelling for rear entry.

The American's for Disabilities Act, is for Ms. Griffin's protection. Replacing her walkable yard space with safe species is acceptable. Ms. Griffin also noted her minimal dwelling/structure modifications

Dr. Ranjan's understanding is, Ms. Griffin is to be treated fairly. The American's for Disabilities Act notes, no public domain or municipality should impose unfair or burdensome practices or fees. How Ms. Griffin maintains her vendors is however fiscally responsibly she is monotarily able to do so.

I hope this satisfies your questions on the unintended knowledge of tree removal and replacement to provide her safe living.

CAPN RANGAN, MD





### WILLIAM KENNY ASSOCIATES LLC

SOIL SCIENCE ECOLOGICAL SERVICES LAND USE PLANNING LANDSCAPE ARCHITECTURE

195 TUNXIS HILL CUTOFF S FAIRFIELD, CT 06825 PHONE: 203 366 0588 FAX: 203 366 0067 www.wkassociates.net

## IWC PERMIT APPLICATION USGS TOPO & WATERSHED MAP

OWNER: PATTI GRIFFIN

LOCATION: 67 BORGLUM ROAD WILTON, CONNECTICUT PARCEL # 123-22

DATE: APRIL 20, 2021

SCALE: 0' 400' 800'



REF. NO. 4679

### 67 Borglum Road Wilton, CT

### Application for Wetland Activity Permit Adjoining Property Owners

Property Address	Property Address	Mailing Address	Property Owner
123-23	79 Borglum Road	79 Borglum Road Wilton, CT 06897	Christopher J. & Carol J. Dubroswki
123-24	84 Borglum Road	84 Borglum Road Wilton, CT 06897	David D. Heyman & Huy D. Huynh
123-25	80 Borglum Road	185 Old Kings Highway Wilton, CT 06897	Estate of David Solon Borglum C/O Justin Borglum
123-28	74 Borglum Road	74 Borglum Road Wilton, CT 06897	Vidhya Narayanappa & Sharath Srinivasiah
123-29	66 Borglum Road	66 Borglum Road Wilton, CT 06897	Alan S. & Elizabeth Pickel
123-30	60 Borglum Road	60 Borglum Road Wilton, CT 06897	Michael A. Waskom Trustee
123-21-4	61 Borglum Road	61 Borglum Road Wilton, CT 06897	Lynn Manheim

### WILLIAM KENNY ASSOCIATES LLC

SOIL SCIENCE ECOLOGICAL SERVICES LAND USE PLANNING LANDSCAPE ARCHITECTURE

March 19, 2021

Ms. Patti Griffin 67 Borglum Road Wilton, CT 06897

Re: Wetland and Watercourse Delineation 67 Borglum Road, Wilton, Connecticut

Dear Ms. Griffin:

As requested, we visited your referenced property to determine the presence or absence of wetlands and/or watercourses, to demarcate (flag) the boundaries of wetlands and watercourses identified, and to identify onsite soil types. This letter includes the methods and results of our investigation, which we completed today, March 19, 2021. In summary, one inland wetland system was identified and delineated. The system, which is located in the southwestern portion of the property, is a gently sloping woodland wetland. In addition to the onsite system, an off-site system was observed. It extends and flows north to south just east of the property and is a small stream and woodland wetland.

### **Regulatory Definitions**

The Inland Wetlands and Watercourses Act (Connecticut General Statutes §22a-38) defines <u>inland</u> <u>wetlands</u> as "land, including submerged land...which consists of any soil types designated as poorly drained, very poorly drained, alluvial, and floodplain." <u>Watercourses</u> are defined in the act as "rivers, streams, brooks, waterways, lakes, ponds, marshes, swamps, bogs and all other bodies of water, natural or artificial, vernal or intermittent, public or private, which are contained within, flow through or border upon the state or any portion thereof." The Act defines <u>Intermittent Watercourses</u> as having a defined permanent channel and bank and the occurrence of two or more of the following characteristics: A) evidence of scour or deposits of recent alluvium or detritus, B) the presence of standing or flowing water for a duration longer than a particular storm incident, and C) the presence of hydrophytic vegetation.

### Methodology

A second order soil survey in accordance with the principles and practices noted in the USDA publication *Soil Survey Manual* (1993) was completed at the subject site. The classification system of

195 TUNXIS HILL CUTOFF S FAIRFIELD, CT 06825 PHONE: 203 366 0588 FAX: 203 366 0067 www.wkassociates.net Ms. Patti Griffin Re: 67 Borglum Road, Wilton, Connecticut

the National Cooperative Soil Survey was used in this investigation. Soil map units identified at the project site generally correspond to those included in the *Soil Survey of the State of Connecticut* (USDA 2005).

<u>Wetland</u> determinations were completed based on the presence of poorly drained, very poorly drained, alluvial, or floodplain soils. Soil types were identified by observation of soil morphology (soil texture, color, structure, etc.). To observe the morphology of the property's soils, test pits and/or borings (maximum depth of two feet) were completed at the site.

<u>Intermittent watercourse</u> determinations were made based on the presence of a defined permanent channel and bank and the occurrence of two or more of the following characteristics: A) evidence of scour or deposits of recent alluvium or detritus, B) the presence of standing or flowing water for a duration longer than a particular storm incident, and C) the presence of hydrophytic vegetation.

<u>Off-site wetland and watercourse</u> determinations were based on observations made from the project site and public right-of-ways of offsite topography, vegetation and hydrological conditions and on a review of the *Soil Survey of the State of Connecticut* (USDA 2005) and Town wetland maps. Based on these observations, conclusions were made regarding the approximate location of off-site wetlands and watercourses.

Onsite wetland boundaries were demarcated (flagged) with pink surveyor's tape (hung from vegetation) or small flags (on wire stakes) labeled "William Kenny Associates" that are generally spaced a maximum of every 50 feet. Complete boundaries are located along the lines that connect these sequentially numbered flags. <u>The wetland boundaries are subject to change until adopted by local, state, or federal regulatory agencies.</u>

### Results

The approximate 1.6-acre residential property is located at 67 Borglum Road in Wilton, Connecticut. Borglum Road borders the northern property boundary. Property improvements include a singlefamily residence, a subsurface sanitary disposal system, detached garage and a gravel driveway. The vegetative cover in the northeastern portion of the property is lawn with other ornamentals and some shade trees. A broadleaved deciduous woodland is present in the southern and western portions of the property. On the day of the review, the sky was clear and air temperatures were in the 70's ° F.

One inland wetland system was identified and delineated. The system, which is located in the southwestern portion of the property, is a gently sloping woodland wetland. In addition to the onsite system, an off-site system was observed. It extends and flows north to south just east of the property and is a small stream and woodland wetland. Wetland soils are primarily poorly drained and formed from glacial till deposits. The approximate location of the system is shown on the attached map. The boundary of the system was marked at the site with flags numbered 1 to 5.

Five soil map units were identified on the property (one wetland and four upland). Each map unit represents a specific area on the landscape and consists of one or more soils for which the unit is named. Other soils (inclusions that are generally too small to be delineated separately) may account for 10 to 15 percent of each map unit. The mapped units are identified in the following table by name and symbol and typical characteristics (parent material, drainage class, high water table, depth to bedrock, and slope). These characteristics are generally the primary characteristics to be considered in

### Ms. Patti Griffin Re: 67 Borglum Road, Wilton, Connecticut

land use planning and management. A description of each characteristic and their land use implications follows the table. A complete description of each soil map unit can be found in the *Soil Survey of the State of Connecticut* (USDA 2005), and at

*https://soilseries.sc.egov.usda.gov/osdname.aspx*. On the day of the review, the upland soil was moist and the wetland soil was wet.

<u>Sym</u> .	<u>Map Unit</u> <u>Name</u>	Parent <u>Material</u>	<u>Slope</u> (%)	Drainage <u>Class</u>	<u>His</u> <u>Depth</u> (ft)	gh Water Ta <u>Kind</u>	able <u>Mos</u> .	Depth To <u>Bedrock</u> (in)
<u> </u>	Upland Soil							
51	Sutton very stony fine sandy loam	Loose Glacial Till	3-8	Moderately Well Drained	1.5-3.5	Apparent	Nov-Apr	>60
73	Charlton Chatfield Fine sandy loam	Loose Glacial Till Loose Glacial Till	0-50 0-70	Well Drained Well Drained	>6.0 >6.0			>60 20-40
75	Hollis- Chatfield Rock Outcrop	Loose Glacial Till Loose Glacial Till	0-5 3-15	Well Drained Well Drained	>6.0 >6.0			<20 20-40
308	Udorthents, Smoothed	Excavated or Filled Soil (>2 feet)	0-45	Well Drained	>6.0			>60
<u> </u>	Wetland Soil							
3	Ridgebury	Compact Glacial Till	0-8	Poorly Drained	0.0-1.5	Perched	Nov-May	>60
	Leicester Whitman extremely stony fine sandy loam	Loose glacial Till Compact Glacial Till	0-3 0-3	Poorly Drained Very Poorly Drained	0.0-1.5 0.0-0.5	Apparent Perched	Nov-May Sep-Jun	>60 >60

Parent material is the unconsolidated organic and mineral material in which soil forms. Soil inherits characteristics, such as mineralogy and texture, from its parent material. Glacial till is unsorted, nonstratified glacial drift consisting of clay, silt, sand, and boulders transported and deposited by glacial ice. Glacial outwash consists of gravel, sand, and silt, which are commonly stratified and deposited by glacial melt water. Alluvium is material such as sand, silt, or clay, deposited on land by streams. Organic deposits consist of decomposed plant and animal parts.

A soil's texture affects the ease of digging, filling, and compacting and the permeability of a soil. Generally sand and gravel soils, such as outwash soils, have higher permeability rates than most glacial till soils. Soil permeability affects the cost to design and construct subsurface sanitary disposal facilities and, if too slow or too fast, may preclude their use. Outwash soils are generally excellent sources of natural aggregates (sand and gravel) suitable for commercial use, such as construction sub base material. Organic layers in soils can cause movement of structural footings. Compacted glacial till layers make excavating more difficult and may preclude the use of subsurface sanitary disposal systems or increase their design and construction costs if fill material is required.

### Ms. Patti Griffin Re: 67 Borglum Road, Wilton, Connecticut

Generally, soils with steeper slopes increase construction costs, increase the potential for erosion and sedimentation impacts, and reduce the feasibility of locating subsurface sanitary disposal facilities.

Drainage class refers to the frequency and duration of periods of soil saturation or partial saturation during soil formation. Seven classes of natural drainage classes exist. They range from excessively drained, where water is removed from the soil very rapidly, to very poorly drained, where water is removed so slowly that free water remains at or near the soil surface during most of the growing season. Soil drainage affects the type and growth of plants found in an area. When landscaping or gardening, drainage class information can be used to assure that proposed plants are adapted to existing drainage conditions or that necessary alterations to drainage conditions (irrigation or drainage systems) are provided to assure plant survival.

High water table is the highest level of a saturated zone in the soil in most years. The water table can affect the timing of excavations; the ease of excavating, constructing, and grading; and the supporting capacity of the soil. Shallow water tables may preclude the use of subsurface sanitary disposal systems or increase design and construction costs if fill material is required.

The depth to bedrock refers to the depth to fixed rock. Bedrock depth affects the ease and cost of construction, such as digging, filling, compacting, and planting. Shallow depth bedrock may preclude the use of subsurface sanitary disposal systems or increase design and construction costs if fill material is required.

### **Conclusions**

Today, we investigated your property at 67 Borglum Road in Wilton, Connecticut and identified and delineated one onsite inland wetland system. In addition to the onsite system, an off-site system was observed. It extends and flows north to south just east of the property and is a small stream and woodland wetland. Thank you for the opportunity to assist you. If you should have any questions or comments, please do not hesitate to contact us.

Sincerely,

William L. Kenny, PWS, PLA Soil Scientist

Enclosure

Ref. No. 4679





# GENERAL NOTES

- 1. UNLESS NOTED OTHERWISE, EXISTING CONDITIONS INFORMATION TAKEN FROM A SURVEY PREPARED
- BY ROLAND H. GARDNER. 2. PROPOSED WETLAND & BUFFER HABITAT ENHANCEMENT PLANTING INFORMATION PROVIDED BY WILLIAM KENNY ASSOCIATES LLC.

WILLIAM KENNY **ASSOCIATES LLC** 

SOIL SCIENCE ECOLOGICAL SERVICES LAND USE PLANNING LANDSCAPE ARCHITECTURE

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EXISTING LIMIT OF WOODLAND (APPROXIMATE LOCATION)

AME	COMMON NAME	SIZE	ROOT
VA	EASTERN RED CEDAR	6'-7' HT.	B&B
EN GIANT'	GREEN GIANT ARBORVITAE	6'-7' HT.	B&B

NOT TO SCALE

- STAKE & BRACE TREE IF DIRECTED BY L.A. - PRUNE AS DIRECTED BY L.A.

TOP OF ROOTBALL 1"-2" ABOVE GRADE.



- 2" SHREDDED BARK MULCH. KEEP OFF TOP OF ROOTBALL. - CREATE SOIL SAUCER WITH TOPSOIL (6") MIN.

FOLD DOWN OR CUT & REMOVE BURLAP AND WIRE BASKET FROM SIDE OF ROOTBALL. REMOVE ALL NON-BIODEGRADEABLE WRAP. - EXCAVATION AT BASE TO BE SAME AS ROOTBALL DIAMETER. TOP OF PIT TO BE AT LEAST 3X THE WIDTH OF THE ROOTBALL. BACKFILL WITH EXCAVATED MATERIAL.

# PLANTING PLAN

PREPARED FOR: PATTI GRIFFIN



DATE: APRIL 20, 2021

SCALE: AS NOTED

REF. NO. 4679