

INLAND WETLANDS  
COMMISSION  
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TOWN HALL  
238 Danbury Road  
Wilton, Connecticut 06897

## MEMORANDUM

TO: Inland Wetlands Commission

FROM: Michael Conklin, Director of Environmental Affairs

DATE: October 11, 2023

**IWC Staff Report**  
**Wetland Permit Application - WET#2896(S) OLD DRIFTWAY LLC**  
**0 Mountain Road, Wilton CT**

I have reviewed the above-cited application and conducted a site visit. I offer the following comments:

1. Based on the information submitted to date, it is unclear to me if the applicant has obtained the necessary approvals by the landowner(s) of the "old driftway" or "way" to apply for a wetland permit on the subject property. The applicant should submit the written approval by the appropriate landowner(s). This may require the applicant to conduct a formal title search in an effort to prove ownership. Failure to produce the written permission could result in the Commission denying a portion of or all of the application.
2. The proposal to construct a driveway crossing through a vernal pool using the double box culverts as shown on the project plans will have a direct physical negative impact on the vernal pool. A portion of this critical ecological habitat will be permanently filled with the box culverts, associated fill and driveway material. Avoidance is the best measure to protect vernal pools. The applicant should thoroughly explore feasible and prudent alternatives to the proposed activity including but not limited to; the construction of a bridge to span the vernal pool and, acquiring an easement on adjacent land to completely avoid the vernal pool. Has the applicant tried to obtain an easement from the State of Connecticut to build a driveway across the State's land and completely avoid using the land associated with the "old driftway" or "way"?
3. Given the large number of trees that are proposed to be removed for the construction of the

driveway (41 mature trees), the applicant may wish to explore different driveway layouts that preserve trees.

4. The proposed driveway's width varies across the length with 10' wide being proposed in areas between the vernal pool and mountain road. The applicant may wish alter the proposal to narrow the driveway where possible to avoid unnecessary impacts to the land and the vernal pool.
5. The applicant may wish to better define any driveway pull-off areas proposed in case two vehicles need to pass each other.
6. It is unclear how the stormwater runoff from the finished driveway will be managed. Catch basins are shown in certain areas but it is unclear how the stormwater from those areas could impact the wetlands/watercourses. The applicant may wish to clarify the details of the stormwater management on the proposed driveway.
7. Who will be responsible for maintaining the drainage associated with the proposed driveway? Is there a stormwater drainage maintenance plan for the driveway improvements? How will that be codified so that maintenance occurs in the future?
8. Based on the extent of the proposed impacts to the vernal pool, I am recommending the Commission retain a third-party consultant to review the application.