

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



TOWN HALL  
238 Danbury Road  
Wilton, Connecticut 06897

October 1, 2021

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Bryan Phillips  
326 Thayer Pond Road  
Wilton, CT 06897

Subject: Wetlands Permit Application #2735 – **PHILLIPS**  
326 Thayer Pond Road, Wilton, CT (Map#140, Lot#3)

Dear Mr. Phillips:

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 #0921-70WET. 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 nine 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 Waltham, 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,

Nick Lee  
Chairman

Encl. Resolution #0921-70WET  
General Conditions  
Legal Notice of Publication

INLAND WETLANDS  
COMMISSION  
Telephone (203) 563-0180  
Fax (203) 5630284



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**October 1, 2021**  
**Resolution #0921-70WET**  
**WET#2735**

Upon review by the Commission at a duly noticed public meeting, the following decision was made:

**RESOLVED:**

that Wetlands Application #2735 to conduct "Intermediate Regulated Activities," as defined by Section 2.1.x of the Wilton Wetlands and Watercourses Regulations be granted to Bryan Phillips for property located at 1078 Ridgefield Road, Wilton, CT (Assessor's Map#109, Lot #23). The authorized activity consists of a "corrective action" to address unpermitted clearing, filling, and grading within a regulated area as described in the following documents:

1. Cease & Desist Order, dated May 18, 2021 sent to Property Owner and Contractor
2. Municipal Citation #089, dated May 18, 2021
3. Staff Photos (9), dated May 17, 2021
4. Email correspondence between Owner and Staff, dated May 26, 2021
5. Modify Cease & Desist Order, dated June 1, 2021
6. Legal Notice for Modify Cease & Desist Order, dated June 1, 2021
7. Email from Staff to Commissioners, dated June 23, 2021
8. Letter from LandTech, dated June 23, 2021, signed by Brian Carey
9. Email from Brian Carey of LandTech, dated July 19, 2021
10. Letter from LandTech, dated July 15, 2021, signed by Brian Carey
11. Town of Wilton GIS Map, printed June 22, 2021
12. Photos (3), dated July 15, 2021, prepared by LandTech
13. Email from Owner to Staff, dated July 19, 2021
14. Email from Staff to Commissioners, dated July 19, 2021
15. Email correspondence between Agent and Staff, dated August 31, 2021
16. Application for an Intermediate "Corrective Action" Regulated Activity, with supporting documentation, dated September 7, 2021
17. Final Audit Report, dated September 2, 2021
18. Town of Wilton GIS Map, printed August 23, 2021
19. Property Listing Report, prepared by Town of Wilton
20. Project Narrative, dated September 7, 2021, prepared by LandTech
21. Inland Wetland & Watercourse Delineation, dated July 2, 2021, prepared by LandTech, signed by Christopher Allan, SS
22. Approximate Location of Flagged Wetland Boundary on Town of Wilton GIS Map
23. Watershed Map, undated, prepared by CT Environmental Conditions Online
24. Proposed Kids Play Area L-1, dated August 12, 2021, prepared by Kalman Varga Design
25. Proposed Kids Play Area 3D Perspectives L-2, dated August 12, 2021, prepared by Kalman Varga Design
26. Aquifer Protection Areas, dated August 26, 2019, prepared by State of Connecticut DEEP

**September 28, 2021**  
**Resolution #0921-70WET**  
**WET#2735**

27. Proposed Site Improvements for a Driveway Expansion Site Plan C-1, dated September 2, 2021, prepared by LandTech, unsigned
28. Email correspondence between Agent and Staff, dated September 7, 2021
29. Email correspondence between Staff and Agent, dated September 15, 2021
30. Letter of Transmittal, dated September 14, 2021, prepared by LandTech
31. Proposed Site Improvements for a Driveway Expansion Site Plan C-1, dated September 2, 2021, last revised September 8, 2021, prepared by LandTech, unsigned unsealed
32. Email correspondence between Staff and Agent, dated September 16, 2021
33. Email from Staff to Commissioners, dated September 16, 2021

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

1. Prior to the commencement of any on-site permit related activity, the applicant shall submit an estimate for the cost of the sediment and erosion control plan 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 implement and maintain the planting plan 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. The Applicant shall install boulder demarcation and a conservation seed mix to exposed soils no later than October 31, 2021.

END  
Res#0921-70

**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 9/23/26 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 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: 0921-70WET

WETLANDS PERMIT NUMBER: #2735

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 September 23, 2021

**GRANTED** with conditions, Wetlands Application **WET#2735 – PHILLIPS** – “corrective action” to address unpermitted clearing, filling and grading being conducted within a regulated area at 326 Thayer Pond Road, Wilton, CT (Assessor's Map#140, Lot #3).

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 of October 1, 2021 at Wilton, CT  
Publish Once in the Wilton Bulletin on October 7, 2021

Claudia Avallone  
Secretary