

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



TOWN HALL
238 Danbury Road
Wilton, Connecticut 06897

June 28, 2021

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Christopher Smith
12 Middlebrook Lane
Wilton, CT 06897

Subject: Wetlands Permit Application #**2706 – SMITH**
230 Ridgefield Road, Wilton, CT, Map#89 Lot#11

Dear Mr. Smith:

The Inland Wetlands Commission of the Town of Wilton has **GRANTED** your application to conduct significant "regulated activities" within the Town of Wilton. Your attention is directed to the enclosed Resolution #0621-50 WET. 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 and 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 #0621-50WET
General Conditions
Legal Notice of Publication

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**Resolution#0621-50WET
Permit WET#2706
June 28, 2021**

Upon Public Hearing, duly noticed and held and upon MOTION duly made, seconded, and carried, the following decision was made:

RESOLVED:

that Wetlands Application #2706 to conduct "Significant Regulated Activities," as defined by Section 2.1.x of the Wilton Wetlands and Watercourses Regulations be granted to Christopher Smith for "corrective action" to address clearing, trail work, and removal of a dam within a regulated area at 230 Ridgefield Road, Wilton, CT (Assessor's Map #89, Lot #11) as described in documents entitled:

1. Cease & Desist Order, dated January 26, 2021
2. Email correspondence between Staff and Neighbor, dated January 26, 2021
3. Staff Site Photos, dated January 25, 2021
4. Affidavit from State Marshal Delli Carpini, dated February 9, 2021
5. Invoice and correspondence between Staff and State Marshal Delli Carpini, dated April 28, 2021
6. Uphold Cease & Desist Order, dated February 17, 2021
7. Email correspondence between Owner, Staff and Commissioners, dated March 11, 2021
8. Letter to Owners, dated March 12, 2021
9. Email to Owners, dated March 16, 2021
10. Field Report, dated March 16, 2021
11. Staff Site Photos, dated March 16, 2021
12. Email correspondence from Agent, dated April 6, 2021
13. Email correspondence from Staff to Commissioners, dated April 6, 2021
14. Letter to Owners, dated April 9, 2021
15. Property Survey, dated February 16, 2021, prepared by Stalker Land Surveying, Inc. signed and sealed by Roger Stalker, LS, CT Lic#70009
16. Application for a Significant Regulated Activity, with supporting documentation, dated May 4, 2021, signed by the Property Owner
17. Letter from Environmental Land Solutions, LLC, dated May 7, 2021, signed by Kate Throckmorton
18. Watershed Map, undated, prepared by Environmental Land Solutions, LLC
19. Transmittal Sheet, dated May 7, 2021, prepared by Environmental Land Solutions, LLC
20. Trail Mitigation Floodplain Impact Assessment, dated April 28, 2021, prepared by Tighe & Bond, signed by Joseph Canas and John Block
21. National Flood Hazard Layer FIRMette, dated April 22, 2021, prepared by FEMA
22. Flood Profile, undated, prepared by FEMA

Resolution#0621-50WET
Permit WET#2706
June 28, 2021

23. Compensatory Volume Computations, dated April 22, 2021, prepared by Tighe & Bond
24. Boardwalk Stair Volume Computation Sketch, dated April 22, 2021, prepared by Tighe & Bond
25. Trail Overview WP-2, dated May 7, 2021, prepared by Environmental Land Solutions, LLC, signed and sealed by Kate Throckmorton, LA, CT Lic#635
26. Access to Middlebrook Road WP-3, dated May 7, 2021, prepared by Environmental Land Solutions, LLC, unsigned
27. Mitigation Plan WP-4, dated May 7, 2021, prepared by Environmental Land Solutions, LLC, unsigned
28. Dam Removal Plan WP-5, dated April 26, 2021, prepared by Environmental Land Solutions, LLC, unsigned
29. Details & Notes WP-6, dated April 26, 2021, prepared by Environmental Land Solutions, LLC, unsigned
30. Referral Memo to Dept. of Public Works, Health and Conservation, dated May 10, 2021
31. Email from Agent, dated May 17, 2021
32. Wetlands/Watercourses Delineation Report, dated May 6, 2021, prepared by Davison Environmental, signed by Eric Davison
33. Email from Staff to Commissioners, dated May 17, 2021
34. Transmittal Sheet, dated May 7, 2021, prepared by Environmental Land Solutions, LLC
35. Legal Notice for Public Hearing, dated May 25, 2021
36. Email correspondence between Staff and Owner, dated May 26, 2021
37. Conservation Comments, dated June 7, 2021
38. Email to Agent and Owner, dated June 7, 2021
39. Email to Commissioners, dated June 7, 2021

The 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 double the shade trees to 3 – 5 oaks, 3 – 5 maples, 5 - 7 black gum, and 20 shad blow on the mitigation planting plan for approval by staff.
2. Prior to the commencement of any on-site permit related activity, the applicant shall submit an estimate for the cost of the planting plan and the erosion and sedimentation control plan for approval by this commission or its staff for the purpose of determining a bond amount.
3. 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. The portion of the bond attributed to the planting plan shall be eligible for release at the end of the second full growing season after the planting plan is fully implemented. In the event the applicant fails to properly implement and maintain the planting plan or, the erosion and sedimentation control plan, the Town reserves the right to use the bonded funds to correct such deficiencies.
4. 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.

5. The survey shall be updated with the revised wetland line and two (2) stamped copies submitted to the Office of the Commission no later than **October 15, 2021**.
6. The mitigation plantings shall be installed no later than by **October 15, 2021**.

END

Res#0621-50WET

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 6/24/26 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 may 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 may 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: #0621-50WET

WETLANDS PERMIT NUMBER: #2706

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
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LEGAL NOTICE - PUBLISH ONCE

The Wilton Inland Wetlands Commission took the following ACTION on June 24, 2021

GRANTED with conditions, Wetlands Application **WET#2706 - SMITH** - “corrective action” to address clearing, trail work, and removal of a dam within a regulated area at 230 Ridgefield Road, Wilton, CT (Assessor's Map #89, Lot #11).

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 28th day of June, 2021 at Wilton, CT

Claudia Avallone
Secretary