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June 9, 2021

Michael Conklin, Director
Inland Wetlands Commission
Town of Wilton
238 Danbury Rd
Wilton, CT 06897

Re: WET #2564; Behrens, 220 Nod Hill Rd, Wilton, Connecticut

Dear Mike:

Per our telephone conversation, our office retained Connwood Foresters, Inc., of Rockfall, Connecticut (hereinafter "Connwood") to review the encroachment on the watershed property owned by the Second Taxing District of the City of Norwalk (hereinafter "SNEW"). We are currently working with Connwood to finalize the report. However, as time is of the essence in this matter, this correspondence will summarize the preliminary findings by Connwood.

On May 6, 2021, Gregg J. Cassidy of Connwood visited the site of the encroachment with SNEW staff. Mr. Cassidy is a SAF (Society of American Foresters) Certified Forester, licensed in the State of Connecticut (SAF Certified Forester #751, Connecticut Licensed Forester #29). The encroachment impacted approximately 0.25 acres, more or less. The impact of the encroachment could not be ascertained from aerial photographs alone due to the nature of the surrounding forested area. In the surrounding forested area, the trees grow close together and the crowns intertwine, thereby inhibiting an accurate count of the individual trees via aerial photograph. Mr. Cassidy and SNEW staff walked the encroachment area on SNEW property. While a few tree stumps remained in the area, it was evident that many tree stumps had been removed and the area had been re-graded. Accordingly, Mr. Cassidy was not able to determine the number of trees removed from the encroachment area based upon the site inspection.

Due to the on-site conditions mentioned above, Mr. Cassidy decided to examine the undisturbed forest in specified plots on SNEW property in the surrounding area to determine conditions prior to the trespass. An assessment of the undisturbed forest involved taking measurements on three (3), 1/10th acre (37-foot radius) plots. Two sample points were taken from SNEW property abutting 218 Nod Hill Rd, and the third sample point was to the north, adjacent to 226 Nod Hill Rd and 262 Nod Hill Rd. The species, diameter at breast height (DBH), and condition of each tree was recorded. The average values from the sample plots were used to determine the estimate of trees cut. The majority of the trees are sugar maple, black locust, and

black oak. White pine, black birch, beech, tulip poplar, and red maple are also present in limited numbers. In the sample area, approximately 100 trees per acre, more or less, have a DBH of greater than 4" up to a 26" DBH. Trees between 2" to 4" DBH comprise an important component of the forest (approximately 90 trees per acre, more or less). Finally, trees smaller than 2" DBH comprise an important part of the forest; however, in light of the deer population, it may be difficult to reestablish trees of this size in the area.

Having reviewed the preliminary findings of Connwood, it is evident that the area cleared by the Behrens' was more densely forested than estimated. The Behrens' plan includes the planting of approximately four (4) red maple, three (3) hickory and two (2) sugar maple trees on SNEW's property. In the sample areas, sugar maples comprised the majority of the trees, with black locust, black oak, and a limited number of red maple, white pine, black birch, beech, and tulip poplar. After adjusting the number of trees per acre for the encroachment area, it appears that the approximate number of trees removed from the encroachment area is between 20-25 trees. The Inland Wetlands Commission should be aware that a 1:1 replacement of the original forest is not possible at this time and that the loss of the forest has had a significant impact on the environment. More specifically, the trees provide important water purification for the adjacent reservoir. Re-establishment of the prior forest will take decades. Accordingly, SNEW would request the following:

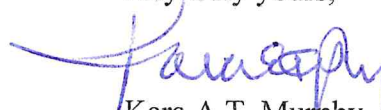
- (a) that the Inland Wetlands Commission direct the Behrens' to replant at least 2-3 times the number of trees on SNEW property as previously proposed (i.e. 20-25 trees, not 7-9 as proposed);
- (b) that the replanted trees reflect the natural surrounding forest, and include sugar maples, black oak, black birch, hickory and white pine trees with a 2.5" caliper;
- (c) that the Commission provide flexibility to both SNEW and the property owners to determine the appropriate location of the replacement trees in order to re-establish the forest and to ensure survival of the trees.
- (d) that the two (2) trees proposed to be planted along the property line be moved to accommodate the installation of fencing within two feet of the property line;
- (e) that the plan includes provisions to water the trees to re-establish the forest; and

Michael Conklin, Director
June 9, 2021
Page Three

(f) that a plan to use herbicides to maintain and control invasive species be performed by a licensed provider and the herbicides comply with the rules and regulations established by the Connecticut Department of Energy and Environmental Protection and Department of Public Health for watershed lands.

If you have any questions, please do not hesitate to contact our office to discuss.

Very truly yours,



Kara A.T. Murphy

KATM/

cc: Elizabeth Larkin, Inland Wetlands Commission
Alan E. Huth, General Manager & CEO, SNEW
Casey Cordes, Forestry and Grounds Supervisor, SNEW
Robert Maslan, Esq. (counsel for Behrens)
Alexander Ahrens, Esq. (counsel for Behrens)