

**ENFORCEMENT UPDATE
ENVIRONMENTAL PROTECTION BOARD**

Date: November 20, 2024

Location: 28 Four Brooks Road

Owner: Luis Lopez & Maria Garcia

Watershed: Rippowam River

Account: 000-7222

Flood Map: 09001C0506F (6/18/2010)

Flood Zone: X (Area outside .2% annual chance floodplain)

Area: 1.2 acres

Map/Block/Lot: 76/377/A-1R

Unauthorized Regulated Activities

Clearing vegetation from and filling in wetland/watercourse upland review area.

Property Description

28 Four Brooks Road is developed with a single-family residence, driveway, and accessory building. As shown on the attached GIS aerial image, the property slopes from east to west where a tributary of the Rippowam River flows to the south past the northwest side of the property before crossing the southwest corner of the site. A wooded swamp wetland of varying width borders the brook.

Issues/Discussion/Recommendation

The Board held a Show Cause Hearing on April 18, 2024 to consider a filling violation that took place at 28 Four Brooks Road. As a result of the testimony given at the hearing by staff, Mr. Lopez, and Mr. Lopez's consulting engineer Leonard D'Andrea, P.E., the Board maintained the Cease and Desist Order and required the immediate removal of fill to allow for installation of erosion and sedimentation controls to protect the nearby wetland and watercourse. The Board also set a June 14, 2024 deadline for submission of the results of analytical testing of the fill to determine if it contains any contaminants and for submission of a restoration plan.

After some delay, Mr. Lopez submitted a soils report and restoration plan prepared by environmental consultant Aleksandra Moch. The Board reviewed this material at its September 2024 meeting and left the matter open pending:

- a) Submission of the required fill analysis report so the Board can determine if this material is acceptable to retain on the property.
- b) Removal of the fill from around the existing Oak and Tulip trees that Ms. Moch believes may be saved, exposure of all wetland soil still covered by fill under the guidance of a soil scientist, and grading the remaining fill slope so it is stable.
- c) Revision of the restoration plan to depict the final extent of wetlands and adjustment of the planting plan accordingly.

Yesterday, Ms. Moch submitted the attached revised wetland buffer restoration plan and the following restoration sequencing plan on behalf of Mr. Lopez, who she says is ready to commence the work:

1. Remove fill from the wetland edges (areas shown on the plan with orange color are where fill appears to still cover wetland)
2. Remove fill around two trees (tulip and oak) create 3-4 feet in diameter of no fill area around the trunk and build a boulder tree well to support the fill uphill
3. Remove dead trees by cutting the trunk but leaving the root system.
4. Final slope grading removal of course debris and installation of at least 2-3" of topsoil.
5. Install plants as shown on the restoration plan.
6. Seed the area with meadow mix and apply mulch. Cover the area with jute net for temporary slope stabilization.
7. Water the area often to encourage the meadow growth and support the newly planted woody vegetation.

Ms. Moch also states the fill testing has been completed and will get the report to us. Assuming the fill has tested clean, staff thinks the restoration sequence and planting plan are appropriate for this site and recommends the Board maintain the Cease & Desist Order and issue an Order to Correct requiring immediate implementation of Steps 1 – 4 as proposed and completion of Steps 4 – 7 no later than May 15, 2025. It would also be prudent for the Board to require the owner to submit a survey of the property depicting the delineated wetland limit.

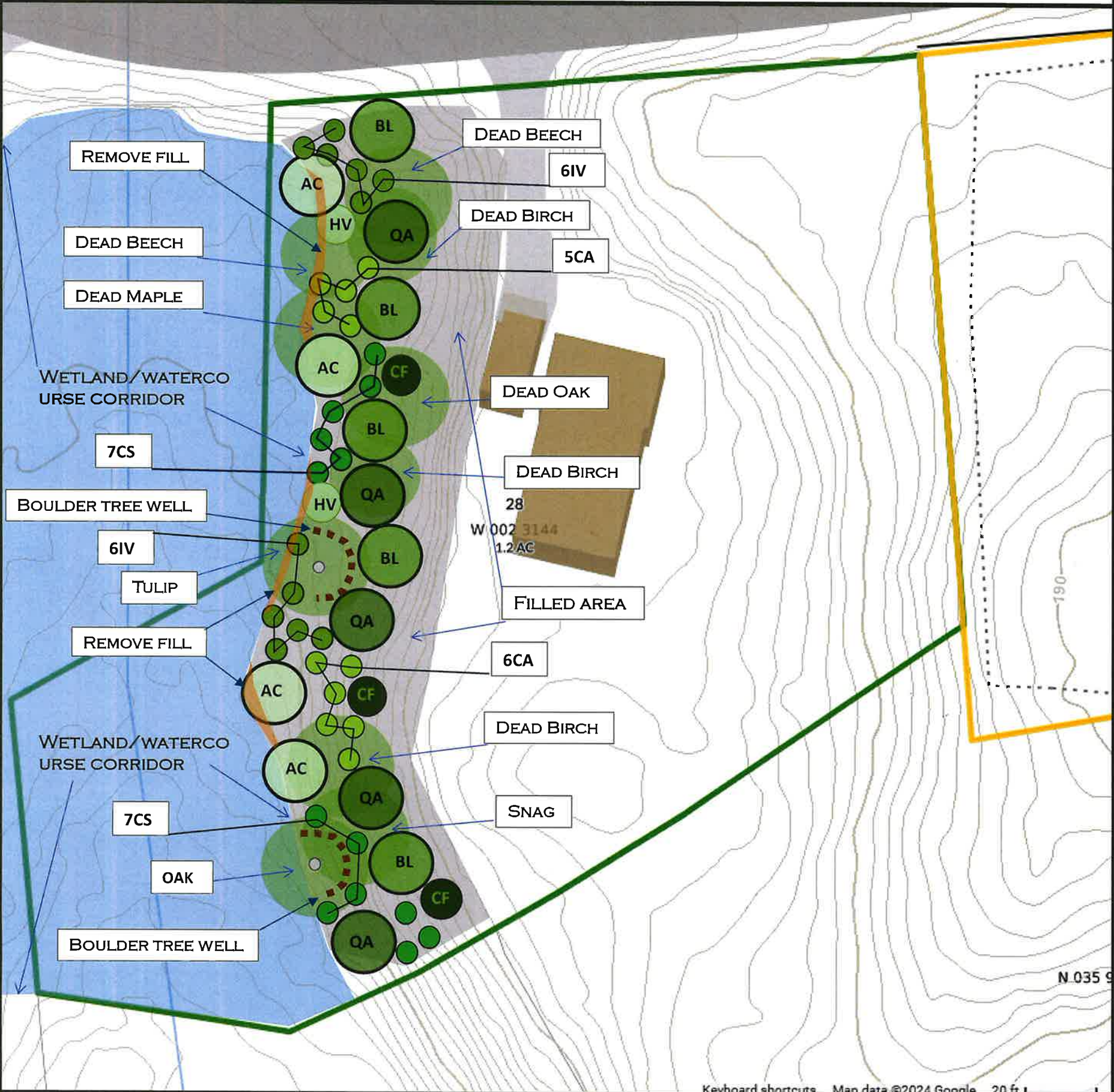
A handwritten signature in cursive script, reading "Robert E. Clausi". The signature is written in dark ink and is positioned above a horizontal line.

Robert E. Clausi

WETLAND BUFFER RESTORATION PLAN

28 FOUR BROOKS ROAD, STAMFORD, CT

BY ALEKSANDRA MOCH, LANDSCAPE DESIGNER, AUGUST 28, 2024 REVISED NOVEMBER 19, 2024



PLANTING SCHEDULE

QTY	KEY	BOTANICAL/COMMON NAME	SIZE	ROOT
4	AC	Acer rubrum / Red maple	#15	Cont.
5	QA	Quercus alba/ White oak	#15	Cont.
6	BL	Batula lenta / Sweet birch	#15	Cont.
3	CF	Cornus Florida / Flowering dogwood	5'-6'	B&B
2	HV	Hamamelis virginiana / Witchhazel	#6	Cont.
11	CA	Clethra alnifolia / Sweet pepperbush	3'-4'	Cont.
12	IV	Ilex verticillata / Winterberry	3'-4'	Cont.
14	CS	Cornus sericea / Red osier dogwood	3'-4'	Cont.

New England Wetmix (Wetland Seed Mix): <https://newp.com/wp-content/uploads/2018/04/WETMIX2018.pdf> will be applied between the woody vegetation to help stabilize the slope. The slope will be enhanced with topsoil with seeds mixed in.

 Areas along the wetland edge where fill will be removed