

FIFTEEN ROPE FERRY ROAD



WATERFORD, CT 06385-2886

**TOWN OF WATERFORD, CT
PLANNING & DEVELOPMENT**

Date: October 17, 2025

To: Waterford Conservation Commission
From: Maureen FitzGerald, Environmental Planner

**Re: Application #C 25-13 – 97 Spithead Road
Application Review Comments**

Proposed Regulated Activity

The application requests authorization to resubdivide a 28 acre parcel on 97 Spithead Road into 3 residential lots and construct homes on Lots #1 and #2. Lot #3 contains the existing house and outbuilding. The new residential lots are each 2.67 acres in area and will be served by on-site septic systems and municipal water. Lot#1 currently contains areas of mowed field and wooded cover. A small area of forested wetland @ 900 sq. ft. in area occurs at the southeast corner of the lot and extends southerly onto the adjacent property. Lot #2 is currently a mowed field. No wetlands occur on Lot #2.

Proposed regulated activities include clearing and construction activity on upland area adjacent to inland wetlands. No activity is proposed within the 100 ft. upland review area of wetlands.

The parcel is part of a subdivision approved in 1990 by the Conservation Commission. Wetland soils were delineated in 1990 and are primarily located within the C.L&P (Eversource) transmission right-of-way. The wetland boundary established by the 1990 subdivision was applied to the present application. The proposed lot development areas were examined by a soil scientist as part of this application and found to not contain wetland soils.

Wetland Description

The wetland area to the southeast of Lot #1 was reviewed by staff on October 16, 2025. The area is a distinct topographical depression with evidence from water marks on tree trunks that it contains seasonally ponded conditions. The predominant vegetation is forested with a moderate shrub cover. The northern edge of the wetland extends approximately 12 feet onto the Lot #1 parcel.

There is currently upland woodland cover on Lot #1 adjacent to the wetland edge. Maintaining a wooded upland buffer area adjacent to this wetland boundary should be considered to conserve wetland hydrology and habitat value. Establishment of a 50 ft. wide non-encroachment buffer is recommended.

A draft permit authorization is attached for the Commission's consideration.


Maureen FitzGerald
Environmental Planner

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TOWN OF WATERFORD

Inland Wetlands & Watercourses Permit #C-25-13
97 Spithead Road, Waterford, CT

The Waterford Conservation Commission, in their capacity as the Town's Inland Wetland Agency, hereby authorizes the applicant to conduct regulated activities in designated areas located at 97 Spithead Road, Waterford, CT, which are subject to jurisdiction in accordance with CT General Statutes, Section 22a-36 through 22a-45, inclusive, as amended, and the Waterford Inland Wetlands and Watercourses regulations.

This permit is a grant of approval to conduct the following regulated activities:

1. Grading and construction activity upgradient of inland wetlands to construct two (2) residential lots served by on-site septic and municipal water.

These regulated activities are associated with the construction of a 2-lot residential resubdivision on a 28 acre parcel of land located at 97 Spithead Road, Waterford, Connecticut. The proposed development is shown on a plan entitled; "Ava's Meadow Resubdivision, Property of Glenn E. Fergione, For Property Located at 97 Spithead Road, Town of Waterford - County of New London - Connecticut" revised thru October 15, 2025, prepared by James Bernardo Land Surveying, LLC.

The Conservation Commission authorizes the activity with the following conditions of approval to minimize impacts associated with the proposed regulated activity and protect the inland wetlands and watercourses on this site:

SPECIAL CONDITIONS:

1. The limits of clearing and disturbance shall be marked on the lots and inspected by the Commission's agent prior to the start of site work.
2. A 50 ft. natural vegetated buffer bordering the wetland area at the southeast corner of Lot #1 is to be maintained to protect the adjacent wetland hydrology and water quality. No filling, grading, land clearing or removal of vegetation shall be conducted within 50 ft. of the wetland on Lot #1 without specific authorization from the Conservation Commission.
3. The 50 ft. vegetated buffer established on Lot #1 shall be labelled a wetland non-encroachment boundary on the final plan and marked on site with non-encroachment area markers provided by the Conservation Commission affixed to trees or to 4 x 4 inch posts.

STANDARD CONDITIONS:

4. The Conservation Commission's agent shall be notified at least 48 hours prior to commencement of any regulated activity.
5. Final stabilization of disturbed soil areas, including all temporary and permanent soil disturbances, shall be stabilized with the application of loam, seed and appropriate erosion control measures.
6. At all times during site work and until soil areas are stabilized, the applicant shall install and maintain erosion and sediment control measures such as fabric filter fence, staked hay bales or other measures deemed necessary by the Commission's agent to prevent erosion and sedimentation impacts to wetlands and watercourses.
7. Erosion control and soil stabilization measures shall comply with the approved plans and the guidelines as established in the Connecticut Guidelines for Soil Erosion and Sediment Control, as revised thru 2024.
8. Upon direction of the Commission's agent, erosion and sediment control measures shall be removed by the applicant following stabilization of the site.

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, deposition of fill, obstructions of flow, encroachments or other regulated activities not specifically identified and authorized herein shall constitute a violation of this permit and may result in permit modification, suspension or revocation.

In the event that any additional wetland or watercourse regulated activities are required as a result of other agency permitting to support the proposed activity, the Waterford Conservation Commission reserves the right to reconsider the proposed regulated activity and may require modifications to minimize the impact to wetland resources.

In evaluating this application, the Commission has relied on information provided by the applicant. If such information subsequently proves to be false, incomplete and/or inaccurate, this permit may be modified, suspended or revoked.

This permit shall be valid for a period of 5 years. Permit extensions may be authorized in accordance with CT General Statutes § 22a-36 through 22a-45 inclusive. If the regulated activity is not completed within this time frame, the permit may be held to be invalid by the Conservation Commission or the applicant may be required to petition the Commission for an extension or re-issuance of the permit. The Commission may require the applicant to furnish additional information at that time.

The Conservation Commission renders this Summary Ruling in accordance with the Waterford Inland Wetlands and Watercourses Regulations based on the following considerations:

- A. The construction does not involve direct or indirect impacts to inland wetlands or watercourses.

- B. Potential short-term construction impacts are minimized by installation of erosion and sediment controls to reduce the potential for sediment impacts. Potential long-term impacts to on-site wetland resources are minimized by maintenance of wetland hydrology and maintenance of a vegetated upland buffer area adjacent to wetlands.
- C. Strict adherence to the terms and conditions imposed with this permit will protect the quality of wetlands and surface waters on this property.

This permit will be strictly enforced. If the Conservation Commission finds that the applicant has not complied with the permit conditions or has exceeded the scope of this permit as set forth herein, or, if the intended use of the general site is not as represented by the application or the plan of record, the Commission may suspend or revoke this permit, direct the Environmental Officer to issue a cease and desist order, require the applicant to modify, extend or revise the site work, or require the applicant to restore the area to its original condition.

Dated: October 23, 2025

Issued By: _____
Chairman, Richard F. Muckle
Waterford Conservation Commission