

ON SITE WALK-THRU MINUTES

**3:00 P.M. – 4:15 PM**

**September 11, 2025**

**Wetlands and probable vernal pool incursion violation**

**Owner Mr. and Mrs. Jhefferson Rivera**

**14 Bethke Road Hill Road**

**Construction and installation of 7' high opaque wood fence in inland wetlands and adjacent to an apparent vernal pool.**

A field walk-thru was conducted on September 11, 2025, at the above reference site, the following were in attendance:

Carol Reimers- Inland Wetlands Commissioner

Chris Plum Inland Wetlands Commissioner

Ernie Pizzuto- Inland Wetlands Commissioner

Casey Jacob- Inland Wetlands Commissioner

Glenn Johnson-Inland Wetlands Chairman

Linda Kieff-Robitaille-Zoning Enforcement Officer

Jhefferson Rivera- Property Owner

Erika Rivera-Property Owner

**Site Description**

The site is a 3.2 acre “flag lot” and was a former Alpaca Farm. The present owners occupied the site for just over 1/1/2 years. Situated on the site is a single-family home, barn, arts shed, and several other outbuildings formerly used for the farming activities by the previous owner. There are approximately 0.6 of an acre of inland wetlands and a small what appears to be a vernal pool located at the southern end of the property bounds. The wetland area consists of predominantly hardwoods with an understory of spicebush and barberry. There are no streams or areas of standing water on the site. The wetlands we observed were firm and could easily be traversed on foot.

The property in question was a former Alpaca farm which could have received “As of Right Status” and thus operations and uses would be permitted in inland wetlands. There are no buildings or fenced in pastures located within the wetlands. At the

western end of site, it was noticed that manure was deposited in wetland areas however it was spread out even with natural contours and not placed in piles. This was apparently done by the previous owner.

The corrals containing the present animals (2 goats, one miniature horse, 2 cows, pot belly pig and various chickens and ducks) were of heavy gauge wire, 5' in height and were large enough to allow for ample enough space for the animals to range about. All of the corrals and pens are located in upland areas. These corrals appear to have been original to the Alpaca farm.

### **Background**

An initial walk-through was performed on August 1, 2025, by Glenn Johnson and Zoning Enforcement Officer Linda Kieft-Robitaille responding to a complaint by an adjacent landowner. As a result of this walk-through, it was determined that an incursion into inland wetlands and probable vernal pool had occurred predicated by the construction of a wooden fence without the issuance of a permit had occurred. A certified registered letter was sent out on this date notifying the property owner to cease and desist of these activities and to attend the next scheduled inland wetlands meeting on August 12, 2025.

The property owner did not attend the August 12, 2025, meeting and a Walk-through was conducted by the wetlands commission on August 15, 2025.

Subsequent to August 15, 2025, the commission agreed that a show cause hearing should be immediately scheduled for purposes of allowing the violator to be heard. It was agreed that this should be scheduled for August 21, 2025. Due to technicalities this hearing was not heard until our regularly scheduled September 9<sup>th</sup> meeting at which the property owner did attend. The day before this meeting the writer determined that there was evidence that the fence construction in the wetlands did in fact cease by August 1, 2025.

The commission members, owner and zoning enforcement officer walked the perimeter of the site as well as the interior portions of the wetlands. The installation of the 6' high wooden opaque fence had been completed along the northeastern property bounds in non-wetlands areas. Fence construction had stopped at a point approximately 130 feet south eastly from the most northerly proper corner. At this point a point 2 post lengths running in a southeasterly direction was placed. Fencing had also been installed along the southeastern property line partially in wetland areas to a point just beyond the southerly most property bounds. At this point flagging had

been placed on a fence post (fencing had not been installed on the posts as yet) which represented the fourth from last fence post that had been installed (approximately 70 feet southeast of the southwest property corner. From these two flagged locations an additional flag was placed at t approximate midpoint between the two points. These 3 points established a line running from south to north which it was the commission's recommendation for the new alignment for the fence construction. It was noted that once the new alignment has been staked, the commission should be notified so that an inspection can be made.

Approximately 3 small brush piles located within the wetlands were observed by the commission during the walk-through. While it was noted that these piles provide excellent habitat for animals, it was recommended that one of these piles be removed and placed on the pile located north. It was also recommended that a 6' wide gate be placed at the location of the brush piles when the new aligned fence is placed.

The Walk-Thru adjourned at 4:15 PM.



Respectfully submitted, Glenn Johnson, Chairman

cc: All attendees, First Selectman, Robin Zagorodny, building official

**PICTURE NO. 1 - LOCATED AT THE SOUTH-EAST PROPERTY CORNER OF 14 BATHKE ROAD-  
LOOKING IN A NORTHEASTERLY DIRECTION AT FENCE POST WHICH WAS FLAGGED AS  
PROPOSED NEW CORNER OF FENCE**



Inland Wetlands

Approximate location of 4<sup>th</sup> from last fence post which had been constructed where flagging was placed.

Surveyed Property Boundary – Southwest Corner, 14 Bethke Road