

Town of Killingworth
Inland Wetlands and Watercourses Commission
Killingworth, Connecticut 06419

SPECIAL MEETING AND ON-SITE WALK-THRU MINUTES

2:00 P.M. – 2:40 PM

December 16,2025

Wetlands and probable vernal pool incursion violation

Owner Mr. and Mrs. Jhefferson Rivera

14 Bethke Road Hill Road

Construction and installation of 6' high opaque wood fence in inland wetlands and adjacent to an apparent vernal pool.

A field walk-thru and special meeting was conducted on December 16, 2025, at the above reference site, the following were in attendance:

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

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 are observed as 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.

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 9th 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 -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 2points. 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 two 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.

Present Conditions

The fence construction has been completed. The area within the fence was observed to be neat and tidy and the animals were observed to be contained within the corralled area located within the fenced area.

The commission proceeded to an area located just outside of the fenced in area located at the northwest portion of the site which is considered to be wetlands. We observed a pile of some cut brush and a tree blow down (See Picture No. 1). It was the commission's consensus that this material could remain in place, but it was strongly stated that additional material should not be placed at this location.

The manure pile was noted to be placed well outside of the wetlands within the fenced in area which was deemed to be appropriate.

Two cast in place concrete fence post supports were noted at the northern corner of the fenced in site. These had been removed as advised by the commission during the Sept. 11th Walk-Thru. The owner explained that 2 of the other post supports that were to be removed at the southwest end of the site were reused for the new location of the fence which was to be removed and left in place. This was met with the commission's satisfaction.

It was the consensus of the commission that the work which has been completed to date was in general compliance with the conditions which were outlined during the September 11th walk-through. It was recommended that the Notice of Violation be lifted.

The Walk-Thru adjourned at 2:40 PM.



Respectfully submitted, Glenn Johnson, Chairman

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

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PICTURE NO. 1 - LOCATED AT THE SOUTH-WEST FENCE LOCATION LOOKING IN A NORTHWESTERLY DIRECTION JUST OUTSIDE OF FENCE LOCATION



Inland Wetlands

Looking at blow downs and some of the brush that was cut during the fence construction

PICTURE NO. 2 - LOCATED AT THE SOUTH-WEST FENCE LOCATION -LOOKING IN A SOUTHWESTERLY DIRECTION JUST OUTSIDE OF THE FENCED IN AREA



Property Line
Boundary Marker

Inland Wetlands

Brush from a
fallen down tree

PICTURE NO. 3 - LOCATED AT THE SOUTH-WEST FENCE LOCATION-LOOKING IN A NORTHWESTERLY DIRECTION JUST INSIDE OF FENCE



Inside of fence
area

Marker placed by
commission during the
Sept. 11 Walk-Thru