

Wilton POCD Concerns and Opportunities

NRWA Projects and Initiatives in Wilton

NRWA is a non-profit, volunteer-run membership organization whose mission is to improve the water quality and fish and wildlife habitats of the 40,000-acre Norwalk River watershed; to restore the riverbanks, meadows and forests through invasive plant abatement and promotion of native species; to encourage recreational use of the river, the surrounding open space and its trails; and to promote research, legislative advocacy, education, cooperation, and action on the part of the stakeholders in the seven watershed towns in CT (Ridgefield, Redding, Wilton, New Canaan, Weston, and Norwalk) and NY (Lewisboro).

NRWA and partners Harbor Watch, Trout Unlimited Mianus Chapter, and community volunteers were credited by the EPA in 2014 for their contribution to the improvement of water quality in the Norwalk River over the last 20 years when two sections of the river were removed from the EPA's list of impaired waterways. We hope to build on the gains of the last two decades, **but currently most of the river fails to meet the minimum state standards for a class B river because of elevated levels of E-coli.**

The degraded water quality is a result of poorly planned development that fails to fully protect our land and water resources. Wilton lies at the heart of the watershed, and its land-use decisions are tremendously important to clean drinking water supplies, to the health of Long Island Sound and its fisheries industries, to the quality of life citizens enjoy in Wilton, and to the value of their properties. Many may take for granted that "old New England town" feel, but Wilton risks losing that quality unless it acts to protect against development that further degrades its natural resources. In particular development along the Route 7 corridor has been done without regard to protections for the riverbank and water quality and exemptions to regulations have been "grandfathered." Wilton's 100-foot setback from waterways should be enforced when developing or re-developing along the river, so improvements can be made to the scenic beauty of the river, to water quality, and ultimately to public health and property values. Also crucial is the protection of headwater streams such as the Comstock Brook and the small streamlets and wetlands on private properties that feed the rivers.

Restoring water quality will require reducing storm-water runoff, repairing riverbanks, enforcing setbacks from waterways, and protecting open space, especially when it contains groundwater recharge areas, wetlands, headwater streams, and important wildlife habitat.

Current NRWA projects that seek to achieve these goals include:

The Pollinator Pathway (with partners Wilton Land Trust, Garden Club, Woodcock Nature Center, NRVT)

The Pollinator Pathway is an educational homeowner outreach program that engages the public in restoring native New England habitat with the planting of native trees and plants. While improving pollinator habitat, the community also improves water quality by promoting ground water recharge through increased native vegetation and a reduction in lawn sizes and by reducing pesticide and fertilizer use, both of which wash into waterways and are a primary source of pollution.

The Pollinator Pathway began in Wilton and its organizers are working with over 10 other towns interested in joining—and the number keeps growing. In 2017 in Wilton, the Project hosted 15 events and engaged roughly 575 residents. **The project has been so successful that it has gained the attention of regional planners, including WestCOG, Sustainable CT, and H2H Partnership, as well as the State.** Wilton Pollinator Pathway organizers presented on the project to the State Native Plant Task Force, founded as part of the CT Act Concerning Pollinator Health that took effect in January 2017 (<https://www.cga.ct.gov/2016/ACT/pa/2016PA-00017-R00SB-00231-PA.htm>).

Towns with established pathways: Wilton, Weston, Ridgefield, Norwalk. Towns with pathways in the planning process: Darien, Redding, Greenwich, Danbury, Newtown/Bethel, CT & Lewisboro, South Salem, Bedford, NY.

This corridor of restored pollinator habitat connects adjacent public and private properties that provide native plants free of pesticides, which are necessary for the survival of local birds, bees, butterflies and other pollinating insects. Pollinator Pathway volunteers remove invasive plant species and plant gardens and meadows on protected town open space. At volunteer events, community members also learn about how to restore habitat in their yards and why it is important to wildlife and to protecting water quality. All are encouraged to join, but we reach out to those along the designated pathway. The pathway encompasses land that has been identified to have critical conservation value. Residents learn they can make a positive impact on the environment and on water quality through the stewardship of their own yards. The pathway reduces fragmentation of open space and helps protect the land most critical to water quality, wildlife habitat, scenic beauty, rare species, climate resiliency... The Wilton project includes:

- Gardens/habitat restoration projects ongoing at Pocket Park, along NRVT at Sharp Hill & Twin Oak Lane, Wilton Library, Miller Driscoll, some work at Merwin Meadows in addition to that of Trout Unlimited.
- Workshop events for kids: Bee Hotel workshop, Blue Bird House Workshop
- Library events: Pollinator Protections panel discussions and guest speakers
- Future Plans for meadows and habitat rehabilitation at Allens Meadows, Walter Preserve, along the WilWalk section of NRVT

Community Conservation Initiative (with Woodcock Nature Center)

Talks at Wilton Library followed by a related stewardship event. Some examples:

- Talk on plastic pollution in waterways followed by a river cleanup
- Talk on vernal pools followed by an “Amphibian Walk”
- Talk on threats to pollinators followed by our annual Butterfly Walk

Walks & Talks Series (hosted by the Wilton Conservation Commission with NRWA support)

On-going guided walks through Wilton’s open spaces to help raise awareness and appreciation of Wilton’s open spaces, wetlands and waterways and the need to protect them in order to secure clean water resources.

Hiking Trail Maps of the Area

NRWA designed and prints the only paper map of hiking trails in the area. The map is available on our website Norwalkriver.org

Education Online and Through Social Media

We maintain two Websites and two Facebook pages that provide information and education about how to protect water quality and how to steward land responsibly. We distribute educational material through email (1200 subscribers) and through our printed Newsletter (500 subscribers). Online sites:

- Norwalkriver.org and on Facebook @Norwalk River Watershed Association
- Pollinator-Pathway.org and on Facebook @Wilton Pollinator Pathway

Issues & Areas of Concern

Threats to water quality and water quantity (both surface waters and ground water) as well as to open space and wildlife habitat, especially degradation of riverbanks and wetland areas, including:

Storm water runoff degrading water quality and warming rivers and streams:

The Norwalk River continues to fail to meet its class B designation except that in 2014 two areas of the river (one in Wilton), were removed from the EPA’s impaired waterways list. That progress must be built on. The rest of the river fails to meet minimum state standards. Stormwater runoff is the primary source of the pollution in the river.

NRWA agrees with the following statement from the 2010 POCD, and is concerned that these problems have still not been addressed: “Boards, commissions and Town officials have expressed concern that the Town does not currently have the tools or the specialized staff to manage drainage impacts from smaller-scale construction projects. As a result, property owners are seeing localized drainage problems. Many areas, particularly along the Norwalk River, were developed before current limits on coverage were put into zoning. As a result, there are vast areas of impervious surfaces where little on-site infiltration can occur. Because there is little vacant land in Wilton, redevelopment will play an important role in the future. The Town should ensure that redevelopment improves conditions by reducing storm water runoff. A proactive approach to flood management and mitigation is important. Having a local action plan, in conjunction with regional and state coordination, can help in these effort.” Some Solutions:

- The town should always assess the storm water /sewage plant capacity for an area before allowing building on an individual site. The cumulative storm water runoff of the area should be gauged, not just those of the site in question.
- The town should adopt a goal of keeping impervious site coverage to below 12% and incorporating LID techniques that keep rainwater onsite rather than allowing it to drain directly into waterways in all new development and re-development projects. (According to CT DEEP studies, “even relatively low percentages (12%) of impervious cover upstream of a point on a stream can change stream dynamics enough so that the biological community will no longer meet aquatic life criterion goals.”)
- The town should adopt the model other municipalities use of charging a storm water utility tax to business owners requiring them to pay by the square foot for impervious surfaces on their sites or employ LID to control runoff.
- Riparian buffer zone standards for the town need to be upgraded and enforced. The riverbank along much of the Norwalk River supports little to no vegetative buffer. Companies in violation of environmental code, such as ECS Transportation at 390 Danbury Road, experience little pressure to comply with minimum protection standards under the current system.
- Disconnect town buildings from downspouts that drain to the River, such as schools and municipal buildings, and put in LID filtration systems that keep rainwater on site. The town should model this action for homeowners.
- Wilton has a setback requirement of 100 feet from waterways which is not enforced for older buildings. A minimum setback for grandfathered businesses should be determined and enforced and increased when businesses change hands or violate environmental code. The environmental affairs dept should be given the resources to enforce code.
- Stormwater runoff also increases water temperature, which makes the river less hospitable to aquatic life and compromises water quality. The town should continue to replace fallen and removed canopy shade trees along the river.
- NRWA supports these proposals from the 2010 POCD: Require Low Impact Development (LID) techniques for all new development, including Town projects and road projects.
 - Assist property owners along the Norwalk River with retrofitting properties using LID principles.
 - Ensure that redevelopment incorporates measures to improve storm water quality and quantity
 - Ensure expert engineering review of projects with potential storm water impacts.
 - Adopt regulations or incentives to decrease runoff by reducing the clearing of woody vegetation.
 - Require drainage review for all projects that exceed a certain threshold of land clearing or a certain percentage of impervious surface.
 - Reduce impervious surfaces by adopting impervious coverage allowances for all zoning districts and / or amending regulations to decrease the need for impervious surfaces.
 - Ensure that redevelopment reduces runoff from current conditions.
 - Encourage landowners to reduce storm water runoff, such as with rain gardens, rain barrels and other measures.

Old and leaking septic systems:

New findings by the Nature Conservancy have linked high levels of nitrogen in Long Island Sound to septic systems in CT and on Long Island. Ground water, rivers and the Sound are threatened by older septic systems that are not well maintained. Some solutions:

- Education about the issue
- A septic management ordinance requiring residents to pump their systems regularly.

Gilbert & Bennett Wire Mill brownfield in a floodplain upriver:

A breach in the old Redding dam at this site or a flood will primarily affect Wilton and could be devastating. Wilton should work with Redding and press for action to address this threat. There is new State land bank and brownfield remediation legislation that could be used.

Failing Dams at Merwin Meadows & Cannondale:

The Wilton dams have claimed four lives and impair the health of the river. They serve no positive purpose and are risk of breaching during a storm, as the Cannondale dam did slightly this Spring. A full breach could send built up toxins downstream leaving the town responsible for large remediation costs. Taking the dams down has a good chance of being done with Federal NOAA funding once the Norwalk Flock Process Dam comes down this summer, making Merwin Meadows the first dam fish will meet swimming upriver from Long Island Sound.

Drought and reduced streamflow:

CT has seen a 5-year drought and now experiences “flash droughts” commonly which has resulted in the creation of a draft State Water Plan for the first time. Aquarion water company has put in place restrictions on irrigation systems in surrounding towns, and says they are coming to Wilton soon. One result of the drought is that the Comstock Brook, one of Wilton’s few class A waterways, is drained dry each summer by South Norwalk Electric & Water to prepare for peak water demand. Some solutions:

- Water conservation education! Use of tools already available such as the 40 Gallon Challenge, Pollinator Pathway lawn reduction plans...
- A drought ordinance equipping the town to enforce conservation measures
- Drought action plan (Aquarion has asked that POCDs include this).
- A system to monitor well water quantity issues by establishing a database based on information submitted to the local health department for each new well and complaints received. Require water use gauges on older private wells to help collect and track data on ground water use and supplies.

Contamination of Ground Water and Protections for Well Owners

Even the state water plan does little to protect well owners or require a measurement of water usage. A plan to protect well water users makes sense at the local level. Some problems in Wilton are road salt raising levels of chloride in drinking water and leaking underground oil tanks contaminating well water. Some solutions:

- Explore alternatives to road salt; protect business owners from slip-and-fall liability to reduce incentives to over-salt; require new wells to be away from roadways
- Join 45 other towns in CT and ban fracking waste
- Reduce or eliminate the use of pesticides by the town, test water for pesticides
- Educate citizens about the importance of avoiding the use of pesticides and fertilizer
- Keep grass fields rather than installing turf
- Continue to work to collect old medical waste and keep it out of waterways and landfills

- Require regular testing of well water

Development in areas critical to protection of water resources

As pressure to develop a smaller and smaller amount of open space increases, the Inland Wetlands and Planning & Zoning Commissions need more power to protect, and to enforce protections, of the precious and irreplaceable resource of class A drinking water. As stated in the 2010 POCD, critical areas for natural resource protection include • Watercourses and wetlands • Very steep slopes (>25%) • Floodplain (100 year and 500 year) • Areas of high ground water availability • Identified aquifers and recharge areas • Unique or special habitat areas. Water quality map: http://cteco.uconn.edu/maps/town/wtrqualcl/WtrQualCl_Wilton.pdf

Development in areas of critical habitat:

- Explore the suitability of establishing a Land Acquisition Fund to protect undeveloped areas.
- Identify areas of high conservation value and protect them

Fragmentation of open space and loss of wildlife habitat:

As indicated in the 2010 POCD, roughly 90% of land in Wilton is committed to some use. This gives added importance to managing and connecting habitat on existing open space and promoting habitat creation and enhancement in already-developed areas. Some solutions:

- Encourage backyard habitat, especially through the Pollinator Pathway which focuses on reducing lawns and invasive plants, avoiding pesticides and fertilizer, connecting open space and private property in once stewardship plan.
- Continue to support the NRVT
- Restore and maintain habitat where possible, for example by creating a meadow behind the town gardens at Allens Meadow, restoring the buffer zone along the Norwalk River, removing invasive plants from established meadows at Schenck's Island and Keeler's Ridge Meadow.
- Regulate the process by which contractors may bring in construction fill which may contain seeds of invasive plant species and other contaminants
- Replace trees downed in storms or by the DOT or power company with native trees; continue the Community Canopy Program, sponsored by Arbor Day Foundation

Continued degradation of the banks of the Norwalk River:

NRWA supports the 2010 POCD goal: "For previously developed sites ("greyfields"), ensure that site conditions are improved over current conditions when redeveloped." This is an area where Wilton needs to improve. The State DEEP has had its resources severely cut in the last 10 years and the EPA can no longer be counted on to support conservation initiatives. The town of Wilton needs to provide the office of Environmental Affairs with the resources to track down violators, issue citations and follow up on remediation activities when the riverbank is degraded. This has not been happening in Wilton, an example is ECS on Route 7 and the condition of the riverbank in South Wilton along Route 7. The town needs to add teeth to the enforcement of its regulations.

Loss of the NRWI funding and the need to help facilitate the Norwalk River Action Plan:

With the de-funding of the Southwest Conservation District, the NRWI lost funding for its executive director. However, the town needs to continue to participate in regional efforts to implement the Norwalk River Action Plan and to assess future cumulative impacts on the river due to development in the region, to work with the State to gain their assistance in protecting the river, and to work with other towns on the cumulative effect of development. Action Plan:

<https://www.norwalkct.org/DocumentCenter/View/1902/Norwalk-WBP-Chp1-4>

Opportunities

To maintain Wilton’s natural beauty and resources and to protect public health: Protect undisturbed land of highest conservation value; Celebrate, repair and protect the Norwalk River; Reduce stormwater runoff.

1. Examine and improve the process for protecting critical conservation lands.

- Update the town’s Natural Resource Inventory. A valuable resource is *Creating a Natural Resources Inventory: A Guide for Communities in the Hudson River Estuary Watershed*: <http://www.dec.ny.gov/lands/100925.html>. Appendix H has a sample checklist for planning boards to use and Appendix G has a model local law to formally adopt an NRI – both of these could be customized to reflect Wilton’s priorities and develop tools.
- Incorporate into planning and protection goals the findings of mapping to identify lands of critical conservation value, both protected and unprotected. (In Wilton, these lands coincide in large part with the area of the Pollinator Pathway and were identified using the maps created by the H2H Partnership. More info: Pollinator-Pathway.org .)
- Look at development as a whole in town and have a plan in place that can guide development in a way that protects undeveloped land. As the 2010 POCD states: “The cumulative impact of many small actions or decisions that tend to occur on lot-by-lot basis can have unintended consequences.” Though proposed remediation and LID plans are a positive for protecting the environment, they are sometimes misused as a way to justify developing pristine areas of critical conservation value, such as the headwaters of Wilton’s highest quality waterways (the Comstock Brook and its tributaries), the areas around drinking water reservoirs, and aquifer recharge areas. Examine the need for new housing in the town and plan development based on actual demand versus an idea of “growing” the town and its tax base. Consider the cost-benefit analysis study from Colchester, CT that shows for every tax dollar collected, the costs of residential development are \$1.14 while the costs of commercial/industrial are \$.18 and the cost of open space/farm are \$.18. Colchester study summary is attached: http://www.colchesterct.gov/Pages/ColchesterCT_Dept/PZ/docs/FiscalValueOfLandUseSurveySummary.pdf
- Ensuring that Wilton is using the latest, science-based best practices when it comes to planning the type of development and where it should be and planning which areas deserve top conservation protections. Municipal planners should be afforded technical assistance, information, and training, as well as strategies for “smart planning” that support economic growth and quality of life, while keeping nature in mind--perhaps

according to the model created at [Hudson River Estuary Program website](http://www.dec.ny.gov/lands/5094.html) at <http://www.dec.ny.gov/lands/5094.html>.

2. Celebrate and showcase the Norwalk River and repair the Riverbank by implementing a new plan for development along the river.

Wilton can improve the problem of runoff from Route 7 and the unsightly degraded riverbank by changing the vision for what will be built along the river and helping businesses already there that fail to comply with current standards for runoff protections to retrofit their outfits. There are state grants available for such work. Norwalk is changing its riverfront focus from industrial to apartments and restaurants and Wilton should do the same.

- Deter additional businesses that degrade water quality and mar the riverbank such as auto parts, transportation, car wash, and dry cleaning businesses. Instead, encourage businesses that won't harm the river with their runoff and that take advantage of the natural beauty of the waterfront such as offices, restaurants, apartments.
- Use enforcement of the 100 foot setbacks Wilton has in place to improve the riverbank.
- Require renovations to include repairs to the riverbank.
- Increase education and support for municipal conservation and development decision makers, perhaps using the "Conservation and Land Use Program" model used in NY State created by Cornell University's Community and Regional Development Institute <https://cardi.cals.cornell.edu/publications/research-policy-briefs/conservation-and-land-use-linking-municipal-capacity-and-outcomes/>.
- Support plans to de-fragment open space and connect corridors of habitat along the river, like the Pollinator Pathway and the NRVT.
- Remove the two dams in Wilton to improve the health of the river by returning the fish populations that swim up from the Sound, allowing the natural flow of sediments and nutrients to come down the river instead of building up, and reducing erosion by replacing sediment from upriver instead of stopping its flow.

3. Reduce stormwater runoff and help the Norwalk River meet minimum State standards for a Class B river for the first time in over 20 years.

- Keep the total impervious surface coverage in town at under 10-12%
- When LID systems are installed, provide the resources to follow up and insure drainage systems are maintained in working order.
- Review whole neighborhoods and the runoff produced, percentage impervious surface coverage, current runoff system failures. Address problems on a large scale and use the information for planning of future development.
- Disconnect town buildings from downspouts that drain to the River, such as schools and municipal buildings, and put in LID filtration systems that keep rainwater on site. The town should model this action for homeowners
- Restore vegetative buffer zones along wetlands, streams and riverbanks.
- Also see runoff recommendations in sections above!

A useful guide to preserving the natural resources Wilton has and restoring those that are degraded : <http://hudsonia.org/wp-content/uploads/2013/02/abridged-Gen-Cons-Measures.pdf>

General Conservation Measures for Protecting Natural Areas and Wildlife



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- **Protect large, contiguous, unaltered tracts of land** wherever possible. Avoid fragmentation of such areas by roads, driveways, and other developed uses.
- **Preserve broad links** between natural habitats on adjacent properties.
- **Preserve natural disturbance processes**, such as fires, floods, tidal flushing, seasonal drawdowns, landslides, and wind exposures wherever possible. Discourage development that would interfere with these processes.
- **Restore and maintain broad buffer zones** of natural vegetation along streams, along shores of other water bodies and wetlands, and at the perimeters of other sensitive habitats.
- **Encourage development of altered land** instead of unaltered land wherever possible.
- **Promote redevelopment of brownfields** and other previously-altered sites, “infill” development, and “adaptive re-use” of existing structures wherever possible, instead of breaking new ground in unaltered areas.
- **Direct human uses toward the least sensitive areas**, and minimize alteration of natural features, including vegetation, soils, bedrock, and waterways.
- **Concentrate development along existing roads**; discourage construction of new roads in undeveloped areas.
- **Encourage pedestrian-centered developments** that enhance existing neighborhoods, instead of isolated developments requiring new roads or expanded vehicle use.
- **Preserve farmland potential** wherever possible.
- **Minimize areas of impervious surfaces** (roof surfaces, roads, parking lots, driveways, etc.), and maximize onsite retention and infiltration of stormwater runoff, to help protect the quality and quantity of groundwater and surface water resources. Design new development such that surface runoff from the site during and after construction does not exceed pre-construction runoff volumes.
- **Restore degraded habitats** wherever possible, but do not use restoration projects as a “license” to destroy existing high-quality habitats.
- **Consider environmental concerns early in the planning process** for new developments. Incorporate biodiversity conservation principles into the choice of development sites, the site design, and the construction practices.

Adapted from: Kiviat, E. and G. Stevens. 2001. Biodiversity assessment manual for the Hudson River estuary corridor. New York State Department of Environmental Conservation, Albany, NY. 508 p.