

**MEMORANDUM**

**Via Email to Ms. Sefcik – [zeo@norfolkct.org](mailto:zeo@norfolkct.org)**

**TO:** Stacey Sefcik, Norfolk Wetlands Enforcement Officer and Zoning Enforcement Officer

**CC:** Norfolk Inland Wetlands Agency  
Norfolk Planning and Zoning Commission  
Dan Casagrande, Esq., Cramer & Anderson

**FROM:** Andrea Gomes, Esq., Hinckley, Allen & Snyder LLP

**DATE:** February 27, 2025

**RE:** Why a Wetlands Permit is not required for the proposed improvements at The Manor House Inn, 69 Maple Avenue, Norfolk, CT

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In light of the recent site plan revisions for this application, this package explains why a wetlands permit is still not required in connection with the improvements proposed for The Manor House Inn, located at 69 Maple Avenue, Norfolk, Connecticut.

**Plan Revisions**

The applicant submitted, in December 2024, a memorandum explaining why a wetlands permit is not required for the proposed improvements to The Manor House Inn. Since that time, members of the public have argued that there is an intermittent watercourse on-site that is not shown on our original plans. This watercourse expands the 100-foot upland review area (URA) beyond what originally was depicted. As a result, they contend that some of the work originally proposed by the applicant falls within the URA, as revised, and a wetlands permit is required.

The purported intermittent watercourse was not shown on the original plans because there was a question as to whether it is, in fact, an intermittent watercourse. The applicant does not wish to further delay its pending zoning application and has, therefore, revised its plans to depict the possible intermittent watercourse and revised URA, and to remove all work within the revised URA. These changes include shifting one of the two proposed raingardens outside of the revised URA and removing the two Nordic cabins and associated walks originally proposed by the applicant. The soil erosion and sediment control measures (staked hay bales) previously suggested by staff and incorporated into our plans remain, although they have been shifted to run along a portion of the revised URA. As a result, there are no proposed activities within the wetlands, watercourse, or revised URA.

### **Norfolk Inland Wetlands Regulations; Agency Jurisdiction**

Section 160-18 of the Norfolk Inland Wetlands Regulations provides: “No person shall conduct or maintain a regulated activity without first obtaining a permit for such activity from the [Agency]...” A regulated activity is defined in § 160-6 as:

Any operation within or use of a wetland or watercourse involving removal or deposition of material, or any obstruction, construction, alteration or pollution of such wetlands or watercourses. It shall also include any earth moving, filling, construction or clear cutting of trees within 100 feet of the edge of the wetlands or watercourses. The Agency may determine that any other activity conducted in any other nonwetland or nonwatercourse area is likely to impact or affect wetlands or watercourses and is a regulated activity...

Thus, the Agency’s jurisdiction is limited to certain activities: (1) within a wetland or watercourse; (2) within 100 feet of the edge of the wetlands or watercourse; or (3) that are likely to impact a wetland or watercourse. *See also* 9 Conn. Prac., Land Use Law & Prac. § 11:3 (4th ed.) (“Basically, the agency can regulate outside of wetland boundaries *only where the outside activities have some effect upon the wetlands themselves.*” [Emphasis added.]).

### **Proposed Improvements**

The applicant’s lead project designer, Bob Gilchrest, and civil engineer, George Johannesen, have drafted a revised memorandum attached here at Tab 1, explaining why the proposed improvements, as revised, do not require wetlands approval. As noted therein, and in the revised stormwater management report (Tab 1) and revised civil plan set submitted herewith:

- The applicant is not proposing any regulated activities within the wetlands or watercourse on-site.
- The applicant is not proposing any regulated activities within the 100-foot upland review area.
- The applicant’s proposed activities will not impact the wetlands or watercourse on-site. The subject property contains five distinct drainage areas. Only one such area, drainage area No. 5, has any potential to directly impact the wetlands and watercourse. However, through the use of two proposed rain gardens and extensive native plantings, the applicant will be reducing the proposed stormwater runoff rates, creating opportunities for stormwater sheet flow where appropriate, and treating more stormwater than possible on-site today. Thus, the proposed improvements will not only mitigate any impacts of the development, but will improve site conditions when compared to existing conditions.

**Therefore, No Wetlands Permit Is Required**

Given the above, there is no basis to require a wetlands permit here because the applicant is not conducting regulated activities, as defined in the Norfolk Inland Wetlands Regulations.

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Date: 20 February 2025

To: Stacey Sefcik  
Zoning & Wetlands Enforcement Officer  
Norfolk Town Hall  
19 Maple Avenue  
Norfolk, CT 06058

From: Robert Gilchrest, Lead Designer/Project Manager  
George Johannesen, Civil Engineer  
Allied Engineering Associates, Inc.

Re: Update to our Response Memo regarding the need for Wetlands Approval

This memorandum is an update to the memorandum submitted on 12/31/2024 explaining why a regulated activities permit is not required in connection with the proposed site plan improvements to The Manor House Inn. Since that time, we have revised our site plan to (1) reflect a modified 100' upland review area (URA) boundary; and (2) remove all work within the revised URA. These changes include shifting one of the proposed raingardens outside of the revised URA and removing the two Nordic cabins and associated walks originally proposed by the applicant. The soil erosion and sediment control measures previously suggested by staff and incorporated into our plans (the staked hay bales) remain, although they are now located along the revised URA. As a result, our previous conclusion still stands: the proposed work is not a regulated activity and, therefore, no approval from the Inland Wetlands Agency is required.

We thoroughly vetted the Inland Wetlands & Watercourses Regulations to determine the best design approach to the property, keeping in mind the proximity of the proposed improvements to the adjacent wetlands area. We looked at proposing improvements which would have no impact on wetlands soils but would actually provide improvements over the conditions which currently exist. Allied Engineering was asked to submit a Drainage Report which demonstrates that the proposed improvements will reduce the amount of surface runoff when analyzing the existing and proposed drainage areas for a 2 year, 10 year, 25 year, 50 year, and 100 year storm. An updated Drainage Report is attached, and summarized below.

The site was divided into five (5) distinct drainage areas based on existing and proposed surface flows and drainage structures. The result was that only drainage area #5 actually has any potential direct impact on the wetlands and the upland review area. The balance of the drainage areas have no direct impact on the wetlands at all. From the report, it is clear that the proposed stormwater runoff rates (cubic feet per second) for all areas are actually reduced when compared to the existing runoff rates given for each storm event.

The design concept for the entire property has always been to maintain and enhance the project's positive environmental impacts through conservation and preservation. These goals are met through the extensive use of native plantings, creating opportunities for stormwater sheet flow (in lieu of curbed parking), and rain gardens, all to help detain more stormwater onsite and further recharge the existing groundwater aquifer while maintaining the current functions of the existing wetlands. The rain gardens have been sized to hold the volume of a 100 year storm event with minimal runoff. In addition, the rain gardens provide additional opportunities to clean the stormwater recharge while enhancing the local flora and fauna. We see these large gardens as opportunities to showcase ways to mitigate surface drainage while enhancing the natural environment.

In summary, based on the Norfolk Wetlands Regulations and the mitigation and conservation efforts proposed with our site improvements, there is no basis for the submission of a regulated activities permit. The entire proposed project falls outside of the wetland boundary and the 100' wetland URA, as revised. The plans and drainage report not only demonstrate that the proposed improvements will have no impact on the existing wetland and watercourse, but will improve existing conditions while enhancing the existing natural environment by promoting conservation responsibly.

We look forward to working with the Town of Norfolk to provide a development that the owner and the town can be proud of. If you should have any questions or need additional information please do not hesitate to reach out. Thank you for your time and consideration.

Enclosure

cc: Planning & Zoning Commission Chair  
Inland Wetlands Agency Chair  
Andrea Gomes, Esq., Hinckley Allen  
Rachel Roth, Three Stewards Real Estate, LLC



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Our Job #1075

Proposed Drainage Report

For

Manor House Inn

Norfolk, CT

2/20/2025

This Report is being prepared for the improvements being proposed at the Manor House Inn. The existing site consists of 5 acres of land. There is an existing Country Inn with a paved entrance from Maple Avenue, a paved parking area and a gravel driveway onto Mills Way. The site drains from the north end of the property along Mills Way to the south where there is an existing brook that flows from east to west and goes under Emerson Street.

The existing site was broken up into 5 drainage areas for analysis. EX-DA #1 drains to the highest catch basin in the road. EX-DA #2 drains to the next catch basin on the east side of the road. EX-DA #3 drains onto the road north of the Margaret Novicki property. EX-DA #4 drains onto the Novicki property and EX-DA #5 drains into the brook. The area south of the Novicki property was not analyzed because there is no activity there. Each of the drainage areas were analyzed for the 2 year storm, the 10 year storm, the 25 year storm, the 50 year storm and the 100 year storms.

The analysis for the drainage computations was performed using the Rational Method. The outflow results in cubic feet per second for the 5 existing drainage areas is as follows:

	2 yr	10 yr	25 yr	50 yr	100 yr
EX-DA #1	0.27	0.38	0.45	0.50	0.55
EX-DA #2	1.26	1.77	2.07	2.31	2.55
EX-DA #3	0.70	0.99	1.16	1.30	1.43
EX-DA #4	1.27	1.78	2.09	2.33	2.57
EX-DA #5	5.20	7.31	8.58	9.57	10.55

The proposed improvements include additional impervious areas that normally increase the rate of runoff and the volume of water running off of the property. We first calculated the proposed runoff for all 5 of the drainage areas with the new characteristics. PR-DA #3 AND PR-DA #5 each had increases while the other three were the same or a little bit less. We installed rain gardens at the outlet of the two pipe networks to provide on site detention that will encourage infiltration into the ground, allow for sediments to

settle out of the runoff and to reduce the velocity of the runoff and reduce the possibility of erosion. The two rain gardens are sized to hold the increase in volume of the 100 year storm flowing into them with hardly any runoff. Taking that into consideration, we analyzed the 5 drainage areas with the stormwater routed through the rain gardens and then combined with the runoff not going through the rain gardens and came up with a decrease in the rate of runoff for 4 of the 5 drainage areas for all 5 storms. The outflow results in cubic feet per second of the 5 proposed drainage areas are as follows:

	2 yr	10 yr	25 yr	50 yr	100 yr
PR-DA #1	.26	.37	.44	.49	.54
PR-DA #2	.91	1.28	1.51	1.68	1.85
PR-DA #3	.43	.61	.71	.79	.87
PR-DA #4	1.10	1.55	1.82	2.03	2.24
PR-DA #5	3.77	5.30	6.22	6.94	7.64

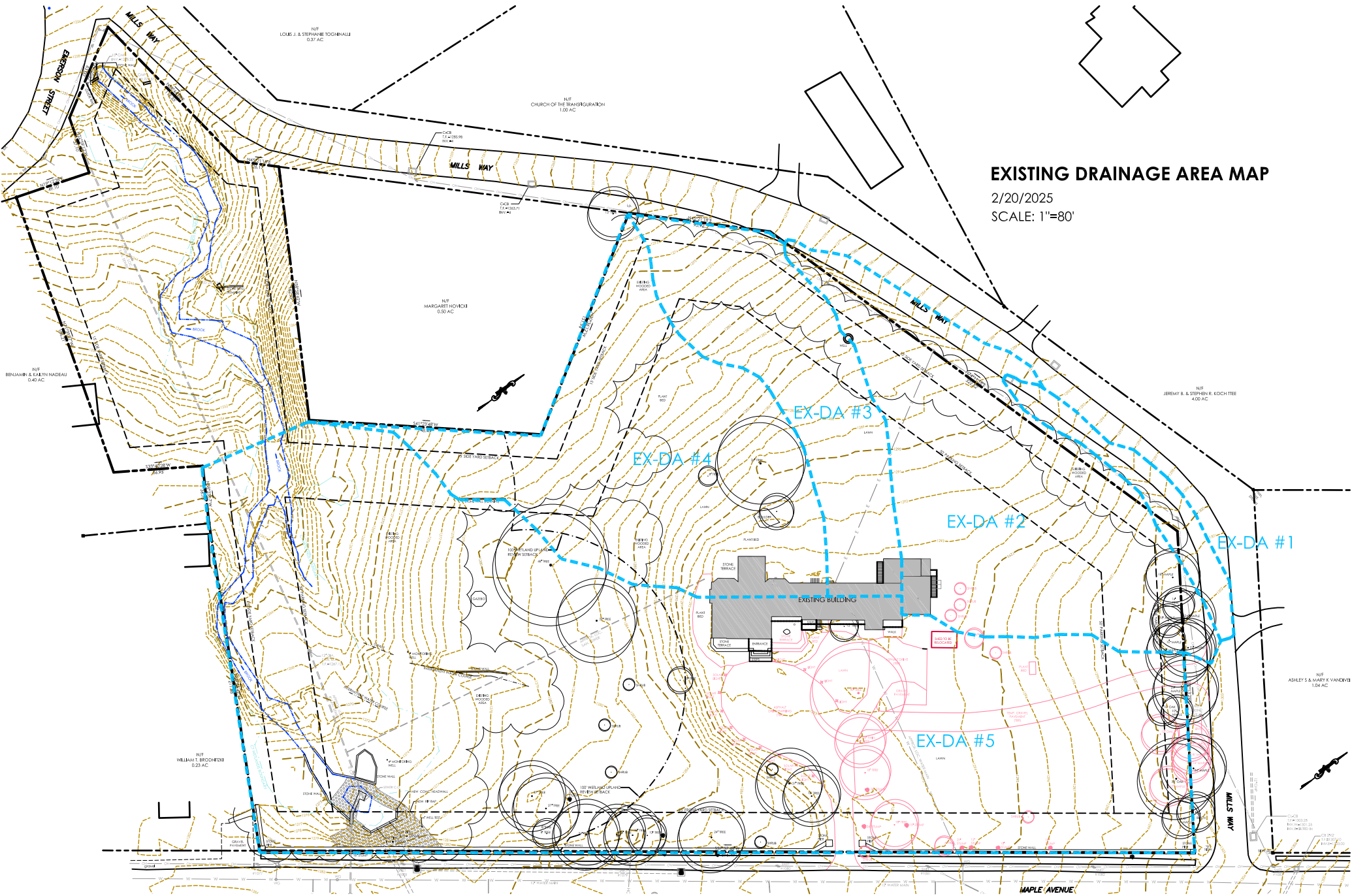
In conclusion, the improvements being made to the property will have no adverse effects on any of the surrounding properties or the brook. There is a reduction in volume and rate of runoff, plus we are treating more of the water with the rain gardens than exists at present.



# EXISTING DRAINAGE AREA MAP

2/20/2025

SCALE: 1"=80'



# PROPOSED DRAINAGE AREA MAP

2/20/2025

SCALE: 1"=80'

