



TOWN OF WOODBURY  
INLAND WETLANDS AND WATERCOURSES AGENCY  
281 Main Street South  
Woodbury, CT 06798-0369  
(203) 263-3467 – www.woodburyct.org

**REGULAR MEETING MINUTES**  
**January 10, 2022 – 7:00 p.m.**  
**Senior/Community Center, 265 Main St. South**

**MEMBERS PRESENT:**

Martha Newell  
Kyle Turoczi  
Mary Tyrrell

**ALTERNATES PRESENT:**

Earl Gillette  
Don Richards

**MEMBERS ABSENT:**

Wes Clow  
Ernest Werner

**ALTERNATES ABSENT:**

Evan Hard

**ALSO PRESENT:**

William Agresta, Town Planner  
Members of the Public  
James Munch, Supervising Forest Products Harvester

Oriya Foger  
Melissa Santos

Ron Wolff, P.E.  
Sherry Dalton

**REGULAR MEETING**

The meeting was convened at 7:00 PM.

Seated for the meeting were Members Newell, Turoczi, and Tyrrell, and Alternates Gillette and Richards. Members were reminded of the Conflict-of-Interest Statutes and the Town Charter.

**ELECTION OF OFFICERS**

**MOTION:**

To nominate and elect Mary Tyrrell as Chairman, Wes Clow as Vice Chairman, and Ernest Werner as Secretary.

Made by Richards, Seconded by Newell

Vote: 5-0-0 – **Approved** – Motion Passed

Ayes	Tyrrell, Newell, Turoczi, Richards, Gillette
Nays	None
Abstain	None

**PENDING APPLICATIONS**

**21-IW-2128 / Foger / 39 Quanopaug Trail / Remediate Loss of Vegetation During Clearing of Decayed Dead & Fallen Trees / Map 025 / Lots 014-1 & 014A-2 / D or OH: 02/04/21 based on maximum time extension allowed as received from applicant**

Chairman Tyrrell provided the opportunity to view packets containing photos, maps and opinions from consultants related to the Application. Agency members have visited the site. John Mack, P.E., of Stuart Somers Company LLC, met December 1 with the property owner to discuss concerns, issuing an opinion stating that the current conditions, using 4” PVC pipe, are adequate for low-flow situations with high-flow situations being accommodated, as before, by the existing wetlands. Steven Danzer, PhD and Associates LLC issued an

environmental opinion December 6 stating that soil hydrology is not negatively impacted by the addition of upland soil. The map has been updated showing both the old and new wetland boundaries; plans have been updated showing the modifications. Chairman Tyrrell asked whether there were questions.

The property owner thanked the Agency for its help accomplishing their goals. No cost or effort was spared to comply. Photographs show the prior state and current conditions. The changes made were only intended to improve erosion resistance and reduce flooding. He expressed the hope that his efforts satisfy the Agency and thanked them for their guidance.

Member Turoczi asked how much soil was relocated on the property. The owner replied it is an indeterminate amount; the opinion states the material does not negatively affect soil hydrology. The Member would like to see a watershed study.

Alternate Richards expressed displeasure with the 4" PVC pipe diameter; it is inadequate to service all flow conditions. He suggested replacing the pipes with a swale. The Alternate fears the pipe system will result in more erosion.

Member Tyrrell asked whether the location where the pipe "daylights" is protected from erosion; yes. The member asked about bank stabilization along Galpin Brook.

Town Planner Agresta expressed concern about the lack of delineation, boundaries, and features on the plan.

The Agency wants the map and plans updated to show current conditions in more detail.

Alternate Richards prefers the project be broken into phases. Member Tyrrell believes weather will dictate phasing and timing. Planner Agresta wants vendor coordination for initial and ongoing inspections. The Town Planner will send a list of needed changes and updates to the applicant, including the need for a demonstrated wetland benefit for the use of pipes versus no pipes.

**21-IW-2137 / CT Clinical Services, Inc. / 15 Woodside Circle/ Construction of Fitness Building, Basketball Court and Improvements as Depicted on Proposed Site Plan / Map 056 / Lot 016-3 / David Vieau, Owner / D or OH: 01/12/22**

Newly revised maps were received from Wolff Engineering January 3, identified as Maps 1 and 2, 21-IW-21 and 37, dated November 1, 2021, "*Site Plan and Subsurface Sewage Disposal Plan Prepared for Turnbridge, 189 Orange Street, New Haven.*"

Ron Wolff, P.E. presented a summary of the changes made: located the tree-line and wall; eliminated the basketball court; relocated the building away from the regulated area; relocated the access drive; moved the septic tank from the regulated area; removed the handicapped parking space. The changes reduced the impact from 12,070 sq./ft., to 5,560 sq./ft. Agency members reviewed the old map for comparison.

Chairman Tyrrell polled members: can we classify as summary and request a Draft Motion of Approval for the next meeting? The consensus was "yes".

**MOTION:**

To deem Application 21-IW-2137 “summary” and to direct staff to prepare a draft resolution of wetland permit approval for consideration at the next agency meeting.

Made by Turoczi, Seconded by Richards

Vote: 5-0-0 – **Approved** – Motion Passed

Ayes	Tyrrell, Newell, Turoczi, Richards, Gillette
Nays	None
Abstain	None

Chairman Tyrrell asked whether anyone suggests specific, non-standard conditions: none suggested.

**16-IW-1620 / Santos / 185 Saw Pit Hill Road / Time Extension of Permit 16-IW-1620 Construction of Gravel Driveway & Restoration of Previously Disturbed Areas within 50’ ROW / Map 052 / Lots 35C & 35L (original permit expires 12/11/21)**

Ms. Santos appeared representing the applicant. Chairman Tyrrell acknowledged receipt of letters regarding the application and requested the agency schedule a site-walk for Sunday February 13, 9:00 AM in preparation for the February 14 meeting. Members reviewed the requirement for remediation in the right-of-way. Chairman Tyrrell stressed the need to complete the driveway and remediation as required by the permit in a timely manner to avoid enforcement notification.

Alternate Richards questioned the permanency of water flow through the 18” pipes: seasonal flow.

Chairman Tyrrell asked whether there were concerns not expressed in the letters. An adjoining property owner noted the construction of ATV trails in an adjacent area designated as Open Space.

**NEW APPLICATIONS**

**22-IW-0001 / Jurisdictional Determination / Munch / Carmel Hill Road / Timber Harvest of 150 acres involving two temporary wetland crossings for skid trails and activity within 100-foot Upland Review Area / Map 058 / Lot 002A / ED: 01/24/22**

James Munch, Supervising Forest Products Harvester appeared representing Kuss Farms.

Chairman Tyrrell is an adjoining property owner; she has relevant knowledge of the property described and stated she could be objective but would recuse herself if requested.

Mr. Munch reviewed the map with Agency members, describing the markings for trails and crossings; elevations; timber types. He explained harvest practices and described crossing types and their potential to avoid stream-flow disturbances, expressing a preference for low-impact “log bridges”. He requested a jurisdictional ruling “of right” as an agricultural business.

Agency members agree this is a non-jurisdictional ruling.

**MOTION:**

To deem the proposed selective tree harvest, including skid road access and two stream crossing by use of a temporary non-disturbance bridge per Application 22-IW-0001 as non-jurisdictional permitted “farm harvesting” pursuant to Section 4.1 of the Inland Wetlands and Watercourses Regulations.

Made by Newell, Seconded by Turoczi

Vote: 5-0-0 – **Approved** – Motion Passed

Vote: 5-0-0 – **Approved** – Motion Passed

Ayes	Tyrrell, Newell, Turoczi, Richards, Gillette
Nays	None
Abstain	None

**22-IW-0002 / Munch / Carmel Hill Road / Timber Harvest of 150 acres involving two temporary wetland crossings for skid trails and activity within 100-foot Upland Review Area / Map 058 / Lot 002A / ED: 01/24/22**

Application 22-IW-0002 is made irrelevant by the approval of Application 22-IW-0001.

**ENFORCEMENT & WETLANDS UPDATE**

**21-ENF-0007 / Foger / 39 Quanopaug Trail / NV Clearing, Filling and Grading within a Regulated Area / Map 025 / Lot 014-1**

Discussion re advising property owner.

Planner Agresta will send the applicant a list describing what needs to be done in regard to plan revisions relating to this item.

**21-ENF-0010 / Teixeira / 466 Flanders Road / NV Unauthorized Installation of Driveway & Parking Area (filling, grading, tree cutting, & log storage piles) within a Regulated Area / Map 094 / Lot 016-A**

Planner Agresta and Land Use Enforcement Officer Anne Firlings visited site.

Photographs were available for members to familiarize themselves with the site.

Mr. Teixeira explained that while clearing storm-felled trees he used millings to create an accessway to an area used for personal-use firewood processing. The accessway encroached on a regulated area. The Agency scheduled a site walk for Sunday January 23, 9:00 AM. Chairman Tyrrell recommends the property owner develop a plan describing the desired permitted conditions. The site must be examined and plans agreed upon prior to permitting and remediation.

**Tuttle Road Monitoring**

There is no report. The Agency considers monitoring complete.

**DELIBERATIONS**

None.

**CONSIDERATION OF MINUTES**

December 13, 2021 Regular Meeting

Alternate Richards asked whether approval could be tabled to the next meeting: tabled.

**OTHER BUSINESS**

Moved after Privilege of the Floor.

**PRIVILEGE OF THE FLOOR**

A member of the public asked for clarification of the Agency’s policy regarding notification of site visits: as a public record, it is the property owner’s responsibility to know a visit is scheduled.

**OTHER BUSINESS**

Chairman Tyrrell notified Agency members she received a revised schedule for 2022, moving future meetings from the Shove Building to the Senior Community Center.

**MOTION:**

To approve a revised 2022 Meeting Schedule as presented.

Made by Richards, Seconded by Newell

Vote: 5-0-0 – **Approved** – Motion Passed

Ayes	Tyrrell, Newell, Turoczi, Richards, Gillette
Nays	None
Abstain	None

Chairman Tyrrell expressed members’ health concerns about in-person meetings. After discussion it was agreed Planner Agresta will facilitate remote meeting access via telephone.

Member Turoczi expressed a desire to provide new property owners with a standard letter informing them of their responsibility to know wetlands regulations. There was discussion of previous efforts and possible implementation.

Member Gillette asked the status of the Dollar General bond. The bond can be acted on at any point.

**CORRESPONDENCE**

None.

**ADJOURNMENT**

**MOTION:**

To ADJOURN the meeting at 9:43 P.M.

Made by Alternate Gillette

**Filed subject to approval.**

Respectfully Submitted,

*Edwards S. De Cortin*

Acting Clerk

Inland Wetlands & Watercourses Agency

RECEIVED & FILED  
 IN WOODBURY, CT  
 18th Jan 2022  
 4:00  
*Maria M Mancini*