

Town of Woodbury

Inland Wetlands and Watercourses Agency

281 Main Street South
Woodbury, CT 06798
203.263.3467 ▪ www.woodburyct.org

REGULAR MEETING MINUTES

January 22, 2024 – 7:30 PM
Senior / Community Center
265 Main Street South, Woodbury, CT 06798

MEMBERS PRESENT

Earl Gillette, Alternate
Don Richards
Kyle Turoczi, Secretary
Mary Tyrrell, Chair

MEMBERS ABSENT

Michael McAloon, Alternate
Marty Newell, Vice Chair
Timothy Pabst, Alternate
Ernest Werner

NOTED OTHERS PRESENT – Planner Agresta (Town Planner), Andrew Del Negro,

OPENING OF MEETING

Call to Order – The meeting commenced at 7:31 p.m.

Seating of Members / Alternates – Seated for the meeting were Members Tyrrell, Turoczi, Richards, and Alternate Gillette. *Note: Member Newell was present prior to the meeting starting but was called away to an emergency EMT call.*

Conflict of Interest Reminder (CGS §8-11 & Woodbury Town Charter Section 901)

PUBLIC HEARINGS

- None

NEW APPLICATIONS

24-IW-0001 – 420 Transylvania Road / Map 62, Lot 57 / OS-80 District / Andrew Del Negro (applicant/owner) / Add detached accessory garage structure measuring 1,176 sf (28 ft x 42 ft) and associated driveway.

Andrew Del Negro was present for the discussion. He is looking to construct a storage barn for his antique cars. He explained the site and why this location was chosen. There is an existing entranceway from the street that they have been using as a secondary construction access. This would now be used to access the proposed barn. He explained there have been some water issues on the site during construction. He has installed about 350 ft. of curtain drains and infiltration gullies, the water is under control. It is proposed that they will use about 2 ft. of gravel on each side of the barn for infiltration from the barn roof. The drainage shown for the house was questioned. The barn will have no drains, no gutters. Mr. Del Negro would be amenable to using concrete pavers with grass as additional infiltration measure. It is proposed that they will be keeping the trees between this proposed structure and the wetlands. Limits of clearing should be indicated. It should be clear that this area will not be cleared or made into lawn.

Copies of documents and meeting audio are available at the Land Use Office

A site walk was scheduled for Sunday, February 11, 2024, at 9:00 a.m. Mr. DelNegro should mark the corners of the proposed barn with stakes, as well as the outer edges of the proposed driveway area.

Member Richards noted that the driveway is “bleeding” water onto the road. It was confirmed that the driveway will remain gravel. A depression in the driveway can be added near the road to keep water from entering the road. Mr. Del Negro indicated that it has been an extremely wet year and that this is not the only area of the road with water issues, there is also a clogged catch basin on the road which should be maintained by the Town.

24-IW-0002 – 41 Terrell Road / Map 19, Lot 86C-B / OS-100 District / Martine Fairbairn (applicant/owner) / Jurisdictional Determination for confirmation of proposed nonregulated activity outside of regulated wetlands/watercourse and associated 100-foot upland review areas.

Brian Baker of Civil1 was present to represent the property owner. This is a 15.81 acres parcel with frontage on Tuttle Road. The terrain of this area was described to be wooded and steep. Access to the site would be from an easement on Terrell Road. The lot was created by a 1994 subdivision but was labeled as “not a building lot.” Updated wetland flagging was done by Soil/Wetlands Scientist Ian Cole. Two pockets of wetlands are shown. The property was described and shown on the plans. No activity is proposed in the regulated area. The owner is looking to construct a new house with well, septic, associated drainage using an existing gravel driveway. An approval has been received from the Health Department. The application is a precursor to an application to the Planning Commission to determine the lot as a viable building lot.

A past 2008 subdivision was approved with 9 lots; this would be just one lot. Contours were explained and shown. A steep area will be proposed as protected “conservation restriction.” The maximum driveway grade is 5%, relatively flat. It was clarified that the surface water from the area of the driveway, a small amount of which would normally go towards the wetlands will continue to do so. The surface water flow on the site will mimic what it has always done, infiltrate into the groundwater and follow the contours and recharge. The existing driveway section that loops around is less defined and will be topsoiled and seeded, it is not needed. House drainage was discussed. A wetlands report indicates this land was once field, there was new growth which has been cleared and seeded. The proposed house drainage plans were briefly noted.

The Agency was comfortable with the information provided.

MOTION:

To approve 24-IW-0002 – 41 Terrell Road / Map 19, Lot 86C-B / OS-100 District granting a non-jurisdictional determination confirming that the proposed activities are non-regulated since located outside of regulated wetlands/watercourses and associated 100-foot upland review area.

Made by **TUROCZI**, Seconded by **RICHARDS**

Vote: 4-0-0 – **Approved** – Motion Passed

Aye	Tyrrell, Turoczi, Richards, Gillette
Nay	None
Abstain	None

PENDING APPLICATIONS / DELIBERATIONS (as deemed ready)

24-IW-0004 – 64 Westwood Road / Map 38, Lot 54-1 / R-40 District / Town of Woodbury (applicant/owner) / Three Rivers Park – Restoration of river-bank storm erosion.

The Chair summarized the conditions of the site – noting how a tree had fallen at Three Rivers Park, erosion issues have since been escalating.

The Chair noted town officials walked the site with Rocky Ridge contractors to see how they might assist in stabilization of the area. Rocky Ridge would be providing a proposal to the town based on the site walk. Another site walk was held with Brian Cowden of Trout Scapes River Restoration LLC. Mr. Cowden indicated that the solution is to angle the bank back towards the river, move the tree around and get similar materials into the area. Mr. Cowden is willing to work with local contractors and understood the issues with municipality properties. The Agency thinks that these two entities could work together.

Member Turoczi indicated that spinning the tree and handling the issue in the manner previously discussed is a better solution. Handling it by adding rock is not a good solution, there are no large boulders in this river system. It is a gravel outwash wetland. The goal should be to maintain the system that is existing. The sooner they can get this work done with the contractors the better. Mr. Cowden provided suggestions for stabilizing the area until they get a plan together to complete the rest of it. The embankment will need to be stabilized sloping it towards the river. Coco fiber matting can be used to provide a stable area to be planted and seeded holding the material in place which will eventually break down. Member Turoczi noted the area is starting to make its way back to its natural state.

The Agency noted this small area needs to be addressed, but there are other areas along the river that also will need similar attention. It was noted the Mr. Cowden is willing to help here too, has some good ideas and would be able to work on a bigger plan along with Parks and Recreation on things like bigger buffers and planting plans to make it stable.

First Selectman Perkinson expressed that they need to do something as soon as possible. The walks were informative and useful. She has asked for a proposal and cost analysis from Rocky Ridge and Trout Scapes. Chair Tyrrell noted that Mr. Cowden stated if they had a situation that required Army Corps, he works with them and can assist in getting things approved in a timely basis. That is a benefit.

Carol Haskins of Pomperaug River Watershed Coalition was present. She felt that the conversation with Trout Scapes seemed productive in getting a good assessment. Looking at a short-term solution while they look for grant funding in the Spring is beneficial. Looking at the long-term plan for the trail and the buffer is necessary. They should work with Parks & Recreation at putting up some signage and a better barrier to keep people out of the area, and to show things are progressing but this will take some time. Something that does not appear to be temporary and helps educate the community that they are working on the area and due to the scale of the washout that it takes money, time, and a plan.

Morris Conrad a longtime resident spoke about the Town rivers. He noted that where the riverbank washed out, the river had previously gone through that area. A simple yet probably unpopular solution is to do nothing and leave it alone. He suggested moving the trail more than 50 ft. into the field. It would also be more advantageous to have alfalfa or a hayfield, it is less destructive than a cornfield. He described the area of the pond and that the river used to go through the pond. The confluence is breaking down to the soccer field. A concerted effort is being made to get this stabilized by the Spring. It is a slow process, but they are making headway.

21-IW-2128 – 39 Quanopaug Trail / Map 25, Lot 14-1 / OS-100 District / Oriya Foger (applicant/owner) / Request for early termination of Monitoring Post Installation of Restoration and Mitigation Plan

Soli Foger was present for the discussion. Mr. Soli noted that a five-year review of the remediation plan was required by the Agency. The plan was followed, he exceeded the plan adding more plantings, he maintained the areas well and the vegetation is now self-sustaining. The Landscape Architect's report was referred to. Photos have been submitted with the reports. The Chairman explained the reasoning of the monitoring timeframe, plants don't always survive or thrive, this ensures the plan is completed. Mr. Foger stated that two years and the expert says the plantings don't need supervision. Photos from a November 2023 inspection were shown.

Member Turoczi explained they got to this situation via a violation, and he would like to see continued monitoring to be sure everything is fine. The landscape architect's letter was read by Mr. Foger.

It was clarified that the approval also provided for the owner to petition to be relieved of the monitoring early if the plantings show high success. They are in the second year of monitoring.

The Agency was not ready to dismiss the monitoring. Another monitoring inspection and report is to occur as originally required for late spring (2024), followed by a request for scheduling a site walk with the Agency to view the site at that time – and the Agency will see what is next then.

23-IW-0021 – 75 Grassy Hill Road / Map 50, Lot 55-4 / OS-60 District / Jeffrey Peck (applicant/owner) / Installation of a pickle ball court measuring 1,200 sf (30 ft x 40 ft) and an accessory residential storage shed measuring 216 sf (12 ft x 18 ft x 10 ft high).

Modifications have been made along the way for this application. The construction accessway should be noted as to be removed and reference should include the propane tanks and other added items. A draft motion was reviewed. The draft includes requirements that the wetlands and upland review area limits be reconciled between the partial new and older delineation. The draft also includes monitoring requirements, which the applicant agreed to during the public hearing.

MOTION:

To approve 23-IW-0021 – 75 Grassy Hill Road / Map 50, Lot 55-4 / OS-60 District / Jeffrey Peck (applicant/owner) to permit the installation of a pickle ball court measuring 1,200 sf (30 ft x 40 ft), an accessory residential storage shed measuring 216 sf (12 ft x 18 ft x 10 ft high), and other minor accessory improvements, subject to conditions, per DRAFT Approval Resolution, as amended.

Made by **TUROCZI**, Seconded by **RICHARDS**

Vote: 3-0-1 – **Approved** – Motion Passed

Aye Tyrrell, Turoczi, Richards

Nay None

Abstain Gillette (Member Gillette abstained as he missed some of the discussions)

23-IW-0032 – 57 Clubhouse Drive / Map 48, Lot 8A / OS-60 District / Woodlake, Inc (applicant/owner) / Proposed drawdown of 3 to 4 feet in depth over winter for weed control.

Karl Murphy was present for the discussion. Seven board members from Woodlake were also present. It was noted that the Agency had receive some new information which was discussed. There were concerns that this is late in the season for this proposal to work. The drawdown would be reversed by April 1st. Water levels will be lowered about 3 to 4 feet to help freeze and kill off invasive plants. There is not a 100% guarantee that this will work. Lowering the water has been done in the past at Woodlake. Monitoring will be done by their maintenance people and a professional hired. Mr. Murphy stated that lake draw down is common all over the State.

Mr. Murphy also noted their goal is to have the water tested in the Spring. They are not asking for something that is not already taking place. Overflows are already going across the road. There are no screens currently on any of the egresses. Adding carp is also being considered as they have applied to the DEEP to do so. They have added fountains to aerate.

Member Turoczi questioned if there was a target species they were looking to eradicate. Mr. Murphy was unsure; but said they are using Pond and Lake Connection. He indicated they are looking to get the appropriate permit approvals. Mr. Murphy was unsure why the drawdowns did not continue as had been done in the past

The president of the Woodlake Tax District spoke. A joint advisor committee was established, and various proposals were reviewed. They looked at the least environmentally concerning options first. The process has been in depth. The reapproval process was questioned, if they would need to come back to the Agency every year with this request.

Edward Dzitco expressed that this is late in the season for this process if the goal is to kill invasives. He felt that doing the drawdown with ice and snow may actually insulate the plants that are in the pond. They should have already tested the water.

Permit timeframe was questioned. An environmental review, as well as a follow up to the monitoring should be included in the approval. Water testing should be included showing plant and animal species. A once a year review on progress was discussed. A status report or approved environmental review shall be submitted to the Agency annually before starting drawdown. This year would be exempt from that because they are in it. It was decided that the status report should be submitted annually by September 1st to the Land Use Office. Chair Tyrrell would prefer this method over adding carp asking that they put that option on hold. They should see an environmental review after the short drawdown and then a long drawdown. The length of the regular drawdown process was confirmed to be normally November 1st – April 1st.

MOTION:

To approve 23-IW-0032 – 57 Clubhouse Drive / Map 48, Lot 8A / OS-60 District / Woodlake, Inc (applicant/owner) to permit annual winter drawdown of 3 to 4 feet for weed control, subject to conditions of submitting by September 1 of each year a report assessing the conditions of the drawdown.

Made by RICHARDS, Seconded by TUROCZI

Vote: 4-0-0 – **Approved** – Motion Passed

Aye	Tyrrell, Turoczi, Richards, Gillette
Nay	None
Abstain	None

23-IW-0033 – 378 Quassapaug Road / Map 77, Lot 11-12 -49 & 50 / OS-60 District / Peter Gottmeier (applicant/owner) / Installation of 8' high, 24' long, 10' deep fence enclosing 8' x 20' storage container.

Peter Gottmeier was present for the application. Members reviewed the draft motion.

MOTION:

To approve 23-IW-0033 – 378 Quassapaug Road / Map 77, Lot 11-12 -49 & 50 / OS-60 District / Peter Gottmeier (applicant/owner) to permit the installation of an 8-foot high, 24-foot long, 10 feet deep fenced storage enclosure, subject to conditions, per DRAFT Approval Resolution, as presented.

Made by **GILLETTE**, Seconded by **RICHARDS**

Vote: 4-0-0 – **Approved** – Motion Passed

Aye	Tyrrell, Turoczi, Richards, Gillette
Nay	None
Abstain	None

23-IW-0034 – 129 White Deer Rocks Road / Map 21, Lot 54A / OS-60 District / Nikolas Kotsaftis & Julia Leitao (applicant/owner) / Proposed clearing, excavation and filling to install a driveway crossing and related drainage controls associated with the construction of a proposed new single-family dwelling.

Ron Wolff was present for the application. Chair Tyrrell indicated she was pleased that the stones from the wall will remain on site as was suggested by the Town Planner. Members reviewed the draft motion.

MOTION:

To approve 23-IW-0034 – 129 White Deer Rocks Road / Map 21, Lot 54A / OS-60 District / Nikolas Kotsaftis & Julia Leitao (applicant/owner) to permit proposed clearing, excavation and filling to install a driveway crossing and related drainage controls associated with the construction of a proposed new single-family dwelling, subject to conditions, per DRAFT Approval Resolution, as presented.

Made by **GILLETTE**, Seconded by **TUROCZI**

Vote: 4-0-0 – **Approved** – Motion Passed

Aye	Tyrrell, Turoczi, Richards, Gillette
Nay	None
Abstain	None

23-IW-0035 – 480 Transylvania Road / Map 60, Lot 13 / OS-80 District / Justin Hamilton (applicant/owner) / Demolition and reconstruction of an existing dilapidated barn over existing foundation footprint, except small section nearest the street and new barn will be lower in height.

Justin Hamilton was present for the application. Members reviewed the draft motion.

MOTION:

To approve 23-IW-0035 – 480 Transylvania Road / Map 60, Lot 13 / OS-80 District / Justin Hamilton (applicant/owner), to permit demolition and reconstruction of an existing dilapidated barn over the existing foundation footprint, except small section nearest the street and new barn will be lower in height, subject to conditions, per DRAFT Approval Resolution, as presented.

Made by GILLETTE, Seconded by RICHARDS

Vote: 4-0-0 – **Approved** – Motion Passed

Aye Tyrrell, Turoczi, Richards, Gillette

Nay None

Abstain None

ENFORCEMENT & WETLANDS UPDATE

43 Hollow Road / Map 36, Lot 68A & Map 103, Lot 13 / R-40 & OS-80 Districts / Town of Woodbury / Tree and scrub vegetation cutting within a regulated area (Hollow Park / Pomperaug River).

Tabled as work is on hold until spring.

18-IW-1621 – 614 Main Street South / Map 102, Lot 25 / MQ District / Napoli Woodbury LLC / IWWA Review of Constructed Site Conditions / Bond Status – Dollar General.

An All Habitat report was reviewed by the Agency along with an email from Mr. Eucalitto. The Agency briefly discussed the use of glyphosate, Member Turoczi noting that what was used is approved for wetlands areas. Members questioned the status of the exclusionary fencing noting that it requires periodic maintenance. This is especially important to be maintained in the spring prior to the salamanders coming out. Invasives management should continue. The fence should be reviewed in the field and repairs made.

23-ENF-IW05 – 57 Lake Road / Map 77, Lot 3 & 7 / OS-60 / Robert Taggett / Unauthorized driveway installation. NV 08/07/23 – 23-IW-0029 Denial 12/11/23 – appeal filed 01/03/24

Tabled pending legal action.

23-ENF-IW06 – 13 Edward Avenue / Map 77, Lot 4-26, 27 & 2 / OS-60 / Frances M. Palomba / Unauthorized driveway installation. NV 08/07/23 – 23-IW-0028 Denial 12/11/23 – appeal filed 01/03/24

Tabled pending legal action.

23-ENF-0002 – 197 Minortown Road / Map 25, Lot 2A-2 / OS-60 District / Michelle Fusco / NV 04/18/23 – Referred to Town Attorney – pending court action

Planner Agresta noted there is a scheduled meeting with the property owners to hear a proposal to try and resolve the matter, noting that any settlement would require Agency review and approval.

Chohees Trail / Map 44, Lot 18 / OS-100 District / TRP Farms, LLC / Tree Cutting, Deposition of Materials and Excavation within a regulated area.

Tabled.

ADMINISTRATIVE

Regular Meeting Minutes – 01/08/24

Chair Tyrrell noted the paragraph lengths and requested a breakdown or simpler format for future minutes to make them easier to read.

MOTION:

To approve the regular meeting minutes of 01/08/2024 as submitted.

Made by **TUROCZI**, Seconded by **RICHARDS**

Vote: 4-0-0 – **Approved** – Motion Passed

Aye	Tyrrell, Turoczi, Richards, Gillette
Nay	None
Abstain	None

Regular Meeting Minutes – 12/11/23

MOTION:

To approve the regular meeting minutes of 12/11/2023 as submitted.

Made by **RICHARDS**, Seconded by **GILLETTE**

Vote: 4-0-0 – **Approved** – Motion Passed

Aye	Tyrrell, Turoczi, Richards, Gillette
Nay	None
Abstain	None

Regulation Review

Chair Tyrrell suggested that they take the regulations a section at a time. Questions with regards to Section 7.3 and 7.7.i. were clarified by Planner Agresta. The Agency should review Sections 8, 9 and 10 for the next meeting.

CORRESPONDENCE

A Draft DEEP application for pesticide application was noted received re: Woodlake.

PRIVILEGE OF THE FLOOR

- None

ADJOURNMENT

MOTION:

To adjourn the meeting at 9:38 p.m.

Made by **TUROCZI** with no objections.

Respectfully submitted,

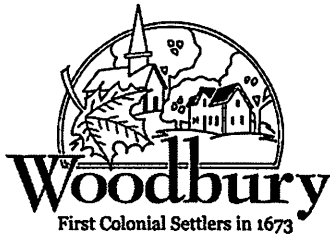
Anne Firlings

Anne Firlings

Inland Wetlands & Watercourses Clerk

RECEIVED & FILED
IN WOODBURY, CT

This 24th day of Jan 2024
at 12:42 o'clock P
Maia M. Mancini



Town of Woodbury

Inland Wetlands and Watercourses Agency

281 Main Street South
Woodbury, CT 06798
203.263.3467 ▪ www.woodburyct.org

WETLANDS / WATERCOURSES PERMIT APPROVAL

75 GRASSY HILL ROAD – 23-IW-0021

Pickel Ball Court, Shed and Other Minor Improvements

Jeffrey and Tracey Peck, Trustees of the Peck Family Trust (owner/applicant)

Date of Approval	January 22, 2024
Permit Expiration*	January 22, 2026

*If regulated activities and conditions of approval are not completed accordingly

Applicant	Travis Wood (authorized agent)
Property Owner	Jeffrey Peck and Tracey Peck, Trustees of the Peck Family Trust
Application	23-IW-0021
Project	Installation of pickle ball court measuring 1,200 sf (30 ft x 40 ft), accessory residential shed structure measuring 216 sf (12 ft x 18 ft x 10 ft), propane storage tanks at house, portion of play set area, stone walk, removal and restoration of temporary construction access and associated site work, including installation of buffer enhancement plantings.
Address	75 Grassy Hill Road, Assessor Map 50, Lot 55-4
Site Acreage	7.3 acres
Zone	OS-80 Zoning District

WHEREAS, the Town of Woodbury Inland Wetlands and Watercourses Agency (“Agency”) has received application **23-IW-0021** as submitted by the applicant/owner listed above in accordance with the Inland Wetlands and Watercourses Regulations of the Town of Woodbury (“IWWA Regulations”) seeking a Wetlands/Watercourses Permit (“Permit”) to implement the “project” as described above; and

WHEREAS, the following mitigation measures are proposed:

- Erosion and sedimentation controls;
- Control of grading and drainage away from wetlands;
- Revegetation of disturbed areas and buffer plantings;
- Professional monitoring; and

WHEREAS, application materials received include the following:

- Application for Inland Wetlands Agency Permit;
- Letters from Jillian Judd, Esq., Pilicy Ryan & Ward, PC, 11/08/23, 11/13/23, 12/29/23 and 01/02/24;

- Letter from Mark S. Riefenhauser, PE, Smith & Company, 01/02/24;
- Letter from William L. Kenny, PWS, PLA, William Kenny Associates, 11/03/23 and 11/13/23;
- Letter from John J. Mack, PE, Stuart Somers Company LLC, 11/10/23;
- Site Photos, 09/11/23;
- Site Plans:
 - Improvement Location Survey (1/2), Smith & Company, 10/04/23, revised 12/14/23;
 - Enlarged Site Plan (2/2), Smith & Company, 12/14/23;
 - Wetland Buffer Habitat Enhancement Planting Plan, William Kenny Associates, 12/28/23;
 - Classic Cape Storage Building (Shed) Plan and Elevation, The Barn Yard, received 08/17/23;

NOW THEREFORE BE IT RESOLVED, upon careful consideration of the information received, the Agency, in accordance with §11.3 of the Regulations, hereby finds the following:

- No significant adverse impacts to site wetlands/watercourses or offsite areas are anticipated;
- Site disturbance during construction will be short term;
- Buffer planting mitigation is proposed between wetlands and areas of remaining regulated 100-foot upland review area.
- Site disturbance impacts can be further mitigated by the conditions listed below and the proper use of soil erosion and sedimentation controls during construction as may be needed;
- The Agency classifies the application as Summary (not involving a “significant impact” thus a public hearing is not required); and

BE IT FURTHER RESOLVED, the Agency, in accordance with §10 of the Regulations following deliberations hereby approves application **23-IW-0021** as described above, subject to modifications and conditions set forth below; and

BE IT FURTHER RESOLVED, the Agency hereby authorizes the publishing and filing of a Notice of Decision consistent with the requirements set forth in §11.4 of the IWWA Regulations, as well as required reporting to the Connecticut Department of Energy and Environmental Protection (“CT DEEP”) per CGS §22a-39-14; and

BE IT FURTHER RESOLVED, this approval is specific to that detailed herein and the final plans endorsed as “approved” subject to the following modifications and conditions:

A. Prior to Commencement of any Work or Site Disturbance

1. The applicant shall submit to the satisfaction of the Town Planner a single (1) complete set of **Final Plans** (as listed above), revised as follows:
 - a. **Each Sheet** shall include a common revision date post the date of this approval, and an original seal and signature of the professional responsible for preparing each individual sheet.
 - b. Add the following note conspicuously to all sheets: ***23-IW-0021 – Approval Date: January 22, 2024; Expiration Date: January 22, 2026* (*If regulated activities and conditions of approval are not completed accordingly in such timeframe.)***
 - c. The 100-foot upland review limit line shall be reconciled with the current and prior wetland delineation of the site wetlands throughout the property.
 - d. Add a full copy of this approval to the final plans.

2. **Final Site Plans for Endorsement** – Following acceptance of revised final plans by the Town Planner, the applicant shall provide for endorsement by the Agency/Town Planner two (2) printed sets (additional copies should the applicant desire copies as endorsed). EACH plan sheet shall be signed and sealed providing live (original signature and seal) certification thereof by the professional(s) responsible for their preparation.
3. In accordance with §13 of the IWWA Regulations, a Site Remediation / Soil and Erosion Control Bond in the amount **one thousand (\$1,000.00) dollars** shall be submitted to the Land Use Office in a form and content as acceptable by the Town. The bond shall remain in full force and effect until such time as the bond is released by the Town.
4. **Other Required Approvals** – No work shall be authorized to commence absent securing all approvals as may be required. Other required approvals shall be separately obtained by the applicant and copies thereof shall be provided to the Agency office for inclusion in the permit record file, including but not limited to:
 - **Housatonic Valley Health District**
 - **Woodbury Administrative Zoning, Driveway and Building Permits**

B. Conditions During Construction

1. Prior to commencement of any site work or site disturbance, the limits of disturbance shall be clearly marked in the field to the satisfaction of the Land Use Office and the Land Use Office shall be provided a minimum of 48-hours of notice. No regulated activity shall commence until erosion and sedimentation control devices have been properly installed to the satisfaction of the Land Use Office and inspected by the Land Use Office. The applicant shall maintain and supplement the controls as needed, and the Land Use Office may require additional controls as may be deemed necessary or warranted.
2. The Land Use Office shall be duly apprised of the status and progress of site work throughout construction, and promptly notified as to any issues or potential deviations in completing the site work as designed and approved, so either appropriate minor field changes may be authorized by the Land Use Office or the need for a new or modified permit approval can be identified.
3. The following shall be followed in relation to the project:
 - Ground disturbance shall be contained and maintained to the minimum necessary to complete the authorized improvements. Disturbed soils shall be stabilized in a timely fashion, particularly to avoid/minimize erosion impacts. Specifically, if grading operations at the site will be suspended for a period of thirty (30) days or more, the applicant shall seed or employ other appropriate control measures to stabilize the affected area within seven (7) days. Also, upon completion of any grading activity, the applicant shall seed/stabilize affected areas within seven (7) days.
 - Erosion and sedimentation controls shall be installed and maintained, and additional controls may be required at the direction of the Land Use Office if deemed necessary. Removal of silt fences shall take place only after the silt build-up along the fence line has been removed. This material shall be removed from the site or placed as acceptable fill in areas that will not allow the material to migrate.

- There shall be no dumping or burying of any tree stumps or tree materials including but not limited to branches, wood chips and the like. No additional trees are shown to be removed with this application.
- Construction vehicles and equipment not in use shall not be stored, and at no time shall such be washed out, within a regulated wetland/watercourse area. Washout material shall be contained in a washout pit or equal containment system and hardened material removed from the site for disposal at an acceptable location elsewhere.
- Construction stockpiles and staging shall be outside the regulated 100-foot upland review area. The site shall be kept clean of all loose debris, litter, and similar materials to prevent such from entering wetlands or watercourses. Silt fencing and other site erosion and sedimentation controls shall be regularly maintained and any silt build-up along the fence line shall be promptly removed and placed as acceptable fill in areas outside of regulated area and where such will not allow the material to migrate.
- Storage of any fuel/lubricants, and the refueling/lubrication of any equipment are forbidden within any portion of wetlands/watercourses or regulated 100-foot upland review areas. The Land Use Office and CT DEEP shall be notified immediately of any spillage, discharge or loss of oil/petroleum/chemical liquids or solids which have occurred or will likely occur as a result of the activity.

4. Monitoring of Wetland Buffer Habitat Enhancement Planting Plan

- a. As agreed by the applicant/owner during the public hearing, the applicant/owner shall have the installation and completed Wetland Buffer Habitat Enhancement Planting Plan monitored by its Landscape Architect, William Kenny, PWS, PLA of William Kenny Associates (“monitor”) to ensure the work is completed consistent with this approval and final signed Site Plans.
- b. The status of all monitoring activities shall be coordinated with the Land Use Office.
- c. The Land Use Office shall, with reasonable notice, periodically inspect the premises for compliance with this approval as deemed warranted.
- d. Monitoring During Installation
 - (1) During the course of construction and buffer planting plan installation, the monitor shall periodically assess ongoing site work to ensure such is being carried out according to the approved final Site Plans and to ensure site wetlands are protected and not adversely impacted.
- e. Monitoring Post Installation
 - (1) Post installation monitoring shall be conducted for a minimum period of three (3) years, commencing from the date the buffer planting plan is deemed satisfactorily complete by the Land Use Office per Condition C1 below.
 - (2) During the monitoring period, the monitor shall visit the property a minimum of twice a year (spring and fall).

- (3) Following each monitoring visit to the property, the monitor shall prepare a Report, a copy of which shall be provided to the applicant/owner and the Agency via the Land Use Office within a minimum of ten (10) days of the site inspection, detailing at minimum the following:
- Ambient weather conditions
 - Observed site conditions
 - Evaluation of the condition of the buffer plantings
 - Evaluation of the adequacy of site stabilization
 - Identification of any needed corrective measures
 - Identification of any needed plant replacements
 - Verification of the adequacy of the completion of any prior identified corrective measures and plant replacements
- (4) The applicant/owner shall implement any identified corrective measures and/or plant replacements within a timely period.
- (5) The final monitoring report shall be reviewed by the Agency with the applicant/owner and the monitor for determination of the need for or release of any additional monitoring.

C. Post Construction Compliance and Permit Closure

1. **Final Inspection Required** – The applicant shall request the Land Use Office conduct a final inspection for determination of permit completion of the approved regulated activities, subject to the following:
 - Submission of an A-2 Survey As-Built Plan detailing and certifying the completed improvements shall be provided by the applicant in a form, content and number as required by the Land Use Office to determine permit compliance and satisfactory completion consistent with this approval and the endorsed final signed Site Plans.
 - Provision of a Professional Engineer certification that the drainage improvements have been installed in accordance with the final signed Site Plans and are functioning as designed.
 - Verification the temporary accessway has been completely removed and restored.
 - All disturbed areas have been stabilized and exhibit healthy vegetative cover.
 - Verification the site has been cleaned of construction related equipment, materials, and debris.
 - All erosion controls have been appropriately removed and disposed of following Land Use Office confirmation that the site is stabilized.
2. **Bond Release** – Upon written request by the applicant following completion of all approved work consistent with the approved final plans and verification the site is stabilized to the satisfaction of the Land Use Office, the bond may be released by the Land Use Office (subject to submission of an adequate As-Built Plan detailing and certifying the completed improvements). The Land Use Office may refer any request for bond release to the Agency.
3. **Drainage Improvements** – Stormwater management and treatment controls shall be maintained to function as designed and to prevent erosion and sedimentation dispersal as a condition of continued compliance.

4. **Approval Compliance / Changes** – Failure to maintain compliance with this permit and the approved final plans shall constitute a violation of the terms of this permit and the Woodbury Inland Wetlands and Watercourses Regulations. Any substantive additions or changes to the approved regulated activities shall require prior review and separate approval and permit.

5. **Expiration** – This permit approval shall expire and be null and void without further written notice per the date set forth above unless all regulated activities, including site stabilization and landscaping, are completed consistent with the approved signed final Site Plans. The Agency may grant one (1) or more extensions of time to complete same, not to exceed that as may be permitted. Any request for extension shall be in writing to the Agency in a timely manner prior to the expiration date for which an extension is requested and shall state the reasons and circumstances for the requested extension. In considering any such request, the Agency may require a public hearing and may adjust any held bond.

MOTION

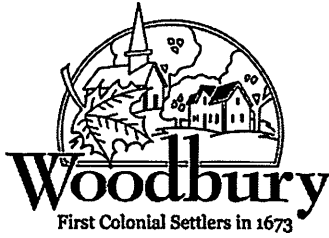
Moved by **RICHARDS**, Seconded by **TUROCZI**

Vote: 3-0-1 – **APPROVED** – Motion **PASSED**

Ayes Tyrrell, Turoczi, Richards

Nays None

Abstain Gillette



Town of Woodbury
Inland Wetlands and Watercourses Agency

281 Main Street South
 Woodbury, CT 06798
 203.263.3467 ▪ www.woodburyct.org

WETLANDS / WATERCOURSES PERMIT APPROVAL
57 CLUBHOUSE ROAD – WOODLAKE CONDO – 23-IW-0032
2024 Winter Drawdown of Lake
Woodlake, Inc.(owner/applicant)

		Date of Approval
		Permit Expiration
Applicant	Woodlake, Inc.	January 22, 2024
Property Owner	Woodlake, Inc.	
Application	23-IW-0032	
Project	2024 Winter Drawdown of Lake to Control Seasonal Plant Growth.	
Address	57 Clubhouse Road, Woodlake Condominiums, Assessor Map 48-008A	
Zone	OS-60 Zoning District	

WHEREAS, the Town of Woodbury Inland Wetlands and Watercourses Agency (“Agency”) has received application **23-IW-0032** as submitted by the applicant/owner listed above in accordance with the Inland Wetlands and Watercourses Regulations of the Town of Woodbury (“IWWA Regulations”) seeking a Wetlands/Watercourses Permit (“Permit”) to implement the “project” as described above; and

WHEREAS, the following mitigation measures are proposed:

- Direct disturbance to wetland/watercourses will be minimal;
- Winter drawdown of the lake is an acceptable maintenance practice to help minimize and control springtime plant growth in the lake;
- The drawdown will be controlled and overseen by Pond Lake Connection via an existing valve originally installed for such;
- The drawdown will be approximately 4 feet in depth and will be maintained through March 1, 2025; and

WHEREAS, application materials received include the following:

- Application for Inland Wetlands Agency Permit;

NOW THEREFORE BE IT RESOLVED, upon careful consideration of the information received, the Agency, in accordance with §11.3 of the Regulations, hereby finds the following:

- No significant adverse off-site impacts are anticipated;
- No construction is proposed or approved;
- The Agency classifies the application as Summary (not involving a “significant impact” thus a public hearing is not required); and

BE IT FURTHER RESOLVED, the Agency, in accordance with §10 of the Regulations following deliberations hereby approves application 23-IW-0032 as described above, subject to modifications and conditions set forth below; and

BE IT FURTHER RESOLVED, the Agency hereby authorizes the publishing and filing of a Notice of Decision consistent with the requirements set forth in §11.4 of the IWWA Regulations, as well as required reporting to the Connecticut Department of Energy and Environmental Protection (“CT DEEP”) per CGS §22a-39-14; and

BE IT FURTHER RESOLVED, this approval is specific to that detailed herein subject to the following modifications and conditions:

A. Prior to Commencement of Lake Drawdown

1. The applicant shall notify the Land Use Office a minimum of forty-eight (48) hours in advance of the commencing of the drawdown.

B. Monitoring and Implementation

1. **Monitoring** – Pond Lake Connection shall monitor the drawdown to ensure the drawdown is no greater than approved and to ensure no impacts to upstream areas.
2. **Post Drawdown** – The applicant shall notify the Land Use Office a minimum of forty-hours (48) after the valve as been restored to permit the lake to resume to its ordinary water level.
3. **Approval Compliance / Changes** – Failure to maintain compliance with this permit shall constitute a violation of the terms of this permit and the Woodbury Inland Wetlands and Watercourses Regulations. Any substantive additions or changes to the approved regulated activities shall require prior review and separate approval and permit.
4. **Expiration** – This permit approval shall expire and be null and void without further written notice on April 1, 2024, subject to renewal annually and similar expiration date annually. Any request for extension or renewal shall be in writing to the Agency in a timely manner prior to the expiration date for which an extension is requested and shall state the reasons and circumstances for the requested extension.
5. **Annual Authorization** – The applicant shall prepare and submit an annual status report on the conditions and observed conditions of the prior annual drawdown. Such report shall be submitted to the Agency prior to September 1 of a given year and prior to commencing any subsequent winter drawdown. The Agency may require the applicant to attend an Agency meeting prior to Staff authorization to commence the drawdown as otherwise required per Condition A1 above.

MOTION

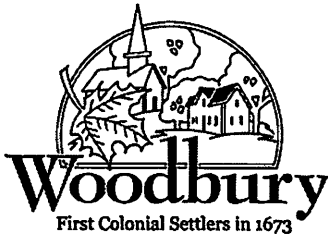
Moved by **RICHARDS**, Seconded by **TUROCZI**

Vote: 4-0-0 – **APPROVED** – Motion **PASSED**

Ayes Tyrrell, Turoczi, Richards, Gillette

Nays None

Abstain None



Town of Woodbury
Inland Wetlands and Watercourses Agency

281 Main Street South
Woodbury, CT 06798
203.263.3467 ▪ www.woodburyct.org

WETLANDS / WATERCOURSES PERMIT APPROVAL

378 QUASSAPAUG ROAD – 23-IW-0033

Installation of Accessory Storage Area Enclosed by Solid Fencing

Peter Gottmeier (owner/applicant)

Date of Approval **January 22, 2024**

Permit Expiration* **January 22, 2026**

**If regulated activities and conditions of approval are not completed accordingly*

Applicant	Peter Gottmeier
Property Owner	Peter Gottmeier
Application	23-IW-0033
Project	Installation of a residential accessory storage fenced enclosure area measuring 8 feet high, 24 feet long, and 10 feet deep to contain and screen the storage of typical residential personal items kept within, including a storage container (the storage container otherwise would not be permitted under Zoning).
Address	378 Quassapaug Road, Assessor Map 77, Lot 11-12 (49 & 50)
Site Acreage	2.001 acres
Zone	OS-60 Zoning District

WHEREAS, the Town of Woodbury Inland Wetlands and Watercourses Agency (“Agency”) has received application **23-IW-0033** as submitted by the applicant/owner listed above in accordance with the Inland Wetlands and Watercourses Regulations of the Town of Woodbury (“IWWA Regulations”) seeking a Wetlands/Watercourses Permit (“Permit”) to implement the “project” as described above; and

WHEREAS, the following mitigation measures are proposed:

- No direct disturbance or impacts to wetlands or watercourses are proposed nor needed;
- The affected area is of prior disturbance;
- Erosion and sedimentation controls will be maintained during construction; and

WHEREAS, application materials received include the following:

- Application for Inland Wetlands Agency Permit;
- Plot Plan Michael J. Zombar, CT Land Surveyor, 11/2010);
- Site Plan Sketch – Fence Enclosure, 12/13/23;

NOW THEREFORE BE IT RESOLVED, upon careful consideration of the information received, the Agency, in accordance with §11.3 of the Regulations, hereby finds the following:

- No significant adverse off-site impacts are anticipated;
- Site disturbance during construction will be short term;
- Site disturbance will be limited to areas of previous site disturbance;
- Site disturbance impacts can be further mitigated by the conditions listed below and the proper use and maintenance of soil erosion and sedimentation controls as may be warranted and/or required;
- The Agency classifies the application as Summary (not involving a “significant impact” thus a public hearing is not required); and

BE IT FURTHER RESOLVED, the Agency, in accordance with §10 of the Regulations following deliberations hereby approves application **23-IW-0033** as described above, subject to modifications and conditions set forth below; and

BE IT FURTHER RESOLVED, the Agency hereby authorizes the publishing and filing of a Notice of Decision consistent with the requirements set forth in §11.4 of the IWWA Regulations, as well as required reporting to the Connecticut Department of Energy and Environmental Protection (“CT DEEP”) per CGS §22a-39-14; and

BE IT FURTHER RESOLVED, this approval is specific to that detailed herein and the final plans endorsed as “approved” subject to the following modifications and conditions:

A. Prior to Commencement of any Work or Site Disturbance

1. **Final Plans** – The plans presented shall be endorsed as “approved” by the Agency / Town Planner with notation referencing the following: ***23-IW-0033 – Approval Date: January 22, 2024; Expiration Date: January 22, 2026* (*If regulated activities and conditions of approval are not completed accordingly in such timeframe.)***
2. **Other Required Approvals** – No work shall be authorized to commence absent securing all approvals as may be required. Other required approvals shall be separately obtained by the applicant and copies thereof shall be provided to the Agency office for inclusion in the permit record file, including but not limited to:
 - **Housatonic Valley Health District**
 - **Woodbury Administrative Zoning, Driveway and Building Permits**

B. Conditions During Construction

1. Prior to commencement of any site work or site disturbance, the limits of disturbance shall be clearly marked in the field to the satisfaction of the Land Use Office and the Land Use Office shall be provided a minimum of 48-hours of notice. No regulated activity shall commence until erosion and sedimentation control devices have been properly installed to the satisfaction of the Land Use Office and inspected by the Land Use Office. The applicant shall maintain and supplement the controls as needed, and the Land Use Office may require additional controls as may be deemed necessary or warranted.

2. The Land Use Office shall be duly apprised of the status and progress of site work throughout construction, and promptly notified as to any issues or potential deviations in completing the site work as designed and approved, so either appropriate minor field changes may be authorized by the Land Use Office or the need for a new or modified permit approval can be identified.
3. The following shall be followed in relation to the project:
 - Ground disturbance shall be contained and maintained to the minimum necessary to complete the authorized improvements.
 - Erosion and sedimentation controls shall be installed and maintained, and additional controls may be required at the direction of the Land Use Office if deemed necessary.
 - There shall be no dumping or burying of any tree stumps or tree materials including but not limited to branches, wood chips and the like.
4. Construction vehicles and equipment not in use shall not be stored, and at no time shall such be washed out, within a regulated wetland/watercourse area. Washout material shall be contained in a washout pit or equal containment system and hardened material removed from the site for disposal at an acceptable location elsewhere.
5. Construction stockpiles and staging shall be outside the regulated 100-foot upland review area. The site shall be kept clean of all loose debris, litter and similar materials to prevent such from entering wetlands or watercourses. Silt fencing and other site erosion and sedimentation controls shall be regularly maintained and any silt build-up along the fence line shall be promptly removed and placed as acceptable fill in areas outside of regulated area and where such will not allow the material to migrate.
6. Disturbed soils shall be stabilized in a timely fashion, particularly to avoid/minimize erosion impacts.
7. Storage of any fuel/lubricants, and the refueling/lubrication of any equipment are forbidden within any portion of wetlands/watercourses or regulated 100-foot upland review areas. The Land Use Office and CT DEEP shall be notified immediately of any spillage, discharge or loss of oil/petroleum/chemical liquids or solids which have occurred or will likely occur as a result of the activity.

C. Post Construction Compliance and Permit Closure

1. **Final Inspection Required** – The applicant shall request the Land Use Office conduct a final inspection for determination of permit completion of the approved regulated activities, subject to the following:
 - Verification the site has been cleaned of construction related equipment, materials, and debris.
 - Verification that the storage container is contained within the enclosure and screened from view.
 - All disturbed areas have been stabilized and exhibit healthy vegetative cover.
 - All erosion controls have been appropriately removed and disposed of following Land Use Office confirmation that the site is stabilized.
2. **Approval Compliance / Changes** – Failure to maintain compliance with this permit and the approved final plans shall constitute a violation of the terms of this permit and the Woodbury Inland Wetlands and Watercourses Regulations. Any substantive additions or changes to the approved regulated activities shall require prior review and separate approval and permit.

3. **Expiration** – This permit approval shall expire and be null and void without further written notice per the date set forth above unless all regulated activities, including site stabilization and landscaping, are completed consistent with the approved final plans. The Agency may grant one (1) or more extensions of time to complete same, not to exceed that as may be permitted. Any request for extension shall be in writing to the Agency in a timely manner prior to the expiration date for which an extension is requested and shall state the reasons and circumstances for the requested extension. In considering any such request, the Agency may require a public hearing and may adjust any held bond.

MOTION

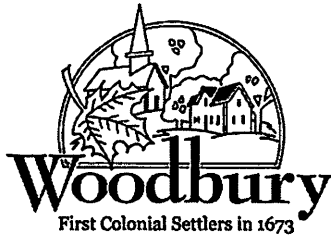
Moved by **GILLETTE**, Seconded by **RICHARDS**

Vote: 4-0-0 – **APPROVED** – Motion **PASSED**

Ayes Tyrrell, Turoczi, Richards, Gillette

Nays None

Abstain None



Town of Woodbury

Inland Wetlands and Watercourses Agency

281 Main Street South
Woodbury, CT 06798
203.263.3467 ▪ www.woodburyct.org

WETLANDS / WATERCOURSES PERMIT APPROVAL

129 WHITE DEER ROCKS ROAD – 23-IW-0034

New Single-Family Dwelling

Nikolas Kotsaftis and Julia Leitao (owner/applicant)

Date of Approval	January 22, 2024
Permit Expiration*	January 22, 2026

*If regulated activities and conditions of approval are not completed accordingly

Applicant	Nikolas Kotsaftis and Julia Leitao
Property Owner	Nikolas Kotsaftis and Julia Leitao
Application	23-IW-0034
Project	Watercourse and upland review area clearing, excavation and filling to install a driveway crossing and related drainage controls associated with the construction of a proposed new single-family dwelling.
Address	129 White Deer Rocks Road, Assessor Map 21, Lot 54A
Site Acreage	6.071 acres
Zone	OS-60 Zoning District

WHEREAS, the Town of Woodbury Inland Wetlands and Watercourses Agency (“Agency”) has received application **23-IW-0034** as submitted by the applicant/owner listed above in accordance with the Inland Wetlands and Watercourses Regulations of the Town of Woodbury (“IWWA Regulations”) seeking a Wetlands/Watercourses Permit (“Permit”) to implement the “project” as described above; and

WHEREAS, the following mitigation measures are proposed:

- Direct disturbance to wetland/watercourses will be minimal;
- Drainage controls to maintain watershed conditions are proposed for both proposed driveway and structures (single-family dwelling and detached garage);
- Drainage treatment for the proposed structures includes subsurface infiltration controls outside of the regulated 100-foot upland review area, except footing drain which will daylight in upland review area;
- Erosion and sedimentation controls will be maintained during construction; and

WHEREAS, application materials received include the following:

- Application for Inland Wetlands Agency Permit;
- Wetland Delineation Report, Nutmeg Soil Services, 09/15/23;
- Soil Report Amendment, Michael D. Temple (unsigned), 11/05/23;
- Site Plan & Subsurface Sewage Disposal Plan (1/2), Wolff Engineering, 12/07/23;
- Site Plan & Subsurface Sewage Disposal Plan (2/2), Wolff Engineering, 12/07/23;

NOW THEREFORE BE IT RESOLVED, upon careful consideration of the information received, the Agency, in accordance with §11.3 of the Regulations, hereby finds the following:

- No significant adverse off-site impacts are anticipated;
- Site disturbance during construction will be short term;
- The majority of site disturbances will be contained to areas outside of regulated upland review area;
- Site disturbance impacts can be further mitigated by the conditions listed below and the proper use and maintenance of soil erosion and sedimentation controls as may be warranted and/or required;
- The Agency classifies the application as Summary (not involving a “significant impact” thus a public hearing is not required); and

BE IT FURTHER RESOLVED, the Agency, in accordance with §10 of the Regulations following deliberations hereby approves application 23-IW-0034 as described above, subject to modifications and conditions set forth below; and

BE IT FURTHER RESOLVED, the Agency hereby authorizes the publishing and filing of a Notice of Decision consistent with the requirements set forth in §11.4 of the IWWA Regulations, as well as required reporting to the Connecticut Department of Energy and Environmental Protection (“CT DEEP”) per CGS §22a-39-14; and

BE IT FURTHER RESOLVED, this approval is specific to that detailed herein and the final plans endorsed as “approved” subject to the following modifications and conditions:

A. Prior to Commencement of any Work or Site Disturbance

1. The applicant shall submit to the satisfaction of the Town Planner a single (1) complete set of **Final Plans** (Sheets 1 through 2), revised as follows:
 - a. **Each Sheet** shall include a common revision date post the date of this approval, and an original seal and signature of the professional responsible for preparing each individual sheet.
 - b. Add the following note conspicuously to Sheet 1: **23-IW-0034 – Approval Date: January 8, 2024; Expiration Date: January 8, 2026* (*If regulated activities and conditions of approval are not completed accordingly in such timeframe.)**
 - c. Add a full copy of this approval to the final plans.
 - d. The following shall be addressed to the satisfaction of the Town Planner:
 - (1) A North Arrow shall be added to the Site Plan.
 - (2) The boundary line for the southern 100-foot upland review area, in the area of the intermittent streams, shall be shifted to the south to be 100-feet from the southern-most intermittent stream.

- (3) The removed stones from the portion of existing stonewall that will be breached by the new site driveway shall remain on site and noted as to their reuse.
 - (4) The driveway profile shall be revised to more clearly show and note the points of intersection with the street and the required maximum grade of 5% within the first 30 feet therefrom.
2. **Final Site Plans for Endorsement** – Following acceptance of revised final plans by the Town Planner, the applicant shall provide for endorsement by the Agency/Town Planner two (2) printed sets (additional copies should the applicant desire copies as endorsed). EACH plan sheet shall be signed and sealed providing live (original signature and seal) certification thereof by the professional(s) responsible for their preparation.
 3. In accordance with §13 of the IWWA Regulations, a Site Remediation / Soil and Erosion Control Bond in the amount **one thousand (\$1,000.00) dollars** shall be submitted to the Land Use Office in a form and content as acceptable by the Town. The bond shall remain in full force and effect until such time as the bond is released by the Town.
 4. **Other Required Approvals** – No work shall be authorized to commence absent securing all approvals as may be required. Other required approvals shall be separately obtained by the applicant and copies thereof shall be provided to the Agency office for inclusion in the permit record file, including but not limited to:
 - **Housatonic Valley Health District**
 - **Woodbury Administrative Zoning, Driveway and Building Permits**

B. Conditions During Construction

1. Prior to commencement of any site work or site disturbance, the limits of disturbance shall be clearly marked in the field to the satisfaction of the Land Use Office and the Land Use Office shall be provided a minimum of 48-hours of notice. No regulated activity shall commence until erosion and sedimentation control devices have been properly installed to the satisfaction of the Land Use Office and inspected by the Land Use Office. The applicant shall maintain and supplement the controls as needed, and the Land Use Office may require additional controls as may be deemed necessary or warranted.
2. The Land Use Office shall be duly apprised of the status and progress of site work throughout construction, and promptly notified as to any issues or potential deviations in completing the site work as designed and approved, so either appropriate minor field changes may be authorized by the Land Use Office or the need for a new or modified permit approval can be identified.
3. The following shall be followed in relation to the project:
 - Ground disturbance shall be contained and maintained to the minimum necessary to complete the authorized improvements.
 - Erosion and sedimentation controls shall be installed and maintained, and additional controls may be required at the direction of the Land Use Office if deemed necessary.
 - There shall be no dumping or burying of any tree stumps or tree materials including but not limited to branches, wood chips and the like.

4. Construction vehicles and equipment not in use shall not be stored, and at no time shall such be washed out, within a regulated wetland/watercourse area. Washout material shall be contained in a washout pit or equal containment system and hardened material removed from the site for disposal at an acceptable location elsewhere.
5. Construction stockpiles and staging shall be outside the regulated 100-foot upland review area. The site shall be kept clean of all loose debris, litter and similar materials to prevent such from entering wetlands or watercourses. Silt fencing and other site erosion and sedimentation controls shall be regularly maintained and any silt build-up along the fence line shall be promptly removed and placed as acceptable fill in areas outside of regulated area and where such will not allow the material to migrate.
6. Disturbed soils shall be stabilized in a timely fashion, particularly to avoid/minimize erosion impacts.
7. Storage of any fuel/lubricants, and the refueling/lubrication of any equipment are forbidden within any portion of wetlands/watercourses or regulated 100-foot upland review areas. The Land Use Office and CT DEEP shall be notified immediately of any spillage, discharge or loss of oil/petroleum/chemical liquids or solids which have occurred or will likely occur as a result of the activity.

C. Post Construction Compliance and Permit Closure

1. **Final Inspection Required** – The applicant shall request the Land Use Office conduct a final inspection for determination of permit completion of the approved regulated activities, subject to the following:
 - Submission of an A-2 Survey As-Built Plan detailing and certifying the completed improvements shall be provided by the applicant in a form, content and number as required by the Land Use Office to determine permit compliance and satisfactory completion consistent with this approval and the endorsed final plans.
 - Provision of a Professional Engineer certification that the drainage improvements have been installed in accordance with the final plans and are functioning as designed.
 - Verification the site has been cleaned of construction related equipment, materials, and debris.
 - All disturbed areas have been stabilized and exhibit healthy vegetative cover.
 - All erosion controls have been appropriately removed and disposed of following Land Use Office confirmation that the site is stabilized.
2. **Bond Release** – Upon written request by the applicant following completion of all approved work consistent with the approved final plans and verification the site is stabilized to the satisfaction of the Land Use Office, the bond may be released by the Land Use Office (subject to submission of an adequate As-Built Plan detailing and certifying the completed improvements). The Land Use Office may refer any request for bond release to the Agency.
3. **Drainage Improvements** – Stormwater management and treatment controls shall be maintained to function as designed and to prevent erosion and sedimentation dispersal as a condition of continued compliance.
4. **Approval Compliance / Changes** – Failure to maintain compliance with this permit and the approved final plans shall constitute a violation of the terms of this permit and the Woodbury Inland Wetlands and Watercourses Regulations. Any substantive additions or changes to the approved regulated activities shall require prior review and separate approval and permit.

5. **Expiration** – This permit approval shall expire and be null and void without further written notice per the date set forth above unless all regulated activities, including site stabilization and landscaping, are completed consistent with the approved final plans. The Agency may grant one (1) or more extensions of time to complete same, not to exceed that as may be permitted. Any request for extension shall be in writing to the Agency in a timely manner prior to the expiration date for which an extension is requested and shall state the reasons and circumstances for the requested extension. In considering any such request, the Agency may require a public hearing and may adjust any held bond.

MOTION

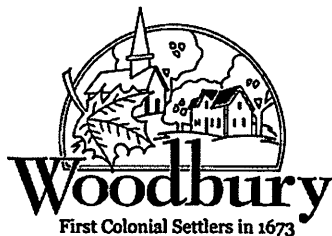
Moved by **GILLETTE**, Seconded by **TUROCZI**

Vote: 4-0-0 – **APPROVED** – Motion **PASSED**

Ayes Tyrrell, Turoczi, Richards, Gillette

Nays None

Abstain None



Town of Woodbury
Inland Wetlands and Watercourses Agency
281 Main Street South
Woodbury, CT 06798
203.263.3467 ▪ www.woodburyct.org

WETLANDS / WATERCOURSES PERMIT APPROVAL
480 TRANSYLVANIA ROAD – 23-IW-0035
Reconstruction of Existing Nonconforming Storage Barn
Theresa and Justin Hamilton (owner/applicant)

Date of Approval	January 22, 2024
Permit Expiration*	January 22, 2026

*If regulated activities and conditions of approval are not completed accordingly

Applicant	Theresa and Justin Hamilton
Property Owner	Theresa and Justin Hamilton
Application	23-IW-0035
Project	Demolition and reconstruction of an existing dilapidated accessory residential storage barn over existing foundation footprint (except small section nearest the street will be eliminated). The reconstructed barn will be lower in height than existing. An existing shed built without a permit will also be removed.
Address	480 Transylvania Road, Assessor Map 60, Lot 13
Site Acreage	2.001 acres
Zone	OS-80 Zoning District

WHEREAS, the Town of Woodbury Inland Wetlands and Watercourses Agency (“Agency”) has received application **23-IW-0035** as submitted by the applicant/owner listed above in accordance with the Inland Wetlands and Watercourses Regulations of the Town of Woodbury (“IWWA Regulations”) seeking a Wetlands/Watercourses Permit (“Permit”) to implement the “project” as described above; and

WHEREAS, the following mitigation measures are proposed:

- No direct disturbance or impacts to wetlands or watercourses are proposed nor needed;
- The affected area is of prior disturbance;
- Erosion and sedimentation controls will be maintained during construction; and

WHEREAS, application materials received include the following:

- Application for Inland Wetlands Agency Permit;
- Site Plan Sketch (drawn over base map: Existing Building Location Survey, Sydner A. Rapp Land Surveying, P.C., 04/26/23);

NOW THEREFORE BE IT RESOLVED, upon careful consideration of the information received, the Agency, in accordance with §11.3 of the Regulations, hereby finds the following:

- No significant adverse off-site impacts are anticipated;
- Site disturbance during construction will be short term;
- Site disturbance will be limited to areas of previous site disturbance;
- Site disturbance impacts can be further mitigated by the conditions listed below and the proper use and maintenance of soil erosion and sedimentation controls as may be warranted and/or required;
- The Agency classifies the application as Summary (not involving a “significant impact” thus a public hearing is not required); and

BE IT FURTHER RESOLVED, the Agency, in accordance with §10 of the Regulations following deliberations hereby approves application **23-IW-0035** as described above, subject to modifications and conditions set forth below; and

BE IT FURTHER RESOLVED, the Agency hereby authorizes the publishing and filing of a Notice of Decision consistent with the requirements set forth in §11.4 of the IWWA Regulations, as well as required reporting to the Connecticut Department of Energy and Environmental Protection (“CT DEEP”) per CGS §22a-39-14; and

BE IT FURTHER RESOLVED, this approval is specific to that detailed herein and the final plans endorsed as “approved” subject to the following modifications and conditions:

A. Prior to Commencement of any Work or Site Disturbance

1. **Final Plans** – The plans presented shall be endorsed as “approved” by the Agency / Town Planner with notation referencing the following: ***23-IW-0035 – Approval Date: January 22, 2024; Expiration Date: January 22, 2026* (*If regulated activities and conditions of approval are not completed accordingly in such timeframe.)***
2. In accordance with §13 of the IWWA Regulations, a Site Remediation / Soil and Erosion Control Bond in the amount **one thousand (\$1,000.00) dollars** shall be submitted to the Land Use Office in a form and content as acceptable by the Town. The bond shall remain in full force and effect until such time as the bond is released by the Town.
3. **Other Required Approvals** – No work shall be authorized to commence absent securing all approvals as may be required. Other required approvals shall be separately obtained by the applicant and copies thereof shall be provided to the Agency office for inclusion in the permit record file, including but not limited to:
 - **Housatonic Valley Health District**
 - **Woodbury Administrative Zoning, Driveway and Building Permits**

B. Conditions During Construction

1. Prior to commencement of any site work or site disturbance, the limits of disturbance shall be clearly marked in the field to the satisfaction of the Land Use Office and the Land Use Office shall be provided a minimum of 48-hours of notice. No regulated activity shall commence until erosion and sedimentation control devices have been properly installed to the satisfaction of the Land Use Office and inspected by the Land Use Office. The applicant shall maintain and supplement the controls as needed, and the Land Use Office may require additional controls as may be deemed necessary or warranted.

2. The Land Use Office shall be duly apprised of the status and progress of site work throughout construction, and promptly notified as to any issues or potential deviations in completing the site work as designed and approved, so either appropriate minor field changes may be authorized by the Land Use Office or the need for a new or modified permit approval can be identified.
3. The following shall be followed in relation to the project:
 - Ground disturbance shall be contained and maintained to the minimum necessary to complete the authorized improvements.
 - Erosion and sedimentation controls shall be installed and maintained, and additional controls may be required at the direction of the Land Use Office if deemed necessary.
 - There shall be no dumping or burying of any tree stumps or tree materials including but not limited to branches, wood chips and the like.
4. Construction vehicles and equipment not in use shall not be stored, and at no time shall such be washed out, within a regulated wetland/watercourse area. Washout material shall be contained in a washout pit or equal containment system and hardened material removed from the site for disposal at an acceptable location elsewhere.
5. Construction stockpiles and staging shall be outside the regulated 100-foot upland review area. The site shall be kept clean of all loose debris, litter and similar materials to prevent such from entering wetlands or watercourses. Silt fencing and other site erosion and sedimentation controls shall be regularly maintained and any silt build-up along the fence line shall be promptly removed and placed as acceptable fill in areas outside of regulated area and where such will not allow the material to migrate.
6. Disturbed soils shall be stabilized in a timely fashion, particularly to avoid/minimize erosion impacts.
7. Storage of any fuel/lubricants, and the refueling/lubrication of any equipment are forbidden within any portion of wetlands/watercourses or regulated 100-foot upland review areas. The Land Use Office and CT DEEP shall be notified immediately of any spillage, discharge or loss of oil/petroleum/chemical liquids or solids which have occurred or will likely occur as a result of the activity.

C. Post Construction Compliance and Permit Closure

1. **Final Inspection Required** – The applicant shall request the Land Use Office conduct a final inspection for determination of permit completion of the approved regulated activities, subject to the following:
 - Submission of an A-2 Survey As-Built Plan detailing and certifying the completed improvements shall be provided by the applicant in a form, content and number as required by the Land Use Office to determine permit compliance and satisfactory completion consistent with this approval and the endorsed final plans.
 - Verification of the removal of the unpermitted shed and the stabilization of the affected area with exhibited healthy vegetative growth.
 - Verification the site has been cleaned of construction related equipment, materials, and debris.
 - All disturbed areas have been stabilized and exhibit healthy vegetative cover.
 - All erosion controls have been appropriately removed and disposed of following Land Use Office confirmation that the site is stabilized.

2. **Bond Release** – Upon written request by the applicant following completion of all approved work consistent with the approved final plans and verification the site is stabilized to the satisfaction of the Land Use Office, the bond may be released by the Land Use Office (subject to submission of an adequate As-Built Plan detailing and certifying the completed improvements). The Land Use Office may refer any request for bond release to the Agency.
3. **Drainage Improvements** – Stormwater management and treatment controls shall be maintained to function as designed and to prevent erosion and sedimentation dispersal as a condition of continued compliance.
4. **Approval Compliance / Changes** – Failure to maintain compliance with this permit and the approved final plans shall constitute a violation of the terms of this permit and the Woodbury Inland Wetlands and Watercourses Regulations. Any substantive additions or changes to the approved regulated activities shall require prior review and separate approval and permit.
5. **Expiration** – This permit approval shall expire and be null and void without further written notice per the date set forth above unless all regulated activities, including site stabilization and landscaping, are completed consistent with the approved final plans. The Agency may grant one (1) or more extensions of time to complete same, not to exceed that as may be permitted. Any request for extension shall be in writing to the Agency in a timely manner prior to the expiration date for which an extension is requested and shall state the reasons and circumstances for the requested extension. In considering any such request, the Agency may require a public hearing and may adjust any held bond.

MOTION

Moved by **GILLETTE**, Seconded by **RICHARDS**

Vote: 4-0-0 – **APPROVED** – Motion **PASSED**

Ayes Tyrrell, Turoczi, Richards, Gillette

Nays None

Abstain None