

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 8, 2024 – 7:30 PM

Senior / Community Center

265 Main Street South, Woodbury, CT 06798

MEMBERS PRESENT

Earl Gillette, Alternate
Michael McAloon, Alternate
Marty Newell, Vice Chair
Don Richards
Kyle Turoczi, Secretary
Mary Tyrrell, Chair
Ernest Werner (*arrived at 7:39 p.m.*)

MEMBERS ABSENT

Timothy Pabst, Alternate

NOTED OTHERS PRESENT – Planner Agresta (Town Planner), First Selectman Perkinson, Attorney Pilicy, Attorney Judd, Mark Reifenhauer, Jeff Peck, Michael Criscione, Karl Murphy, Peter Gottmeier, Ron Wolff, Nikolas Kotsaftis, Justin Hamilton, Jami Gore (Director of P&R), Bud Neal, Jeff Sherman, David Taylor, a member of the press and other interested parties.

OPENING OF MEETING

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

Seating of Members / Alternates – Seated for the meeting were Members Newell, Richards, Turoczi, Tyrrell, and Alternate McAloon.

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

First Selectman Perkinson addressed the Agency and thanked them for their service to the Town.

ELECTION OF OFFICERS – Alternate Gillette provided the slate of officers from the Nominating Committee.

MOTION:

To nominate and elect Mary Tyrrell as Chair, Marty Newell as Vice Chair and Kyle Turoczi as Secretary.

Made by **McALOON**, Seconded by **RICHARDS**

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

Aye	Newell, Richards, Turoczi, Tyrrell, McAloon
Nay	None
Abstain	None

PUBLIC HEARINGS

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).

Attorney Pilicy, Attorney Judd, William Kenny, Mark Reiffenhauser and Jeffrey Peck were present for the discussion. Attorney Pilicy provided a brief summary of the previous hearing and referred to previous plans and letters of submittal from the November meeting including professional engineer John Mack's opinion letter that the improvements made in the upland review area would have no adverse impact on the wetlands, a letter of the same submitted by William Kenny Associates stating that it was of their opinion that the recently completed and proposed site activities would not adversely affect the wetlands and a letter of legal opinion from Attorney Pilicy himself stating that the Agency would need to determine that the activity would have a likely adverse impact on the wetland or watercourse in order to deny the applicant's request. In addition, Attorney Judd provided a letter dated December 2023 addressing concerns made by the Agency at their November meeting. Shed erosion concerns were addressed, explaining the shed is on a base, soil will be graded to run away from the shed and it was further clarified that this area will then be seeded. The construction driveway will be removed and remediated back to vegetation. A topographical map was submitted that addresses drainage concerns.

William Kenny, Wetlands Scientist, reviewed the submitted Wetland Buffer Habitat Enhancement Planting Plan. Mr. Kenny flagged the wetlands in the area. Any potential impact could be avoided with plantings between the existing and proposed improvements and the wetlands. One wetland area drains to the north and one drains to the south. Often being this close to a wetland you drain into it, however, in this case, they are not draining into the wetlands. The area of the existing temporary construction access was discussed. With the completion of the work it is proposed this will be removed and remediated back with native plantings, not lawn. Lawn area will remain around the house and near the pool edge. Native plantings will be planted between the pool fence and the wetlands as a buffer. One area was described to be seeded and another will be a mix of rooted plants. Japanese Knotweed management recommendations were proposed to assist with eliminating the invasive. Chairman Tyrrell questioned if the proposal addresses the previous tree removal if they will encourage trees to come back as trees. Mr. Kenny responded that the area is a very well vegetated meadow, the stumps were not removed. It is proposed to maintain it as a meadow wetland habitat. It is a fairly diverse and densely vegetated area. Mr. Kenny felt keeping the area as a meadow, keeping out the invasives and staying away from the forested area is an appropriate way to proceed. Maintenance is included on the Planting Plan along with the sequence for monitoring. It was confirmed that the removal of the temporary driveway will be done as soon as possible after the completion of the work. Member Turoczki expressed no concerns. The plants and plan are appropriate for the site. It was questioned if the Japanese Knotweed would be controlled further down the property, it was confirmed this is not included with this application. There were questions about the change to the wetlands flagging. Mr. Kenny did the flagging on November 3, 2023. It was based on the field conditions he saw. It is not uncommon to find differences in where the boundary falls. Distances between the old mapping and new mapping runs from about 0-10 ft. Chairman Tyrrell questioned the 100 ft. wetlands setback on the plans, it was confirmed that the Improvement Location Survey shows this accurately.

Mark Reiffenhauser, PE addressed the wetland setback inconsistency questions. A letter of January 2, 2024, was noted for the record. The grading questions and topography were explained. There would be no drainage impact to the house. Water from the pickle ball court will drain away from the wetlands towards the shed. The shed sits on a substantial gravel bed. The patio infiltration was addressed.

(Members Gillette and Newell left the meeting at 8:09 p.m. due to an ambulance/fire call. Member Werner, who arrived earlier was seated at this time).

The Maintenance Plan for the plantings was reviewed. Beyond year two maintenance would be annually. Mr. Kenny would be used for the monitoring, and Mr. Peck indicated they have a landscaper on staff. Planner Agresta noted that the applicant has committed to the monitoring, with the approval the Agency can address the timeframes and do it similarly to other applications they have done. The Plan indicates long term more than two years.

Attorney Pilicy was confident that they provided everything the Agency requested. The Agency consensus was that they did not need further information. There were no additional comments from the public.

The Public Hearing was closed with no objections.

SHOW CAUSE HEARING

24-ENF-IW01 – 280 Quassapaug Road / Map 77, Lot 132-10 / Michael & Annette M. Criscione / Unauthorized clearing, excavation, filling, and land conversion associated with the installation of a nonpermitted second driveway via Quassapaug Road, including subsurface drainage and connection into street catch basin, within a regulated area absent required permit.

Michael Criscione the property owner was present for the hearing. Mr. Criscione explained that he applied for and received a driveway permit in 2022. He installed the driveway and ordered a steel building. In obtaining the permit for the building, he was told that the driveway permit was not valid. He thought he had obtained the appropriate approval to install the driveway. The building is useless without a driveway. It was questioned if there was another place to put the driveway, Mr. Criscione noted that the subdivision approval only allows for one driveway per lot. There is a septic system impeding one area and he has already spent money to put this second driveway in. Alternative locations were discussed, Planner Agresta noting the location of the wetlands is across the street. Mr. Criscione questioned if he could install permeable pavers to resolve the issue. Chairman Tyrrell explained that if the subdivision approval states only one driveway, the Agency could not approve a second driveway to the lot. Mr. Criscione indicated that there are other lots with two driveways. Planner Agresta interjected that they need to focus on the wetlands. It was explained that the Wetlands and Conservation Easement are on the land records, the owner should have been aware when he bought the property. It was noted that the driveway permit issued did not go through all the channels of the permitting process. Public Works went through their review for their own compliance, but that does not mean that is the end. All other approvals would need to be obtained in order to implement the driveway permit to the extent that it would have any validity. When the issue was brought to the attention of the Land Use Office it was months later when they applied for the garage permit. The driveway was already installed. The plans submitted for this (garage) approval lacked showing the Conservation Easement on the survey that was provided by the applicant. It was discussed with the property owner that the damage was done but it would need to be put back, the Conservation Restriction does not allow for the driveway. A compromise was made to allow use of the driveway to construct the garage as the damage was already done with a plan to restore it back after construction which was agreed to by Mr. Criscione. This stipulation was included with the permit. At the time of permitting the Land Use Office didn't think much about the wetlands because the area was going to be restored back to what it was, however, the area has not been restored as agreed to and there was no communication from the owner. There has also been a neighbor complaint, which was brought up at the last Wetlands meeting. At this time it was decided that the Wetlands violation should be added to the process. This work was done without a Wetlands permit, if the driveway were allowed, it still would have required the Wetlands Agency approval. The garage approval plan indicated a restoration plan along with a timeframe for completion of such by November 1st. Planner Agresta noted that the permit the applicant referenced is what the DPW would issue under the driveway standards, just one piece of the puzzle to do any physical work. It was questioned what information was provided to the DPW. Had they been given the proper survey of the site showing the Conservation Restriction it is assumed that the Driveway Permit would not have been issued.

The Wetlands were discussed. There is a stream on the other side of the road, the 100 ft. wetlands regulated area was noted. The work consisted of clearing, changing grade, putting in the driveway and drainage features that went into the catch basins. DPW does not have authority to allow drainage pipes to go into the Conservation

Restriction. This drainage may get to the wetlands to the north. In addition there is a MS4 Stormwater Regulation for illicit discharge which requires the Town Planner’s approval before any connection to the street. Mr. Criscione has a letter from the Public Works Director authorizing the connection to the street. He was told there had been a conversation with the Planner. There may have been a miscommunication as to where the connections were going and the existing drainage. The Planner does not have the authority to allow anything to go through the Conservation area, as such he would not have allowed it. Mr. Criscione expressed that he went to the Town for approvals and thought he had what was required or he would never have started the project. The Planner questioned if the DPW was provided with a survey showing the Conservation Restriction. It was explained that this information is located on the deeds for the property. It was explained that remediation is required. Mr. Criscione did not know he needed to obtain additional permitting and did not know there was a restriction on his property. Planner Agresta noted that there is a violation, there is no Wetlands permit to be had, it is only remediation. The violation process was discussed. Member Turoczi stated he drove by the site. He did not see any direct wetland impact. The water is going to flow and make its way to the catch basin or the road eventually. However, it was noted that the catch basins in the street eventually discharge into the regulated stream down the road. It was also noted that during the course of construction the applicant changed and expanded its stormwater improvements from just the original infiltration trenches at the base of the new garage. There are multiple agencies that have jurisdiction, the wetlands jurisdiction is 100 feet from the stream. Due to the Conservation Restriction, the Wetlands Agency cannot issue a wetlands permit. At minimum it requires remediation per the plan to the street right of way and the conservation restriction. Wetlands was not originally involved as there was a plan for remediation, it did not get done and that is why they are now involved.

Member Gillette arrived back at the meeting around 8:25 p.m. and Member Newell arrived back at around 8:43 p.m.

The Show Cause Hearing was closed with no objections.

At this time the Chairman confirmed the seating of members to be: McAloon, Turoczi, Werner, Tyrrell and Richards

MOTION:

To Affirm (remains in effect) in accordance with Section 14 of the Inland Wetlands and Watercourses Regulations, following a show cause hearing, the Cease and Desist Order (24-ENF-IW01 – 280 Quassapaug Road / Map 77, Lot 132-10 / Michael & Annette M. Criscione) dated January 2, 2024, as issued by the Land Use Enforcement Officer, including requirement for remediation of the violation.

Made by **TUROCZI**, Seconded by **WERNER**

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

Aye McAloon, Richards, Turoczi, Tyrrell, Werner

Nay None

Abstain None

NEW APPLICATIONS

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 to represent the application. They have obtained the services of Pond Lake Connection and with their guidance Woodlake is looking to draw down the lake via a valve. They are looking to lower the lake by approximately 4 ft. until March 1st. This is an attempt to kill invasive plants. This is something that has been done in the past. Pond Lake Connection will monitor the progress. They would like to do this as soon as possible to take advantage of the freeze. A draft motion was requested for the next meeting.

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. He has an existing storage container on the property which he is proposing to surround with fencing for camouflage. The container sits on the existing driveway. He will use pressure treated 4 x 4's to support the fencing. A site plan was reviewed by the Agency, a brook was noted on the plan. A structure in the same vicinity had previously been approved by the Agency. This application is for both the container and the associated fencing located within the regulated upland review area. Members expressed no wetland impact concerns with this application as the trailer sits on an existing driveway. A draft motion was requested for the next meeting.

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 along with property owner Nikolas Kotsaftis were present for the discussion. The property location was described. It is a 6.07 acre lot. Wetlands were delineated by Mike Temple in September 2023. There is discharge from a pond and a watercourse, discharge by a stonewall that creates an intermittent stream near the bend of the proposed driveway. They are looking to build a single family house. There is approval from the Health District. A majority of the development is outside the regulated area and wouldn't require a lot of cutting and filling. The design of the driveway was explained. It will be relatively flat. Culverts will be used under the driveway to allow the flow to pass through. There is not a wetland in the area of the driveway. It is just pond overflow from the neighbor's driveway. There is slight impact to the wetlands shown on the report. The main crossing is a 15" pipe, the other will be 12", Mr. Wolff was confident that this is appropriate. There is an infiltrator system proposed for the house and detached garage. The Agency did not feel the need to walk the site. A memo dated January 3, 2024, from the Town Planner was noted for the record. The North Arrow and the Boundary Line will be fixed. It was discussed that the plan for the existing stone wall is that it will remain with the exception of the portion the driveway goes through. The stone removed could be used for the splash pads or added to the existing wall. Utility lines will follow the driveway out, a new pole will need to be installed. Driveway details will be added to the plans. Mr. Wolff indicated that the soils are well draining.

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. He is looking to rebuild a dilapidated barn on his property within the existing footprint. He will be keeping any remaining material onsite. A new floor will be poured. The barn will be just one story approximately 16 ft. tall. The barn was confirmed to be 40 ft. x 60 ft. Crushed stone will be used for drainage. A site plan of the area was shown. Mr. Hamilton showing the location of an intermittent watercourse on the property and its proximity to the proposed barn rebuild. It was noted that an existing unpermitted tent style garage will be removed, its contents to be stored in the new barn. Members expressed no concerns with the application. A draft motion was requested for the next meeting.

PENDING APPLICATIONS / DELIBERATIONS (as deemed ready)

23-IW-0030 – 203 Sprain Brook Road / Map 56, Lot 6 / OS-100 District / Ryan Birkenhead (applicant/owner) / Retroactive Permit Application for previously installed site improvements within 100-foot upland review area absent permits: electric meter on post; landscape alterations along driveway; accessory deck structure and AC unit on concrete pad attached to existing studio building; AC unit on concrete pad serving existing garage building; area drain with 6-inch PVC drainpipe; and portion of tree house. Also newly proposed generator and 500-gallon propane storage tank with line connections.

Attorney Pilicy stated he will be representing the property owner and requested that the item be tabled until the February 12, 2024, meeting. He will submit a written grant for extension to the February 12, 2024, meeting.

It was noted that member Newell had returned to the meeting earlier. At this time Member Newell was seated and Alternate McAloon was unseated.

23-IW-0031 – 174 Kimberly Lane / Map 75, Lot 8A / OS-100 District / Strong Field LLC (applicant) / Robert A. MacSweeney, Trustee of The Victoria Rinaldi Family Revocable Trust (owner) / Installation of a water supply well and associated site grading and drainage within a regulated upland review area in support of the construction of a new single-family dwelling on the vacant lot.

Members reviewed a draft motion.

MOTION:

To APPROVE Wetlands/Watercourses Permit 23-IW-0031 (174 Kimberly Lane / Map 75, Lot 8A / OS-100 District) for the installation of a water supply well and associated site grading and drainage within a regulated upland review area in support of the construction of a new single-family residence dwelling on a vacant lot, subject to conditions, per DRAFT Resolution dated January 8, 2024, as presented. Strong Field, LLC (applicant), Robert A. MacSweeney, Trustee of The Victoria Rinaldi Family Revocable Trust (owner).

Made by NEWELL, Seconded by RICHARDS

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

Aye	Newell, Richards, Turoczi, Tyrrell, Werner
Nay	None
Abstain	None

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.

Jami Gore, Director of Parks & Recreation was present for the discussion along with Bud Neal. Ms. Gore described a plan to use large boulders and backfill the area with natural stone. This idea was not well received by the Agency. It had been previously suggested that they would be moving the tree and keying it into the riverbank. Ms. Gore explained that she is having difficulty obtaining assistance of a proper expert and contractor to do the work. It was discussed that Rocky Ridge has done similar work in a different area of the river. First Selectman Perkinson noted that they will pursue Rocky Ridge and also another organization out of New Jersey they may be able to provide guidance and assistance in resolving this issue. Everyone agreed that this is an urgent matter that is proving to get worse with each storm. A more comprehensive solution is needed. The Agency noted it is willing to expedite approvals once a proper plan for resolution is developed.

ENFORCEMENT & WETLANDS UPDATE

23-ENF-IW05 – 57 Lake Road / Map 77, Lot 3 & 7 / OS-60 / Robert Taggett / Unauthorized driveway installation.
An appeal of the Agency’s decision has been filed. There was no additional discussion.

23-ENF-IW06 – 13 Edward Avenue / Map 77, Lot 4-26, 27 & 2 / OS-60 / Frances M. Palomba / Unauthorized driveway installation.

An appeal of the Agency’s decision has been filed. There was no additional discussion.

23-ENF-0002 – 197 Minortown Road / Map 25, Lot 2A-2 / OS-60 District / Michelle Fusco
This item is with legal. There was no additional discussion.

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

There were no new updates. A letter requesting the Public Works Director attend a meeting for discussion was delivered at the Agency's request, no response has been received.

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).

This item has been tabled 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.

It was reminded that the property owner had responded via email that a report had been completed and that he would attend the second meeting in January.

ADMINISTRATIVE

Regular Meeting Minutes 12/11/2023 – It was noted that an editing glitch on the Minutes had occurred. The issue will be fixed and revised minutes will be filed. The approval of the Minutes tabled until the next meeting.

Regulation Review – Chairman Tyrrell reminded the Agency to review the draft regulations to be discussed in further detail at the next meeting.

CORRESPONDENCE - None

PRIVILEGE OF THE FLOOR

- The new alternates' attendance was questioned.
- 130 Washington Road / Youngs at Three Rivers – Member Gillette questioned if there had been response with regards to notice that a greenhouse is being constructed in the flood plain. The LUEO has left a message and emailed, however, has not received a response. The business is closed for the season.
- 184 or 192 Quassuk Road – Member Gillette noted that the two properties are close, it is unclear which property the tree clearing was on. The LUEO noted that a letter had been sent to 184 Quassuk Road, however no response has been received.

ADJOURNMENT

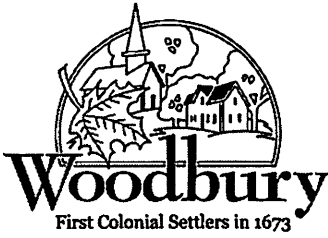
MOTION:

To adjourn the meeting at 10:09 p.m.

Made by **NEWELL** with no objections.

Respectfully submitted,
Anne Firlings
Anne Firlings
Inland Wetlands & Watercourses Clerk

RECEIVED & FILED
IN WOODBURY, CT
This 12th day of Jan 2024
at 10:12 o'clock A.M.
Maia M. Mancini
Town Clerk



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

174 KIMBERLY LANE – 23-IW-0031

New Single-Family Dwelling Grading and Water Supply Well

Strong Field LLC (applicant)

Robert MacSweeney, Trustee of the Victoria Rinaldi Family Revocable Trust (owner)

Date of Approval	January 8, 2024
Permit Expiration*	January 8, 2026

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

Applicant	Strong Field, LLC
Property Owner	Robert MacSweeney, Trustee of the Victoria Rinaldi Family Revocable Trust
Application	23-IW-0031
Project	Installation of a water supply well and associated site grading and drainage within a regulated upland review area in support of the construction of a new single-family residence dwelling on a vacant lot.
Address	174 Kimberly Lane, Assessor Map 75, Lot 8A
Site Acreage	1.299 acres
Zone	OS-100 District

WHEREAS, the Town of Woodbury Inland Wetlands and Watercourses Agency (“Agency”) has received application **23-IW-0031** 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 or needed to build on the lot;
- Drainage controls will be installed and located outside of regulated 100-foot upland review areas.
- Erosion and sedimentation controls will be maintained during construction;
- The entirety of the house construction and nearly all associated site clearing and improvements are located outside of regulated 100-foot upland review area (only the water supply well and limited clearing/grading associated with the well affect the regulated area); and

WHEREAS, application materials received include the following:

- Application for Inland Wetlands Agency Permit;
- Wetlands / Watercourses Delineation Report, Davison Environmental, 08/30/19;
- Site Plan & Subsurface Sewage Disposal Plan (1/2), Wolff Engineering, 10/26/23;
- Site Plan & Subsurface Sewage Disposal Plan (2/2), Wolff Engineering, 10/26/23;

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;
- The house and substantially all of its associated accessory site improvements (lot clearing, septic, utilities, driveway, and lawn or maintained yard areas) are proposed and can be fully accommodated outside of 100-foot upland review areas of the property (only the water supply well is located in a regulated 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-0031 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 a full copy of this approval to the final plans.
 - c. Add the following note conspicuously to Sheet 1: **23-IW-0031 – Approval Date: January 8, 2024; Expiration Date: January 8, 2026* (*If regulated activities and conditions of approval are not completed accordingly in such timeframe.)**
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 required approvals. 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 Professional Engineer certification that the drainage controls have been installed and are functioning as designed and intended, and do not impact regulated areas.
 - 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** – The 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 **NEWELL**, seconded by **RICHARDS**

Vote: 5-0-0 – **APPROVED** – Motion **PASSED**

Ayes Tyrrell, Newell, Turocki, Werner, Richards

Nays None

Abstain None