

**TOWN OF WOODBURY**  
**Inland Wetlands and Watercourses Agency**

281 Main Street South  
Woodbury, CT 06798  
203.263.3467 • [www.woodburyct.org](http://www.woodburyct.org)

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**REGULAR MEETING MINUTES**

**October 12, 2021 – 7:30 p.m.**

**Senior/Community Center, 265 Main St. South**

**MEMBERS PRESENT:**

Marty Newell  
Mary Tyrrell

**ALTERNATES PRESENT:**

Earl Gillette  
Don Richards

**MEMBERS ABSENT:**

Wes Clow  
Kyle Turoczy  
Ernest Werner

**ALTERNATES ABSENT:**

Evan Hard

**Also Present:** Rich Lamothe, Shelley Plude, Gary Giroux, Jenifer Miller, Mike Lodice, Michelle Ecsedy, Ed Grimm, Vince LaFontan, Dennis Rose, Linda Brinley, Richard McClintock, Will Agresta and Kathy Doyle

**OPENING OF MEETING**

The meeting convened at 7:30 p.m. Seated for the meeting were Members Newell, Tyrrell and Alternates Gillet and Richards. Members were reminded of the conflict-of-interest statutes and the town charter.

**PENDING APPLICATIONS**

**21-IW-2126 / Town of Woodbury (owner/applicant), SLR International Corporation (agent) / Preservation of Bridges 05062, 05066 & 05067 Consisting of Minor Roadway Reconstruction, Structural Maintenance & Preservation Work to Address Deficiencies Identified by the Bridge Inspection Report / Three Bridges (1) Jack's Bridge over Weekepeemee River, 64 Westwood Rd (Map 038/Lot 054), (2) Minortown Road Extension over Nonnewaug River, 21 Minortown Road Extension (Map 025/Lot 029), (3) Pomperaug Road over Pomperaug River, 47 & 29 Pomperaug Road (Map 034/Lots 005 & 005A)**

**21-IW-2127 / Town of Woodbury (owner/applicant), SLR International Corporation (agent) / Preservation of Bridge 05061 Consisting of Minor Roadway Reconstruction, Structural Maintenance and Preservation Work to Address Deficiencies Identified by the Bridge Inspection Report / Judson Avenue, Riverview Lane, and 64 Westwood Road (Maps 036, 038 / Lots 48A, 055G, 054)**

The above two items were addressed simultaneously.

Rich Lamothe Director of Public Works and Shelley Plude of SLR Engineers were present for the discussion. Ms. Plude stated the Agency's comments were received and they have looked at

the sites again to assess them after the recent flooding the town had. All sites were intact, no major scour observed, just a couple downed trees. No additional issues created as a result of that flooding. Catch basin concerns were reviewed on the upslope side of Judson Avenue. The two basins are intercepting a total of .8 acres a fairly small area. The total CFS volume of water under the 100-year storm coming through this outfall is about 2.5 cubic feet which is just about 54% of the capacity of the pipe being installed. They are not introducing a substantial amount of water in the area in question. The velocity of that water maxes out at about 3.5 feet per second. The size of rip rap being used is intermediate and can more than handle the velocity of water coming out of those two catch basins. A check dam berm can be installed at the end of the rip rap as another velocity check. It was noted by Ms. Plude that the site is highly vegetated, withstanding the recent extreme flooding. Vegetative stabilization is ideal. What they are adding will not contribute to erosion of the slope. Not a lot of water will make it to these catch basins. Pipes will be at the most half full at an absolute worst-case scenario. The area described will be under water during large storm events, you won't see velocity coming out. The rip rap was described as double the size as it needs to be, it won't move. It was confirmed the catch basins will have sumps. Paving surface of the bridge was indicated on the plans. Members liked the idea of an addition of an extra berm. Members have an opportunity to ask questions through the Land Use Office if they need further clarification before the next meeting. The area had major flooding and the area is still intact, indicating what is out there is stable. There were questions about Jacks Bridge and the floodway. The work being done will not change how the water gets funneled under the bridge.

#### **21-IW-2129 / Town of Woodbury / Lighthouse Road / Reconstruction of Roadway Including Drainage Improvements**

Rich Lamothe, Director of Public Works and Gary Giroux of Cardinal Engineering were present for the discussion. Plans were reviewed with the Agency. This will be a full reconstruction curb to curb. There will be minor change to grade with a smooth design profile. Drainage improvements will also be included. They will be milling in place, reusing the road pavement and subbase adding stone to it to bring it up to proper grade and paving with 4" bituminous concrete. Current drainage is minimal, they are adding catch basins, but they are using existing outfalls to collect water and get it off the travel way. The upland review area was noted on the plans. Wetlands were indicated on sheet 7. Just one wetland area is being affected in the project. The total upland review is 32,600. Rich Lamothe stated they are trying to control the drainage. Curbing will be installed to keep the water in the road and into the catch basins. Discharging to the existing locations, each location indicated on the plans. The purpose of the catch basins is to get the water out of the travel way. Water is there now flowing in the gutter; with this plan they are getting the water off the road into a pipe system underground getting to the same outlet point. At the outfall they are adding a standard DOT preform "scour ball" to slow the water down. DEEP standard sedimentation controls and the 2002 DOT manual are being used, the entire project will have silt fence running along the downhill side. All basins will have a silt sack installed in it until everything is done and is cleaned out. Maintenance will be required dependent on conditions, but at a minimum every spring. The idea is to keep the roadway as dry as possible. All metal guardrails will replace existing cable post rails. The town will be doing the work in sections, starting at the bottom and the project will take about 3-4 years to complete. The engineer will be on call when needed and will make sure it is "buttoned up" properly. They will do about 1500 feet per year. The earliest they can start is next year.

Wetlands were flagged and were mapped and put on the plan. The 100' upland review area is noted on the plans. Wetlands appear off the sheet but review areas are noted. One area of wetlands impact is noted as .21 acres, but the individual parts are noted as impact wetlands areas that total the 138 feet. The alignment of the road and the profile are not really changing, keeping the impact to the wetlands minimal. Some areas will be piped, and some will run on the side along the curbs. There will be two layers of silt fencing on either side of the road. An intermittent watercourse was noted, currently this goes into a catch basin. They are replacing the catch basin in the road with a catch basin but also replacing the old catch basin which is off the side of the road with an inlet. They are improving the inlet making sure the water gets in there and crosses the road. Every outfall system should be maintained. It was noted that the maps will be available to review at the Land Use Office, any questions should be submitted prior to the next meeting.

**21-IW-2133 / Town of Woodbury / Hollow Park / Request for Jurisdictional Ruling to Remove Beach Sand and Replace with Soil and Planted Grass / Map 103 / Lot 013**

Jenifer Miller, Recreation Director and Mike Lodice, Superintendent of Parks, were present for the discussion. Ms. Miller note the project has been approved by the Board of Selectmen and the Board of Finance. She addressed the questions from the previous meeting. Regarding the soil, the top 6" will be native soil and the 12" under that will be sandy loam fill (which will have some rocks in it). They will inspect the soil before it is picked up to be sure it is appropriate. The type of grass seed being used is native blue grass, rye grass and fescue grass. For a buffer they will not mow the first 3' to the edge of the pond. Chairman Tyrrell reviewed the minutes from the previous meeting. It was explained that the first 6" of soil will be screened, the bottom (12" fill) will not be screened but will resemble what exists there currently. No fertilizer will be used in the area. Information was submitted for the record. How the soil will be certified was questioned. Mike Lodice knows soils and noted that he has a degree in Turf Management. The grass buffer was discussed, questioning if plantings would be best. Ms. Miller noted that 2/3 of the pond is currently surrounded by native growth and felt it would naturally fill in with what is there now. The size of the work area was questioned. A map of the pond is included in the application. The area shown as sand in the photo will be replaced. It was asked that the area of sand be defined, along with dimensions and shown on the picture. As of Right and Non-Regulated information was read for the record. They are not affecting water, just taking away sand replacing it with soil. Member Newell felt that if there is a buffer, there isn't an issue with the proposed project, a Jurisdictional Ruling would be appropriate. They are not changing the watercourse or affecting the wetland. No mow areas may need to be cut, there may need to be a plan to do so once a year. The Agency needs to make sure that what is submitted is complete and clear.

**21-IW-2128 / Foger / 39 Quanopaug Trail / Remediate Loss of Vegetation During Clearing of Decayed Dead & Fallen Trees / Map 025 / Lots 014-1 & 014A-2**

Ed Grimm representative of the applicant was present for the discussion. He has visited the site but is not the contractor that did the work. The owners are looking to put in plantings to remediate the situation caused by the clearing. The area in question was overgrown and the owners were looking to clear some area for better use of their property. They are looking at perennial materials. Walking the site Mr. Grimm did not see any signs of erosion happening. The work that was done was clearing existing vegetation, decaying vegetation, chipping it up and

leaving it on site. The chipping left actually protected the soil. Minutes from the previous meeting were read for the record regarding the plant materials suggested. Mr. Grimm was not aware of any invasives or prohibited plants applied for. The plants should be reviewed. There was no grubbing done that he could see. A site walk was scheduled for Sunday, October 24, 2021, at 9:00 a.m. Someone should be present to identify areas for the Agency or the areas should be staked.

*(Will Agresta arrived at the meeting at 8:57 p.m.)*

**21-IW-2130 / LaFontan (Flanders Nature Center) / 5 Church Hill Road / Addition of a Concrete Monolithic Pad 12' x 30' and Covered Post & Beam Shed Roof to the Backside of the Flanders Trail House / Map 096 / Lots 021 & 22**

Vince LaFontan was present for the discussion. Chairman Tyrrell stated she went to the site but had difficulty identifying exactly where the limits would be. Existing stakes were for a different project. Wetlands were flagged. The location was identified on the map. Chairman Tyrrell showed the other members photos of the site from her phone. She suggested staked haybales might be better than using silt fencing. Will Agresta noted that use of haybales is not an accepted practice anymore. Using them with the silt fence could be done. An existing flat area is being used. The area was reviewed by the Agency on the plans and was described as being rough and uneven. Will Agresta explained how the roof runoff would be handled. The area in the back is an existing gravel flat area. The idea for the project is to create an indoor-outdoor classroom.

A draft motion was reviewed by the Agency.

**MOTION:**

To classify the application (*21-IW-2130 / LaFontan (Flanders Nature Center) / 5 Church Hill Road / Addition of a Concrete Monolithic Pad 12' x 30' and Covered Post & Beam Shed Roof to the Backside of the Flanders Trail House / Map 096 / Lots 021 & 22*) as summary.

Made by Member Newell, Seconded by Alternate Richards

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

Ayes            Gillette, Newell, Richards, Tyrrell

Nays            None

Abstain        None

The draft motion was revised with the removal of conditions related to bonding.

**MOTION:**

To approve as drafted and amended (*Resolution for Wetland Permit 21-IW-2130 to permit regulated activities to construct a concrete monolithic pad (measuring 12 feet x 30 feet) and post and beam shed roof pavilion above for use as an outdoor classroom within a regulated 100-foot upland review area, subject to conditions and revised final plans endorsement, as set forth in the draft Approval Resolution dated October 12, 2021, as amended. Applicant/Property Owner: Flanders Nature Center and Land Trust.*)

Made by Alternate Richards, Seconded by Alternate Gillette

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

Ayes Gillette, Newell, Richards, Tyrrell

Nays None

Abstain None

(See copy of Final Approved Resolution at end of these minutes)

**21-IW-2131 / Rose / 121 Raitree Hill Road / Remove Existing Pole Barn & Replace with 34' x 54' Pole Barn / Map 050 / Lot 039**

Dennis Rose was present for the discussion. Members had walked the site. An existing and proposed swale was indicated on drawings submitted at the meeting. There was clarification about the submitted document and all questions were resolved.

**MOTION:**

To classify the application (21-IW-2131 / Rose / 121 Raitree Hill Road / Remove Existing Pole Barn & Replace with 34' x 54' Pole Barn / Map 050 / Lot 039) as summary

Made by Member Newell, Seconded by Alternate Richards

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

Ayes Gillette, Newell, Richards, Tyrrell

Nays None

Abstain None

The draft motion was revised with the removal of conditions related to bonding.

**MOTION:**

To approve as drafted and amended (*Resolution for Wetland Permit 21-IW-2131 to permit regulated activities to remove existing pole barn shed and replace with larger pole barn shed (measuring 34' x 54' with additional 12' x 54' open shed roof on front left side) for accessory residential storage use connected to electrical service only within a regulated 100-foot upland review area, subject to conditions and revised final plans endorsement, as set forth in the draft Approval Resolution dated October 12, 2021, as amended. Applicant/Property Owner: Erika and Dennis Rose*).

Made by Member Newell, Seconded by Alternate Richards

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

Ayes Gillette, Newell, Richards, Tyrrell

Nays None

Abstain None

**21-IW-2132 / Brinley / 75 Minortown Road / Request for Jurisdictional Ruling to Repair, Restore Drivable Path, Original Landscape and Clean Up Rocks in Lawn After Storm Damage / Map 023 / Lot 022-2**

Linda Brinley was present for the discussion. Members had walked the site. It was discussed that the area by the driveway and road can be put back to the way it was. Chairman Tyrrell

noted areas of concern seen during the field inspection. Problems with the pond were discussed, notably that it has been sometime since it was last dredged. Ms. Brimley is aware but does not have the financial means to address it at this time. It was not fully clear as to where the rear access drive was. It was noted that the septic clean outs were observed and did not appear to be affected by the storm wash out. There were some concerns of other observed piping across the access area. There is an area that appeared to be an intermittent watercourse. It was questioned how the material is getting back there and how it will be stabilized. Ms. Brinley explained it would be raked in and filled with rip rap. The location of the leach fields was described. Chairman Tyrrell shared photos on her phone with the Agency and Ms. Brinley describing areas of the property. The Agency needs to determine if this is a repair or restoration or if there was more to it than that. The Agency discussed pipes observed in the washout area on the property and questioned where they are going and how they would be corrected or restored. Ms. Brinley is just looking to put the access back to the way it was. The Agency requested the contractor come to the next meeting for discussion and to show the area where they will be working and how and with what materials they would use to fix the access. It was imagined that the stone is going to be raked up out of the yard back into the hole again, probably some bigger material packed into it so it will become stable and filled in. The contractor can contact Chairman Tyrrell directly to understand what information the Agency is looking for.

### **DELIBERATIONS**

**Selected Items from this Agenda – as determined by the Agency**

Will Agresta explained the reasoning for the deliberations portion of the agenda to the Agency.

### **NEW APPLICATIONS**

**21-IW-2134 / McClintock / 234 Washington Road / Replace Deteriorated Barn with New Wood & Shallow Frost Protected Foundation / Map 039 / Lot 004**

Richard McClintock was present for the discussion. New application and engineered signed plans were received and reviewed by the Agency. Will Agresta noted the site plan included was created using another map in the file, he edited with appropriate information. As determined by the available mapping, the exiting footprint of the existing barn is about 20.67' x 15.5'. It was noted there was a previous barn that was larger in size. Mr. McClintock explained how he would be constructing the foundation for the barn using dry laid field stone and liquified mortar. There were questions about the foundation and the amount of fill being placed in a flood plain. Mr. McClintock explained the frost proof foundation he is looking to create. The current barn has a wood floor. The Agency needs to determine if they consider the foundation to be fill in a regulated area in a floodplain. The foundation is just 18" deep and he is not bringing in fill. The elevation level cannot be raised in a flood plain, it needs to be kept at the same elevation. It was questioned if the engineer was aware of the floodplain conditions. Mr. McClintock stated that drawings with soil types had been submitted previously to the town. The Agency requested that the engineer be present at the next meeting for the discussion to answer questions regarding the foundation design and floodplain.

**ENFORCEMENT & WETLANDS UPDATE**

**21-ENF-0001 / McGovern / 93 Weekepeemee Road / NPV Clearing, Excavating & Grading within a Regulated Area / Map 040 / Lot 048**

A copy of the letter from the Town Attorney dated October 7, 2021, was reviewed by the Agency. They will await a response.

**21-ENF-0004 / North / 148 Tuttle Road / NV Grading Activities within a Regulated Area and Diversion of Water Toward the Adjacent Property Leading to Sedimentation & Silt Accumulating in an Existing Wetland / Map 021 / Lot 028-3**

Notice from Mr. North indicating that the requested work had been completed as requested by the Agency was read for the record. It was noted that a letter from the neighbor was received at the last meeting. Since the last meeting the Town has seeded, stabilized and mulched the area. Agency members should individually review the area. It was discussed whether or not this item should be removed from the enforcement list, the Agency wanting to keep a reminder that Tuttle Road would need follow up, however Mr. North had done what had been requested to remedy the situation.

**MOTION:**

To remove from Enforcement (*Item 21-ENF-0004 / North / 148 Tuttle Road / NV Grading Activities within a Regulated Area and Diversion of Water Toward the Adjacent Property Leading to Sedimentation & Silt Accumulating in an Existing Wetland / Map 021 / Lot 028-3*).

Made by Alternate Gillete, Seconded by Member Newell

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

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

It was discussed that monitoring of Tuttle Road could be listed under the Enforcement/Wetlands Update heading or a new heading entitled “Monitoring” could be added to the agenda.

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

This item was not discussed as it is pending application approvals.

**OTHER BUSINESS** – Members briefly discussed an upcoming CACIWC meeting.

**CORRESPONDENCE** – Included a commencement notice for Mr. Groben on Main Street North.

**PRIVILEGE OF THE FLOOR** - None

**CONSIDERATION OF MINUTES - 9/27/21**

**MOTION:**

To approve the minutes (*of the 9/27/21 meeting*) as submitted.

Made by Alternate Richards, Seconded by Alternate Gillette

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

Ayes            Gillette, Richards, Tyrrell

Nays            None

Abstain        Newell

**ADJOURNMENT**

**MOTION:**

To adjourn the meeting at 10:23 p.m.

Made by Member Newell

**FILED SUBJECT TO APPROVAL**

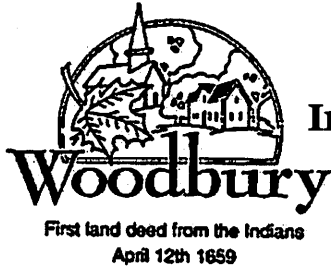
Respectfully Submitted,

*Anne Firlings*

Anne Firlings, Clerk

Inland Wetlands & Watercourses Agency





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**WETLAND / WATERCOURSE PERMIT APPROVAL**

Date of Approval	October 12, 2021
Permit Expiration*	October 21, 2026

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

**Applicant:** Flanders Nature Center and Land Trust, Vincent LaFontan, Executive Director  
**Owner:** Flanders Nature Center and Land Trust  
**Application:** 21-IW-2130  
**Project:** Install a concrete monolithic pad (measuring 12 feet x 30 feet) and post and beam shed roof pavilion above for use as outdoor classroom.  
**Address:** 5 Church Hill Road  
**Map/Lot:** 050/21 and 22

**WHEREAS**, the Woodbury Inland Wetlands and Watercourses Agency (“Agency”) has received application 21-IW-2130 as submitted by Flanders Nature Center and Land Trust (Applicant/Owner) in accordance with the Inland Wetlands and Watercourses Regulations of the Town of Woodbury (“Regulations”) seeking a Wetlands/Watercourses Permit (“Permit”) for approval of regulated activities to construct a concrete monolithic pad (measuring 12 feet x 30 feet) and post and beam shed roof pavilion above for use as an outdoor classroom within a regulated 100-foot upland review area on property located at 5 Church Hill Road, as shown on Assessor Map 50, Lots 21 and 22; and

**WHEREAS**, application materials received include the following:

- Application for Inland Wetlands Agency Permit;
- Site Plan, Grading Plan, Erosion Control Plan Building Addition (1/1), Civil 1, 08/19/21;
- Elevation and Patio Slab details;

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

- The proposed regulated activities involve disturbances within an Upland Review Area only (no direct disturbance to wetlands or watercourses);
- The proposed regulated activities are anticipated to have minimal environmental impact on wetlands and watercourses, and their resource functions;

- No significant adverse off-site impacts are anticipated;
- Potential disturbance impacts can be mitigated by the conditions listed below and the proper use of soil erosion and sedimentation controls during construction;
- 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 Section 10 of the Regulations, following deliberations, hereby approves Application 21-IW-2130 as described above, subject to the 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 Section 11.4 of the 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**, the Agency hereby authorizes the filing of a copy of this approval with the Zoning Commission as required pursuant to Section 11.5 of the Regulations; and

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

**A. Prior to Commencement of any Work or Site Disturbance**

1. Two (2) printed copies of Final Plans revised as follows shall be presented to the Land Use Office for endorsement by the Agency Chair:
  - a. Add the following note:  
*21-IW-2130 – Approval Date: October 12, 2021 – Expiration Date: October 21, 2026  
 If regulated activities and conditions of approval are not completed accordingly.*
2. Required Zoning and/or Building Permits shall be separately obtained.

**B. Conditions During Construction**

1. Prior to commencement of construction, the limits of disturbance shall be clearly marked in the field and the Land Use Office shall be provided a minimum of 48-hours of notice. No construction shall commence until erosion and sedimentation control devices have been properly installed 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. There shall be no burying of any tree stumps or tree materials including but not limited to branches, wood chips and the like. The stumps of all significant trees shall be left in place for stabilization of the affected area(s).

3. Construction equipment shall not be washed out in a regulated 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.
4. The site shall be kept clean of all loose debris, litter and similar materials to prevent such from entering wetlands or watercourses.
5. All paths used for site access shall be reestablished to original condition.
6. Stockpiles of earth materials shall be stored outside the upland 100-foot regulated area.
7. 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.
8. Storage of any fuel/lubricants, and the refueling/lubrication of any equipment are forbidden within any portion of the regulated 100-foot upland review area. 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.
9. Disturbed soils shall be stabilized in a timely fashion to minimize erosion. 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.
10. All disturbed areas and earth material stockpiles within regulated areas shall be stabilized by October 15th of any year.

**C. Post Construction Compliance and Permit Closure**

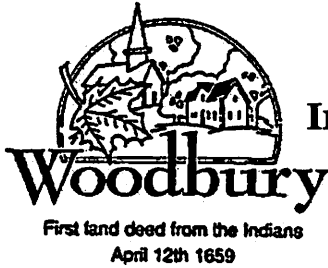
1. **As-Built Plan** – Upon completion of the approved regulated activities, an As-Built Plan detailing and certifying the completed improvements shall be provided by the applicant in a form, content and number as required by the Land Use Office to determine permit compliance and satisfactory completion consistent with this approval and the endorsed final plans.
2. **Final Inspection** – The applicant shall request the Land Use Office conduct a final inspection for determination of permit completion, subject to verification of the following:
  - All improvements shall be completed consistent with the approved final plans and any landscaping shall be stable and healthy.
  - The site shall be clean of construction related equipment, materials and debris.
  - All disturbed areas shall be stabilized and exhibit healthy vegetative cover.

- All erosion controls shall have been appropriately removed and disposed of following Land Use Office confirmation that the site is stabilized.
3. **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.
  4. **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 an additional five (5) years total. 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 shall review the continued adequacy of any held bond.

**MOTION**

Motion by Alternate Richards, seconded by Alternate Gillette

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



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**WETLAND / WATERCOURSE PERMIT APPROVAL**

<b>Date of Approval</b>	<b>October 12, 2021</b>
<b>Permit Expiration*</b>	<b>October 21, 2026</b>

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

**Applicant:** Erika and Dennis Rose  
**Owner:** Erika and Dennis Rose  
**Application:** 21-IW-2131  
**Project:** Remove existing pole barn shed and replace with larger pole barn shed (measuring 34 feet x 54 feet with additional 12 feet x 54 feet open shed roof on front-left side), generally in the same location for accessory residential storage use connected to electrical service only.  
**Address:** 121 Railtree Hill Road  
**Map/Lot:** 050/039

**WHEREAS**, the Woodbury Inland Wetlands and Watercourses Agency ("Agency") has received application 21-IW-2131 as submitted by Erika and Dennis Rose (Applicant/Owner) in accordance with the Inland Wetlands and Watercourses Regulations of the Town of Woodbury ("Regulations") seeking a Wetlands/Watercourses Permit ("Permit") for approval of regulated activities to Remove existing pole barn shed and replace with larger pole barn shed (measuring 34 feet x 54 feet with additional 12 feet x 54 feet open shed roof on front-left side), generally in the same location for accessory residential storage use connected to electrical service only, within a regulated 100-foot upland review area on property located at 121 Railtree Hill Road, as shown on Assessor Map 50, Lot 39; and

**WHEREAS**, application materials received include the following:

- Application for Inland Wetlands Agency Permit;
- Sketch Maps of Property showing general depiction of existing house, pool, garage and shed, as well as proposed new pole barn shed;
- Pole Barn Elevations, Footings and Roof Plan details;

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

- The proposed regulated activities involve disturbances within an Upland Review Area only (no direct disturbance to wetlands or watercourses);

- The new pole barn is to be constructed in the general location of the existing smaller pole barn, which is surrounded by open lawn, no trees will be removed or disturbed;
- The proposed regulated activities are anticipated to have minimal environmental impact on wetlands and watercourses, and their resource functions;
- No significant adverse off-site impacts are anticipated;
- Potential disturbance impacts can be mitigated by the conditions listed below and the proper use of soil erosion and sedimentation controls during construction;
- 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 Section 10 of the Regulations, following deliberations, hereby approves Application 21-IW-2131 as described above, subject to the 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 Section 11.4 of the 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**, the Agency hereby authorizes the filing of a copy of this approval with the Zoning Commission as required pursuant to Section 11.5 of the Regulations; and

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

**A. Prior to Commencement of any Work or Site Disturbance**

1. Two (2) printed copies of **Final Plans** revised as follows shall be presented to the Land Use Office for endorsement by the Agency Chair:
  - a. Add the following note:  
***21-IW-2131 – Approval Date: October 12, 2021 – Expiration Date: October 21, 2026  
 If regulated activities and conditions of approval are not completed accordingly.***
2. Required **Zoning and/or Building Permits** shall be separately obtained.

**B. Conditions During Construction**

1. Prior to commencement of construction, the limits of disturbance shall be clearly marked in the field and the Land Use Office shall be provided a minimum of 48-hours of notice. No construction shall commence until erosion and sedimentation control devices have been properly installed 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. There shall be no burying of any tree stumps or tree materials including but not limited to branches, wood chips and the like. The stumps of all significant trees shall be left in place for stabilization of the affected area(s).
3. Construction equipment shall not be washed out in a regulated 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.
4. The site shall be kept clean of all loose debris, litter and similar materials to prevent such from entering wetlands or watercourses.
5. All paths used for site access shall be reestablished to original condition.
6. Stockpiles of earth materials shall be stored outside the upland 100-foot regulated area.
7. 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.
8. Storage of any fuel/lubricants, and the refueling/lubrication of any equipment are forbidden within any portion of the regulated 100-foot upland review area. 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.
9. Disturbed soils shall be stabilized in a timely fashion to minimize erosion. 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.
10. All disturbed areas and earth material stockpiles within regulated areas shall be stabilized by October 15th of any year.

**C. Post Construction Compliance and Permit Closure**

1. **As-Built Plan** – Upon completion of the approved regulated activities, an 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.
2. **Final Inspection** – The applicant shall request the Land Use Office conduct a final inspection for determination of permit completion, subject to verification of the following:

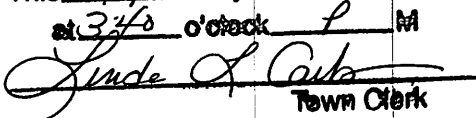
- All improvements shall be completed consistent with the approved final plans and any landscaping shall be stable and healthy.
  - The site shall be clean of construction related equipment, materials and debris.
  - All disturbed areas shall be stabilized and exhibit healthy vegetative cover.
  - All erosion controls shall have been appropriately removed and disposed of following Land Use Office confirmation that the site is stabilized.
3. **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.
4. **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 an additional five (5) years total. 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 shall review the continued adequacy of any held bond.

**MOTION**

Motion by Member Newell, seconded by Alternate Richards

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

RECEIVED & FILED  
 IN WOODSBURY, CT

This 14<sup>th</sup> day of Oct 2021  
 at 3:40 o'clock P M  
  
 Town Clerk