



# 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 23, 2023 - 7:30 PM

Senior/Community Center, 265 Main Street South, Woodbury, CT 06798

#### MEMBERS PRESENT

Michael McAloon, Alternate  
Marty Newell  
Don Richards  
Kyle Turoczi, Secretary  
Mary Tyrrell, Chairman

#### MEMBERS ABSENT

Earl Gillette, Alternate  
Ernest Werner

**NOTED OTHERS PRESENT** – Anthony Beach, Frances Palomba, Mike Lodice (P&R Superintendent), Jim Breidenbach and other interested parties.

#### OPENING OF MEETING

Call to Order – The meeting commenced at 7:33 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)

#### 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).**

It was noted that the applicant was unable to attend or have a representative present for the meeting. The applicant should be made aware of the application timeframes, if more time is required, they may need to grant the Agency an extension.

#### NEW APPLICATIONS

**23-IW-0027 – 288 Flanders Road / Map 2, Lot 19 / OS-100 District / Anthony J. and Nancy L. Beach (applicant/owner) / Construction of an attached garage (552 sf: 24'x23') to an existing single-family dwelling and relocation of existing detached garage building.**

Anthony Beach was present for the discussion. New map drawings were submitted at the meeting. Mr. Beach explained they are looking to construct an attached garage addition to the existing house and remove the existing detached garage and replace with a new one in a slightly different location. Members reviewed the application. The detached garage will be on a slab. The parking area was shown on the plans. The regulated areas were noted. It was questioned if any additional material will be brought on site. There is an area shown on the plan for the stockpile, this is partially located in the regulated area as well. The plan is, once approved, to get both foundations in, then build the addition and lastly construct the detached structure. It was confirmed that the concrete work

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

would be done at the same time. Demolition of the existing barn would need to be done as well as some excavation to pour the foundation. The silt fence area was reviewed. This should be revised to be closer to the activity to contain and delineate the limits of disturbance. Stormwater drainage will be handled with gutters to the driveway. It was explained this needs to go into something, either an infiltrator or a rain garden. The revised driveway area should be more clearly shown on the plans. Mr. Beach will revise his drawings to include changes to the location of the silt fencing as addressed during the meeting, indicate on the plan to show where the driveway/parking area will be after construction and where the runoff from the gutters will go. This should be submitted to the Land Use Office prior to the next meeting. A draft motion was requested for the next meeting in expectation that this new information will be provided.

**PENDING APPLICATIONS / DELIBERATIONS** (as deemed ready) - None

**ENFORCEMENT & WETLANDS UPDATE**

**23-ENF-IW05 – 57 Lake Road / Map 77, Lot 3 & 7 / OS-60 / Robert Taggett / Driveway installation via an abutting lot with millings, land grading and filling within a regulated area absent required permit.**

*(See discussion under 23-ENF-IW06 below)*

**23-ENF-IW06 – 13 Edward Avenue / Map 77, Lot 4-26, 27 & 2 / OS-60 / Frances M. Palomba / Driveway installation with millings, land grading and filling within a regulated area absent required permit.**

Frances Palomba was present for the meeting. New applications were submitted at the meeting for both enforcement items at 57 Lake Road and 13 Edward Avenue.

The Agency scheduled a site walk for Sunday, November 12, 2023, at 9:00 a.m., members to park on Edward Avenue.

The Town Planner inquired about the use of the new accessway that was installed. Ms. Palomba noted that this was always used as an accessway, claiming this is not new they have had it for years. She explained sometimes they used sand and gravel, and this material would get washed away. The access is not frequently used. There are no horses currently housed on the property. In response to the question as to why the access is going between the two properties, Ms. Palomba explained it as a sort of extension of her son's yard.

**23-ENF-0002 – 197 Minortown Road / Map 25, Lot 2A-2 / OS-60 District / Michelle Fusco / Unauthorized site activities (including excavation, deposition and alteration of ground coverage and contours, as well as drainage conditions) involving installation of second access driveway within a regulated area absent required permit.**

This item has been forwarded to the Town Attorney, there was no update.

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

At the prior meeting it was expressed that there was recent site activity within the regulated area. Photos of an inspection by the Land Use Enforcement Officer were shown. It was unclear where the activity was. Member Newell showed where the equipment and disturbed areas were and noted that it had been cleaned up quickly. It was recalled that the deadline to remove the log piles was in January, this should be checked. The work done by the Town along Chohees Trail has not been addressed by Public Works.

**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).**

Mike Lodice, Superintendent of Parks & Recreation was present for the discussion. A new remediation plan was received and reviewed by the Agency. Mr. Lodice went through the plan with the Agency. Japanese knotweed will be sprayed using Clearcast. Spraying will be selective, spraying in the Fall would be most effective. Parks and Recreation also proposes to grind the stumps from the removed trees, smoothing the area for replanting. The planting plan will be implemented by the Department with supervision by the Tree Warden. Members discussed that the plan included just trees, there should be a combination of shrubs and plants along with the trees in a

riparian buffer area. It was questioned why riparian tree species were not selected. It was suggested that Parks & Recreation contact Todd Bobowick for assistance with the planting plan. This area is located right on the river buffer, in a recent presentation Mr. Bobowick was clear that a combination of materials should be used. It was discussed that as this is a remediation, the approval could be done in phases to allow the plan for invasives spraying and the stump grinding to be approved separately from the planting plan.

**MOTION:**

To allow the Woodbury Parks & Recreation to be able to spray the Japanese Knotweed at this point as proposed in their initial plan and during that time work on the rest of the planting plan.

Made by **RICHARDS**, Seconded by **NEWELL** (*no vote*)

Members discussion continued. The planting plan should be submitted to the Land Use Office a week prior to the next meeting. It was questioned if there is follow up after the first spraying, are there steps after the fall. There may need to be follow up maintenance, they should follow up with the contractor for the spraying to learn these details. This information should be included in the plan. It was confirmed that the spraying will be done first, and then grinding the stumps.

The motion was then restated.

**MOTION:**

To allow the Japanese Knotweed spraying as proposed for its initial spraying this fall.

Made by **RICHARDS**, Seconded by **NEWELL**

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

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

**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.**

No new information was provided. This item was tabled.

**23-ENF-IW03 – Map 62, Lot 66 / OS-80 District / Village Woods Open Space Association, Inc. / Unauthorized site activity (cutting and dumping of tree branches and debris, deposition constituting fill, blocking of stream flow and alteration of natural cover) within a protected regulated area.**

There was no new update. Chairman Tyrrell stated she would follow up with Mr. DiSarro.

**203 Sprain Brook Road / Map 56, Lot 6 / OS-100 / Ryan Birkenhead / Site Plan comparison review of built features from last Wetland Permit 12-IW-1215 to present.**

It was noted by the Land Use Enforcement Officer that it was indicated an application is forthcoming.

**502 Weekepeemee Road / Discussion regarding water issues**

It was noted that a site walk was held on Sunday. Member Turoczi was the only member to make it to the site, along with Mr. Briedenbach and a few neighbors. Photos taken on the walk were shared with the Agency. Member Turoczi’s observation was that the water was coming from a stream that apparently jumped a bend in its course leading the water down the hill, causing erosion disturbance and eventually crossing the street. Member Turoczi did not note any violations or other issues that he felt could have led to the additional water flow that Mr. Briedenbach and the neighbors were experiencing. There was brief discussion about the road drainage. The explanation for the water issues being that the area is probably just so saturated and with the extreme rainfalls we

have been experiencing lately there was nowhere for the water to go. If the water did not jump the bend in the stream, they would not be experiencing the water at the 502 Weekepeemee Road address. The property owner placed large rocks to try to assist with the issue, however, this fix may not hold up to the velocity of the water, it would require much larger stones to be placed. Should they wish to resolve the issue, they would need an approval from the Agency and this would require an engineer to assist with a resolution. They need to look at the watershed, review rain events and explore the structural components of it. The Agency needs to be able to see that the resolution won't make the situation worse and how it would make it better.

**ADMINISTRATIVE**

**Regular Meeting Minutes – 10/10/23**

**MOTION:**

To approve the meeting minutes (of October 10, 2023) as written.

Made by **NEWELL**, Seconded by **RICHARDS**

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

Ayes	McAloon, Newell, Richards, Turoczi, Tyrrell
Nayes	None
Abstain	None

**Regulation Review**

Town Planner Agresta updated the Agency on the status of his review of the regulations. He anticipates having the edits finalized by the next meeting.

**CORRESPONDENCE** – None

**PRIVILEGE OF THE FLOOR** - None

**ADJOURNMENT**

**MOTION:**

To adjourn the meeting at 9:11 p.m., made by Member Newell with no objections.

RECEIVED & FILED  
 IN WOODBURY, CT  
 This 25<sup>th</sup> day of Oct 2023  
 at 9:21 o'clock A M  
Maria M. Mancini  
 Town Clerk