

# Town of Woodbury Inland Wetlands & Watercourses Agency

281 Main Street South  
Woodbury, CT 06798

203.263.3467 ▪ [www.woodburyct.org](http://www.woodburyct.org)

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## MINUTES – OCTOBER 28, 2024

### REGULAR MEETING

7:30 P.M. – SENIOR CENTER, 265 MAIN ST. SOUTH

#### MEMBERS PRESENT:

Marty Newell, Vice Chair  
Don Richards  
Kyle Turoczi, Secretary  
Mary Tyrrell, Chair  
Ernest Werner

#### MEMBERS ABSENT:

Earl Gillette, Alternate  
Michael McAloon, Alternate  
Timothy Pabst, Alternate

**ALSO PRESENT:** Michael Mazzuco, Ellen Cheffalo, Curt Bergeest, Rella O'Connor, Stephen Schneider, Vince LaFontan, Doug Lindell, Robert Burke and other members of the public.

#### OPENING OF MEETING

Call to Order – Chair Tyrrell convened the meeting at 7:30 p.m.

Seating of Members / Alternates - Seated were regular members Newell, Richards, Turoczi, Tyrrell and Werner  
Conflict of Interest Reminder (CGS Section 8-11 & Woodbury Town Charter Section 901)

#### PENDING APPLICATIONS / DELIBERATIONS

**24-IW-0028 – 101 Tuttle Road / Map 21, Lot 68B-3 / OS-100 District / Ellen Chieffalo (owner/applicant), Michael J. Mazzuco, P.E. (agent) / Within regulated upland review area: Construction and site improvements associated with the construction and use of a two-bedroom single family dwelling with associated driveway, septic, well and stormwater management.**

Michael Mazzuco, PE was present to represent the application. A formal revised plan has been submitted to avoid the removal of a dawn redwood tree, along with associated grading changes. There will be less site work involved and less impact to the site. A planting buffer was noted. An area along the driveway will be planted with native plants rather than grass. The plan is not encouraging a lot of lawn. A draft motion was reviewed by the Agency.

#### MOTION:

To approve 24-IW-0028 for property located at 101 Tuttle Road per Draft Approval Resolution dated October 28, 2024, as presented.

Moved by **TUROCZI**, Seconded by **NEWELL**

Vote: 4-0-1 – **Approved** – Motion Passed

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

**24-IW-0029 – 100 Grassy Hill Road / Map 50, Lot 15A-1 / OS-80 District / Curt Bergeest, Rella O’Connor (applicant/owner) / Within an Upland Review Area: Replacement of a section of culvert pipe due to storm erosion.**

Curt Bergeest was present for the discussion. New plans were submitted and reviewed. It was confirmed that their contractor prepared the plan. Chairman Tyrrell indicated that the plan should indicate who prepared it. The size of the culvert is going to remain the same with gravel underneath it. It was confirmed the pipe is 18 inches. It was noted that the pipe is extending farther than the existing one, it was explained by Mr. Bergeest that this was due to electrical conduit exposure. Amount of fill should be added on the plans along with the name of who prepared them. A draft motion was reviewed by the Agency.

**MOTION:**

To approve 24-IW-0029 for property located at 100 Grassy Hill Road per Draft Approval Resolution dated October 28, 2024, as presented.

Moved by **NEWELL**, Seconded by **RICHARDS**

Vote: 4-0-1 – **Approved** – Motion Passed

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

Mr. Bergeest questioned the process and if they could begin the project. It was explained that there is a statutory appeal period of 15 days after the publishing of the legal notice. This is not something the Agency imposes.

**24-IW-0031 – 317 Church Hill Road / Map 14, Lot 8A-4 / OS-100 District / Stephen Schneider (applicant/owner) Within an Upland Review Area: Cut and remove three (3) large trees near house using a crane, chipping brush and removing debris.**

Stephen Schneider was present for the discussion. The Agency had no further questions and expressed no concerns with the project. A draft motion was reviewed.

**MOTION:**

To approve 24-IW-0031 for property located at 317 Church Hill Road per Draft Approval Resolution dated October 28, 2024, as presented.

Moved by **TUROCZI**, Seconded by **NEWELL**

Vote: 4-0-1 – **Approved** – Motion Passed

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

Mr. Schneider expressed his frustration with the required appeal period. There is nothing the Agency can do; reiterating that this follows State Statutes.

**24-IW-0032 – 644 Flanders Road / Map 96, Lot 21&22 / OS-100 District / Flanders Nature Center and Land Trust (applicant/owner) / Within an Upland Review Area: Improvement of northern site access driveways via Flanders Road near animal barn, and upgrade improvements to farm trail as “accessible trail.”**

Vince LaFontan was present for the discussion and clarified some questions from the previous meeting.

- The driveway surface material can be stone dust.
- The pipe discussed by Member Turoczi at the previous meeting was located and it is now included on the new plan to be replaced.

- It was confirmed that there are 10 parking spaces, 4 of which are ADA. There are two additional spaces located on the Church Hill side of the property.
- Buses will not be using any of these parking spaces.
- The timing for the project is dependent on approvals. Funding is in place; they just need to obtain Zoning Commission approvals.

Agency consensus was that this is a great project. A draft motion was reviewed by the Agency.

**MOTION:**

To approve 24-IW-0032 for property located at 644 Flanders Road per Draft Approval Resolution dated October 28, 2024, as presented.

Moved by **NEWELL**, Seconded by **RICHARDS**

Vote: 4-0-1 – **Approved** – Motion Passed

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

Chairman Tyrrell asked if Mr. LaFontan could stay to address another item and amended the agenda to discuss correspondence (email received by Carol Haskins of the Pomperaug River Watershed Coalition) with no objections.

**CORRESPONDENCE**

**24-IW-0019 – Carmel Hill Road / Map 58, Lots 1 & 1B / OS-100 District / Flanders Nature Center and Land Trust Inc. (applicant/owner) – Marzahl Refuge / Within regulated watercourse (Carmel Hill Brook) and upland review: Stream bank erosion maintenance at pedestrian wooden bridge**

An email dated October 28, 2024, from Carol Haskins of the Pomperaug River Watershed Coalition was received along with photos which expressed concerns with the work that had been done at the Marzahl bridge, drawing the Agency’s attention to the project’s final product.

Members were sent the email and photos of the site and Chairman Tyrrell and Turoczi walked the site separately (prior to the meeting).

Chairman Tyrrell noted her familiarity with the site prior to the bridge work. She was “appalled at the liberties that were taken and how the stream was affected and unchannelized.”

Noted concerns were discussed by members of the Agency:

- The streambank has been built up and armor coated with rocks, which span about 70 ft. (beyond what the Agency approved). This is not what is seen in the rest of the river system. Per the plans the rocks were to be placed right at the abutments.
- They eliminated flood plain area.
- The amount of trees removed and manner in which they were left. Tree removal took place beyond the plan limits. A large pile of trees is left, those should have been disbursed. Smaller branches were left in a pile which could be washed down into the waterfall area.
- The pool riffle system was eliminated.
- Concerns were expressed about the trout that live in the stream, with the drastic change in environment in the stream.
- Where the rocks have been placed, there are no native shrubs and nothing left to grow there.
- The negative impacts on the water from the changes in sun exposure were noted.

- The final product not appropriate for that stream, it left just 6 in or smaller cobbles, sand and gravel.
- The plan was to take some of the bigger stones to bolster up underneath the bridge, being a bit selective and not digging to get them up.
- The area needs to be readjusted, the riffle pool system has to be put back for the habitat.
- It was questioned why the bank was armored up the stream to that extent and why all the stones came out of the streambed.

Minutes from the application discussion were read for the record. The application approval was cleaning out the trees and debris that had come down and clogged up by the bridge, restabilizing the edges and abutments to the bridge.

Mr. LaFontan was surprised as the Town had been out to the site and there were no concerns expressed at that time. He stated that his engineering firm had been on site after the work and had submitted a letter stating that the project was done as to their plan. It was questioned if Civil1 was on site when the work was actually being done, Mr. LaFontan was unsure.

The site will need to be remediated as it was overworked from what was planned. The Agency requested Mr. LaFontan seek someone with an ecological background to help restore the area and have someone with stream experience on site when this is repaired.

A remediation plan will need to be submitted to show details of what’s being done, how it’s being done, why it’s being done, what will be done differently, how it is going to restore it, what will be planted, etc.

Chairman Tyrrell explained that the Agency will also address issues with how things are approved and finalized after project completion. Information had been relayed via email, however, perhaps these should be discussed at the meetings.

**24-IW-0033 – 656 Weekepeemee Road / Map 44, Lot 11 / OS-100 District / Andrew Berecz (applicant/owner) / Within an Upland Review Area and 100-Year Floodplain: Installation of an accessory above ground generator and 2 - 120 gallon propane tanks.**

No one was present for the application. Members had no additional questions or concerns and reviewed a draft motion.

**MOTION:**

To approve 24-IW-0033 for property located at 656 Weekepeemee Road per Draft Approval Resolution dated October 28, 2024, as presented.

Moved by **NEWELL**, Seconded by **RICHARDS**

Vote: 4-0-1 – **Approved** – Motion Passed

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

**NEW / MODIFIED APPLICATIONS**

**24-IW-0034 – 300 Minortown Road / Map 10, Lot 9 / OS-60 District / Doug Lindell (applicant/owner) / Within an Upland Review Area: Construction of a driveway with wetland crossing over an existing pathway (approximately 1,000 linear feet of the driveway is within the upland review area).**

Doug Lindell, owner, was present for the discussion. He noted that his engineer was not able to attend the meeting. Members reviewed the plans provided.

- It was confirmed that the driveway would be following the existing wood road and will be gravel with the exception of parts that may exceed the 10% grade, which will be paved.
- The driveway is shown to be 12 ft. wide.
- The wetlands were flagged by William Kenney.
- No stormwater management plan was provided.
- The engineers working on the project are Charlie Spath and John Mack.

A site walk was scheduled for Sunday, November 10, 2024, at 9:00 AM.

The engineer should bring maps to the walk and the area should be staked to show: center line of the driveway, pipe crossings, structures, and anything in the regulated area.

**57 Clubhouse Drive / Map 48, Lot 8A / OS-60 District / Woodlake, Inc (applicant/owner) / Annual Lake Drawdown.**

There was no one present for the discussion; this item was tabled.

**24-IW-0030 – 197 Minortown Road / Map 25, Lot 2A-2 / OS-60 District / Michelle Fusco (applicant/owner), Ryan and Pilicy (agent)**

- (1) ***Subdivision Amendment Review Report to Planning Commission:*** Amendment of Original Subdivision seeking the removal of original subdivision restriction permitting only a single driveway access shared by both lots of the original subdivision.
- (2) ***Wetlands/Watercourse Permit:*** Within a regulated upland review area proposed second, milled access drive on the property.

The applicant requested postponement until the pending report from Land Tech has been received.

Chairman Tyrrell requested to rearrange the agenda to accommodate Mr. Burke who was present for Privilege of the Floor, this was done with no objections.

**PRIVILEGE OF THE FLOOR**

Robert Burke was present with regards to the Greenskies solar project at Fawn Meadow. Chairman Tyrrell indicated that she had drafted a letter to send on behalf of the Inland Wetlands & Watercourses Agency and read it for the record. The letter was to inform the Siting Council of stormwater and drainage runoff concerns and of the previous history with these issues on this property.

**MOTION:**

To have the Chairman’s draft letter finalized and sent to the Siting Council.

Moved by **WERNER**, Seconded by **RICHARDS**

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

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

Mr. Burke appreciated the Agency’s support by submittal of this letter as he does not want to mimic problems of the past.

**ENFORCEMENT & WETLANDS UPDATE**

The following items were not discussed:

- **24-ENF-IW04 – 544 Old Sherman Hill Road / Map 2, Lot 5 / OS-80 / Nicholas Bennett**  
Unauthorized and non-permitted driveway installation, parking/storage area, vegetation clearing and grading, dumping of tree stumps/debris and storage of contractor materials and equipment within wetlands/watercourses upland review area.
- **24-ENF-IW02 – 83 Park Road / Map 103, Lot 36A / OS-60 District / Zachary Lessard**  
Unauthorized tree removal, timber storage, equipment/business storage, active accessways through regulated areas and land/ground disturbance within wetland/watercourse.
- **23-ENF-IW05 – 57 Lake Road / Map 77, Lot 3 & 7 / OS-60 / Robert Taggett**  
Unauthorized driveway installation.
- **23-ENF-IW06 – 13 Edward Avenue / Map 77, Lot 4-26, 27 & 2 / OS-60 / Frances M. Palomba**  
Unauthorized driveway installation.
- **23-ENF-0002 – 197 Minortown Road / Map 25, Lot 2A-2 / OS-60 District / Michelle Fusco**
- **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.

**ADMINISTRATIVE**

Regular Meeting Minutes – 10/15/24

**MOTION:**

To approve the Minutes of the October 15, 2024, meeting as drafted.

Moved by **NEWELL**, Seconded by **TUROCZI**

Vote: 4-0-1 – **Approved** – Motion Passed

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

**Regulation Review**

- Draft Inland Wetlands and Watercourses Regulations – There was no new update.
- Draft Forest Practices Regulations – Chairman Tyrrell reminded the Agency they should be reviewing the draft.

**CORRESPONDENCE** – This item was discussed earlier in the meeting.

**PRIVILEGE OF THE FLOOR** – Due to the issues that arose during the closeout of the Marzahl Bridge Permit, Chairman Tyrrell took this time to discuss how this situation occurred. There was discussion about the Land Use Enforcement Officer’s handling and notification of project completions. The Agency does not usually get involved with the permit closures unless there is question or concern which would be addressed at that time. With more time and experience, the Land Use Officer will learn to better identify problematic areas.

**ADJOURNMENT**

**MOTION:**

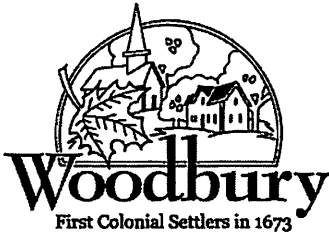
To adjourn the meeting at 9:10 p.m.  
Made by **NEWELL** with no objections.

Respectfully Submitted,  
*Anne Firlings*  
Anne Firlings, Inland Wetlands & Watercourses Agency Clerk

RECEIVED & FILED  
IN WOODBURY, CT

This 30<sup>th</sup> day of Oct 2024  
at 9:10 o'clock PM

*Mona M. Warner*  
Town Clerk



**Town of Woodbury  
Inland Wetlands and Watercourses Agency**

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**WETLANDS / WATERCOURSES PERMIT APPROVAL**

**101 TUTTLE ROAD – 24-IW-0028**

**Site Improvements Associated with Two-Bedroom Single-Family Residence**

**Ellen M. Chieffalo (applicant/owner)**

Date of Approval	October 28, 2024
Permit Expiration*	October 28, 2026

\* if the regulated activities and conditions of approval are not completed accordingly by such date.

Applicant	Ellen M. Chieffalo
Property Owner	Ellen M. Chieffalo
Application	24-IW-0028
Project	Within regulated upland review area: Site improvements associated with a new two-bedroom dwelling.
Address	101 Tuttle Road, Assessor Map 21, Lot 68B-3
Site Acreage	1.45 acres
Zone	OS-100 Zoning District

WHEREAS the Town of Woodbury Inland Wetlands and Watercourses Agency (“Agency”) has received application **24-IW-0028** 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 wetland/watercourse disturbances or impacts.
- Disturbance will generally maintain existing contours.
- The specimen 24” Dawn Redwood tree located in the front of the property will be avoided and protected during construction.
- Underground stormwater infiltrator controls will be utilized to collect and treat roof and partial driveway runoff.
- Erosion and sedimentation controls will be maintained during construction; and

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

- Application for Inland Wetlands Agency Permit
- Soil Report, Danzer, 11/08/22
- 24003 - Site / Septic Plan, Mazzucco (PE), 08/27/24, revised 10/16/24
- 24003-ND – Construction Erosion Control Details and Notes, Mazzucco (PE), 08/27/24, revised 10/16/24
- C1.0 – Cover Sheet, PH Architects, 08/29/24
- C1.1 – General Construction Notes, PH Architects, 08/29/24
- A1.1 – Main Level Floor Plan, PH Architects, 08/29/24
- A1.2 – Second Level Floor Plan, PH Architects, 08/29/24
- A1.3 – Roof Plan, PH Architects, 08/29/24
- A2.1 – Front and Right Elevations, PH Architects, 08/29/24
- A2.2 – Front and Right Elevations, PH Architects, 08/29/24; and

**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:

- The location of the lot driveway access point on Tuttle Road has been revised to be consistent with an old gravel driveway entrance, which is slightly closer to regulated wetlands than originally proposed. This location will be maintained to avoid a specimen 24” diameter Dawn Redwood tree and to better align the driveway with existing contours so grading and related impacts can be minimized. This access point also provides better sight lines.
- The area to the south of the driveway will be required to be maintained in a naturalized state (native shrubs and trees, not lawn).
- No direct wetland/watercourse disturbances or impacts are involved.
- No significant adverse off-site impacts are anticipated.
- Site disturbance during construction will be short term.
- Site disturbance impacts can be further mitigated by the conditions listed below and the proper use and maintenance of drainage, 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 24-IW-0028 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. **Revised Plans** – The applicant shall submit to the satisfaction of the Town Planner a single (1) complete set of “final” plans, revised as follows:
  - a. **Each Sheet** (*inclusive of all application plans and details as listed above*) 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 plan or sheet.



b. Add the following notes conspicuously to Sheet 24003:

- **24-IW-0028**
- **Approval Date: October 28, 2024**
- **Expiration Date: October 28, 2026 – If the regulated activities and conditions of approval are not completed accordingly by such date.**
- **The area to the south of the lot driveway shall be maintained in a naturalized state (native shrubs and trees, not lawn).**
- **Grading and clearing shall be limited to that shown on these approved plans. Any alteration or expansion of yard areas, or any other disturbances or alterations within site wetlands, watercourse or associated upland review areas shall require a separate Inland Wetlands and Watercourses Agency review and permit approval.**
- **All utilities shall be installed underground.**
- **The existing gravel driveway shall be abandoned.**
- **Leaves and other woody debris generated during normal seasonal maintenance shall not be deposited or disposed of within the site's wetlands, watercourse or associated upland review areas.**

c. Add a full copy of this approval.

d. The driveway plan shall be revised to address the following:

- (1) More clearly detail the extent of clearing and grading needed within the street right-of-way.
- (2) Detail how stormwater runoff will be controlled and treated onsite for the section of driveway between the street and the driveway catch basin to prevent discharge into the street and street right-of-way.

e. Add the utility line "U/E/T/C" to the legend, noting underground service lines.

f. Revise the title of Sheet A2.2 to read **Rear and Left Elevations** and to correct the elevation detail title indicating "Right Elevation" to read **Left Elevation**.

2. **Financial Guarantee (Bond)** – In accordance with §13 of the IWWA Regulations, a **Site Remediation/Soil and Erosion Control Bond** in the amount **three thousand (\$3,000.00) 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. **Endorsement of Final Site Plans** – Following completion of the above conditions and acceptance of revised final Site 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.
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/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 applicant shall keep the Land Use Office duly apprised of the status and progress of site work throughout construction, and shall promptly notify the Land Use Office 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:
  - No ground disturbance beyond that shown on the final approved plans is authorized.
  - Ground disturbance shall be contained to the minimum necessary to complete the authorized improvements.
  - The site shall be kept clean of all loose debris, litter, and similar materials to prevent such from entering wetlands or watercourses.
  - Erosion and sedimentation controls shall be installed and maintained, and additional controls may be required at the direction of the Land Use Office as 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 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.
5. Disturbed soils shall be stabilized in a timely fashion, particularly to avoid/minimize erosion impacts.
6. Construction vehicles/equipment not in use shall not be stored, and at no time shall such be washed out, within a regulated upland review 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.
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 because of the activity.

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

**1. As-Built Plan**

- Upon completion of the authorized improvements, the applicant shall submit an **As-Built Plan** (live signature and seal A-2 Survey) detailing and certifying the completed improvements 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 Site Plans.
- A separate **As-Built Overlay Plan** showing the approved final Site Plan in black and the As-Built conditions in red shall also be provided to assist in compliance review.

**2. 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:

- Provision of an acceptable certified A-2 Survey As-Built and As-Built Overlay Plan.
- Provision of a Professional Engineer certification (live signature and seal) indicating the improvements have been installed in accordance with the final Site Plans and are functioning as designed.
- Verification the site has been cleaned of construction related equipment, materials, and debris.
- Verification all disturbed areas have been stabilized and exhibit healthy vegetative cover.
- Verification all erosion controls have been appropriately removed and disposed of following Land Use Office confirmation that the site is stabilized.

**3. Bond Release** – Upon written request by the applicant following completion of all authorized work consistent with the approved final Site 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 as may be required submission of an adequate As-Built Plan and As-Built Overlay Plan detailing and certifying the completed improvements). The Land Use Office may refer any request for bond release to the Agency.

**4. 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.

**5. Approval Compliance / Changes** – Failure to maintain compliance with this permit and the approved final Site Plans shall constitute a violation of the terms of this permit and the IWWA Regulations. Additions or changes to the approved regulated activities shall require prior review and separate approval and permit.

**6. Expiration** – This permit approval shall expire and be null and void without further written notice per the date set forth on Page 1 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**

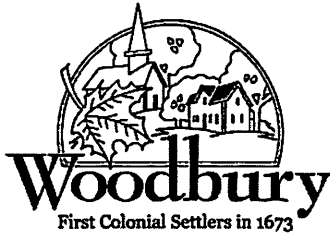
Moved by **TUROCZI**, Seconded by **NEWELL**

Vote: 4-0-1 – **APPROVED** – Motion **PASSED**

Aye Tyrrell, Newell, Turoczi, Richards

Nay None

Abstain Werner



**Town of Woodbury**  
**Inland Wetlands and Watercourses Agency**

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**WETLANDS / WATERCOURSES PERMIT APPROVAL**

**100 GRASSY HILL ROAD – 24-IW-0029**

**Residential Driveway Crossing Culvert Pipe Replacement**

**Rella O'Connor (owner/applicant)**

Date of Approval	August 26, 2024
Permit Expiration*	August 26, 2026

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

Applicant	Curt Bergeest and Rella O'Connor
Property Owner	Rella O'Connor
Application	24-IW-0029
Project	Within regulated watercourse/wetland and regulated upland review area: Replacement of residential driveway crossing culvert pipe damaged by storm event.
Address	100 Grassy Hill Road, Assessor Map 50, Lot 15A-1
Site Acreage	2.73 acres
Zone	OS-80 Zoning District

**WHEREAS** the Town of Woodbury Inland Wetlands and Watercourses Agency ("Agency") has received application **24-IW-0029** 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:

- Work will be of a temporary short-term duration during a dry (non-rain) period.
- Work is to restore an existing residential driveway stream crossing of an eighteen (18") inch culvert pipe.
- Erosion and sedimentation controls as warranted will be maintained during construction; and

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

- Application for Inland Wetlands Agency Permit
- Record Map V22, P88
- Culvert Replacement, 10/21/24; and

**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:

- Site disturbance will be short term.
- Site disturbance impacts can be mitigated by control of installation and the conditions listed below, as well as with 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 **24-IW-0029** 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 Site Plans endorsed as “approved” subject to the following modifications and conditions:

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

1. **Final Site Plans** – The plans presented shall be endorsed as “approved” by the Agency / Town Planner.
2. **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.
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.

**B. Conditions During Construction**

1. All stream work shall be conducted during a dry period (with no rain in the forecast).
2. 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.
3. The Land Use Office shall be duly apprised of the status and progress of site work throughout construction and shall be 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.

4. The following shall be followed in relation to the project:
  - No stream or ground disturbance beyond that shown on the final approved plans is authorized.
  - Stream and ground disturbance shall be contained and maintained to the minimum necessary to complete the authorized maintenance/restoration improvements.
  - Erosion and sedimentation controls as may be needed shall be installed and maintained, and additional controls may be required at the direction of the Land Use Office if deemed necessary.
  - Cutting of trees/vegetation shall be avoided to the extent practicable.
  - Disturbed soils shall be stabilized in a timely fashion, particularly to avoid/minimize erosion impacts.
  - Following construction, all work access paths shall be reestablished to original condition.
5. Construction vehicles/equipment not in use shall not be stored, and at no time shall such be washed out, within a wetland/watercourse or regulated upland review 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.
6. Construction stockpiles and staging shall not be within a wetland/watercourse or regulated upland review area. The site shall be kept clean of all loose debris, litter, and similar materials to prevent such from entering wetlands/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.
7. 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.
8. Storage of any fuel/lubricants, and the refueling/lubrication of any equipment are forbidden within any portion of wetlands/watercourses or regulated 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 because 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 (**final sign-off and permit closure**) of the approved regulated activities, subject to the following:
  - Verification of installation consistent with approved final Site Plans. The Land Use Office may require submission of a certified A-2 Survey As-Built Plan if warranted in a form, content and number as may be required by the Land Use Office to determine permit compliance and satisfactory completion consistent with this approval and the endorsed final Site Plans.
  - 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. The Land Use Office may refer any request for bond release to the Agency.
3. **Approval Compliance / Changes** – Failure to maintain compliance with this permit and the approved final Site Plans shall constitute a violation of the terms of this permit and the IWWA Regulations. 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 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**

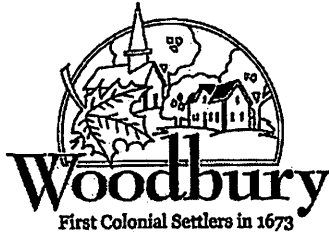
Moved by **NEWELL**, Seconded by **RICHARDS**

Vote: 4-0-1 – **APPROVED** – Motion **PASSED**

Aye Tyrrell, Newell, Turoczi, Richards

Nay None

Abstain Werner



**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)

**WETLANDS / WATERCOURSES PERMIT APPROVAL**  
**317 CHURCH HILL ROAD – 24-IW-0031**  
**Tree Cutting and Removal**  
**Susan E. Brayton and Stephen L. Schneider (applicant/owner)**

Date of Approval	October 28, 2024
Permit Expiration*	October 28, 2026

\*If the regulated activities and conditions of approval are not completed accordingly in such timeframe.

Applicant	Stephen Schneider
Property Owner	Susan E. Brayton and Stephen L. Schneider
Application	24-IW-0031
Project	Within regulated upland review area cut and remove three (3) large trees near house using a crane, chip brush and remove all debris for offsite disposal.
Address	317 Church Hill Road, Assessor Map 14, Lot 8A-A
Site Acreage	3.5 acres
Zone	OS-100 Zoning District


**WHEREAS** the Town of Woodbury Inland Wetlands and Watercourses Agency (“Agency”) has received application **24-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** application materials received include the following:

- Application for Inland Wetlands Agency Permit
- Site Location Map
- Tree Photos; and

Approved by Inland Wetlands & Watercourses Agency

Approval Date: 10/28/24

Signature:   
 Town Planner

**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 direct wetland/watercourse disturbances or impacts are involved.
- Site disturbance will be short term, and no significant adverse off-site impacts are anticipated.
- A crane will be used to minimize site disturbances; and
- 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 24-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 Site Plans endorsed as “approved” subject to the following modifications and conditions:

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

1. **Endorsement of Final Site Plans** – The plans as presented shall be endorsed as “approved” by the Town Planner.
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.

**B. Conditions During Regulated Work Activity**

1. Authorized work shall be limited to the cutting and removal of three (3) trees (2 oaks and 1 ash). The cut trees and all related components shall be removed offsite and properly disposed of.
2. The applicant shall provide the Land Use Office with a minimum of 48 hours notification prior to commencing the authorized tree cutting and shall further notify the Land Use Office upon completion.
3. The following shall be followed in relation to the project:
  - Erosion and sedimentation controls may be required by the Land Use Office.
  - Ground disturbance shall be contained to the minimum necessary to complete the authorized improvements.
  - Disturbed soils shall be stabilized in a timely fashion, particularly to avoid/minimize erosion impacts.
  - The site shall be kept clean of all loose debris, litter, and similar materials to prevent such from entering wetlands or watercourses.
  - 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.
  - The site shall be kept clean of all loose debris, litter, and similar materials to prevent such from entering wetlands or watercourses.
  - Construction vehicles/equipment not in use shall not be stored, and at no time shall such be washed out, within an upland review 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.
  - 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 because of the activity.

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

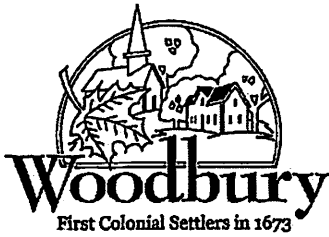
1. **Final Inspection Required** – The applicant shall request the Land Use Office conduct a final inspection for determination of permit completion of the approved regulated activities, subject to the following:
  - Verification the site has been cleaned of construction related equipment, materials, and debris.
  - All disturbed areas have been stabilized and exhibit healthy vegetative cover.
  - Any installed 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 IWWA Regulations. 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 on Page 1 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 TUROCZI, Seconded by NEWELL

Vote: 4-0-1 – APPROVED – Motion PASSED

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



# 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)

Approved by Inland Wetlands & Watercourses Agency Approval Date: <u>10/28/24</u>	Signature: Town Planner
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### WETLANDS / WATERCOURSES PERMIT APPROVAL

#### 644 FLANDERS ROAD – 24-IW-0032

#### (5 Church Hill Road – Flanders Nature Center)

#### Accessible Trail and Accessory Parking

#### Flanders Nature Center and Land Trust (applicant/owner)

<b>Date of Approval</b>	<b>October 28, 2024</b>
<b>Permit Expiration*</b>	<b>SAME AS ZONING</b>

\*Consistent with CGS §22a-42a(d)(2)(A), permit expiration shall be equal to that of the corresponding Zoning Commission Special Permit / Site Plan approval and if the regulated activities and conditions of approval are not completed accordingly in such timeframe.

Applicant	Flanders Nature Center and Land Trust
Property Owner	Flanders Nature Center and Land Trust
Application	24-IW-0032
Project	Within regulated upland review area: Improvement of existing loop farm trail as an “accessible trail” as well as additional parking in association with improvement of the northern site access driveways via Flanders Road near the animal barn.
Address	644 Flanders Road (5 Church Hill Road), Assessor Map 96, Lot 21 and 22
Site Acreage	109.96 acres
Zone	OS-100 Zoning District

**WHEREAS** the Town of Woodbury Inland Wetlands and Watercourses Agency (“Agency”) has received application **24-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 project also requires Special Permit / Site Plan approval by the Zoning Commission; and

**WHEREAS** the following mitigation measures are proposed:

- Project development is proposed within previously disturbed, maintained areas in proximity to other existing site development and buildings.
- No direct wetland/watercourse disturbances or impacts.
- Disturbance will generally maintain existing contours which is relatively flat and necessary for trail accessibility.
- Erosion and sedimentation controls will be maintained during construction; and

WHEREAS application materials received include the following:

- Application for Inland Wetlands Agency Permit
- Cover Sheet, Civil 1, 09/05/24
- C-1.1 – Existing Conditions, Civil 1, 09/05/24;
- C-2.1 – Site & Grading Plan, Civil 1, 09/05/24
- C-2.2 – Soil Erosion and Control Plan, Civil 1, 09/05/24
- C-6.1 – Driveway Profile and Details, Civil 1, 09/05/24; and

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:

- The existing trail will be enhanced to provide accessible access throughout the loop farm trail.
- Grading associated with the trail improvement and accessory parking will be minimal.
- No direct wetland/watercourse disturbances or impacts are involved.
- No significant adverse off-site impacts are anticipated.
- Site disturbance during construction will be short term.
- Site disturbance impacts can be further mitigated by the conditions listed below and the proper use and maintenance of drainage, 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 24-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 and the final Site Plans endorsed as “approved” subject to the following modifications and conditions:

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

1. **Permit Effective Date** – This approval shall not take effect for purposes of implementation until the corresponding required Zoning Commission Special Permit / Site Plan approval is also granted and deemed in effect consistent with CGS §22a-42a(d)(2)(A).
2. **Revised Plans** – The applicant shall submit to the satisfaction of the Town Planner a single (1) complete set of “final” Site Plans, revised as follows:
  - a. Each Sheet (*inclusive of all application plans and details as listed above*) 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 plan or sheet.
  - b. Add the following note conspicuously to the Cover Sheet and Sheet C-1.1:
    - **23-IW-0032 – Approval Date: October 28, 2024**  
**Expiration Date: Consistent with CGS §22a-42a(d)(2)(A), permit expiration shall be equal to that of the corresponding Zoning Commission approval and if regulated activities and conditions of approval are not completed accordingly in such timeframe.**

- c. Add a full copy of this approval.
  - d. Details (size, grade, surface, maneuverability in and out of, road access adequacy) of the proposed parking space adjacent to the accessible trail with access via Church Road shall be provided, including limiting such to controlled temporary use.
  - e. The existing condition and status of the pipe crossing the accessible trail near the pavilion structure shall be field reviewed by the project engineer and shall be identified on the plans. If the pipe needs repair or replacement that also shall be fully detailed on the plans.
3. **Coordination with Zoning Commission Approval** - Agency endorsement of the final Site Plans shall be coordinated with and held until post Zoning Commission approval, noting that any resulting substantive changes affecting wetland/watercourse regulated areas as determined by the Town Planner shall be subject to modified Agency review and approval.
  4. **Financial Guarantee (Bond)** – In accordance with §13 of the IWWA Regulations, a **Site Remediation/Soil and Erosion Control Bond** in the amount **three thousand (\$3,000.00) 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.
  5. **Endorsement of Final Site Plans** – Following completion of the above conditions and acceptance of revised final Site 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.
  6. **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:
    - **Zoning Commission**
    - **Housatonic Valley Health District**
    - **Woodbury Administrative Zoning/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 applicant shall keep the Land Use Office duly apprised of the status and progress of site work throughout construction, and shall promptly notify the Land Use Office 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:

- No ground disturbance beyond that shown on the final approved plans is authorized.
  - Ground disturbance shall be contained to the minimum necessary to complete the authorized improvements.
  - The site shall be kept clean of all loose debris, litter, and similar materials to prevent such from entering wetlands or watercourses.
  - Erosion and sedimentation controls shall be installed and maintained, and additional controls may be required at the direction of the Land Use Office as 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 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.
5. Disturbed soils shall be stabilized in a timely fashion, particularly to avoid/minimize erosion impacts.
6. Construction vehicles/equipment not in use shall not be stored, and at no time shall such be washed out, within a regulated upland review 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.
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 because of the activity.

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

**1. As-Built Plan**

- Upon completion of the authorized improvements, the applicant shall submit an **As-Built Plan** (live signature and seal A-2 Survey) detailing and certifying the completed improvements 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 Site Plans.
- A separate **As-Built Overlay Plan** showing the approved final Site Plan in black and the As-Built conditions in red shall also be provided to assist in compliance review.

**2. 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:

- Provision of an acceptable certified A-2 Survey As-Built and As-Built Overlay Plan.
- Provision of a Professional Engineer certification (live signature and seal) indicating the improvements have been installed in accordance with the final Site Plans and are functioning as designed.
- Verification the site has been cleaned of construction related equipment, materials, and debris.
- Verification all disturbed areas have been stabilized and exhibit healthy vegetative cover.
- Verification all erosion controls have been appropriately removed and disposed of following Land Use Office confirmation that the site is stabilized.

3. **Bond Release** – Upon written request by the applicant following completion of all authorized work consistent with the approved final Site 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 as may be required submission of an adequate As-Built Plan and As-Built Overlay Plan detailing and certifying the completed improvements). The Land Use Office may refer any request for bond release to the Agency.
4. **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.
5. **Approval Compliance / Changes** – Failure to maintain compliance with this permit and the approved final Site Plans shall constitute a violation of the terms of this permit and the IWWA Regulations. Additions or changes to the approved regulated activities shall require prior review and separate approval and permit.
6. **Expiration** – This permit approval shall not take effect until a corresponding Zoning Commission Special Permit / Site Plan approval has been duly granted and made effective. This permit approval shall expire and be null and void without further written notice per the date set forth on Page 1 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**

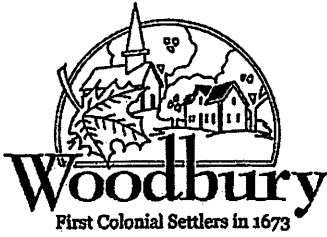
Moved by **NEWELL**, Seconded by **RICHARDS**

Vote: 4-0-1 – **APPROVED** – Motion **PASSED**

Aye Tyrrell, Newell, Turoczi, Richards

Nay None

Abstain Werner



**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)

**WETLANDS / WATERCOURSES PERMIT APPROVAL**

**656 WEEKEEPPEEMEE ROAD – 24-IW-0033**

**Residential Accessory Generator and Propane Storage Tanks**

**Andrew Berecz (applicant/owner)**

<b>Date of Approval</b>	<b>October 28, 2024</b>
<b>Permit Expiration*</b>	<b>SAME AS ZONING</b>

\*Consistent with CGS §22a-42a(d)(2)(A), permit expiration shall be equal to that of the corresponding Zoning Commission Special Floodplain Permit approval and if the regulated activities and conditions of approval are not completed accordingly in such timeframe.

Applicant	Andrew Berecz
Property Owner	Andrew Berecz
Application	24-IW-0033
Project	Within regulated upland review area install residential accessory generator and two (2) 120-gallon above ground propane storage tanks.
Address	656 Weekepeemee Road, Assessor Map 44, Lot 11
Site Acreage	4.42 acres
Zone	OS-100 Zoning District

**WHEREAS** the Town of Woodbury Inland Wetlands and Watercourses Agency (“Agency”) has received application **24-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 project also requires Special Permit Floodplain Permit approval from the Zoning Commission; and

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


- Application for Inland Wetlands Agency Permit
- Site Map Sketch, 10/2024
- Site Photos; and

**WHEREAS** the following mitigation measures are proposed:

- Development is proposed within previously disturbed, maintained areas in proximity to site buildings.
- No direct wetland/watercourse disturbances or impacts.
- Disturbance will not alter existing contours; and

**Approved by Inland Wetlands &  
Watercourses Agency**

Approval Date: 10/28/24

Signature:   
 Town Planner



**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 direct wetland/watercourse disturbances or impacts are involved.
- No significant adverse off-site impacts are anticipated.
- Site disturbance during construction will be short term.
- Site disturbance impacts can be further mitigated by the conditions listed below and the proper use and maintenance of drainage, 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 24-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 Site Plans endorsed as “approved” subject to the following modifications and conditions:

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

1. **Permit Effective Date** – This approval shall not take effect for purposes of implementation until the corresponding required Zoning Commission Special Permit Floodplain Permit approval is also granted and deemed in effect consistent with CGS §22a-42a(d)(2)(A).
2. **Floodplain Strapping Details** – The applicant shall provide installation details of the strapping down of the generator and propane storage tanks due their location within a 100-year floodplain, subject to acceptance of the Town Planner and Zoning Commission. Such shall supplement the final Site Plans.
3. **Coordination with Zoning Commission Approval** - Agency endorsement of the final Site Plans shall be coordinated with and held until post Zoning Commission approval, noting that any resulting substantive changes affecting wetland/watercourse regulated areas as determined by the Town Planner shall be subject to modified Agency review and approval.
4. **Endorsement of Final Site Plans** – Following completion of the above conditions the Town Planner shall be authorized to endorse the final Site Plans as “approved.”
5. **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:
  - Zoning Commission
  - 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 applicant shall keep the Land Use Office duly apprised of the status and progress of site work throughout construction, and shall promptly notify the Land Use Office 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:
  - Erosion and sedimentation controls may be required by the Land Use Office.
  - Ground disturbance shall be contained to the minimum necessary to complete the authorized improvements.
  - Disturbed soils shall be stabilized in a timely fashion, particularly to avoid/minimize erosion impacts.
  - The site shall be kept clean of all loose debris, litter, and similar materials to prevent such from entering wetlands or watercourses.
  - 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.
  - 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.
  - Construction vehicles/equipment not in use shall not be stored, and at no time shall such be washed out, within an upland review 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.
  - 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 because 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 of installation consistent with approved final Site Plans. The Land Use Office may require submission of a certified A-2 Survey As-Built Plan if warranted in a form, content and number as may be required by the Land Use Office to determine permit compliance and satisfactory completion consistent with this approval and the endorsed final Site Plans.
  - Verification the site has been cleaned of construction related equipment, materials, and debris.
  - All disturbed areas have been stabilized and exhibit healthy vegetative cover.
  - Any installed erosion controls have been appropriately removed and disposed of following Land Use Office confirmation that the site is stabilized.

2. **Drainage Improvements** – Site and building 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.
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 IWWA Regulations. Additions or changes to the approved regulated activities shall require prior review and separate approval and permit.
4. **Expiration** – This permit approval shall not take effect until a corresponding Zoning Commission Special Permit / Site Plan approval has been duly granted and made effective. This permit approval shall expire and be null and void without further written notice per the date set forth on Page 1 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: 4-0-1 – **APPROVED** – Motion **PASSED**

Aye Tyrrell, Newell, Turoczi, Richards

Nay None

Abstain Werner