



Town of Woodbury

Inland Wetlands and Watercourses Agency

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

MINUTES –DECEMBER 12, 2022

REGULAR MEETING

7:00 PM – Senior/Community Center, 265 Main St. South, Woodbury, CT 06798

MEMBERS PRESENT

Earl Gillette, Alternate
Marty Newell
Don Richards, Alternate
Kyle Turoczi
Mary Tyrrell

MEMBERS ABSENT

Wes Clow
Michael McAloon, Alternate
Ernest Werner

NOTED OTHERS PRESENT –

OPENING OF MEETING

- Call to Order – Meeting commenced at 7:00 p.m.
- Seating of Members / Alternates – Seated for the meeting were members Newell, Turoczi, Tyrrell, and alternates Gillette and Richards
- Conflict of Interest Reminder (CGS §8-11 & Woodbury Town Charter Section 901)

PUBLIC HEARINGS – None

NEW APPLICATIONS – None

PENDING APPLICATIONS / DELIBERATIONS - None

ENFORCEMENT & WETLANDS UPDATE

- **21-ENF-0001 – 93 Weekeepemee Road / Map 40 / Lot 48 / McGovern**
NV Clearing, Excavating & Grading within a Regulated Area

There was no new information. The town attorney has advised the property owner's attorney that a remediation plan is expected by the Agency for their January 9, 2023, meeting.

- **22-ENF-0015 – Minortown Road / Map 10, Lot 9 / Hardisty and Lawson**
Unauthorized Site Activity (including excavation, deposition and alteration of ground coverage and contours, as well as drainage conditions) within a regulated area.

Chairman Tyrrell informed the Agency that John Hardisty came to her store and showed her pictures of the installed haybales. She asked that he provide the photos to the Land Use Office for review. The Chairman noted that the haybales were not staked into the ground. It was explained that the haybales were to stop any potential erosion from making its way to the brook. It was asked that the Land Use Office follow up with Mr. Hardisty as to the status wetlands permit application for the driveway as well as obtaining the photo documentation of the

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

requested haybale installation. Members discussed what they observed from the site walk with the Town Planner as he was not present at the last meeting. GIS aerial views of the property were reviewed. The deposition of millings is within the regulated area and required permitting. The Agency requested a follow up with Mr. Hardisty requesting more detail on the haybale installation including the photos and to send a reminder that an application is still required for the work that was done including deposition of millings and grading that occurred within a regulated area.

- **22-ENF-0019 – 922 Main Street North / Map 25, Lot 28 / OS-60 District / Amanda Soucy**
NV – Unauthorized site activity and construction (including excavation, deposition and alteration of ground coverage and contours, as well as drainage conditions within a regulated area.

Amanda Soucy and Clyde David Fernandez were present for the discussion. Mr. Fernandez noted there was an existing wall on the property and that he was just “dressing up the wall.” They were unaware that permits were required for this activity. A large sycamore tree was noted as having been cut down, Mr. Fernandez explained this was done by the previous owners, however, he cut the stump down further. Erosion was noted in photos, the owners are attempting to stop this erosion from reaching the river. There was discussion about how this area became unstable and how to resolve the erosion issues occurring on the property. This erosion existed prior to their purchasing the property. The area has been undermined and needs to be stabilized immediately. The Agency recommended spreading woodchips to stabilize the site. This is a temporary fix; they should work on a plan for a permanent resolution and submit it with an application before doing any more work on the site. They should cease what they were doing and restore with woodchips. The Town Planner suggested this could be a remediation plan, however, if they are looking to terrace or proposing any other such activities it would require an application. Contours should be indicated on the plans. This property is also located in a flood plain and there are requirements associated with that as well. The retaining wall in the middle may help with the longtime survival of the hill, however, the Town Planner advised that they won’t be able to terrace it and make it flat adding additional materials. This area will still be hills but with necessary vegetation. The property owners will come back with a plan for what they want to do in the future and in the meantime will stop any activity and lay down wood chips to assist with erosion control.

- **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

Matt Bruton and Gary Eucalitto were present for the discussion. Three bonds are being held by the town. There is an \$18,000 Soil and Erosion Bond, \$18,000 Invasives Management Bond and a \$10,000 Stormwater Installation and Maintenance Bond. Mr. Bruton updated the Agency on recent activity on the site including replanting trees and shrubs, fixing the exclusionary fencing, reseeding areas, cleaning up sediment buildup and picking up trash. They are looking for a bond reduction. Mr. Bruton explained that the area is stable, there is no evidence of erosion. The stormwater management has been operating properly. Invasives species management is ongoing, with reporting. Chairman Tyrrell wanted someone to verify that all the conditions of approval have been done, feeling that these items may not have been followed up on. Mr. Bruton noted that they visited the site in early spring and resolved issues they noted and followed up again about a month ago. A five-year plan was required in the approval to confirm that what got planted was established. Mr. Eucalitto noted that everything done was submitted on an as-built and that the previous Town Planner visited the site with them multiple times, he felt it was not fair to state that they did not comply with the conditions. If the Agency has concerns, he felt they should visit the site. It was discussed that this time of year may not be beneficial to view everything they would like to see, some species may be difficult to inspect. It was reminded that there are three different bonds in place that they can review for completeness. Much of the work has been completed on the site, the Agency can review for bond release or reduction. Chairman Tyrrell requested documentation of what the bonds were for, and the conditions required to satisfy release of the bonds and the status of those conditions to date. Mr. Agresta will

provide this and noted that the invasives species bond and requirements are ongoing. The erosion and sedimentation control bond is for stabilization, which is easily confirmed. The stormwater management bond is to confirm if it was done and is functioning as it should. This appears to be done and functioning. The Chairman noted that the stormwater plan included raingardens and the Agency was concerned with whether those plantings were appropriately installed and thriving. Matt Bruton, as engineer, stated that he submitted a letter for the file certifying that the stormwater management is installed and functioning as it should. Mr. Bruton reviewed the plans with the Agency noting installed items and their functioning status.

After discussion, a site walk of the property was scheduled for Sunday, January 8, 2023, at 9:00 a.m.

ADMINISTRATIVE

- Meeting Minutes – 11/28/22

MOTION:

To accept the minutes of 11/28/22 meeting as submitted.

Made by **TUROCZI**, Seconded by **NEWELL**

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

Ayes Gillette, Newell, Richards, Tyrrell, Turoczi

Nays None

Abstain None

CORRESPONDENCE - None

PRIVILEGE OF THE FLOOR – Alternate Richards questioned if the Agency required a Secretary, Mr. Agresta expressed there was not a real need for one.

As requested by the Agency, a spreadsheet indicating the status of permits has been drafted by the Land Use Office. This spreadsheet can be used as a reference tool and will be included in the correspondence folder for each meeting. It can be updated as changes are made.

Alternate Gillette noted that the town has drones available to them, there are some questions as to the legality of their use but could prove beneficial for viewing town properties with swamps or difficult areas to access.

Chairman Tyrrell received information from the First Selectman about a request for activity within a Conservation Easement on 70 Tuttle Road. Planner Agresta noted there are no wetlands in this area.

Member Turoczi shared results of a Naugatuck Valley Community College student survey indicating that the Agency appears to be fair and works to protect the wetlands and wetland resources.

ADJOURNMENT

MOTION:

To adjourn the meeting at 8:24 p.m.

Made by **NEWELL** with no objections.

Filed Subject to Approval

Respectfully Submitted

Anne Firlings

Anne Firlings, Clerk

RECEIVED & FILED
IN WOODBURY, CT

This 14th day of Dec 2022
at 3:15 o'clock PM
Maria Marcini
Town Clerk