



**TOWN OF WOODBURY**  
**INLAND WETLANDS AND WATERCOURSES AGENCY**  
281 Main Street South  
Woodbury, CT 06798-0369  
(203)263-3467 ~ www.woodburyct.org

**REGULAR MEETING MINUTES**  
**February 14, 2022 – 7:00 P.M.**  
**Senior/Community Center, 265 Main St. South**

**MEMBERS PRESENT:**

Martha Newell  
Kyle Turoczi  
Mary Tyrrell

**ALTERNATES PRESENT:**

Earl Gillette  
Don Richards

**MEMBERS ABSENT:**

Wes Clow  
Ernest Werner

**ALTERNATES ABSENT:**

VACANY

**ALSO PRESENT:**

William Agresta, Town Planner  
Richard Warren, O & G Industries

Soli Foger  
Ralph A Panagrossa, Jr

Ken Faroni  
Mary Panagrossa

**REGULAR MEETING**

The meeting was convened at 7:05 PM.

Seated for the meeting were Members Newell, Turoczi, and Tyrrell, and Alternates Gillette and Richards. Members were reminded of the Conflict-of-Interest Statutes and the Town Charter. There were no remote attendees.

**PENDING APPLICATIONS**

**21-IW-2128 / Foger / 39 Quanopaug Trail / Map 025, Lots 014-1 & 014A-2**

Remediation of unauthorized site work in a regulated wetland and upland review area

Chairman Tyrrell informed members that the Agency received the plans required for the application and the previously requested checklist from the Town Planner. She explained the agency's authorities, how they are derived, and asked everyone to please read the regulations to be fully informed.

The applicant explained the plans Chairman Tyrrell referred to were changed in accordance with the Agency's request. He further addressed the need to consider alternatives to the existing pipe system. Other options had been tried but failed to meet the applicant's needs. The applicant provided photographs to support his claim that there is adequate flow to recharge and preserve the existing wetlands. He analyzed the pipe-system's capacity and historic rainfall amounts to prove his claims. The applicant believes he has provided all the requested documentation and reiterated that his interests align with the Agency's.

Commissioners and the Town Planner engaged the applicant and each other in conversation about system capacity, including the inevitable over-topping during heavy rainfall, the landscaping plan, potential for erosion, the difficulty evaluating system efficacy due to the lack of pre-disturbance data, and whether the applicant has made sufficient effort to address the Agency's concerns. The consensus: Yes.

Chairman Tyrrell asked whether the members were comfortable requesting a draft motion for the next meeting; does anyone want special conditions? In addition to the standard conditions, Alternate Richards asked that a requirement granting unlimited access to the property be included. Alternate Richards also requested that the Pomperaug River Watershed Coalition map used during their conversation be added to the record.

**16-IW-1620 / Santos / 185 Saw Pit Hill Road / Map 052, Lots 35C & 35L**

Time extension of permit 16-IW-1620 construction of gravel driveway & restoration of previously disturbed areas within 50' ROW / (original permit expires 12/11/21)

Tabled for further discussion. Agency members were unable to walk the site at the February 13 meeting; the Special Meeting will be rescheduled for February 27. The application will be discussed at the February 28 Regular Meeting.

**NEW APPLICATIONS**

**22-IW-003 / O & G Industries, Inc. / 97 Park Road / Map 88, Lot 5 / Park Road Quarry**

Expansion of existing basalt quarry operations to remove approximately 50,000 CY of material approximately 65-70 feet deep in south-central portion of property affecting 0.55 acres of regulated wetlands. OH or D by 04/20/22

Chairman Tyrrell confirmed there were no remote attendees.

Ken Faroni, formerly employed by O & G Industries, presented the proposal. As the quarry nears the end of its productive life, O & G is pursuing options to maximize extraction while creating topography and environmental conditions conducive to a variety of potential future uses. The proposal includes removing 0.55 acres of wetland to be offset by 1.15 mitigation acres, and an easement to protect an upland area. All activities are limited to property owned by O & G.

Chairman Tyrrell asked whether Agency members could walk the site prior to the anticipated public hearing; the site-walk will be scheduled for March 27 at 9:00 AM.

Member Turoczi expressed concern about observed invasive species on the site. He requested that remediation be included as part of the plan; Mr. Faroni assured the Agency invasive remediation is included.

Chairman Tyrrell asked for a motion classifying application 22-IW-003 as plenary.

**MOTION:**

To CLASSIFY application 22-IW-003, expanding existing basalt quarry operations, as plenary.

Made by Newell, Seconded by Gillette

Vote: 5-0-0 – Approved -- PASSED

Ayes: Gillette, Newell, Richards, Turoczi, Tyrrell

Nays: None

Abstentions: None

## **ENFORCEMENT & WETLANDS UPDATE**

### **MOTION:**

To amend the agenda, allowing discussion of a potential enforcement action against Panagrossa, Map 039, Lot 29, related to the installation of deck footings within a regulated area.

Made by Richards, Seconded by ?

Vote: 5-0-0 – Approved -- PASSED

Ayes: Gillette, Newell, Richards, Turoczi, Tyrrell

Nays: None

Abstentions: None

While explaining what has been done to date, the property owners described their experiences during their 30 years at the site. Construction of a new deck requires footings, recently installed, in a regulated area. The Town Planner explained the area in question is regulated by two agencies, one being Inland Wetlands. He explained the permitting process. The property owners will pursue the application process.

### **21-ENF-0007 / Foger / 39 Quanopaug Trail / Map 025, Lot 014-1**

NV Clearing, Filling and Grading within a Regulated Area

The property owner is moving forward with an application addressing all the issues discussed.

### **21-ENF-0010 / Teixeira / 466 Flanders Road / Map 094, Lot 016-A**

NV Unauthorized Installation of Driveway & Parking Area (filling, grading, tree cutting, & log storage piles) within a Regulated Area

The area is stable. Work will progress as the weather allows.

### **MINUTES**

Consideration of the minutes from the January 24, 2022 Regular Meeting.

Questions? Corrections? None.

### **MOTION:**

To ACCEPT the minutes from the January 24, 2022 Regular Meeting as presented.

Made by Trella, Seconded by Turoczi

Vote: 5-0-0 – Approved -- PASSED

Ayes: Gillette, Newell, Richards, Turoczi, Tyrrell

Nays: None

Abstentions: None

### **OTHER BUSINESS**

Chairman Tyrrell shared with Agency members that the Pomperaug River Watershed Coalition has no objections to the amount of draw-down allowed under the DEEP permit for the Tapawingo Tubing LLC proposal. The only remaining question is whether the entire regulated area is under DEEP authority or is part of the area subject to local authority? The Town Planner expects to see the permit and will respond.

### **CORRESPONDENCE**

CT DEEP Diversion of Water Permit. Withdrawal of water from Sprain Brook for Snowmaking / 785

Washington Road / Tapawingo Tubing LLC

Notification of approval.

**PRIVILEGE OF THE FLOOR**

Member Gillette asked for an update on the Welcome to Woodbury letter. The Town Planner has drafted a document for future review.

Member Gillette also noted work has ceased at numbers 444 and 448 Quassapaug Road. The Zoning Enforcement officer visited the property owner explaining permits are required for their activities. The owners will seek permits.

The Sustainability Award is up for renewal. A committee is to be formed; soliciting volunteers.

**ADJOURNMENT**

**MOTION:**

To ADJOURN the meeting at 10:12 P.M.

Made by Member Newell

**Filed subject to approval.**

Respectfully Submitted,

*Edward S. De Cortin*

Clerk

Inland Wetlands & Watercourses Agency

RECEIVED & FILED  
IN WOODBURY, CT

Filed 24<sup>th</sup> day of Feb 2022  
at 3:10 o'clock P  
*Maria M. Marcini*  
TOWN CLERK