

# 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)

### REGULAR MEETING MINUTES

February 26, 2024 – 7:30 PM

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

#### MEMBERS PRESENT

Earl Gillette, Alternate  
Michael McAloon, Alternate  
Timothy Pabst, Alternate  
Don Richards  
Kyle Turoczi, Secretary  
Mary Tyrrell, Chair  
Ernest Werner

#### MEMBERS ABSENT

Marty Newell, Vice Chair

**NOTED OTHERS PRESENT** – Planner Agresta (Town Planner), Rich Lamothe (Public Works Director), Atty. Pilicy, Andrew Del Negro, and a member of the press.

#### OPENING OF MEETING

- Call to Order – The meeting commenced at 7:30 p.m.
- Seating of Members / Alternates – Seated for the meeting were Members Richards, Turoczi, Tyrrell, Werner and Alternate Gillette.  
*Note: Member Newell was present prior to the meeting starting but was called away to an emergency EMT call.*
- Conflict of Interest Reminder (CGS §8-11 & Woodbury Town Charter Section 901)

#### PENDING APPLICATIONS / DELIBERATIONS (as deemed ready)

Chair. Tyrrell adjusted the agenda to accommodate those present.

**23-IW-0030 – 203 Sprain Brook Road / Map 56, Lot 6 / OS-100 District / Ryan Birkenhead (applicant/owner) / Retroactive Permit Application for previously installed site improvements within 100-foot upland review area absent permits: electric meter on post; landscape alterations along driveway; accessory deck structure and AC unit on concrete pad attached to existing studio building; AC unit on concrete pad serving existing garage building; area drain with 6-inch PVC drainpipe; and portion of tree house. Also newly proposed generator and 500-gallon propane storage tank with line connections.**

Atty. Pilicy was present for the meeting. A draft motion was reviewed by the Agency.

#### MOTION:

To approve 23-IW-0030 – 203 Sprain Brook Road / Map 56, Lot 6 / OS-100 District / Ryan Birkenhead (applicant/owner) / Retroactive Permit Application for previously installed site improvements within 100-foot upland review area absent permits: electric meter on post; landscape alterations along driveway; accessory deck

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

structure and AC unit on concrete pad attached to existing studio building; AC unit on concrete pad serving existing garage building; area drain with 6-inch PVC drainpipe; and portion of tree house. Also newly proposed generator and 500-gallon propane storage tank with line connections.

Made by TUROCZI, Seconded by WERNER

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

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

**24-IW-0001 – 420 Transylvania Road / Map 62, Lot 57 / OS-80 District / Andrew Del Negro (applicant/owner) Proposed detached accessory garage structure measuring 1,176 sf (28 ft x 42 ft) and associated driveway.**

Andrew Del Negro was present for the meeting. A draft motion was reviewed by the Agency. It was clarified that the proposed driveway drainage would need to be added to the plans as a condition of the approval. Revised plans need to be submitted prior to permit issuance.

**MOTION:**

To approve 24-IW-0001 – 420 Transylvania Road / Map 62, Lot 57 / OS-80 District / Andrew Del Negro (applicant/owner) Proposed detached accessory garage structure measuring 1,176 sf (28 ft x 42 ft) and associated driveway.

Made by GILLETTE, Seconded by WERNER

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

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

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

Rich Lamothe (Public Works Director) was present for discussion. Chair, Tyrrell noted that there were activities that the Town does that are within wetlands and watercourses that the Agency doesn't get permits for. Work that was conducted on Chohees Trail seemed to be egregious. The Agency had requested information in order to document the record and did not receive it. Director Lamothe explained that they were looking to overlay Chohees Trail while they were doing the paving work on Flanders Road. Most of the existing wooden guide rails were rotting and broken and not feasible to leave if they were paving the road. There were also several dead trees along the road that a contractor offered to help remove to assist with sight lines for safety. New guard railing was installed as there are open drainage ditches located very close to the edge of the road. Post and cable were installed also installed. At which time they overlaid the road. It was requested that Director Lamothe submit a letter describing the activities that were completed along Chohees Trail.

• **Communication between DPW and the Inland Wetlands Agency**

Chair, Tyrrell requested that there be regular communication with Public Works, at least annually, to be kept informed of any activities that the Town has on schedule. This way the Agency can review and assess if any of the proposed activities may require Wetlands permitting. Director Lamothe stated that they will be starting Lighthouse Road this year and they already have a wetlands permit. This will take about two years. He cannot predict issues that may occur throughout the year. The Agency is understanding of emergency repairs. In the past the Agency received an annual project list from Public Works. They would like this so that they can determine what items may require application and plans versus administrative or maintenance approvals. The Agency is looking to open up communication between the Agency and the Town DPW. Chair, Tyrrell reminded that the DPW

is not exempt. The Lighthouse Road project will be the main focus of the DPW. Any smaller projects should be noted and forwarded to the Land Use Office.

**24-IW-0004 – 64 Westwood Road / Map 38, Lot 54-1 / R-40 District / Town of Woodbury (applicant/owner) / Three Rivers Park – Restoration of river-bank storm erosion.**

Chair. Tyrrell noted that she and Member Turoczi met with Brian Cowden from Troutscapes and Rocky ridge to discuss the stabilization project. They viewed samples of the coir matting and stakes to be used and discussed the repositioning of the tree. It was noted that some rocks will need to be used to assist in stabilizing the area. In time the area will look like a natural bank. The banks will be pulled back at a 1:3 slope, coir matting will be placed and then seeded. Photos of a similar project were shown and submitted for the record. Once the plan is together DEEP and the Army Corps will need to be contacted for any of their requirements. The area will be made wider from the river edge. The area will be graded to allow an overflow area to release into the field to flood the field during these storm events. The farmer’s lease is being reviewed. There are discussions about the crop to be planted there as well required buffers.

Member Turoczi noted that a committee has been approved to review Three Rivers Park streambanks. Conservation, Wetlands, Pomperaug River Watershed will be involved in this committee.

Brian Cowden will be on site when the work is being done for his expertise. He is willing to work with the Town’s contractors. The timeline was questioned. Chair. Tyrrell will contact DEEP. The work will take about two days to complete once the plans have been completed and approved.

**24-IW-0005 – 56 Hazel Woods Drive / Map 54, Lot 25H-7 / OS-100 District / Michael D’Amico (applicant/owner) – Amending open approval 22-IW-0009 / Reduce and add portions of driveway, add walkway, and add outdoor cold water shower unit.**

A draft motion was reviewed by the Agency.

**MOTION:**

To approve 24-IW-0005 – 56 Hazel Woods Drive / Map 54, Lot 25H-7 / OS-100 District / Michael D’Amico (applicant/owner) – Amending open approval 22-IW-0009 / Reduce and add portions of driveway, add walkway, and add outdoor cold water shower unit.

Made by **TUROCZI**, Seconded by **WERNER**

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

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

**24-IW-0006 – 27 Pleasant Street / Map 105, Lot 90 / R-40 District / Charles Joshua Crolle (owner), Matthew Gaplicki, Recovery Restoration (agent) / Demo tree damaged existing accessory garage structure and rebuild in place over existing footprint.**

A draft motion was reviewed by the Agency.

**MOTION:**

To approve 24-IW-0006 – 27 Pleasant Street / Map 105, Lot 90 / R-40 District / Charles Joshua Crolle (owner), Matthew Gaplicki, Recovery Restoration (agent) / Demo tree damaged existing accessory garage structure and rebuild in place over existing footprint.

Made by RICHARDS, Seconded by WERNER

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

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

### **NEW APPLICATIONS**

**24-IW-0007 – 814 Washington Road / Map 56, Lot 16B / OS-100 District / Woodbury’s Hidden Paradise, LLC (owner/applicant) / Regrade hillside to eliminate former tubing runs.**

It was noted that the engineer for the project was unable to make the meeting. Plans were briefly reviewed. It was noted that this will be done in phases which the Agency favored as the property won’t be opened up all at once. The terrain was reviewed along with the wetlands areas shown on the plans. They will be starting from the North coming down the property stabilizing as they go. It was questioned what plant material will be used; will it be going back to hay. Chair, Tyrrell tabled discussion until such time as the engineer can be present to answer the Agency’s questions.

### **ENFORCEMENT & WETLANDS UPDATE**

**23-ENF-IW05 – 57 Lake Road / Map 77, Lot 3 & 7 / OS-60 / Robert Taggett / Unauthorized driveway installation.**  
An appeal has been filed; this item was not further discussed.

**23-ENF-IW06 – 13 Edward Avenue / Map 77, Lot 4-26, 27 & 2 / OS-60 / Frances M. Palomba / Unauthorized driveway installation.**  
An appeal has been filed; this item was not further discussed.

**23-ENF-0002 – 197 Minortown Road / Map 25, Lot 2A-2 / OS-60 District / Michelle Fusco**

Planner Agresta noted that the property owners have obtained information from their engineer. A meeting will be scheduled to discuss a potential settlement of the lawsuit.

**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).**

This item has been tabled until the Spring.

**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.**

Chair, Tyrrell questioned if there had been response to questions on the exclusionary fencing concerns. The Land Use Enforcement Officer inspected the fencing earlier in the day and provided photos for the Agency’s review. It did not seem to be in ill repair, with the exception of one area. There is a small gap, however the fencing seems to overlap. Bends in the fencing are bent toward the wetlands, which is preferable. There has been improvement made. March is when the salamanders make their migration, so it is important that the fencing is installed and maintained. The applicant’s engineer had previously indicated that there were no other options for the exclusionary fencing, it is what is used for this and it requires maintenance. The Agency discussed that maintenance is the issue, the fencing was required in the approval, and it needs to be kept in good condition.

### **ADMINISTRATIVE**

- Regular Meeting Minutes – 01/22/24

### **MOTION:**

To approve the regular meeting minutes from January 22, 2024, with the following revision:

Page 3 – last paragraph – “Morris Convard a longtime resident...”

Made by **TUROCZI**, Seconded by **GILLETTE**

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

Aye Gillette, Turoczi, Tyrrell, Richards,

Nay None

Abstain Werner (due to absence from this meeting)

- **Special Meeting (Site Walk) Minutes – 02/11/24**

**MOTION:**

To approve the special meeting minutes from February 11, 2024, as submitted.

Made by **RICHARDS**, Seconded by **TUROCZI**

Vote: 3-0-2 – **Approved** – Motion Passed

Aye Turoczi, Tyrrell, Richards,

Nay None

Abstain Werner & Gillette (due to absence from this meeting)

- **Regular Meeting Minutes – 02/12/24**

**MOTION:**

To approve the regular meeting minutes from February 12, 2024, with the following revision:

Page 1 – Paragraph 1 – “The idea is to taper the riverbank and add coir fabric...”

Made by **GILLETTE**, Seconded by **WERNER**

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

Aye Gillette, Turoczi, Tyrrell, Richards, Werner

Nay None

Abstain None

- **Regulation Review**

Members reviewed Sections 8-11 discussing a few minor changes to the draft. It was questioned if the fees were reviewed. Planner Agresta did not alter the fee schedule, however noted that the BOS asked that all fees be reviewed. The process for the regulation amendments was briefly discussed. Chair Tyrrell asked that members review the last sections of the regulations for the next meeting.

**CORRESPONDENCE** - None

**PRIVILEGE OF THE FLOOR** – Member Gillette questioned an article regarding O&G with regards to a sump pump and gravity feeding changes. Planner Agresta explained this was from the renewal Public Hearings. This is not a current proposal but would need to come before the Agency if it were to move forward.

Member Gillette asked for an update on the Woodlake approval. It was noted that the lowering of the pond had been done, the Agency unsure that this will be successful due to the current temperatures.

**ADJOURNMENT**

**MOTION:**

To adjourn the meeting at 8:36 p.m.  
Made by WERNER with no objections.

Respectfully submitted,

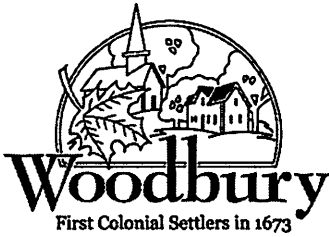
Anne Firlings

Anne Firlings

Inland Wetlands & Watercourses Clerk

RECEIVED & FILED  
IN WOODBURY, CT

This 28<sup>th</sup> day of Feb 2024  
at 3:57 o'clock PM  
Maria M. Mancini  
Town Clerk



# Town of Woodbury

## Inland Wetlands and Watercourses Agency

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### WETLANDS / WATERCOURSES PERMIT APPROVAL

**203 SPRAIN BROOK ROAD – 23-IW-0030**

**Retroactive Permit for Accessory Structures**

**and**

**New Propane Storage Tank and Generator**

**Ryan Birkenhead (owner/applicant)**

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

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

Applicant	Ryan Birkenhead
Property Owner	Ryan Birkenhead
Application	23-IW-0030
Project	Retroactive Permit Application for previously installed site improvements within 100-foot upland review area absent permits: electric meter on post; landscape alterations along driveway; accessory deck structure and AC unit on concrete pad attached to existing studio building; AC unit on concrete pad serving existing garage building; area drain with 6-inch PVC drainpipe; and portion of tree house. Also newly proposed generator and 500-gallon propane storage tank with line connections.
Address	230 Sprain Brook Road, Assessor Map 56, Lot 6
Site Acreage	6.1 acres
Zone	OS-100 Zoning District

**WHEREAS** the Town of Woodbury Inland Wetlands and Watercourses Agency (“Agency”) has received application **23-IW-0030** 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 application, in part (those aspects installed absent a permit), is in response to a Notice of Potential Violation dated September 7, 2023, and seeks to remediate by virtue of obtaining retroactive approval for the regulated activities described for the “project” above which were completed absent a permit; and

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

- The project does not propose any direct disturbances to wetlands/watercourses; and

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

- Application for Inland Wetlands Agency Permit;
- Data Accumulation Plan, Proposed Generator and Propane Tank, Smith & Company, 11/30/23;
- Smith & Company letter dated 01/29/24;
- Pilcy Ryan & Ward, P.C. letters 01/30/24 and 02/01/24; and

**WHEREAS** consistent with CGS §8-7d(b), the applicant has granted to the Agency multiple time extensions extending the time for the Agency to review and act upon the application as otherwise required;

**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 significant adverse off-site impacts appear evident or are anticipated;
- New site disturbance will be minimal and short term;
- Site disturbance impacts can be further mitigated by the conditions listed below and 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 23-IW-0030 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. **Final Plans** – The applicant shall submit two (2) complete sets of **Final Plans**, revised as follows to the satisfaction of the Town Planner:
  - a. **Each Sheet** (inclusive of all application plans 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. The following note shall be conspicuously added: **23-IW-0030 – Approval Date: February 26, 2024; Expiration Date: February 26, 2026\* (\*If regulated activities and conditions of approval are not completed accordingly in such timeframe.)**
  - c. Add a full copy of this approval.



2. **Final Site Plans for Endorsement** – Following acceptance of revised final plans by the Town Planner, the final plans shall be endorsed by the Agency/Town Planner as “approved.”
3. **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 for inclusion in the permit record file, including but not limited to:
  - **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 Land Use Office shall be duly apprised of the status and progress of site work throughout construction, and 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.
3. The following shall be followed in relation to the project:
  - Ground disturbance shall be contained and maintained to the minimum necessary to complete the authorized improvements.
  - Erosion and sedimentation controls shall be installed and maintained, and additional controls may be required at the direction of the Land Use Office if deemed necessary.
  - No tree clearing within the regulated upland review area or within wetlands/watercourses is authorized with this approval, and 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 on the lot.
4. 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.
5. 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.
6. Disturbed soils shall be stabilized in a timely fashion, particularly to avoid/minimize erosion impacts.

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 as a result 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:
  - Submission of a certified A-2 Survey As-Built Plan detailing 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 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. **Approval Compliance / Changes** – Failure to maintain compliance with this permit and the approved final plans shall constitute a violation of the terms of this permit and the Woodbury Inland Wetlands and Watercourses Regulations. Any substantive additions or changes to the approved regulated activities shall require prior review and separate approval and permit.
3. **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**

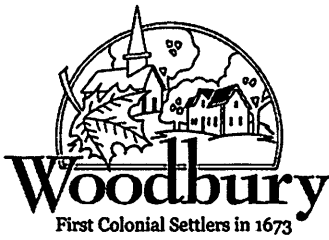
Moved by **TUROCZI**, Seconded by **WERNER**

Vote: 5-0-0 – **APPROVED** – Motion **PASSED**

Aye Tyrrell, Turoczi, Werner, Richards, Gillette

Nay None

Abstain None



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**WETLANDS / WATERCOURSES PERMIT APPROVAL**  
**420 TRANSYLVANIA ROAD – 24-IW-0001**  
**Detached Accessory Garage**  
**Andrew Del Negro (owner/applicant)**

	<b>Date of Approval</b>	<b>February 26, 2024</b>
	<b>Permit Expiration*</b>	<b>February 26, 2026</b>

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

Applicant	Andrew Del Negro
Property Owner	Andrew Del Negro
Application	24-IW-0001
Project	Construction of a detached accessory garage structure measuring 1,176 sf (28 ft x 42 ft) and associated accessory separate second driveway.
Address	420 Transylvania Road, Assessor Map 62, Lot 57
Site Acreage	5.756 acres
Zone	OS-80 Zoning District

**WHEREAS** the Town of Woodbury Inland Wetlands and Watercourses Agency (“Agency”) has received application **24-IW-0001** 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:

- The project does not propose any direct disturbances to wetlands/watercourses;
- Drainage controls in the form of infiltration trenches are proposed to capture and treat roof runoff.
- Additional drainage controls are proposed and required to address the added driveway to prevent runoff from entering the street.
- Erosion and sedimentation controls will be maintained during construction; and

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

- Application for Inland Wetlands Agency Permit;
- Site & Soil Erosion Control Plan (1/2), Stuart Somers, 01/02/24;
- Data Accumulation Plan (2/2), Stuart Somers, 01/02/24;
- Garage Level Floor Plan
- Second Level Floor Plan;
- Elevations;
- Rendering;

**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 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 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-0001** 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. The applicant shall submit a single (1) complete set of revised **Final Plans**, revised as follows to the satisfaction of the Town Planner:
  - 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 Sheet 1: ***24-IW-0001 – Approval Date: February 26, 2024; Expiration Date: February 26, 2026\* (\*If regulated activities and conditions of approval are not completed accordingly in such timeframe.)***
  - c. Add a full copy of this approval to Sheets 1 and 2.
  - d. Sheets 1 and 2 shall be revised to address the following:
    - (1) To include stormwater management runoff collection and treatment control measures addressing the second accessory driveway, and which keeps driveway runoff from entering the abutting street.
    - (2) A ***“Limit of Disturbance Line”*** shall be delineated and labeled on Sheets 1 and 2.
    - (3) Add the following note to Sheets 1 and 2: ***No additional disturbance or clearing shall occur outside of the delineated “Limit of Disturbance Line” and the remaining area of 100-foot upland review area beyond the Limit of Disturbance Line shall remain in its natural woodland state – no tree, shrub or groundcover removal, no clearing nor grading, no lawn, no alteration, except planting by hand of additional trees and shrubs.***

2. **Final Site Plans for Endorsement** – Following acceptance of revised final 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.
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.
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, 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 Land Use Office shall be duly apprised of the status and progress of site work throughout construction, and 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.
3. The following shall be followed in relation to the project:
  - Ground disturbance shall be contained and maintained to the minimum necessary to complete the authorized improvements.
  - Erosion and sedimentation controls shall be installed and maintained, and additional controls may be required at the direction of the Land Use Office if 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 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.
5. 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.

6. Disturbed soils shall be stabilized in a timely fashion, particularly to avoid/minimize erosion impacts.
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 as a result 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:
  - Submission of a certified A-2 Survey As-Built Plan detailing 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 plans.
  - Provision of a Professional Engineer certification that the drainage improvements have been installed in accordance with the final plans and are functioning as designed.
  - 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 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 (subject to submission of an adequate As-Built Plan detailing and certifying the completed improvements). The Land Use Office may refer any request for bond release to the Agency.
3. **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.
4. **Approval Compliance / Changes** – Failure to maintain compliance with this permit and the approved final plans shall constitute a violation of the terms of this permit and the Woodbury Inland Wetlands and Watercourses Regulations. Any substantive additions or changes to the approved regulated activities shall require prior review and separate approval and permit.
5. **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**

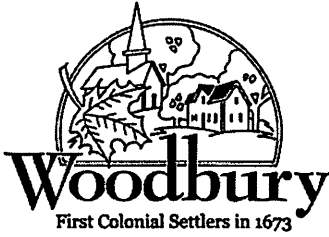
Moved by GILLETTE, Seconded by WERNER

Vote: 5-0-0 – APPROVED – Motion PASSED

Aye Tyrrell, Turoczi, Werner, Richards, Gillette

Nay None

Abstain None



**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**

**56 HAZEL WOODS DRIVE**

**24-IW-0005 – Amending 22-IW-0009**

**Accessory Driveway Modifications, Walkway and Outdoor Shower  
Michael D’Amico (owner/applicant)**

Date of Approval	February 26, 2024
Permit Expiration*	May 23, 2027

\*Same as original 22-IW-0009

If regulated activities and conditions of approval are not completed accordingly

Applicant	Michael D’Amico
Owner	Michael D’Amico
Application	24-IW-0005 – Amending 22-IW-0009
Project	Reduce and add portions of accessory driveway, add walkway and add outdoor cold water shower unit.
Address	56 Hazel Woods Drive, Assessor Map 54, Lot 25H-7
Site Acreage	6.29 acres
Zone	OS-100

**WHEREAS** the Town of Woodbury Inland Wetlands and Watercourses Agency (“Agency”) has received application **24-IW-0005** (amending 22-IW-0009, approved May 23, 2022, also amended under 23-IW-0010 on April 10, 2023) as submitted by the applicant/owner listed above in accordance with the Inland Wetlands and Watercourses Regulations of the Town of Woodbury (“Regulations”) seeking a Wetlands/Watercourses Permit (“Permit”) for the modifications noted above for the “project” within a regulated wetlands/watercourses 100-foot upland review area; and

**WHEREAS** a portion of the regulated activities (walkway and shower units) approved herein are approved retroactively (post their installation absent a permit modification); and

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

- Application for Inland Wetlands Agency Permit;
- Site Plan, Wolff Engineering, 01/19/22, revised 02/01/24;

**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 significant adverse off-site impacts are anticipated;
- Site disturbance will be minimal and short term;
- Site disturbance impacts can be further mitigated by the conditions listed below and 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-0005 (amending 22-IW-0009) as described above, subject to the modifications and conditions set forth below; and

**BE IT FURTHER RESOLVED** the Agency hereby authorizes the publishing and filing of a Notice of Decision consistent with the requirements set forth in §11.4 of the Regulations, as well as required reporting to the Connecticut Department of Energy and Environmental Protection (“CT DEEP”) per CGS §22a-39-14; and

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

1. **Final Plans** – Prior to Commencement of any Work or Site Disturbance, the plans presented shall be endorsed as “approved” by the Agency / Town Planner; and the Applicant shall obtain all other required approvals. No work shall be authorized to commence absent securing all required approvals.
2. **Prior Conditions** – All prior conditions as set forth in the original permit 22-IW-0009 dated May 23, 2022, and as modified under 23-IW-0010 dated April 10, 2023 shall remain in full force and effect, and shall equally apply to the additions and changes as approved herewith permit 24-IW-0005 as if fully set forth and written herein, including but not limited to the conditions of:
  - Site Remediation / Soil and Erosion Control Bond
  - Conditions During Construction
  - Post Construction Compliance and Permit Closure: As-Built / Final Inspection Required
  - Drainage Improvements
  - Approval Compliance / Changes
  - Expiration

**MOTION**

Moved by **TUROCZI**, Seconded by **WERNER**

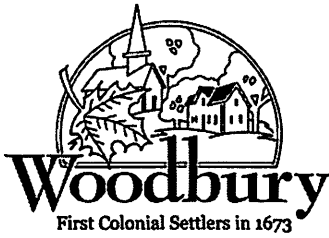
Vote: 5-0-0 – **APPROVED** – Motion **PASSED**

Aye Tyrrell, Turoczi, Werner, Richards, Gillette

Nay None

Abstain None





**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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**WETLANDS / WATERCOURSES PERMIT APPROVAL**

**27 PLEASANT STREET – 24-IW-0006**

**Demo and Replace Accessory Garage**

**Charles Joshua Crolle (owner)**

<b>Date of Approval</b>	<b>February 26, 2024</b>
<b>Permit Expiration*</b>	<b>February 26, 2026</b>

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

<b>Applicant</b>	<b>Matthew Gzaplicki, Recovery Restoration, LLC</b>
<b>Property Owner</b>	<b>Charles Joshua Crolle</b>
<b>Application</b>	<b>24-IW-0006</b>
<b>Project</b>	<b>Demolition of existing damaged accessory garage and reconstruction of new detached accessory garage structure over existing foundation footprint.</b>
<b>Address</b>	<b>27 Pleasant Street, Assessor Map 105, Lot 90</b>
<b>Site Acreage</b>	<b>0.74 acres</b>
<b>Zone</b>	<b>R-40 Zoning District</b>

**WHEREAS** the Town of Woodbury Inland Wetlands and Watercourses Agency (“Agency”) has received application **24-IW-0006** 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:

- The project does not propose any direct disturbances to wetlands/watercourses;
- New excavation activity will be minimal;
- Erosion and sedimentation controls will be maintained during construction as needed; and

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

- Application for Inland Wetlands Agency Permit;
- Area of Disturbance Annotated Plan;
- Floor Plan and Elevations;

**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 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 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-0006 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. **Final Plans** – The plans presented shall be endorsed as “approved” by the Agency / Town Planner and shall bear the following notes:
  - *24-IW-0006 – Approval Date: February 26, 2024; Expiration Date: February 26, 2026\* (\*If regulated activities and conditions of approval are not completed accordingly in such timeframe.)*
  - *The Wetlands/Watercourses shown hereon have not been delineated or verified.*
2. **Supplemental Final Plans Post Demolition** – Post demolition and assessment of existing foundation, but prior to any authorized reconstruction of the accessory structure, the applicant shall submit for endorsement as “approved” by the Agency / Town Planner revised floor plans and elevations to confirm the foundation and location, size and otherwise compliance of the structure with other applicable requirements and regulations (health, zoning and building).
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.
4. The regulated activity approved herein shall be implemented in steps as follows:
  - Step 1 – Demolition
  - Step 2 – Engineer Assessment of Foundation
  - Step 3 – Detailed Building Design Plans and Verification of Code/Regulations Compliance
  - Step 4 – Construction

5. **Other Required Approvals** – No work shall be authorized to commence absent securing all approvals as may be required, subject to the implementation steps set forth above. Other required approvals shall be separately obtained by the applicant and copies thereof shall be provided to the Agency for inclusion in the permit record file, including but not limited to:

- **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 Land Use Office shall be duly apprised of the status and progress of site work throughout construction, and 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.
3. The following shall be followed in relation to the project:
  - All demolition materials shall be removed from the site and appropriately disposed of.
  - Ground disturbance shall be contained and maintained to the minimum necessary to complete the authorized improvements.
  - Erosion and sedimentation controls shall be installed and maintained, and additional controls may be required at the direction of the Land Use Office if 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 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.
5. 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.
6. Disturbed soils shall be stabilized in a timely fashion, particularly to avoid/minimize erosion impacts.
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 as a result 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:
  - Submission of a certified A-2 Survey As-Built Plan detailing 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 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 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 (subject to submission of an adequate As-Built Plan detailing and certifying the completed improvements). The Land Use Office may refer any request for bond release to the Agency.
  
3. **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.
  
4. **Approval Compliance / Changes** – Failure to maintain compliance with this permit and the approved final plans shall constitute a violation of the terms of this permit and the Woodbury Inland Wetlands and Watercourses Regulations. Any substantive additions or changes to the approved regulated activities shall require prior review and separate approval and permit.
  
5. **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 **RICHARDS**, Seconded by **WERNER**

Vote: 5-0-0 – **APPROVED** – Motion **PASSED**

Aye Tyrrell, Turoczi, Werner, Richards, Gillette

Nay None

Abstain None