

Town of Woodbury

Inland Wetlands and Watercourses Agency

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

REGULAR MEETING MINUTES – MARCH 27, 2023

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

MEMBERS PRESENT

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

MEMBERS ABSENT

Ernest Werner

NOTED OTHERS PRESENT – Will Agresta (Town Planner), Anthony Mennone, Travis Wood, Darren McGovern, George Logan and Attorney Michael McVerry

OPENING OF MEETING

- Call to Order – Meeting commenced at 7:05 p.m.
- Seating of Members / Alternates – Seated for the meeting were members Tyrell, Newell, Turoczi, Richards and alternate McAloon.
- Conflict of Interest Reminder (CGS §8-11 & Woodbury Town Charter Section 901)

PUBLIC HEARINGS - None

NEW APPLICATIONS

23-IW-0005 – 192 Quanopaug Trail / Map 27, Lot 8A / OS-100 District / Gregg Lundy (applicant/agent) Algonquin Archers Inc. (owner) / Installation of 18k generator on precast concrete pad for existing outdoor recreation lodge building.

The applicant was not present, the application was tabled.

PENDING APPLICATIONS / DELIBERATIONS

23-IW-0003 – 262 Minortown Road / Map 25, Lot 32 / OS-60 District / Anthony Mennone (owner/applicant) / Installation of standby generator and propane tank.

Anthony Mennone was present for the application. New information had been provided for the record. Maps indicating the location of the generator and tank with relation to the wetlands and flood plain elevations were noted. A steel stand for the generator will be used, details included in the packet. A letter from the contractor was provided agreeing that they will do whatever is agreed upon and finalized. The Chairman spoke to the Fire Marshal who expressed no concerns. According to

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

Minuteman, the tank will require a 10 cu. ft. cement pad, and does not need to be elevated, with anchors right into the cement for the strapping system. Mr. Mennone proposes a 3 ft. x 3 ft. pad 14 inches deep and not elevating the tank. It was confirmed by the Agency that the Minuteman system with the 10 cu. ft. minimum cement pad and anchoring system into the cement would be appropriate.

Mr. Mennone contacted Generac regarding solutions for installation a generator in a flood zone and was guided to Gorilla Cages. This would be a stand for the generator. The difference between the elevation of his backyard and the river is 5 ft. The stand will be anchored to a concrete pad, which will exceed the dimensions of the stand (which is approximately 24 x 36) with approximately 6 in around it. The legs get anchored to the concrete and the generator is anchored to the top of the stand. Members reviewed the details of the information provided. Based on flood analysis it needs to be raised at least 5 ft.. Planner Agresta showed the agency the FEMA mapping and how this was determined. If the stand is 5 ft. and sits on a pad it would meet the necessary height.

A draft motion was reviewed by the Agency.

MOTION:

To approve 23-IW-0003 – 262 Minortown Road / Map 25, Lot 32 / OS-60 District / Anthony Mennone (owner/applicant) / Installation of standby generator and propane tank.

Made by **RICHARDS**, seconded by **TUROCZI**

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

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

23-IW-0006 – 75 Grassy Hill Road / Map 50, Lot 55-4 / OS-80 District / Jeffrey Peck (applicant/owner), Travis Wood (agent builder) / Installation of 20 ft x 20 ft open pool pavilion within pool fence.

Travis Wood was present for the application. The information asked for at the last meeting has been provided for the file. A new map accurately showing the pavilion, the fencing and the silt fencing in their proper locations with relation to the wetlands was reviewed by the Agency.

A draft motion was reviewed by the Agency.

MOTION:

To approve 23-IW-0006 – 75 Grassy Hill Road / Map 50, Lot 55-4 / OS-80 District / Jeffrey Peck (applicant/owner), Travis Wood (agent builder) / Installation of 20 ft x 20 ft open pool pavilion within pool fence.

Made by **NEWELL**, seconded by **RICHARDS**

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

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

23-IW-0001 – 93 Weekepeemee Road / Map 40, Lot 48 / Darren McGovern (owner) – Proposed Remediation re: 21-ENF-0001

Darren McGovern, Attorney Michael McVerry and George Logan were present for the application. At the February 27th meeting it was requested that a narrative be provided detailing the proposed work on the site. A mitigation plan for the restoration was submitted for the record and copies distributed to members. Mr. Logan reviewed his plan with the Agency for the restoration of two distinct areas. Remediation will be done through planting and seeding. He brought attention to a plan note that states that “all habitat restoration shall be supervised by an ecologist (or wetland scientist), including invasives eradication, planting, and marking any resprouts to be culled. A pre-implementation meeting shall take place at least two weeks prior to plan implementation, between the wetlands scientist, property owner(s), and the Town’s wetlands agent, at the Town’s discretion.” Invasives removal will be mechanical only with a caveat that if found to be required the Agency would need to review and approve use of any herbicide. Disposal, planting and seeding were briefly noted. Soil testing will be necessary for Area #2, results will determine how they proceed in that area. Monitoring and follow-up was explained. Three years post implementation will be monitored by a wetlands professional or ecologist. Planting materials were noted and explained referencing tables in the mitigation plan. Chairman Tyrrell questioned the fillers used specifically the use of “Speedy Dry.” This will be removed from the plan. Mr. Logan will be involved throughout the three-year process and submitting reports. The number of trees proposed was questioned, Member Turoczi expressed that there seemed to be plenty. A caveat to add trees can be made if found necessary. Progress reports will be submitted along with photo documentation. Commencement timeframes were discussed. It is anticipated between April 15 and June 15. Member Turoczi stated that the plants suggested are perfect for the site and did not anticipate a major adjustment resulting from the soil testing results. Plants selected are perfect for those soils and planting should occur as soon as possible. A draft motion was requested for the next meeting. Planner Agresta noted they only just received this information; he would like to take time to review and comment. He will provide comments and draft a motion for the next meeting. Members discussed how to handle the location where a thicket pile had accumulated. The larger material can be moved outside the regulated area, lessening the size of the pile and the smaller materials can be spread out where it is located. It was asked if Mr. Logan could provide suggestions for this debris pile.

ENFORCEMENT & WETLANDS UPDATE

21-ENF-0001 – 93 Weekepeemee Road / Map 40 / Lot 48 / Darren McGovern / NV – Clearing, excavating, and grading, and wood pile within a regulated area absent permits.

This item was tabled as an application for restoration is under review.

22-ENF-0015 – Minortown Road / Map 10, Lot 9 / OS-60 District / Raymond Hardisty and Janet Lawson / NV – Unauthorized site activity (including excavation, deposition and alteration of ground coverage and contours, as well as drainage conditions) within a regulated area.

The property owner was not present. Mr. Hardisty has spoken to the Land Use Office; however, no application has been received. The letter sent gave until March 31, 2023, for submittal. The Agency will discuss how to proceed if not received by the next meeting. The Chairman noted that equipment had been moved on site over the weekend.

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.

Planner Agresta noted that the property owner met with him, and an application is forthcoming.

- The Agency discussed continued activity and clearing on Chohees Trail. It was noted that the area has been cleaned up a bit and there is clearing on the hillside. The Agency reviewed GIS mapping of this property and surrounding area.
- It was discussed that Public Works activity is not exempt and the Agency requested to see a list of Public Works projects (as they have in the past) annually for their review. Some projects may require Agency approvals. Planner Agresta suggested Chairman Tyrrell submit something in writing requesting this and he would follow up with the First Selectman.

ADMINISTRATIVE - Meeting Minutes – 03/13/23

MOTION:

To accept the minutes (of the 3/13/23 meeting) as submitted.

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

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

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

CORRESPONDENCE - None

PRIVILEGE OF THE FLOOR

- 877 Washington Road - Member Gillette questioned if any information had been received regarding this property. It was again noted that there appears to be something new located in the backyard. There has been no movement on the application for building and zoning permits for the addition.
- 1246 Main Street North – Member Gillette questioned a driveway washout at this property. Planner Agresta noted that this will need an Inland Wetlands approval and an engineered plan.

ADJOURNMENT

MOTION:

To adjourn the meeting at 8:03 p.m.

Made by **NEWELL** with no objections

Filed Subject to Approval

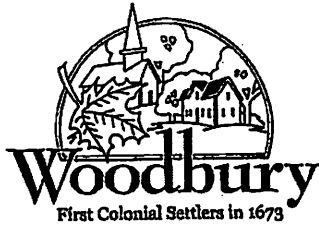
Respectfully Submitted

Anne Firlings
Anne Firlings, Clerk

RECEIVED & FILED
IN WOODBURY, CT

This 30th day of Mar 2023
at 8:30 o'clock A.M.

Maia M. Mancini
Town Clerk



Town of Woodbury
Inland Wetlands and Watercourses Agency

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

WETLANDS / WATERCOURSES PERMIT APPROVAL
262 MINORTOWN ROAD

Accessory Residential Propane Storage Tank and Generator
Anthony Jr. and Diana G. Mennone (owner/applicant)

Date of Approval	March 27, 2023
Permit Expiration*	March 27, 2028

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

Applicant **Anthony Mennone**
Owner **Anthony Jr. and Diana G. Mennone**
Application **23-IW-0003**
Project **Installation of an above ground accessory standby generator and associated 120-gallon propane fuel storage tank to the rear of the house within a regulated upland review area.**
Address **262 Minortown Road, Assessor Map 25, Lot 32**
Zone **OS-60**

WHEREAS, the Town of Woodbury Inland Wetlands and Watercourses Agency ("Agency") has received application **23-IW-0003** 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 installation of an above ground accessory standby generator and associated 120-gallon propane fuel storage tank to the rear of the house within a regulated wetlands/watercourses 100-foot upland review area, on property consisting of approximately 4.53 acres located at 262 Minortown Road within an OS-60 Zoning District, as shown on Assessor Map 25, Lot 32; and

WHEREAS, the proposed regulated activity also is located within a regulated 100-year floodplain, subject to a separate Flood Plain Permit from the Town of Woodbury Zoning Commission; and

WHEREAS, the following mitigation measures are proposed:

- Installation to occur within previously disturbed, maintained lawn area;
- No direct impact to site wetlands/watercourses is proposed or needed; and

WHEREAS, application materials received include the following:

- Application for Inland Wetlands Agency Permit;
- FEMA FIRM Map excerpt;
- Sketch Map showing approximate location of house, wetland/watercourse, proposed generator and propane storage tank;
- Minute Man Anchor Details (propane storage tank) and Gorilla Bolt Down Steel Stand (generator);

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 23-IW-0003 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:

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.
2. **Other Required Approvals** – Other required approvals shall be separately obtained. No work shall be authorized to commence absent securing all required approvals.
3. **Coordination with Zoning Commission Approval** – Agency endorsement of the final plans shall be coordinated with and held until post Zoning Commission Flood Plain Permit approval, noting that any resulting substantive changes affecting wetlands/watercourses regulated areas as determined by the Town Planner shall be subject to modified Agency review and approval.

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 following shall be followed in relation to the installation:
 - Ground disturbance shall be contained and maintained to the minimum necessary to install the support structures and associated infrastructure for the propane storage tank and generator.
 - No tree or shrub removal is involved or authorized with this approval.
 - The generator will be elevated above base flood elevation (stand to be bolted to concrete pad) and the propane storage tank will be anchored (Minute Man straps) to concrete pad to prevent floatation or as otherwise required by separate Zoning Commission Flood Plain Permit.

3. Construction vehicles and equipment not in use shall not be stored, and at no time shall such be washed out, within a regulated wetland/watercourse 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.
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. All access paths shall be reestablished to original condition.
5. 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.
6. Disturbed soils shall be stabilized in a timely fashion, particularly to avoid/minimize erosion impacts.
7. 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.

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, subject to the following:
 - 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 an additional five (5) years total. 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 TUROCZI

Vote: 5-0-0 –Approved – Motion Passed

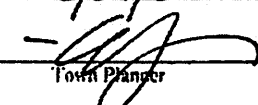
Ayes Tyrrell, Newell, Turoczi, Richards, McAloon

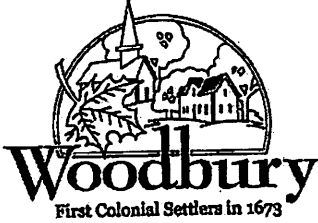
Nays None

Abstain None

Approved by Inland Wetlands & Watercourses Agency

Approval Date: 3/27/2023

Signature: 
Town Planner



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

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**WETLANDS / WATERCOURSES PERMIT APPROVAL
75 GRASSY HILL ROAD
Open Pool-Pavilion Structure
Jeffrey Peck and Tracey Peck (owner/applicant)**

Date of Approval	March 27, 2023
Permit Expiration*	March 27, 2028

*if regulated activities and conditions of approval are not completed accordingly

Applicant Jeffrey Peck and Tracey Peck
 Owner Jeffery Peck and Tracey Peck
 Application 23-IW-0006
 Project Installation of an open pool-pavilion structure within regulated upland review area.
 Address 75 Grassy Hill Road, Assessor Map 50, Lot 55-4
 Zone OS-80

WHEREAS, the Town of Woodbury Inland Wetlands and Watercourses Agency ("Agency") has received application **23-IW-0006** 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 installation of an open pool-pavilion structure within a regulated wetlands 100-foot upland review area on property consisting of approximately 7.3 acres located at 75 Grassy Hill Road within an OS-80 Zoning District, as shown on Assessor Map 50, Lot 55-4; and

WHEREAS, the following mitigation measures are proposed:

- Erosion and sedimentation controls;
- Use of sono-tube foundation for pavilion posts; and

WHEREAS, application materials received include the following:

- Application for Inland Wetlands Agency Permit;
- Sketch Plan showing previously approved pool and proposed open pavilion structure with added blue stone pavers underneath and existing pool fence extension;
- Pavilion Elevation Plan and Post Foundation Detail, Andrew Peklo, 02/18/23;
- Copy of Zoning Location Survey, Smith & Company, 04/21/22, revised 06/24/22;

Approved by Inland Wetlands & Watercourses Agency

Approval Date: 3/27/2023

Signature: [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 impact to site wetlands/watercourses is proposed or needed
- No significant adverse off-site impacts are anticipated;
- Site disturbance impacts can be further mitigated by the conditions listed below and the proper use of soil erosion and sedimentation controls during construction as may be needed;
- 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-0006 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:

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.
2. **Other Required Approvals** - Other required approvals shall be separately obtained. No work shall be authorized to commence absent securing all required approvals.

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 following shall be followed in relation to the installation:
 - Ground disturbance shall be contained and maintained to the minimum necessary to expand the pool fence surround, to dig pavilion sono-tube support foundation holes and install expanded blue stone surface covering under pavilion.
 - No tree or shrub removal is involved nor authorized with this approval.
 - Construction access by machinery shall be kept to the minimum necessary and all disturbed areas shall be promptly stabilized and revegetated.
3. Construction vehicles and equipment not in use shall not be stored, and at no time shall such be washed out, within a regulated wetland/watercourse 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.

4. Construction stockpiles shall be stored 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. All access paths shall be reestablished to original condition.
5. 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.
6. Disturbed soils shall be stabilized in a timely fashion to minimize erosion. 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.
7. Removal of silt fences shall take place only after the silt build-up along the fence line has been removed. This material shall be removed from the site or placed as acceptable fill in areas that will not allow the material to migrate.
8. 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.

C. Post Remediation Construction Compliance and Permit Closure

1. **As-Built Plan** – Upon completion of the approved regulated activities, an As-Built Plan detailing and certifying the completed improvements shall be provided by the applicant 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.
2. **Final Inspection Required** – The applicant shall request the Land Use Office conduct a final inspection for determination of permit completion, subject to the following:
 - All improvements have been completed consistent with the approved final plans.
 - 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.
3. **Drainage Improvements** – The proper and timely maintenance of the drainage improvements shall be 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 an additional five (5) years total. 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: 5-0-0 – Approved – Motion Passed

Ayes Tyrrell, Newell, Turoczi, Richards, McAloon

Nays None

Abstain None