

Town of Woodbury

Inland Wetlands and Watercourses Agency

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

REGULAR MEETING MINUTES – APRIL 24, 2023

7:30 PM – SENIOR/COMMUNITY CENTER, 265 Main St. South, Woodbury, CT 06798

MEMBERS PRESENT

Mary Tyrrell, Chairman
Kyle Turoczi, Secretary
Don Richards
Ernest Werner
Earl Gillette, Alternate
Michael McAloon, Alternate

MEMBERS ABSENT

Marty Newell, Vice Chairman

NOTED OTHERS PRESENT – Will Agresta (Town Planner), Vince LaFontan, Ron Wolff, Bradley Balletto, Gary O'Connor, Jeff Burmeister, Jeff & Karen Miller, Amanda Soucy, Dan & Michelle Fusco, Kathy Doyle and a member of the press.

OPENING OF MEETING

- Call to Order – Meeting commenced at 7:30 p.m.
- Seating of Members / Alternates – Seated for the meeting were members Richards, Turoczi, Tyrell, Werner and alternate Gillette.
- Conflict of Interest Reminder (CGS §8-11 & Woodbury Town Charter Section 901)

PUBLIC HEARINGS - None

NEW APPLICATIONS

23-IW-0012 – 5 Church Hill Road / Map 96, Lots 21 & 22 / OS-100 District / Flanders Nature Center and Land Trust (owner/applicant) / Construction of a 20' x 60' open air post and beam pavilion on concrete slab with solar panels on south side of roof for use as environmental education programs within regulated area.

Vince LaFontan Executive Director of Flanders Nature Center and Land Trust was present for the discussion. They are looking at constructing a new pavilion similar to the one that exists at the Hollow Park. The location of the proposed pavilion was shown on plans. Civil1 did the site plan and wetlands mapping, a report is in the file. A monolithic concrete pad with an open sided post and beam barn is proposed with solar panels. The pavilion will be used for their environmental education programs. The wetlands line was noted on the plans. The area proposed is extremely level, there will be little excavation required. A drainage area on Flanders Road was indicated. The solar proposal will be underground cabling to the barn and also to the VanVleck House and Studio on site, there will be no battery storage. Construction vehicles will use the existing tractor/trail road. A drainage ditch and pipe were noted on the plans, this is just past where the activity will take place. The cables for the solar array will be buried about 24 inches deep. About half the building and its access way are within the regulated area. The only potential impacts are the concrete fill going in and any impact during construction. Roof runoff was

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

discussed, Mr. LaFontan was amenable to including a stone drainage surround for the roof water to percolate and alleviate any erosion. This can be added to the approval. The goal is to make the pavilion accessible to all. It was noted that the old farm road is currently grass and gravel. The long-term goal is to make it a stone dust and perfectly level easily accessible farm trail, which they will apply for in the future. A draft motion was requested for the next meeting.

23-IW-0013 – 334 Weekepeemee Road / Map 42, Lot 6-1 / OS-100 District / 334 Weekepeemee Road Realty, LLC (owner/applicant) / Installation of new water supply well, abandon existing leaching structure, abandon existing water supply well, install new sewer pipe and electric conduit for pump chamber within regulated area.

Ron Wolff of Wolff Engineering was present for the discussion. The location of the property was explained. The existing septic system has collapsed and failed. The wetland area was described as being to the south of the house, there is some flood zone associated with the property as well. They are proposing a new septic system, a new septic tank and a pump chamber with a forced main to pump up to the leach fields that are all located outside the regulated area. Within the regulated area activity includes a new sewer pipe, conduit between the house, the pump chamber and the septic tank and installation of a new well. The existing well will be abandoned in place. Removal of tailings will be protected by two rows of silt fence below the well and the tailings can be removed. Potential well contamination concerns were discussed. The health department will need to approve the plan. It was questioned if more tree clearing will be done. There was discussion about the plan for the remaining stumps. If something needs to be relocated somewhat differently from the map (i.e. the well), if moved east and north, no closer to the regulated area/wetlands this can be done without coming back to the Agency for approval. Mr. Wolff explained the process for closing out the old well and septic. Location of the driveway was questioned; it is not part of this application. It was noted that the driveway is within the regulated area. A draft motion was requested for the next meeting.

23-IW-0014 – Upper Grassy Hill Road / Map 62, Lot 6-C2 / OS-80 District / David L George & Victor S George (owner) Bradley Balletto (applicant) / Construct portion of driveway, install underground utilities, and driveway culvert within regulated area.

Ron Wolff was present for the discussion. The location of the site was described for the record. Wetlands were delineated and located in the areas near the proposed house and the driveway. A concrete dam was shown as well as a pond that has been filled in. They are looking to construct a single-family home with a proposed 12 ft. wide driveway and to cross the wetlands/watercourse they are proposing an 18 in. culvert. The driveway will be paved, there is an infiltration trench proposed for the lower half of the driveway. There is no regulated activity associated with the house construction. There is an underground infiltration system proposed for the roof leader drains. A curtain drain proposed for the septic system. Member Richards questioned if the 18 in. pipe would be adequate, Mr. Wolff noted that it was sized accordingly, and they are not increasing runoff. There was a section of watercourse noted on the plan that can be improved, they can try to reinforce the slope. Mr. Wolff suggested a rip rap channel. The driveway drainage was described. There's no curbing, it will be a stone infiltration trench to handle the water from the driveway. The driveway was designed to avoid the regulated area. A draft motion was requested to include proposed changes that Mr. Wolff will submit to the land use office. An old dam was discussed, it appears to be buried.

PENDING APPLICATIONS / DELIBERATIONS

23-IW-0011 – 48 Old Sherman Hill Road / Map 102, Lot 30B / OS-60 District / Jeffrey and Karen Miller (owner/applicant) – Amending open approval 22-IW-0010 / Install one 120-gallon above ground propane storage tank; stone retaining walls and patios; and stream embankment alteration.

Jeff and Karen Miller were present for the discussion. It was noted that a site walk was held on Sunday. The surveyor staked the site to show the property boundaries. Members walked to view the addition, as well as the new walls that were installed and the area of the river. The activity that took place in the river was now confirmed

to not be on their property. A survey has not been completed at this time; a copy will be submitted to the Land Use Office. Mr. Miller indicated where he added stones to the riverbank to keep it stable. It was noted that the patios were pea stone on soil. There is piping taking roof water. Gutters will be added to the addition, that area is about 20 x 15. Member Turoczi warned that they might get more erosion when they add the gutters. It was suggested that the water should flow into an infiltrator or into a raingarden to avoid erosion going into the riverbed. There was discussion about the river work that was done on another owner's property without approvals and within a regulated area. It was noted that there was too much stone on the riverbank and there should be some vegetation, it was suggested the Miller's contact the Pomperaug River Watershed Coalition or the Northwest Conservation District, however, they would need the property owner's approval to do the work. Ron Wolff spoke with regards to Cornerstone. Mr. Miller explained he unintentionally did the work believing he was on his own property, finding out after the fact that it was not. The property owner and the Miller's should work together to come up with a plan to resolve the issue on the riverbank. The pea stone patio would need to remain that way, they would need to come back to the Agency if they want to change it to something impervious. They should get measurements and calculate volumes and see what they want to plan for the additional water. A proper rain garden could be installed to accommodate the water. Mr. Miller will research and try to come up with information prior to the next meeting.

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 Chairman reminded the Agency of the application details. A draft motion was reviewed by the Agency.

MOTION:

To approve application 23-IW-0005 for property located at 192 Quanopaug Trail per Draft Approval Resolution dated April 24, 2023, as presented.

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

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

Ayes Tyrrell, Turoczi, Richards, Gillette, Werner
Nays None
Abstain None

23-IW-0007 – 20 Judson Avenue / Map 104, Lot 52 / OS-60 District / Gary B. and Pamela L. O'Connor (owner/applicant) / Install septic system and water line to convert existing garage to study/workout room w/bathroom.

The Chairman reminded the Agency of the application details. A draft motion was reviewed by the Agency.

MOTION:

To approve application 23-IW-0007 for property located at 20 Judson Avenue per Draft Approval Resolution dated April 24, 2023, as presented.

Made by **GILLETTE**, Seconded by **RICHARDS**

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

Ayes Tyrrell, Turoczi, Richards, Gillette, Werner
Nays None
Abstain None

23-IW-0008 – 5 Minortown Road / Map 23, Lot 19 / OS-60 District / Regional School District #14 (owner), Mike Molzon (agent) / Installation of a 16' x 40' sawmill pavilion building and associated minor grading.

The Chairman reminded the Agency of the application details. A draft motion was reviewed by the Agency.

MOTION:

To approve application 23-IW-0008 for property located at 5 Minortown Road per Draft Approval Resolution dated April 24, 2023, as presented.

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

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

Ayes Tyrrell, Turoczi, Richards, Gillette, Werner

Nayes None

Abstain None

23-IW-0009 – Transylvania Road / Map 48, Lot 8A / MSD District & R-40 District / Jeff Burmeister (applicant), Woodlake, Inc (owner) / To clean spillway area of debris and broken trees, clean up broken trees and remove trees and brush in town installed rip rap system.

Jeff Burmeister was present. He had received a call from DEEP questioning the owner of the dam. At this time, it is unclear as to the ownership of the dam. It was suggested that Mr. Burmeister contact Public Works to see if they had additional information as to the true ownership of the dam.

ENFORCEMENT & WETLANDS UPDATE

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 was present. It was noted that there was a clerical error and that the site walk agenda for this item was not noticed and therefore was not held. The site walk was then re-scheduled for Sunday May 7, 2023 at 9:00 a.m.

23-ENF-0002 – 197 Minortown Road / Map 25, Lot 2A-2 / OS-60 District / Michelle Fusco / NV – Unauthorized site activities (including excavation, deposition and alteration of ground coverage and contours, as well as drainage conditions) involving installation of second access driveway within a regulated area absent required permit.

Dan and Michelle Fusco were present for the discussion. It had been brought to the attention of the Land Use Office that there was site activity occurring on the property. This work was done absent approvals from the Agency. A notice of violation was read for the record. Mr. Fusco explained that they are looking to install a second driveway, to be able to access the left rear of the property. A plan of what the owner's wish to do on the property has been submitted and was read for the record. Millings have been installed by the road. It was reminded that there was a subdivision approval for a shared driveway, a second driveway does not appear to be allowed. The shared driveway access seems to have been required to keep activity further from the wetlands. After some discussion the Agency scheduled a site walk of the property for Sunday, May 7, 2023, immediately following the previous site walk (approximately 9:30 a.m.).

SHOW CAUSE HEARING

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.

There were no property owner representatives present for the hearing. The Cease-and-Desist order was read for the record. It was noted that the property owner is fully aware that a wetland permit application needs to be

submitted to address the site disturbance and driveway construction completed without a permit in regulated area. The owners have received notices and letters in this regard and Mr. Hardisty has personally stopped into the Land Use Office multiple times to discuss this matter. The process for moving forward was discussed. Agency consensus was to affirm the order, keeping it in effect.

MOTION:

To affirm the Cease-and-Desist enforcement order regarding 22-ENF-0015, thus rendering the order to remain in effect.

Made by **GILLETTE**, Seconded by **RICHARDS**

Vote: 4-0-1 – approved – Motion Passed

Ayes Tyrrell, Turoczi, Richards, Gillette

Nayes None

Abstain Werner (as he was not present for meetings where this item had been discussed)

Members discussed that the property owners are aware of the issue, and nothing has been accomplished since November of 2022 when this was first raised.

MOTION:

Refer 22-ENF-0015 to the Town Attorney for further enforcement action available pursuant to §14 of the Woodbury Inland Wetlands and Watercourses Regulations and §22a-44(b) and (c) of the Connecticut General Statutes.

Made by **GILLETTE**, Seconded by **RICHARDS**

Vote: 4-0-1 – approved – Motion Passed

Ayes Tyrrell, Turoczi, Richards, Gillette

Nayes None

Abstain Werner (as he was not present for meetings where this item had been discussed)

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

Chairman Tyrrell noted that she requested this item be kept on the agenda. Anything different than was discussed at the last meeting the property owner would need to come back to the Agency for approvals or review.

- **93 Peter Road** - Alternate Gillette requested the status on a call he had made regarding activity taking place on Peter Road. It was noted that the Land Use Enforcement Officer went out to the site and work was almost complete. According to Mr. Berecz and another gentleman who were actively working on the site, they were cleaning out a drainage ditch and spreading it on another portion of the property. It was requested by the LUEO that any work in or within a regulated area needs to be reviewed and approved by the Agency. The Agency is the only one to make a determination if something is exempt, they need to provide information for them to be able to make that determination.
- **1246 Main Street North** - Status of a driveway at 1246 Main Street North was questioned, Alternate Gillette having heard it was installed. The Planner noted that they were told they would need wetlands permitting.

ADMINISTRATIVE

Discussion re: Regulation of Forest Practices – Timber Harvesting – pursuant to CGS §23-65k(a)

Will Agresta, Town Planner, noted that Timber Harvesting is being removed from the Zoning Commission Regulations due to an old state statute. In order to regulate such activity, it would need to go through the Wetlands Agency. If the Agency doesn't regulate, the state would. It was asked of the Agency if they were

interested in having Timber Harvesting being addressed by the Inland Wetlands and Watercourses Agency. The consensus of the Agency was that they would be interested in taking this on. This would need to be approved by the Board of Selectmen first. At this time it was noted that updates to the Wetlands regulations are needed.

Meeting Minutes – 04/10/23

MOTION:

To approve the minutes of the April 10, 2023, meeting as submitted.

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

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

Ayes Tyrrell, Turoczi, Richards, Werner, Gillette

Nays None

Abstain None

CORRESPONDENCE

Correspondence included photos of trees from Hollow Park submitted by Member Turoczi for the record. Also included was a memo to Mike Lodice of Parks and Recreation confirming discussion that an application would be submitted for discussion at the second meeting in May.

PRIVILEGE OF THE FLOOR

Member Gillette questioned the status of the permit for Teixeira at 466 Flanders Road.

Kathy Doyle, 35 Washington Road – Ms. Doyle spoke to the issue of the tree cutting without prior approvals, especially along riverbanks in town. She questioned if the various departments/staff needs to be educated on this. It was noted that the First Selectman is working on resolving these issues.

ADJOURNMENT

MOTION:

To adjourn the meeting at 9:57 p.m.

Made by **GILLETTE**, with no objections.

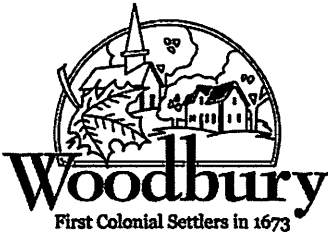
Filed Subject to Approval

Respectfully Submitted

Anne Firlings

Anne Firlings, Clerk

RECEIVED & FILED
IN WOODBURY, CT
This 27th day of April 2023
at 9:00 o'clock A M
Maria 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

192 QUANOPAUG TRAIL – 23-IW-0005

Accessory 18k Generator

Algonquin Archers, Inc. (owner/applicant)

Date of Approval	April 24, 2023
Permit Expiration*	SAME AS ZONING

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

Applicant	Algonquin Archers, Inc., Gregg Lundy (agent)
Owner	Algonquin Archers, Inc.
Application	23-IW-0005
Project	Installation of a base concrete pad and 18k generator within a regulated upland review area.
Address	192 Quanopaug Trail, Assessor Map 27, Lot 8A
Zone	OS-100

WHEREAS, the Town of Woodbury Inland Wetlands and Watercourses Agency (“Agency”) has received application **23-IW-0005** 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 a base concrete pad and 18k generator within a regulated wetlands/watercourses 100-foot upland review area, on property consisting of approximately 20.4 acres located at 192 Quanopaug Trail within an OS-100 Zoning District, as shown on Assessor Map 27, Lot 8A; and

WHEREAS, the proposal also requires Special Permit approval by the Zoning Commission; and

WHEREAS, the following mitigation measures are proposed:

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

WHEREAS, application materials received include the following:

- Application for Inland Wetlands Agency Permit;
- GIS Image and Site Photo;

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-0005 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 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. **Permit Effective Date** – This approval shall not take effect for purposes of implementation until the corresponding required Zoning Commission Special Permit approval is also granted and deemed in effect consistent with CGS §22a-42a(d)(2)(A).
2. **Final Plans** – The plans presented shall be endorsed as “approved” by the Agency / Town Planner.
3. **Coordination with Zoning Commission Approval** - Agency endorsement of the final plans shall be coordinated with and held until post Zoning Commission approval, noting that any resulting substantive changes affecting wetland/watercourse regulated areas as determined by the Town Planner shall be subject to modified Agency review and approval.
4. **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 install the concrete pad, generator and associated utility service lines.
 - No tree or shrub removal is involved or authorized with this approval.
 - Erosion controls shall be employed at the direction of the Land Use Office if deemed necessary.
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.

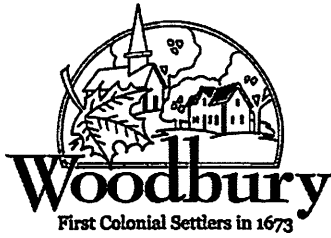
3. **Expiration** – This permit approval shall expire and be null and void without further written notice per the date set forth above unless all regulated activities, including site stabilization and landscaping, are completed consistent with the approved final plans. The Agency may grant one (1) or more extensions of time to complete same, not to exceed 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 **GILLETTE**

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

Ayes	Tyrrell, Turoczi, Richards, Werner, Gillette
Nays	None
Abstain	None



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

20 JUDSON AVENUE – 23-IW-0007

Septic System and Water Line Connection to Detached Structure

Gary B. and Pamela L. O'Connor (owner/applicant)

Date of Approval	April 24, 2023
Permit Expiration*	April 24, 2025

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

Applicant	Gary B. and Pamela L. O'Connor
Owner	Gary B. and Pamela L. O'Connor
Application	23-IW-0007
Project	Installation of accessory septic system and water line to an existing detached garage structure to support conversion to study/workout room with a full bathroom (not for use as residential living quarters) within a regulated upland review area.
Address	20 Judson Avenue, Assessor Map 104, Lot 52
Zone	OS-60

WHEREAS, the Town of Woodbury Inland Wetlands and Watercourses Agency ("Agency") has received application **23-IW-0007** 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 accessory subsurface sewage disposal system (septic) and water line to an existing detached garage structure to support conversion to a study/workout room with a full bathroom (not for use as residential living quarters) within a regulated wetlands/watercourses 100-foot upland review area, on property consisting of approximately 2.21 acres located at 20 Judson Avenue within an OS-60 Zoning District, as shown on Assessor Map 104, Lot 52; and

WHEREAS, the following mitigation measures are proposed:

- Installation to occur within previously disturbed, maintained lawn area;
- The existing structure is located between site wetlands and the new septic area;
- No direct impacts to site wetlands/watercourses are proposed or needed; and

WHEREAS, application materials received include the following:

- Application for Inland Wetlands Agency Permit;
- Health District Plan Approval for Subsurface Sewage Disposal System, 03/06/23;
- Site Plan Sketch, Frank Talarico & Son Inc., 02/14/23;
- RM V15, P815;
- Site Photos;

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-0007 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 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 install the septic system and water line.
 - No tree or shrub removal is involved or authorized with this approval.
 - Erosion controls shall be employed at the direction of the Land Use Office if deemed necessary.
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

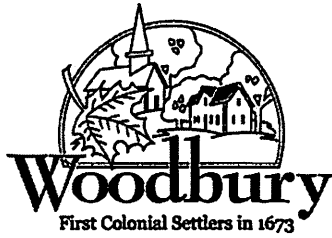
1. **Final Inspection Required** – The applicant shall request the Land Use Office conduct a final inspection for determination of permit completion, subject to the following:
 - Provision of a Septic As-Built.
 - The site has been cleaned of construction related equipment, materials and debris.
 - All 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 GILLETTE, seconded by RICHARDS

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

Ayes	Tyrrell, Turoczi, Richards, Werner, Gillette
Nays	None
Abstain	None



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
5 MINORTOWN ROAD – 23-IW-0008

Sawmill Pavilion Detached Structure – Nonnewaug High School
Regional School District #14 (owner/applicant)

Date of Approval	April 24, 2023
Permit Expiration*	SAME AS ZONING

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

Applicant	Regional School District #14, Mike Molzon (agent)
Owner	Regional School District #14
Application	23-IW-0008
Project	Installation of Sawmill Pavilion detached structure measuring 16 feet by 40 feet (640 square feet) within a regulated upland review area.
Address	5 Minortown Road, Assessor Map 23, Lot 19
Zone	OS-60

WHEREAS, the Town of Woodbury Inland Wetlands and Watercourses Agency (“Agency”) has received application **23-IW-0008** 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 a sawmill pavilion detached structure measuring 16 feet by 40 feet (640 square feet) within a regulated wetlands/watercourses 100-foot upland review area, on property consisting of approximately 102.26 acres located at 5 Minortown Road (Nonnewaug High School) within an OS-60 Zoning District, as shown on Assessor Map 23, Lot 19; and

WHEREAS, the proposal also requires Special Permit approval by the Zoning Commission; and

WHEREAS, the following mitigation measures are proposed:

- Installation to occur within previously disturbed, maintained lawn area in proximity to the location of a former similarly sized detached building;
- No direct impacts to site wetlands/watercourses are proposed or needed; and

WHEREAS, application materials received include the following:

- Application for Inland Wetlands Agency Permit;
- Site Plan (1/2), Wolff Engineering, 03/24/23;
- Site Location Plan (2/2), Wolff Engineering, 03/24/23;
- Site Photos of former Sawmill Pavilion;

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-0008 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 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. **Permit Effective Date** – This approval shall not take effect for purposes of implementation until the corresponding required Zoning Commission Special Permit approval is also granted and deemed in effect consistent with CGS §22a-42a(d)(2)(A).
2. **Final Plans** – The applicant shall submit to the satisfaction of the Town Planner a single (1) complete set of final plans, revised as follows:
 - a. **Each Sheet** – 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 sheet.
 - b. Add the following note conspicuously to Sheet 1:
 - **23-IW-0008 – Approval Date: April 24, 2023**
Expiration Date: Consistent with CGS §22a-42a(d)(2)(A), permit expiration shall be equal to that of the corresponding Zoning Commission approval and if regulated activities and conditions of approval are not completed accordingly in such timeframe.
 - c. Add a full copy of this approval to the final plans.

3. **Final Site Plans for Endorsement** (*to be coordinated with Condition A4 below*) – 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.
4. **Coordination with Zoning Commission Approval** - Agency endorsement of the final plans shall be coordinated with and held until post Zoning Commission approval, noting that any resulting substantive changes affecting wetland/watercourse regulated areas as determined by the Town Planner shall be subject to modified Agency review and approval.
5. **Other Required Approvals** – No work shall be authorized to commence absent securing all required approvals. Other required approvals shall be separately obtained by the applicant and copies thereof shall be provided to the Agency office for inclusion in the permit record file, including but not limited to:
 - **Housatonic Valley Health District / State of Connecticut Public Health Department**
 - **Zoning Commission**
 - **Woodbury Administrative Zoning 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 following shall be followed in relation to the installation:
 - Ground disturbance shall be contained and maintained to the minimum necessary to install the sawmill pavilion.
 - No tree or shrub removal is involved or authorized with this approval.
 - Erosion and sedimentation controls, as well as control of drainage, shall be employed and maintained during construction.
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. 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. 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. **As-Built Plan** – Upon completion of the approved regulated activities, an A-2 survey 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 verification of the following:
 - Completion of all improvements 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** – Discharge of drainage from the new improvements shall be controlled to prevent erosion and 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 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 **TUROCZI**

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

Ayes	Tyrrell, Turoczi, Richards, Werner, Gillette
Nays	None
Abstain	None