

Town of Woodbury

Inland Wetlands and Watercourses Agency

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

REGULAR MEETING MINUTES

May 13, 2024 – 7:30 PM

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

MEMBERS PRESENT

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

MEMBERS ABSENT

NOTED OTHERS PRESENT – Jean-Claude DeSomma, Robert Puzar, Linda Casper, Kate Willoughby 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 Newell, Richards, Turoczi, Tyrrell and Werner.
- Conflict of Interest Reminder (CGS §8-11 & Woodbury Town Charter Section 901)

NEW APPLICATIONS

24-IW-0015 – 61 West Side Road / Map 36, Lot 24-1 / RA-40 District / Jean-Claude De Somma (owner/applicant) / Jurisdictional Ruling – Permitted Use as of Right Section 4.1a: Within regulated upland review area: Establish an organic “farm” on the premises by converting two (2) plus acres of lawn to grow food for wholesale, no retail on premises.

Jean-Claude DeSomma was present for the discussion. Chair, Tyrrell noted that this is a request for a Jurisdictional Ruling per 4.1.a. Mr. DeSomma explained that he is looking to install a large garden for garlic, mushrooms, fruit trees, berry bushes and some raised vegetable beds. The intent is for the produce to be sold wholesale. The location of the property was described. It was noted that this is actually for two properties #61 & #63 West Side Road, Mr. DeSomma owns both. This should be indicated on the application to be clearer. Members reviewed the maps provided by the applicant and expressed that they were very difficult to read and understand. It was also noted that a pond is also being requested. The Agency requested more detailed information and a clearer map so they can better understand the scope of activities being presented.

A site walk was scheduled for Sunday, May 19, 2024, at 9:00 a.m. The Agency requested that Mr. DeSomma stake out the areas so when the Agency is there they can visualize where the pond and other garden areas will be in relation to the wetlands. A clearer map was requested by the Agency for the site walk.

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

24-IW-0016 – 72 Nonnewaug Road / Map 14, Lot 31 / OS-100 District / Steven L. and Linda Casper owner/applicant) / Within regulated upland review area: Install rear deck on hand dug piers.

Robert Puzar was present for the discussion. Mr. Puzar explained that they are looking to install a rear deck. This is not located in the wetlands; it is about 80 ft. from the wetland boundary. The deck will be on piers. It was confirmed that the deck will be 16 ft. x 10 ft. with 10 ft. x 14 ft. stairs. There will be nine (9) piers, hand dug 42 inches deep. Members did not have further questions and requested a draft motion be prepared for the next meeting.

Chair. Tyrrell noted that there was someone present for the Enforcement portion of the agenda.

MOTION:

To amend the agenda to accommodate those present.

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

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

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

184 Quassuk Road / Map 92, Lot 51-1 / OS-60 District / Elizabeth Willoughby / Tree/brush removal and deposit within a regulated area.

Kate Willoughby was present for the discussion. Chair. Tyrrell noted that there is a brook on the property and that 100 ft. from that is regulated area, any activities would need a review and approval by the Agency. Ms. Willoughby noted that back in the winter a storm had knocked down several cotton wood trees. She had the trees removed and had planted new trees to replace and try return the area to a wooded site. Ms. Willoughby planted green giants, maple trees, oak trees, white pines, an evergreen, a dogwood and mountain laurels. This work had been done in January. She has recently weed wacked the area to remove thickets and prickles to assist in the growth of the newly planted trees, trying to establish tree growth by maintaining the area. Member Turoczi explained that there should be more of a variety of plantings including bushes and that wetlands trees and plants are recommended. An area along both sides of the water was concerning. Ms. Willoughby noted that the tree company had dug holes for her to just add the plantings. The Agency requested that Ms. Willoughby submit a restoration planting plan. A map of the area should be obtained and she should indicate on that plan where the plantings are/will be going, how many and what they are (i.e. species). This should be submitted for review by the Agency.

PENDING APPLICATIONS / DELIBERATIONS (as deemed ready)

24-IW-0014 – 813 Main Street South / Map 102, Lot 50 / MQ District / Soulbury Property LLC (owner/applicant), Frank Talarico & Sons, Inc. (agent) / Within regulated upland review area: Subsurface septic system repair.
A draft motion was reviewed by the Agency.

MOTION:

To approve application 24-IW-0014 (813 Main Street South / Map 102, Lot 50 / MQ District / Soulbury Property LLC (owner/applicant), Frank Talarico & Sons, Inc. (agent) / Within regulated upland review area: Subsurface septic system repair).

Made by **NEWELL**, Seconded by **RICHARDS**

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

Aye	Tyrrell, Turoczi, Newell, Richards, Werner
Nay	None

Abstain None

ENFORCEMENT & WETLANDS UPDATE

- **43 Hollow Road / Map 36, Lot 68A & Map 103, Lot 13 / R-40 & OS-80 Districts / Town of Woodbury**
Tree/brush removal within a regulated area (Hollow Park / Pomperaug River).
An email had been received by Jami Gore that Parks & Recreation plans to do the planting this week and will either attend the next meeting or provide a report for the next meeting.
- **184 Quassuk Road / Map 92, Lot 51-1 / OS-60 District / Elizabeth Willoughby**
Tree/brush removal and deposit within a regulated area.
(This item was discussed earlier in the meeting)
- **23-ENF-IW05 – 57 Lake Road / Map 77, Lot 3 & 7 / OS-60 / Robert Taggett**
Unauthorized driveway installation. Tabled (this item is with legal)
- **23-ENF-IW06 – 13 Edward Avenue / Map 77, Lot 4-26, 27 & 2 / OS-60 / Frances M. Palomba**
Unauthorized driveway installation. Tabled (this item is with legal)
- **23-ENF-0002 – 197 Minortown Road / Map 25, Lot 2A-2 / OS-60 District / Michelle Fusco**
Chair. Tyrrell noted that an Executive Session will be scheduled the second meeting in June, this will be confirmed shortly.
- **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.
There was no one present for discussion. This item was not further discussed.

ADMINISTRATIVE

Regular Meeting Minutes – 04/22/24

Members reviewed the April 22, 2024, Meeting Minutes

MOTION:

To approve the April 22, 2024, Regular Meeting Minutes as written.

Made by NEWELL, Seconded by WERNER

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

Aye Tyrrell, Turoczi, Newell, Richards, Werner

Nay None

Abstain None

Regulation Review – This item was tabled.

CORRESPONDENCE - None

PRIVILEGE OF THE FLOOR – Member Richards noted that he read about fines being imposed by another town. The Agency requested he look into this.

ADJOURNMENT

MOTION:

To adjourn the meeting at 8:21 p.m.

Made by NEWELL with no objections.

Respectfully submitted,

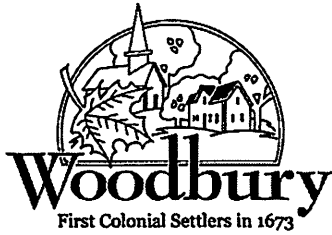
Anne Firlings

Anne Firlings, Inland Wetlands & Watercourses Agency Clerk

RECEIVED & FILED
IN WOODBURY, CT

This 15th day of May 2024
at 8:15 o'clock A.M.

Maria Mancini
Town Clerk



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

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Woodbury, CT 06798
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WETLANDS / WATERCOURSES PERMIT APPROVAL

813 MAIN STREET SOUTH – 24-IW-0014

Subsurface Septic System Replacement

Soulbury Property, LLC (applicant/owner)

Date of Approval	May 13, 2024
Permit Expiration*	May 13, 2026

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

Applicant	Soulbury Property, LLC – Frank Talarico & Sons, Inc. (septic installer)
Owner	Soulbury Property, LLC
Application	24-IW-0014
Project	Install replacement subsurface septic system, connecting to existing septic tank.
Address	813 Main Street South, Assessor Map 102, Lot 50
Site Acreage	0.568 Acres
Zone	MQ District

WHEREAS the Town of Woodbury Inland Wetlands and Watercourses Agency (“Agency”) has received application **24-IW-0014** 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 application materials received include the following:

- Application for Inland Wetlands Agency Permit
- Survey, Roy Cheney LLS
- Septic Repair Plan, 03/21/24
- HVHD Plan Approval for SSDS, 03/22/24
- HVHD Permit to Construct SSDS, 03/22/24; and

WHEREAS the following mitigation measures are proposed:

- The septic fields have been located to the south side of the parking lot and building, far away from the wetlands/watercourse as possible;
- No direct impacts to site wetlands/watercourses are proposed or needed, activity is limited to upland review area;

NOW THEREFORE BE IT RESOLVED upon careful consideration of the information received, the Agency, in accordance with §11.3 of the IWWA Regulations, hereby finds the following:

- No significant adverse off-site impacts are anticipated, and site disturbance will be minimal/short term;
- 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 IWWA Regulations following deliberations hereby approves application 24-IW-0014 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** – 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**
 - **Woodbury Administrative Zoning, Driveway and/or 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:
 - No ground disturbance shall be permitted beyond that shown on the final approved plans.
 - Ground disturbance shall be contained and maintained to the minimum necessary.
 - All storage and staging of materials shall be in the vicinity of the driveway.

4. Construction vehicles/equipment not in use shall not be stored, and at no time shall such be washed out, within a regulated 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.

B. 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 Septic As-Built Plan in a form, content, and number acceptable 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 IWWA Regulations. 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 Site 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 **NEWELL**, Seconded by **RICHARDS**

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

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