



# Town of Woodbury

## Inland Wetlands and Watercourses Agency

281 Main Street South  
Woodbury, CT 06798  
203.263.3467 ▪ [www.woodburyct.org](http://www.woodburyct.org)

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### MINUTES – MAY 23, 2022

#### REGULAR MEETING

7:30 PM – Orenaug Fire House, 25 Quassuk Road, Woodbury, CT 06798

Phone-In Option (203) 847-9302 – Pin 134679#

#### MEMBERS PRESENT

Mary Tyrrell  
Marty Newall  
Kyle Turoczi  
Don Richards  
Earl Gillette

#### MEMBERS ABSENT

Ernest Werner  
Wes Clow  
Michael McAloon

#### NOTED OTHERS PRESENT

Town Planner Agresta, applicants and applicant representatives.

#### OPENING OF MEETING

- **Call to Order**  
Chairman Tyrrell convened the regular meeting at 7:40 pm.
- **Seating of Members / Alternates**  
Seated for the meeting were regular members Tyrrell, Newell and Turoczi, and Alternates Richards and Gillette.
- **Conflict of Interest Reminder (CGS §8-11 & Woodbury Town Charter Section 901)**  
Chairman Tyrrell reminded the Commission of Conflict of Interest; no member expressed a conflict with any matter on the agenda.

#### CALL FOR EXECUTIVE SESSION

The Town Attorney was unavailable for the meeting, a status summary will be provided by the Town Planner at the end of the meeting regarding Woodbury v. McGovern in Other Business.

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

### **PUBLIC HEARINGS**

- **22-IW-0003 / 97 Park Road / Map 88, Lot 5 / Park Road Quarry / O&G Industries, Inc.**  
Expansion of existing basalt quarry operations to remove approximately 50,000 CY of material approximately 65 to 70 feet deep in south-central portion of property affecting 0.55 acres of regulated wetlands. *To be Reconvened on 06/13/22*

Item is pending reconvening at the June 13, 2022 meeting.

### **PENDING APPLICATIONS**

- **22-IW-0009 – 56 Hazel Woods Drive / Map 054, Lot 025H-7 / Michael D’Amico**  
Proposed construction of a 1,344 sf (28 ft x 48 ft) garage/workshop building with attached 480 sf (10 ft x 48 ft) covered porch, driveway expansion, drainage improvements and utility connections within 100-foot upland review area. *OH or D by 06/15/22*

Ron Wolff representing the owner indicated he had nothing new to present. It was noted that the site walk was very informative relative to the lay of the land. The Agency had no additional questions.

- **22-IW-0010 – 48 Old Sherman Hill Road / Map 102, Lot 30-B / Jeff & Karen Miller**  
Proposed construction of 810 sf (20 ft x 40.5 ft) house addition to rear of residence, walk-out basement and one-story above, within 100-foot upland review area.

The Agency had no additional questions.

### **NEW APPLICATIONS**

- **22-IW-0011 – 75 Grassy Hill Road / Map 50, Lot 55-4 / OS-80 / Jeffery I. and Tracey Peck**  
Proposed 20 ft x 45 ft inground swimming pool, including surrounding fenced area and pool equipment pad within 100-foot upland review area. *OH or D by 07/27/22*

The applicant was not present. The Agency scheduled a site visit for June 12, 2022 at 9:00 am and asked staff to inform the applicant and request that the corners of the proposed pool and patio decking be stacked, as well as the adjacent wetland flags visible for the site walk. Chair Tyrrell questioned the pool orientation, thinking it could be rotated so to be farther from wetlands.

- **22-IW-0012 – 35 Atwood Road / Map 77, Lot 25 & 46 / OS-60 / Robert H. & Joann M. Behlman**  
Install larger 160 sf (10 ft x 16 ft) accessory storage shed replacing existing 120 sf (10 ft x 12 ft) shed in general same location, add gravel base, within wetlands/100-foot upland review area. *OH or D by 07/27/22*

The owner presented his plans for a replacement shed, noting it would be prefabricated model and slightly bigger than the existing shed. The area of impact is maintained lawn. A gravel base slightly larger than the shed footprint would be installed under the shed that would sit above the ground.

Potential stream flooding was discussed but acknowledged that water would be able to drain under the shed. Minimal site disturbance is anticipated to install the shed. The Agency did not see the need for a site walk and requested Staff to prepare a DRAFT approval resolution for its next meeting.

**ENFORCEMENT & WETLANDS UPDATE**

- **21-ENF-0010 – 466 Flanders Road / Map 94, Lot 16-A / Teixeira**  
NV Unauthorized Installation of Driveway & Parking Area (filling, grading, tree cutting & log storage piles) within a regulated area.

The property owner presented. He noted the material removed more recently was not the material in the upland review area. He said he was working of the assessment of the wetland crossings (pipe sizing, design adequacy) and would have a progress letter report for the next meeting.

Chair Tyrrell adjusted the agenda to address Deliberations and Determinations prior to Other Business since the applicants were in the audience and would not have to wait any longer.

**DELIBERATIONS and DETERMINATIONS**

- **22-IW-0009 – 56 Hazel Woods Drive / Map 54, Lot 25H-7 / OS-100 District**

**MOTION:**

Approval of Application 22-IW-0009 for construction of a 1,344 sf (28 ft x 48 ft) garage/workshop building with attached 480 sf (10 ft x 48 ft) covered porch, driveway expansion, drainage improvements and utility connections within 100-foot upland review area on property consisting of 6.29 acres located at 56 Hazel Woods Drive per May 23, 2022 Draft Approval Resolution, as amended. Michael A. D’Amico, applicant/owner.

**Made by TUROCZI, Seconded by RICHARDS**

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

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

- **22-IW-0010 – 48 Old Sherman Hill Road / Map 102, Lot 30-B / OS-60 District**

**MOTION:**

Approval of Application 22-IW-0010 for construction of 810 sf (20 ft x 40.5 ft) house addition to rear of residence, walk-out basement and one-story above, within 100-foot upland review area on property consisting of 0.48 acres located at 48 Old Sherman Hill Road per May 23, 2022 Draft Approval Resolution, as amended. Karen A. and Jeffrey A. Miller, applicant/owner.

**Made by NEWELL, Seconded by GILLETTE**

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

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

- **22-ENF-0010 – 466 Flanders Road / Map 94, Lot 16-A / OS-100 District**

**MOTION:**

Approval of Remediation Plan (partly addressing enforcement 22-ENF-0010) for unauthorized excavation and deposition of millings creating a rear driveway access and parking area within regulated wetland/watercourse 100-foot upland review area on property consisting of 8.17 acres located at 466 Flanders Road per May 23, 2022 Draft Approval Resolution, as amended. Christopher Teixeira, applicant/owner.

**Made by TUROCZI, Seconded by RICHARDS**

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

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

**OTHER BUSINESS**

- **18-IW-1802 – 641 Main Street South / Map 102, Lot 28 / 641 Main Street South LLC**  
Request for Release of \$22,000 Landscaping and Soil & Erosion Bond

Member Turoczi noted that the plantings are there, and in some instances, substitutions were made, noting that some plant materials like sweet fern have been hard to obtain. The Agency felt the area generally stabilized but the area lacked maintenance to help the plants survive. Also, the basin area was covered with Mugwort and some woody species around the perimeter, again in need of maintenance. The Agency desired maintenance to be conducted before releasing the bond.

**MOTION:**

Will reconsider Bond Release at future date subject to completion of maintenance trimming around installed plantings to improve their survival due to extensive observed invasive undergrowth and maintenance of sediment basin to control invasive Mugwort and woody species within the basin.

**Made by RICHARDS, Seconded by NEWELL**

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

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

- **Town of Woodbury V. McGovern**

Planner Agresta provided the Agency with a summary of the status of the pending litigation relative to McGovern. He noted the Town Attorney wanted to know if the Agency still wanted to walk the property, to which the Agency said it did.

**MINUTES**

- May 9, 2022 Meeting Minutes

**MOTION:**

To approve, as amended, meeting minutes of May 9, 2022.

**Made by RICHARDS, Seconded by TUROCZI**

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

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

**CORRESPONDENCE**

- None

**PRIVILEGE OF THE FLOOR**

Alternate Gillette asked the status of a few items. Staff noted it had met recently with Foger and also with Dollar General. Dollar General was being revisited in a couple of weeks with the project engineer. Foger had not yet started much. The Agency also noted a violation matter of the spreading of a lot of wood chips along a length of stream bank. Staff was reviewing and would issue a violation notice.

The Agency discussed the potential for a meeting in the winter at which they would invite local farmers for a discussion about wetlands.

**ADJOURNMENT**

The Chairman adjourned the meeting, hearing no objections, at 9:30 pm.

RECEIVED & FILED  
IN WOODBURY, CT

This 15<sup>th</sup> day of June 2022  
at 10:30 o'clock A M  
Maria M. Marcini  
Town Clerk