

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 8, 2023

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

MEMBERS PRESENT

Michael McAloon, Alternate
Don Richards
Marty Newell, Vice Chairman
Kyle Turoczi, Secretary
Mary Tyrrell, Chairman
Ernest Werner

MEMBERS ABSENT

Earl Gillette, Alternate

NOTED OTHERS PRESENT – Will Agresta (Town Planner), Vince LaFontan, Jeff & Karen Miller, Ron Wolff, Amanda Soucy, Dan & Michelle Fusco, 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 Newell, Richards, Turoczi, Tyrrell, and Werner.

Conflict of Interest Reminder (CGS §8-11 & Woodbury Town Charter Section 901)

PUBLIC HEARINGS - None

NEW APPLICATIONS - None

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. A letter from Cornerstone Professional Park was received authorizing the Millers to obtain the necessary permits to remediate work they did on their property. It was noted that a new survey had also been submitted for the file. Mr. Miller addressed the Agency with regards to the permit details relating to his property. At the previous meeting the Agency wanted to know how drainage from the gutters would be handled. Mr. Miller noted they are going to use a level spreader which will be put in an area of lawn where there is a depression. The level spreader will help to dissipate the water to avoid any erosion issues. He will have details and plans with calculations for the next meeting. It was questioned if application timeframes were an issue, this is an amendment to an open approval, so they are not bound by these dates. Mr. Miller met with Carol Haskins of the Pomperaug River Watershed Coalition. She offered him plant buffer suggestions. He will

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

also obtain a landscape architect to assist with plans. Mr. Miller noted that after a large recent rain event, the rocks and pea stone did not move. He reiterated that the rocks he installed along the riverbank are helping with erosion.

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.

An email from Jeff Burmeister was noted. No new details with regards to the ownership of the dam have been found. He has not heard back from the Director of Public Works. Mr. Burmeister was unable to attend the meeting, so this item was tabled.

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 was present. The Agency had no additional concerns or questions. A draft resolution was reviewed by the Agency.

MOTION:

To approve application 23-IW-0012 for property located at 5 Church Hill Road per Draft approval Resolution dated May 8, 2023, as presented.

Made by NEWELL, Seconded by RICHARDS

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

Ayes Newell, Richards, Turoczi, Tyrrell, Werner

Nays None

Abstain None

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 was present for the discussion. Town Planner Will Agresta spoke to the owner of the property, and it was confirmed that there were no current plans for the stumps or the driveway at this time. They may grind the stumps down in the future. The owner is aware if anything is done within the regulated area, it will require additional wetlands approvals. Chairman Tyrrell expressed concerns over the location of the force main area. This was shown on the plans and is located outside the regulated area. It was noted that the pipe is flexible enough to make changes in the field and go around problematic areas. Mr. Wolff offered that they could flag the area and require that it doesn't move south. Abandonment of the well was described. Two rows of silt fence are proposed. Any tailings will be removed from the site. A longer sewer pipe than normal is proposed to get it out of flood zone. It was confirmed that the Health Department will sign off on the septic system and the well driller will sign off on the abandonment of the well. A draft resolution was reviewed by the Agency. It was confirmed that the abandonment of the well and septic are noted in the draft resolution.

MOTION:

To approve application 23-IW-0013 for property located at 334 Weekepeemee Road per Draft approval Resolution dated May 8, 2023, as presented.

Made by RICHARDS, Seconded by TUROCZI

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

Ayes Newell, Richards, Turoczi, Tyrrell, Werner

Nays None

Abstain None

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. It was noted that the plans were revised to increase the pipe size and the inlet and outlet were lowered. An apron between a culvert and outlet portion of drain that is blocked up will be worked on with the help of Public Works. Rip rap has been added to slow the velocity of the water. The revised plans and a draft resolution were reviewed by the Agency.

MOTION:

To approve application 23-IW-0014 for property located at Upper Grassy Hill Road (Map 62, Lot 6-C2) per Draft approval Resolution dated May 8, 2023, as presented.

Made by NEWELL, Seconded by RICHARDS

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

Ayes Newell, Richards, Turoczi, Tyrrell, Werner

Nays None

Abstain None

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 for the discussion. Chairman Tyrrell noted that a site walk was held the previous day. The members present viewed the area for elevations for the activity and new walls. It was discussed that drainage should not be included due to proximity to the septic system. The walls should be backfilled with gravel to drain. An addition to the application was made as well as an associated plan and was submitted for the file. The walls will provide stabilization and support to the hillside. They are seeking an approval for remediation including four walls total on both sides of the house. Plans will be revised to include items requested by the Agency. A draft resolution for remediation activities was requested for the next meeting.

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.

Michelle and Dan Fusco were present for the discussion. Chairman Tyrrell noted that a site walk was held the previous day. In addition to the millings installed as an accessway to the property, there are also large piles of dirt and millings, a boat and an RV located within the regulated area. It was explained that the Agency does not have the authority to approve the driveway, as the original subdivision approval only allowed for the one shared driveway, which was done to protect the wetlands on the property and mitigate any potential impacts. It was suggested that the Fuscos try to find alternatives to access that side of the house in order to accommodate their situation. Potentially a ramp access alongside the house could be considered. It was also noted that the pool patio appeared to be different from the plan that the Agency had approved. The file for the pool installation along with plans were reviewed. It appears the patio surround extends beyond the side of the house and there is also a pavilion which was not on the plans. The Fuscos were unaware of the subdivision approval and its limitations with respect to an additional driveway. They will research engineers and ideas. A timeline as to the remediation work was requested. Mr. Fusco noted that the topsoil will be used around the pool area and will be topped with landscape stone. The millings will be removed from the property. The stabilization of the piles and the additional fencing along the side of the property was discussed. A plan to include timeframes for remediation completion (removal of millings pile, dirt pile, RV, Boat, landscaping plan and removal of the installed millings second access/entrance) needs to be submitted to the Agency. A plan to remediate the site and appropriate amendments to the pool permit approval will need to be submitted for review.

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

No one was present for the discussion. This item was tabled.

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.

Town Planner Will Agresta updated the Agency that a letter has been sent to the property owners from the Town Attorney. It has been signed for. They are awaiting response within the timeframe set forth in the letter.

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 more work had been done beyond the tree cutting. Work to at least three areas where the stream comes through that needed to be cleaned up and stabilized and have pipe entrances installed has been completed, seeded and mulched. The Agency expressed frustration that they had been told to come back to the Agency prior to doing any of this extra work. Areas of the brook have been decimated. It was discussed that they were told what needed to be done to remediate what was already done, at that time it was noted that pipes would need to be installed prior to paving. The

Agency stated this additional work would need their review and approval. They were allowed to move one pile of the large logs from one side to the opposite side further from the wetlands. These piles were going to be gone by December. Trees are down in the brook. It is believed that this work was done in conjunction with the Town Highway Department. The Agency requested a letter be sent stating the Agency recognizes that more work was done in the area that went beyond the tree cutting and removal of the trees that had been cut down. There has now been excavation in the wetlands area, in the brook and there have been rocks put in as well as soil for seeding and mulch deposition. The Agency was under the belief that they would be back to ask before they did any additional work.

- **Rail Tree Hill Road / O'Neill** – An email from Sandy O'Neil was received and read for the record noting the status of the site cleanup.
- **Hollow Park / Parks & Recreation** – Members questioned the status of this enforcement. It was discussed that the Director of Parks and Recreation is out and when she returns this item will be addressed appropriately. It was requested this item remain on the agenda as a reminder.

ADMINISTRATIVE

Discussion: Joint Land Use Meeting Scheduling – September 13 or 20, 2023

Member consensus was for the September 13th date for the Joint Land Use Meeting.

At this time Member Newell was unseated and Alternate McAloon was seated.

Special Meeting Minutes – 04/23/23

MOTION:

To approve the April 23, 2023, Special Meeting Minutes as presented.

Made by **McALOON**, Seconded by **TUROCZI**

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

Ayes McAloon, Turoczi, Tyrrell

Nays None

Abstain Richards and Werner (not present at the site walk)

Meeting Minutes – 04/24/23

MOTION:

To approve the April 24, 2023, Meeting Minutes as presented.

Made by **McALOON**, Seconded by **TUROCZI**

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

Ayes McAloon, Richards, Turoczi, Tyrrell, Werner

Nays None

Abstain None

CORRESPONDENCE - None

PRIVILEGE OF THE FLOOR - None

ADJOURNMENT

MOTION:

To adjourn the meeting at 9:26 p.m.

Filed Subject to Approval

Respectfully Submitted

Anne Firlings

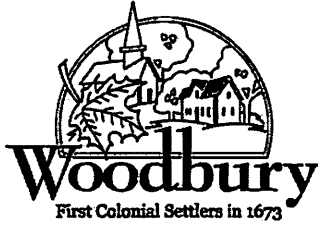
Anne Firlings, Clerk

RECEIVED & FILED
IN WOODBURY, CT

This 4th day of May 2023

at 9:26 o'clock PM

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

5 CHURCH HILL ROAD – 23-IW-0012

Open Pavilion Detached Structure – Flanders Nature Center

Flanders Nature Center and Land Trust, Inc. (owner/applicant)

Date of Approval	May 8, 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	Flanders Nature Center and Land Trust, Inc.
Owner	Flanders Nature Center and Land Trust, Inc.
Application	23-IW-0012
Project	Installation of an educational programming open pavilion detached structure measuring 20 feet by 60 feet (1,200 square feet) on a monolith concrete slab, with solar panels on south facing roof and connecting underground electrical service lines to existing North Barn and existing Van Vleck House, partially within a regulated wetlands/watercourses 100-foot upland review area.
Address	5 Church Hill Road, Assessor Map 96, Lots 21 and 22
Site Acreage	107.66 acres
Zone	OS-100 District

WHEREAS, the Town of Woodbury Inland Wetlands and Watercourses Agency (“Agency”) has received application **23-IW-0012** 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”) to implement the “project” as described above; and

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

WHEREAS, the following mitigation measures are proposed:

- Project development is proposed within previously disturbed, maintained lawn area in proximity to other existing site development and buildings;
- No direct impacts to site wetlands/watercourses are proposed; and
- Erosion and sediment controls will be employed, as well as post drainage controls; and

WHEREAS, application materials received include the following:

- Application for Inland Wetlands Agency Permit;
- Timber Frame Pavilion Elevation;
- Solar Panel Array;
- C-1.1 – Existing Conditions, Civil1, 06/22/23;
- C-2.1 – Site Improvement Plan, Civil 1, 06/22/23;
- Wetland Delineation Report, Ian T. Cole, LLC, 03/02/23; and

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;
- Authorized 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-0015 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 (Sheets C-1.1, C-2.1 and Pavilion Elevation), revised as follows:
 - a. **Each Sheet** shall include a common revision date post the date of this approval, and an original seal and signature of the professional responsible for preparing each individual sheet.
 - b. Add a full copy of this approval to the final plans.
 - c. Add the following notes conspicuously to Sheet C-2.1:
 - **23-IW-0015 – Approval Date: May 8, 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.
 - **Wetland Delineation (partial site of Farm Loop Trail) by Ian T. Cole, LLC on February 17, 2023.**

- d. Locate and label, as well as include a corresponding construction detail for stone drainage along (below) the roof drip lines of the pavilion on each side of the structure to sufficiently address stormwater runoff (or similarly equal control) subject to Town Planner review and approval.
 - e. Extend the silt fence to better protect the wetlands to the east of the new pavilion construction.
 - f. Add construction sequencing notes. Also, locate and label area for construction staging and contractor parking outside of the 100-foot upland review area.
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. In accordance with §13 of the IWWA Regulations, a Site Remediation / Soil and Erosion Control Bond in the amount **one thousand (\$1,000.00) dollars** shall be submitted to the Land Use Office in a form and content as acceptable by the Town. The bond shall remain in full force and effect until such time as the bond is released by the Town.
 6. **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**
 - **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 Land Use Office shall be duly apprised of the status and progress of site work throughout construction, and promptly notified as to any issues or potential deviations in completing the site work as designed and approved, so either appropriate minor field changes may be authorized by the Land Use Office or the need for a new or modified permit approval can be identified.

3. The following shall be followed in relation to the project:

- Ground disturbance shall be contained and maintained to the minimum necessary to install the new 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.
 - Following construction, all access paths shall be reestablished to original condition.
4. 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.
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. 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.
7. 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.

C. Post Construction Compliance and Permit Closure

1. **Final Inspection Required** – The applicant shall request the Land Use Office conduct a final inspection for determination of permit completion of the approved regulated activities, subject to the following:
- Submission of 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.
 - Provision of Professional Engineer certification that the drainage controls have been installed and are functioning as designed and intended.
 - Verification the site has been cleaned of construction related equipment, materials and debris.
 - All disturbed areas have been stabilized and exhibit healthy vegetative cover.
 - All erosion controls have been appropriately removed and disposed of following Land Use Office confirmation that the site is stabilized.

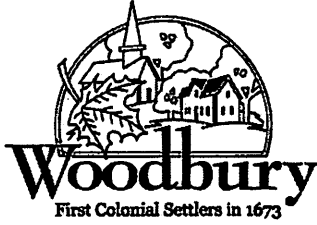
2. **Bond Release** – Upon written request by the applicant following completion of all approved work consistent with the approved final plans and verification the site is stabilized to the satisfaction of the Land Use Office, the bond may be released by the Land Use Office (subject to submission of an adequate As-Built Plan detailing and certifying the completed improvements). The Land Use Office may refer any request for bond release to the Agency.
3. **Drainage Improvements** – The stormwater management and treatment controls and subsurface driveway drainage pipe shall be maintained to function as designed and to prevent erosion and sedimentation dispersal as a condition of continued compliance.
4. **Approval Compliance / Changes** – Failure to maintain compliance with this permit and the approved final plans shall constitute a violation of the terms of this permit and the Woodbury Inland Wetlands and Watercourses Regulations. Any substantive additions or changes to the approved regulated activities shall require prior review and separate approval and permit.
5. **Expiration** – This permit approval shall expire and be null and void without further written notice per the date set forth above unless all regulated activities, including site stabilization and landscaping, are completed consistent with the approved final plans. The Agency may grant one (1) or more extensions of time to complete same, not to exceed that as may be permitted. Any request for extension shall be in writing to the Agency in a timely manner prior to the expiration date for which an extension is requested and shall state the reasons and circumstances for the requested extension. In considering any such request, the Agency may require a public hearing and may adjust any held bond.

MOTION

Moved by **NEWELL**, seconded by **RICHARDS**

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

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



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

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WETLANDS / WATERCOURSES PERMIT APPROVAL

334 WEEKEEPPEEMEE ROAD – 23-IW-0013

New Water Well and Septic System

334 Weekepeemee Road Realty, LLC (owner/applicant)

Date of Approval	May 8, 2023
Permit Expiration*	May 8, 2025

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

Applicant	334 Weekepeemee Road Realty, LLC
Owner	334 Weekepeemee Road Realty, LLC
Application	23-IW-0013
Project	Abandonment of existing septic leaching structure and existing water supply well, as well as the installation of new sewer pipe and electric conduit for pump chamber to new subsurface septic system partially within a regulated upland review area (<i>septic tank, pump chamber and septic fields are located outside of 100-foot upland review area and 100-year floodplain</i>).
Address	334 Weekepeemee Road, Assessor Map 42, Lot 6-1
Site Acreage	4.1 acres
Zone	OS-100 District

WHEREAS, the Town of Woodbury Inland Wetlands and Watercourses Agency (“Agency”) has received application **23-IW-0013** 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”) to implement the “project” as described above; and

WHEREAS, the following mitigation measures are proposed:

- Installation is proposed to occur substantially within previously disturbed areas of the property;
- Retention in place of the existing cut trees stumps (to be further cut flush with the ground);
- Removal of existing inadequate septic leaching structure from regulated area;
- No direct impacts to site wetlands/watercourses are proposed;
- Location of new septic tank, pump chamber and septic fields outside of regulated area; and

WHEREAS, application materials received include the following:

- Application for Inland Wetlands Agency Permit;
- Soils Report, Nutmeg Soil Services, 2002;
- Subsurface Sewage Disposal Plan (1/2), Wolff Engineering, 03/22/23;
- Subsurface Sewage Disposal Plan (2/2), Wolff Engineering, 03/22/23;

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, while site disturbances will be short term;
- Site disturbance impacts can be further mitigated by the conditions listed below and the proper use and maintenance of soil erosion and sedimentation controls as may be warranted and/or required;
- The Agency classifies the application as Summary (not involving a “significant impact” thus a public hearing is not required); and

BE IT FURTHER RESOLVED, the Agency, in accordance with §10 of the Regulations following deliberations hereby approves application 23-IW-0013 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 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:
 - The location of new well may be shifted as may be needed, provided such does not get any closer to wetlands than shown on the final plans.
 - Ground disturbance shall be contained and maintained to the minimum necessary to complete the authorized improvements.
 - No further tree or shrub removal is involved or authorized with this approval.
 - Erosion and sedimentation controls shall be installed and maintained, and additional controls may be required at the direction of the Land Use Office if deemed necessary.

4. 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.
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. All access paths shall be reestablished to original condition.
6. 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.
7. Disturbed soils shall be stabilized in a timely fashion, particularly to avoid/minimize erosion impacts.

C. Post Construction Compliance and Permit Closure

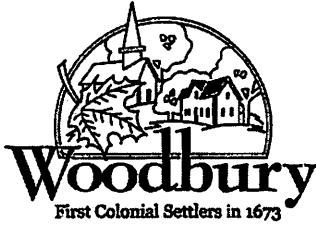
1. **Final Inspection Required** – The applicant shall request the Land Use Office conduct a final inspection for determination of permit completion, subject to the following:
 - Provision of a Septic As-Built and installed water supply well.
 - Provision of sign-off regarding the abandoned water supply well and septic leaching structure.
 - 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. Improvement or paving of the driveway, removal of stumps, or other site improvements within regulated areas shall require separate Agency permit approval.
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 **RICHARDS**, seconded by **TUROCZI**

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

Ayes	Tyrrell, Newell, Turoczi, Werner, Richards
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
UPPER GRASSY HILL ROAD (Assessor Map 62, Lot 6-C2) – 23-IW-0014
Driveway/Utilities Crossing
Bradley Balletto (applicant/contract purchaser)
David L. and Victor S. George (property owner)**

Date of Approval	May 8, 2023
Permit Expiration*	May 8, 2025

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

Applicant	Bradley Balletto (contract purchaser)
Property Owner	David L. and Victor S. George
Application	23-IW-0014
Project	Construction of driveway with culvert pipe and subsurface site utilities for new house construction across site wetlands/watercourse (remainder of driveway and entirety of the house and associated site clearing and improvements located outside of regulated areas).
Address	Upper Grassy Hill Road, Assessor Map 62, Lot 6-C2
Site Acreage	24.62 acres
Zone	OS-80 District

WHEREAS, the Town of Woodbury Inland Wetlands and Watercourses Agency (“Agency”) has received application **23-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, the following mitigation measures are proposed:

- Driveway crossing is proposed at least wide section of wetland/watercourse;
- Installation of 12-inch modified riprap within stream swale on both sides of driveway crossing to stabilize;
- Installation of stone infiltration trench alongside of driveway to control and treat stormwater runoff;
- Erosion and sedimentation controls;
- Remainder of driveway and entirety of house construction and associated site clearing and improvements are located outside of regulated 100-foot upland review area; and

WHEREAS, application materials received include the following:

- Application for Inland Wetlands Agency Permit;
- Soils Report, Nutmeg Soil Services, 2023;
- Site Plan & Subsurface Sewage Disposal Plan (1/4), Wolff Engineering, 04/06/23, revised 05/01/23;
- Overall Site Plan (2/4), Wolff Engineering, 04/06/23, revised 05/01/23;
- Site Plan & Subsurface Sewage Disposal Plan (3/4), Wolff Engineering, 04/06/23, revised 05/01/23;
- Site Plan & Subsurface Sewage Disposal Plan (3/4), Wolff Engineering, 04/06/23, revised 05/01/23;

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

- No significant adverse off-site impacts are anticipated;
- Site disturbance during construction will be short term;
- The house and its associated accessory site improvements (lot clearing, septic, well, utilities, majority of driveway, and all lawn or maintained yard areas) are proposed and can be fully accommodated outside of 100-foot upland review areas of the property;
- 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-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 IWWA Regulations, as well as required reporting to the Connecticut Department of Energy and Environmental Protection (“CT DEEP”) per CGS §22a-39-14; and

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

A. Prior to Commencement of any Work or Site Disturbance

1. The applicant shall submit to the satisfaction of the Town Planner a single (1) complete set of **Final Plans** (Sheets 1 through 4), revised as follows:
 - a. **Each Sheet** shall include a common revision date post the date of this approval, and an original seal and signature of the professional responsible for preparing each individual sheet.
 - b. The applicant shall request a street address from the Town Assessor and add same to the Title Block of each sheet.
 - c. Add a full copy of this approval to the final plans.
 - d. Add the following note conspicuously to Sheet 1:

23-IW-0014 – Approval Date: May 8, 2023; Expiration Date: May 8, 2025* (*If regulated activities and conditions of approval are not completed accordingly in such timeframe.)
 - e. Revise Note #5 on Sheet 1 to insert the word ***Partial*** at the beginning of the note.

2. **Final Site Plans for Endorsement** – Following acceptance of revised final plans by the Town Planner, the applicant shall provide for endorsement by the Agency/Town Planner two (2) printed sets (additional copies should the applicant desire copies as endorsed). EACH plan sheet shall be signed and sealed providing live (original signature and seal) certification thereof by the professional(s) responsible for their preparation.
3. In accordance with §13 of the IWWA Regulations, a Site Remediation / Soil and Erosion Control Bond in the amount **one thousand (\$1,000.00) dollars** shall be submitted to the Land Use Office in a form and content as acceptable by the Town. The bond shall remain in full force and effect until such time as the bond is released by the Town.
4. **Other Required Approvals** – No work shall be authorized to commence absent securing all 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 Building Permits**

B. Conditions During Construction

1. Prior to commencement of any site work or site disturbance, the limits of disturbance shall be clearly marked in the field to the satisfaction of the Land Use Office and the Land Use Office shall be provided a minimum of 48-hours of notice. No regulated activity shall commence until erosion and sedimentation control devices have been properly installed to the satisfaction of the Land Use Office and inspected by the Land Use Office. The applicant shall maintain and supplement the controls as needed, and the Land Use Office may require additional controls as may be deemed necessary or warranted.
2. The Land Use Office shall be duly apprised of the status and progress of site work throughout construction, and promptly notified as to any issues or potential deviations in completing the site work as designed and approved, so either appropriate minor field changes may be authorized by the Land Use Office or the need for a new or modified permit approval can be identified.
3. The following shall be followed in relation to the project:
 - Ground disturbance shall be contained and maintained to the minimum necessary to complete the authorized improvements.
 - Erosion and sedimentation controls shall be installed and maintained, and additional controls may be required at the direction of the Land Use Office if deemed necessary.
 - There shall be no dumping or burying of any tree stumps or tree materials including but not limited to branches, wood chips and the like.
4. Construction vehicles 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.

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. 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.
7. Disturbed soils shall be stabilized in a timely fashion, particularly to avoid/minimize erosion impacts.

C. Post Construction Compliance and Permit Closure

1. **Final Inspection Required** – The applicant shall request the Land Use Office conduct a final inspection for determination of permit completion of the approved regulated activities, subject to the following:
 - Submission of 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.
 - Provision of Professional Engineer certification that the drainage controls have been installed and are functioning as designed and intended.
 - Verification the site has been cleaned of construction related equipment, materials and debris.
 - All disturbed areas have been stabilized and exhibit healthy vegetative cover.
 - All erosion controls have been appropriately removed and disposed of following Land Use Office confirmation that the site is stabilized.
2. **Bond Release** – Upon written request by the applicant following completion of all approved work consistent with the approved final plans and verification the site is stabilized to the satisfaction of the Land Use Office, the bond may be released by the Land Use Office (subject to submission of an adequate As-Built Plan detailing and certifying the completed improvements). The Land Use Office may refer any request for bond release to the Agency.
3. **Drainage Improvements** – The stormwater management and treatment controls and subsurface driveway drainage pipe shall be maintained to function as designed and to prevent erosion and sedimentation dispersal as a condition of continued compliance.
4. **Approval Compliance / Changes** – Failure to maintain compliance with this permit and the approved final plans shall constitute a violation of the terms of this permit and the Woodbury Inland Wetlands and Watercourses Regulations. Any substantive additions or changes to the approved regulated activities shall require prior review and separate approval and permit.

5. **Expiration** – This permit approval shall expire and be null and void without further written notice per the date set forth above unless all regulated activities, including site stabilization and landscaping, are completed consistent with the approved final plans. The Agency may grant one (1) or more extensions of time to complete same, not to exceed that as may be permitted. Any request for extension shall be in writing to the Agency in a timely manner prior to the expiration date for which an extension is requested and shall state the reasons and circumstances for the requested extension. In considering any such request, the Agency may require a public hearing and may adjust any held bond.

MOTION

Moved by **NEWELL**, seconded by **RICHARDS**

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

Ayes Tyrrell, Newell, Turoczi, Werner, Richards

Nays None

Abstain None