



Town of Woodbury

Inland Wetlands and Watercourses Agency

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

REGULAR MEETING MINUTES

June 10, 2024 – 7:30 PM

Senior/Community Center

265 Main St. South, Woodbury, CT 06798

MEMBERS PRESENT

Marty Newell, Vice Chair
Kyle Turoczi, Secretary
Don Richards
Earl Gillette, Alternate
Ernest Werner

MEMBERS ABSENT

Michael McAloon, Alternate
Timothy Pabst, Alternate
Mary Tyrrell, Chair

NOTED OTHERS PRESENT – Planner Agresta, Bud Neal, Mike Lodice, Jean-Claude De Somma, Zachary Lessard, Stuart Adams,

OPENING OF MEETING

Call to Order – The meeting commenced at 7:33 p.m.

Seating of Members / Alternates – Seated for the meter were members Newell, Turoczi, Richards, Gillette and Werner

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

NEW APPLICATIONS

24-IW-0017 – Washington Green / Map 102, Lot 35B / MQ District / Town of Woodbury / Jurisdictional Ruling – §4.2 – Conservation of Beech Tree

Bud Neal and Mike Lodice were present for the discussion. They are looking to treat the copper beech tree located on Washington Green with a product called potassium phosphate. They will do a soil drench first and then a bark spray. Once the treatment is complete a danger tape will be placed around the tree. This is to eradicate nematodes. If they don't treat the tree, it will die. This is the time of year to do the application. It will be a one-time application for this year. Left unattended, the nematodes would kill the tree and gradually gravitate to other healthy trees in the area. It is possible that this nematode could also move on to site's oak tree.

Consensus of the Agency was that this a nonregulated use, confirming that this is a conservation of the vegetation and as such fits under the statute of the nonregulated use.

MOTION:

To classify (Jurisdictional Ruling) 24-IW-0017 (Washington Green / Map 102, Lot 35B / MQ District / Town of Woodbury – §4.2 – Conservation of Beech Tree) as proposed to be a "nonregulated use."

Made by TUROCZI, Seconded by WERNER

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

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

PENDING APPLICATIONS / DELIBERATIONS (as deemed ready)

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: Establishment of 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 De Somma was present for the discussion. A revised plan was provided to the Agency and for the record. It was noted that the pond has been removed from the request and he is proposing planting mushrooms, garlic and a couple fruit trees. The new plans were reviewed by the Agency. It was questioned how he will be watering without the pond, Mr. De Somma noted that the garlic and mushrooms do not require much water. A site walk was held by the Agency, and they were able to view the site and areas for the proposed farm. Without the pond, these activities are not impactful to the wetlands. The Agency noted that if he decides to move forward with a pond in the future it would need prior Agency review.

Consensus of the Agency was that the proposed “farming, gardening and harvesting of crops” activities are a “permitted use” based on information provided and observed during their site walk.

MOTION:

To classify (Jurisdictional Ruling) 24-IW-0015 (61 West Side Road / Map 36, Lot 24-1 / RA-40 District / Jean-Claude De Somma (owner/applicant) as proposed to be a “Permitted Use as of Right” pursuant to Section 4.1a for the establishment of an organic “farm” on the premises by converting two (2) plus acres of lawn to grow mushrooms, garlic and some fruit trees for harvesting for wholesale, no retail sales on premises.

Made by TUROCZI, Seconded by WERNER

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

Aye	Gillette, Newell, Richards, Turoczi, 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).**

Mike Lodice, Superintendent of Parks, was present for the discussion. He reviewed photos submitted of the final remediation plantings with the Agency. Six trees have been planted. Along the river blueberries, red dogwoods and viburnum have been planted. He is confident the area will mature nicely. Native grass is already coming in. Spraying for the knotweed has helped. Maintenance of the plantings was questioned. Pink ribbons have been placed for the smaller plantings; they will maintain those areas by hand. The Agency had no concerns with the remediation plantings and stated that this can come off of the enforcement list.

- **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. Plans provided and photos were reviewed by the Agency. The watercourse on the property was noted. Ms. Willoughby discussed a planting plan she came up with using wetlands plants and trees discussed with her landscaper. Use of equipment will be needed to dig in the area. It was noted that most of the property is regulated. The topography of the area was detailed. The cleared area should be vegetated to hold the soils. The trees will need to be maintained until they mature. The list of plantings proposed was approved by the Agency. It was confirmed that the size of the trees should be 7-8 ft. tall. Ms. Willoughby questioned if she could pump the creek to water the plantings, her well tends to run dry. Member Turozci explained the plants don't require daily watering. Size of the plantings should be confirmed. Ms. Willoughby confirmed she was looking at 7-8 ft. tall, 10 to 15-gallon pots. It was reiterated that: the fallen tree will be left in place, the list should be firmed up with specifics (add the species, the quantities, and the sizes to be purchased) as long as the trees are over 5 ft. Use of a bobcat with a backhoe will be used, not in the brook, at the edge which appears to be just outside the wetlands. The disturbed areas caused by the backhoe will need to be restored and covered. Mulch should be used around the trees. It was estimated that this would take two days to complete. It was requested that Ms. Willoughby report back once the planting has been completed and to provide photos.

- **24-ENF-IW02 – 83 Park Road / Map 103, Lot 36A / OS-60 District / Zachary Lessard / Unauthorized tree removal, timber storage, equipment/business storage, active accessways through regulated areas and land/ground disturbance within wetland/watercourse.**

Zack Lessard was present for the discussion. A site walk was done the day prior. The original approved plan for the barn from 2016 was reviewed by the Agency. The barn and addition permit approval was also reviewed. The wetlands line was noted on the plans, this may not be accurate. Mr. Lessard described the wetland area on the Park Lane side of the property. Planner Agresta indicated the limited use of the areas surrounding the barn that had been approved. Trees that were a threat to his structure were removed. Mr. Lessard updated the Agency that the logs on the neighbor's property have been removed and the remaining logs are currently being removed. It was confirmed that the logs located near the house are for firewood to heat their home. Mr. Lessard noted that just one tree had been cut down towards the rear of the building as well as the tree that originally fell on the building. Mr. Lessard noted that there are a lot of understory trees in this area already. Trees that have started to come up in the last few years.

The original approved Wetland Permit plan was discussed as to the use of the property surrounding the building. It is unclear what was behind the building, as gravel was noted but not in this area. It was confirmed that the use of the exterior is for access to get in and out and for parking and everything else was to be inside the building. It makes sense to be able to drive around the building and could be consistent with the approval. Once the barn is fixed, items stored outside can go back inside. Temporary storage could be allowed until they fix the building. The timeframe for fixing the barn is still unknown.

Planner Agresta reviewed photos of paths in the woods and noted old machines in the woods. Mr. Lessard indicated these were a brush mower and a box grader; these have already been moved to the gravel parking area on the north side of the building. A hand made bridge was discussed, Mr. Lessard will pull the boards off.

The Agency then discussed the area near the house. Woodchips have been pushed over the embankment. The approval for the addition was reviewed which notes woodchips could be used for stabilization, however, the addition has been completed for some time. Mr. Lessard indicated that the tops of the trees he cut down were chipped and placed in this area. The wetlands, the bank and the toe of the slope were noted on plans. The slope down to the brook is steep. The Agency expressed concerns with the amount of woodchips and the proximity to the wetlands below. It was noted that the woodchips could hold the soil from eroding to the wetlands, and that the area is too soft at this point to hold plants. The Agency stated that no more woodchips should be added in this area. Mr. Lessard should be diligent with the knotweed removal.

The following was identified as needed remediation, to which the owner is to prepare and submit a remediation plan for the Agency's review and approval (the cleanup of the site can continue in the meantime):

North Side (of building on Park Lane):

- Removal of all cut logs (already in process).
- Remove stored concrete blocks.
- Remove stored firewood under tarps.
- Stumps are to be left in place.
- Restore the disturbed ground area by flattening out the ruts, leveling out the area and replanting with understory shrubs – plan to be provided for Agency approval.
- Maintain stream channel entering site to keep it cleared of debris and fallen tree litter.
- No further tree removal.

East Side (behind the building on Park Lane):

- Access around the building is permitted provided no disturbance beyond the wall remnants is maintained.

South Side:

- Removal of all cut logs (already in process).
- Stumps are to be left in place.
- Restore with planting of understory trees/shrubs – plan to be provided for Agency approval.
- Limits of driveway to be defined clearly with above plantings – detail such on the plan.

Repair of Tree Damaged Building (on Park Lane):

- Timeframe for fixing the barn is still unknown but estimated to occur this year.
- Temporary storage allowed while the building is repaired.
- Thereafter, no storage outside as required under the original approval.

Wooded Area South of Building (on Park Lane):

- Equipment to be removed (per owner has already been removed)
- Makeshift wooden bridge to be removed.

House (accessed via Park Road):

- Woodchip embankment above wetlands/stream to be left.
- No additional woodchips to be added.

The following items were not discussed:

- **23-ENF-IW05 – 57 Lake Road / Map 77, Lot 3 & 7 / OS-60 / Robert Taggett**
Unauthorized driveway installation.
- **23-ENF-IW06 – 13 Edward Avenue / Map 77, Lot 4-26, 27 & 2 / OS-60 / Frances M. Palomba**
Unauthorized driveway installation.
- **23-ENF-0002 – 197 Minortown Road / Map 25, Lot 2A-2 / OS-60 District / Michelle Fusco**
- **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.

10 Transylvania Road / Adams

Stuart Adams was present for discussion. The Agency held a site walk of the property and observed the erosion concerns. It was confirmed that using boulders and plants is the only choice. An application with a detailed plan will need to be submitted and approved in order to start the work. The plan should specify where the boulders will go, how many, size, how they will access the area, where they will stage materials, and a planting plan (what will be planted, quantity, size and location).

ADMINISTRATIVE

Regular Meeting Minutes – 05/28/24

MOTION:

To approve the Minutes of the May 28, 2024, meeting as presented.

Made by RICHARDS, Seconded by GILLETTE

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

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

Regulation Review – This item was tabled.

CORRESPONDENCE - None

PRIVILEGE OF THE FLOOR - None

ADJOURNMENT

MOTION:

To adjourn the meeting at 9:13 p.m.

Made by WERNER with no objections.

Respectfully submitted,

Anne Firlings

Anne Firlings, Inland Wetlands & Watercourses Agency Clerk

RECEIVED & FILED
IN WOODBURY, CT

This 12th day of June 2024
at 3:40 o'clock PM

Maria M. Mancini
Town Clerk