



# 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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### REGULAR MEETING MINUTES – JUNE 12, 2023

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

#### MEMBERS PRESENT

Earl Gillette, Alternate  
Marty Newell, Vice Chairman  
Don Richards  
Kyle Turoczi, Secretary  
Mary Tyrrell, Chairman  
Ernest Werner

#### MEMBERS ABSENT

Michael McAloon, Alternate

**NOTED OTHERS PRESENT** – Will Agresta (Town Planner), Jeff Miller, Ron Wolff, Dan & Michelle Fusco, Jami Gore (Director of Parks & Recreation), Matt Bruton, Kathy Doyle and a member of the press.

#### OPENING OF MEETING

Call to Order – The meeting commenced at 7:35 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

**23-IW-0015 – 39, 43, 47, 51 Sherman Hill Road / Map 102, Lot 29 / MQ District / Jeffrey Miller (applicant); Cornerstone Professional Park Association, Inc. (owner) / Streambank remediation.**

Jeff Miller was present for the application. It was noted that he met with Carol Haskins of the Pomperaug River Watershed Coalition who provided guidance as to the appropriate plantings for the remediation. Photos and a report were in the file. There are certain plant suggestions provided that are good for the riverbank and the gravel areas specifically. Mr. Miller needs to submit something to the Agency to indicate how many, of which plant and where they will be planted. It was indicated that approximately 1/3 of the rocks will be removed. Mr. Miller is still looking to source the plants. Concern about the gravel area was expressed as water could move the stone and channel it into other areas. Chairman Tyrrell considered this to be fill in a wetland and felt it should be removed.

*(Members Gillette and Newell left the meeting at 7:48 p.m. due to an ambulance call. Member Newell was unseated.)*

Member Turoczi explained that the stone will help mulch and protect the soil while the plantings take hold. The Agency needs to know where the plants will be going. A video of the river provided by Mr. Miller was presented to the Agency. He wanted to show that even with the way the water was rushing, the stone did not gravitate.

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

Additional photos were viewed to show erosion in other areas of the riverbank and why Mr. Miller added the rocks to the riverbank area for extra stabilization to protect the area near his property. There was discussion about reasons for the erosion and that the lack of deep-rooted vegetation is needed in those areas, that grass is not enough. Mr. Miller will work on obtaining a planting list and provide a planting plan for the next meeting.

**23-IW-0016 – 69 Sanford Road / Map 21, Lot 34B / OS-60 District / Matthew J. Weaving (applicant/owner) / Installation of driveway and utilities supporting a new single-family dwelling.**

Ron Wolff was present for the application and described the location of the 21.1-acre parcel. A watercourse runs from the south to the north and goes underneath Sanford Road to an existing culvert. Wetlands were flagged and were shown on the plan along with the 100 ft. regulated area. This is a wooded property that slopes from the east down to the watercourse, through the middle of the property. There is a small area to the west of the watercourse that flows to the northeast also to the watercourse. The owner is looking to put one house on the property with a 12 ft. wide driveway. About the first 225 feet of the driveway is in the regulated area and no activity is proposed in the wetlands. The site plan was reviewed. The driveway is just under the threshold of 10% for paving. The plan allows for the site lines at the road and keeping the grading to a minimum. An infiltration trench for the westerly edge of the driveway is proposed. The driveway is pitched from the east towards the west. At the base of the driveway there is a dry well at the end. Septic and well have been approved by the Health District. Chairman Tyrrell questioned if there was a way to swing the driveway further away from the wetlands. Mr. Wolff explained the steep topography, contours and additional grading that were considered in determining the proposed location. The use of a "Cultec" system as opposed to a detention basin was discussed. There is a steep slope, and an outlet would be required. There is a high level of overflow which is not detailed on the plan, they could add a rip rap apron to the plan. It is believed the plans were based on a 1 inch 25-year storm. Mr. Wolff explained how stormwater would run. The Agency did not feel the need for a public hearing as this would have minimal impact. It was confirmed that the finished disturbed area will be seeded and mulched with grass.

A draft motion was requested for the next meeting.

**21-IW-2125-A1 – 197 Minortown Road / Map 25, Lot 2A-2 / OS-60 District / Michelle Fusco (applicant/owner) / Amendment of 21-IW-2125 to extend southern end of pool deck and add pergola structure above and landscaping around pool deck; restore fence from house to deer fencing on south rear of house.**

Michelle Fusco was present for the application. This application is modifying the original pool approval. Ms. Fusco pointed out the changes to the pool deck, the deck now extending about 7.5 ft. past the end of the house. A 12 ft. x 20 ft. galvanized steel pergola/awning has also been added. Planting around the pool area with river rock is now proposed to landscape and stabilize the area. Extending deer fencing and adding a stockade fence at the edge corner of the house to completely fence in the backyard area is also being requested. It was clarified that the deer fencing is the same 8 ft. fencing that runs along the brook. Some of the existing soil piles are being used for the landscaping. The millings pile will be removed on Friday. It was emphasized that the area needs to be stabilized to protect the wetlands.

A draft motion was requested for the next meeting.

**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.**

Jeff Miller was present for the application. He noted that a permit has been pulled for the propane tank. He indicated that he does not have everything regarding the gutters and needs to obtain information on the outlet. The retaining walls and patios are finished, the grass is growing, and the area is stabilized. He is working on determining detail for the size of the level spreader required and reviewing options of different gutter locations. If

the gutters go to a different location (i.e. the side of the house/barn side) perhaps the water could be directed into gravel and further away from the river.

**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.**

There was no one present for the application. The work was completed. DEEP shows the Town and an additional owner of the spillway area. Will Agresta was asked to investigate the ownership question.

#### **ENFORCEMENT & WETLANDS UPDATE**

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

No one was present for the application. The Director of Public Works was invited to attend and was sent an agenda. Chairman Tyrrell noted for the record that the owner (TRP Farms LLC) was not involved in this portion of the work and the Town is who did the additional work. Member Turoczi viewed the site, it is stabilizing. There is an area of concern for erosion, there was armoring done, but it is just grass. The area will need to be maintained for site lines. Previous discussions indicated that there was going to be additional road maintenance. The road has not been cut for pipe installation, which would require approvals. The Agency would like to know the plan for the roadway and when activities might take place. It was reminded that the roadway is within the regulated area.

**Hollow Park / Map 36, Lot 68A and Map 103, Lot 13 / R-40 and OS-80 Districts / Town of Woodbury / Tree and Scrub Vegetation Cutting within a regulated area.**

Director of Parks & Recreation, Jami Gore, was present for the discussion. Ms. Gore noted that the area in question had consistent issues with storm damage, several dead trees, invasives and visibility issues. Their department was dealing with public concerns about activities in the area. It was acknowledged that there were healthy trees and plants removed during the process and that the project was not done correctly. At this time, they would like to remove the stumps, grass the area and replant some appropriate trees and add picnic tables. A legitimate plan will be submitted. They are looking for feedback and direction to stabilize and fix the area. Member Turoczi questioned cutting the buffer area right to the river and expressed concerns with Parks & Recreation and other departments not understanding the importance of riparian buffers. Member Turoczi expressed that grass is not appropriate at the edge of the river. Plans should be submitted prior to work being done. Ms. Gore indicated that they would have an application and plans for the next meeting including restoration of the environment that was altered. It was suggested that the person responsible for actually completing the work be present at the meetings so they can be educated and understand the Agency's concerns. The Parks and Recreation Master Plan was explained. Member Turoczi will assist Parks & Recreation with an appropriate planting plan and suggestions for the area.

**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 Fusco was present. The millings pile will be removed by the end of the week. These will be used to complete their existing approved driveway located near the garage. It was suggested to them by three engineers that they could leave the millings, cover with topsoil and seed on top of it. Removal could cause more damage. Ms. Fusco asked the Agency if they could leave the millings that were installed at the road edge and plant on top of it. There was much discussion about this, the Agency suggesting that removal of the millings would promote better vegetation taking place. Mr. Fusco expressed concerns about the existing water flow from the road causing erosion issues to his back yard. Reasons for the erosion were discussed. Proper soil and erosion controls need to be installed, a good amount of topsoil needs to be added and the area seeded for vegetation in order for

stabilization to take place. The owners represent that weeds are already growing through the millings; however it was explained that this material will not allow for the same infiltration as millings are not really a permeable surface.

**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.**

Matt Bruton was present. Members discussed concerns with the failings of the exclusionary fencing. Inspections need to be better timed so as to resolve issues with the fencing prior to the critical breeding time for the salamanders. Members questioned if there were any alternatives to the current fencing, noting it is easily broken and constantly damaged. Mr. Bruton will look into alternative options. Invasives monitoring is ongoing, a report will be submitted from the last inspection (May 1, 2023). Mr. Bruton indicated that the trees that have been replanted are currently thriving.

**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 was no new update on this item. The time frame for response has passed.

**ADMINISTRATIVE**

Meeting Minutes – 05/22/23

To approve the May 22, 2023, Meeting Minutes as submitted.

Made by **RICHARDS**, Seconded by **WERNER**

Vote: 4-0-0 – **Approved** – Motion Passed

Ayes Richards, Turoczi, Tyrrell, Werner

Nayes None

Abstain None

**CORRESPONDENCE** – An email from Sandy O’Neil regarding status of brush removal at 146 Rail Tree Hill Road was noted.

**PRIVILEGE OF THE FLOOR** – Member Werner questioned the status of the project at 466 Flanders Road. The property owner has contacted the office requesting information on what is required prior to commencement. It is anticipated they will be starting soon.

Chairman Tyrrell received notice that there is activity occurring at 98 Flanders Road with equipment and machinery.

**ADJOURNMENT**

**MOTION:**

To adjourn the meeting at 9:37 p.m., made by Member Werner with no objections.

Filed Subject to Approval

Respectfully Submitted

Anne Firlings

Anne Firlings, Clerk

RECEIVED & FILED  
IN WOODBURY, CT  
This 14<sup>th</sup> day of June 2023  
at 3:20 o'clock  
*Maria Mancini*  
Town Clerk