



**TOWN OF WOODBURY
INLAND WETLANDS AND WATERCOURSES AGENCY**

281 Main Street South
Woodbury, CT 06798-0369
(203)263-3467 ~ www.woodburyct.org

**REGULAR MEETING MINUTES
July 12, 2021 – 7:30 p.m.
Senior/Community Center, 265 Main St. South**

MEMBERS PRESENT:

Wes Clow
Marty Newell
Kyle Turoczi
Mary Tyrrell
Ernest Werner

ALTERNATES PRESENT:

Earl Gillette
Evan Hard
Don Richards

MEMBERS ABSENT:

ALTERNATES ABSENT:

ALSO PRESENT:

Richard McClintock	Ailin Chen	Ron Wolff, P.E.
Richard Groben	Gary O'Connor	Richard Tye
Michael Lattis – by telephone	Michelle Pakula - by telephone	Ken Devino
Bob Barneschi, WMC Consulting Engineers – by telephone		

REGULAR MODIFIED MEETING

The meeting was convened at 7:34 PM.

Seated for the meeting were Members Clow, Newell, Turoczi, Tyrrell, and Werner.
Members were reminded of the Conflict-of-Interest Statutes and the Town Charter.

PENDING APPLICATIONS

21-IW-2115 / Michael Lattis & Michelle Pakula / 877 Washington Road / Construction of a 100 Square Foot Addition to a Single-Family Residence within a Regulated Area / Map 072 / Lot 001

Unseated Member Turoczi, seated Alternate Richards

Michael Lattis and Michelle Pakula participated in the meeting by telephone. Mr. Lattis informed the Agency he added a detailed order of operations to the application. He explained he has not been able to determine the base elevation of the dwelling. Member Clow stressed that information is required to complete consideration of the application. Discussion ensued regarding the use of machinery in or near the regulated area during construction. Mr. Lattis assured the Agency all work would be performed "by hand". Chairman Tyrrell polled the members to determine whether the Agency could move the application with conditions; they agreed "no". Mr. Lattis will request a thirty-day extension to determine the base elevation from the Land Use office on July 13 .

21-IW-2116 / McClintock / 237 Washington Road / Replace Existing Deteriorated Barn and Add Temporary Shed / Map 039 / Lot 004

Unseated Alternate Richards, seated Member Turoczi

Richard McClintock and Ailin Chen appeared before the Agency to discuss changes to the application. The owner wants to add the original barn additions to the rebuilt structure. Member Tyrrell explained, per consultation with the Town Attorney, the Agency is not required to allow restoration of additions no longer standing. The Agency is not inclined to allow construction of those additions. Ailin Chen asked to speak, stating she wants a shed, a concept at odds with Mr. McClintock's plan. The Agency recommends the Applicant determine their needs and, as time is running out on the original application, amend the application within the thirty-day extension period. Member Tyrrell reiterated the Agency's purview and mission for the applicant's benefit. Applicant will amend the application.

21-IW-2120 / Town of Woodbury / 11 Washington Avenue / Remove & reconstruct an existing drainage outfall location associated with the catch basins at the low point of Washington Avenue across from the "Kettle" (Flanders Nature Center). The existing outfall pipe is causing erosion into the Kettle channel and at the base of an adjacent tree which will be removed. New concrete wingwall and riprap outfall are proposed / Map 105 / Lot 001

Bob Barneschi, WMC Consulting Engineers participated in the meeting by telephone representing the Town of Woodbury. Chairman Tyrrell summarized the application and initiated conversation between Mr. Barneschi and the Agency, referencing the June 27 site-walk. Alternate Richards expressed concern about the formation of a delta due to sedimentation at the discharge site, and asked whether a design change could incorporate features to prevent the formation. Mr. Barneschi stated a modified plunge pool rather than a rip-rap channel would achieve the goal. Member Turoczi requested the inclusion of a maintenance schedule as part of the approval. Chairman Tyrrell agreed to draft language for a motion to approve as amended.

MOTION:

To CLASSIFY application 21-IW-2120 (*Town of Woodbury / 11 Washington Avenue / Remove and reconstruct an existing drainage outfall within a Regulated Area / Map 105 / Lot / 001*) as Summary.

Made by Member Newell, Seconded by Member Turoczi
Vote: 5-0-0 in favor

MOTION:

WHEREAS, the Woodbury Inland Wetlands and Watercourses Agency has received an application, 21-IW-2120 submitted by the Town of Woodbury (applicant) and Prince of Peace Parish Corp (owner) to remove and reconstruct an existing drainage outfall within a regulated area which is associated with the construction of a new sidewalk along Washington Avenue, Woodbury, Connecticut (105/001); and

WHEREAS, the Agency has received the following material:

- a An application dated and received June 10, 2021;
- b A map prepared by WMC Consulting Engineers, titled Washington Avenue Improvements, dated May 14, 2021 and received June 14, 2021;
- c Photographs showing the drainage structure, submitted by WMC Consulting Engineers, received June 14, 2021;
- d An alternate wetland impact map and cross section map prepared by WMC Consulting Engineers, dated June 8, 2021 and received June 14, 2021;
- e Written authorization from the Prince of Peace Parish to conduct the drainage improvements at 11 Washington Avenue; and

WHEREAS, the Agency classified the application as Summary; and

WHEREAS, the Agency conducted a site inspection on June 27, 2021; and

WHEREAS, the Agency has carefully considered all the information submitted; and

WHEREAS, the Agency finds that the proposed activities will have minimal environmental impact on wetlands and watercourses, there are no significant offsite impacts, and that possible impact on wetlands and watercourses outside the area for which activities are proposed can be further mitigated by the conditions listed below and the proper use of soil erosion and sedimentation controls during construction;

NOW THEREFORE BE IT RESOLVED that the Woodbury Inland Wetlands and Watercourses Agency Approves the application submitted by Town of Woodbury (applicant), Prince of Peace Parish Corp (owner) to remove and reconstruct an existing drainage outfall within a regulated area, which is associated with the construction of a new sidewalk along Washington Avenue, Woodbury, Connecticut (105/001), as described submitted Inland Wetlands and Watercourses Agency application form dated and received June 10, 2021. Subject to the following conditions:

1. The applicant shall provide the Land Use Office with 48 hour notice prior to construction and shall not commence approved work until soil erosion and sedimentation control devices have been installed and inspected.
2. There shall be no burying of any tree stumps or tree materials including but not limited to branches, wood chips and the like. The stumps of all significant trees shall be left in place for stabilization of the affected area(s).
3. The construction equipment shall not be washed out in the 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.
4. The site shall be kept clean of all loose debris, litter and similar materials to prevent such from entering wetlands or watercourses.
5. All paths used for site access will be reestablished to original condition.
6. Stockpiles of earth materials shall be stored outside the 100' regulated area.
7. Removal of silt fences shall take place only after the silt build-up along the fence line has been removed. This material shall be removed from the site or placed as acceptable fill in areas that will not allow the material to migrate.
8. Storage of any fuel/lubricants and the refueling/lubrication of any equipment are forbidden within 100 feet of the affected area(s). The Land Use Office is to 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.
9. Disturbed soils will be stabilized in a timely fashion to minimize erosion. Specifically, if grading operations at a site will be suspended for a period of thirty (30) days or more, the applicant will accomplish seeding or other appropriate measures to stabilize the area within seven (7) days. Also, upon completion of any grading activity, the applicant will seed/stabilize the area(s) within seven (7) days.
10. All disturbed areas and earth material stockpiles within the regulated area must be stabilized by October 15th of any year.
11. Modified rip-rap plunge pool to replace proposed rip-rap channel shall be installed to decrease sediment load on wetlands.
12. Maintenance and inspection of 4-foot sump to catch-basin and rip-rap plunge pool must occur biannually (2 times per year). Notification to be sent to Land Use Office.

Made by Member Newell, Seconded by Member Turoczi
Vote: 5-0-0

21-IW-2122 / Burmeister / Clubhouse Drive (Woodlake) / Installation of Footings in an Existing Parking Lot to be Followed by Installation of an Office Trailer on those Footings. Also the Installation of a Handicapped Ramp for Access to the Trailer / Map 48 / Lot 008A

Richard Tye, representing the applicant, appeared before the Agency to answer questions regarding silt-fence installation. Member Tyrrell summarized observations and comments from the July 11 site-walk, adding that due to obstructions preventing the proper installation of a woven silt barrier, she suggests using hay bales. Agency members were polled for consensus; there were no objections. Member Turoczi reiterated the areas needing protection by hay bales or silt fence. Mr. Tye says both barriers were installed. The Agency complimented and thanked the applicant for being responsive. Member Clow reminded the applicant that drill sites need protection individually.

MOTION:

To CLASSIFY application 21-IW-2122 (*Jeff Burmeister, Woodlake Inc. / Clubhouse Drive / Install footings associated with an office trailer within a Regulated Area / Map 48 / Lot 008A*) as Summary.

Made by Member Clow, Seconded by Member Turoczi
Vote: 5-0-0

MOTION:

WHEREAS, the Woodbury Inland Wetlands and Watercourses Agency has received an application, 21-IW-2122 submitted by Jeff Burmeister on behalf of Woodlake Inc., to “for the installation of footings associated with an office trailer, within a regulated area” on Clubhouse Drive, Woodbury, Connecticut (48/008A); and

WHEREAS, the Agency has received the following material:

- a. An application dated June 18, 2021 and received June 24, 2021;
- b. Maps and Soil and Erosion maps;

WHEREAS, the Agency classified the application as Summary; and

WHEREAS, the Agency conducted a site walk on July 11, 2021; and

WHEREAS, the Agency has carefully considered all the information submitted; and

WHEREAS, the Agency finds that the proposed activities will have minimal environmental impact on wetlands and watercourses, there are no significant offsite impacts, and that possible impact on wetlands and watercourses outside the area for which activities are proposed can be further mitigated by the conditions listed below and the proper use of soil erosion and sedimentation controls during construction;

NOW THEREFORE BE IT RESOLVED that the Woodbury Inland Wetlands and Watercourses Agency Approves the application submitted by by Jeff Burmeister on behalf of Woodlake Inc., to “for the installation of footings associated with an office trailer, within a regulated area” Clubhouse Drive, Woodbury, Connecticut (48/008A), as described on the submitted Inland Wetlands and Watercourses Agency application form dated June 18, 2021 and received June 24, 2021. Subject to the following conditions:

1. The applicant shall provide the Land Use Office with 48 hour notice prior to construction and shall not commence approved work until soil erosion and sedimentation control devices have been installed and inspected.
2. There shall be no burying of any tree stumps or tree materials including but not limited to branches, wood chips and the like. The stumps of all significant trees shall be left in place for stabilization of the affected area(s).
3. The construction equipment shall not be washed out in the 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.
4. The site shall be kept clean of all loose debris, litter and similar materials to prevent such from entering wetlands or watercourses.
5. All paths used for site access will be reestablished to original condition.
6. Stockpiles of earth materials shall be stored outside the 100' regulated area.
 - A. Stockpile area to be designated and approved by the Land Use Office before construction.
7. Removal of silt fences shall take place only after the silt build-up along the fence line has been removed. This material shall be removed from the site or placed as acceptable fill in areas that will not allow the material to migrate.
8. Storage of any fuel/lubricants and the refueling/lubrication of any equipment are forbidden within 100 feet of the affected area(s). The Land Use Office is to 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.
9. Disturbed soils will be stabilized in a timely fashion to minimize erosion. Specifically, if grading operations at a site will be suspended for a period of thirty (30) days or more, the applicant will accomplish seeding or other appropriate measures to stabilize the area within seven (7) days. Also, upon completion of any grading activity, the applicant will seed/stabilize the area(s) within seven (7) days.
10. All disturbed areas and earth material stock piles within the regulated area must be stabilized by October 15th of any year.

Made by Member Clow, Seconded by Member Turoczi
Vote: 5-0-0

NEW APPLICATIONS

21-IW-2123 / Groben / Main Street North / Installation of a Dirt and Gravel Driveway for Farm that will Pass Through Wetland Area / Map 010 / Lot 025A

Richard Groben appeared before the Agency to discuss his application and the commissioners' observations from the June 27 site-walk. Mr. Groben provided maps showing the property and access from Route 6. Member Tyrrell requested Mr. Groben provide an additional map delineating the 100-foot setback around the existing passway. Alternate Richards commented on the existing rip-rap filled pipe used as a crossing. Member Tyrrell specified the application is for an agricultural use passway, not a driveway. Alternate Richards requested the motion to approve the application contain language specifying the passway is for "farm use only".

MOTION:

To AMEND the Agenda, adding Application 21-IW-2124 (*O'Connor / 20 Judson Avenue / Construction of an 11' X 12' addition within a Regulated Area / Map 104 / Lot 052*).

Made by Member Newell, Seconded by Member Werner
Vote: 5-0-0

21-IW-2124 / O'Connor / 20 Judson Avenue / Construction of an 11' X 12' addition within a Regulated Area / Map 104 / Lot 052

Gary O'Connor appeared before the Agency to explain the need to expand the dwelling. He provided photographs showing the existing building and the proposed expansion. Construction would be footings/slab/wood-frame. Commissioners discussed with Mr. O'Connor sanitation plumbing in light of the footing/slab foundation. Mr. O'Connor received approval for the proposed system from the Pomperaug Health District; the approval will be forwarded for inclusion in the application. There was discussion about stockpiling earth material on site.

Member Clow moved to classify the application as Summary; seconded by Member Turoczi. Motion carried 5-0-0.

The Agency requests a draft motion be prepared for the July 26, 2021 meeting that specifies the area authorized for stockpiling earth material as part of the motion

OTHER BUSINESS

Review of Proposed One Lot Subdivision at 726 Main Street South (Middle Quarter Mall)

Ronald Wolff, P. E. appeared before the Agency representing the owner. He explained the current conditions at the site, referring to a map showing the orientation and placement of existing buildings and driveways. He states there will be no changes to driveways or buildings; no activity is proposed.

Chairman Tyrrell polled the commissioners asking whether she should sign-off on the proposal as there is no impact on wetlands. The commissioners authorized her signature.

ENFORCEMENT & WETLANDS UPDATE

21-ENF-0001 / McGovern / 93 Weekepeemee Road / NPV Clearing, Excavating & Grading within a Regulated Area / Map 040 / Lot 048

No new issues. No letter sent.

21-ENF-0004 / North / 148 Tuttle Road / NPV Grading Activities within a Regulated Area and Diversion of Water Toward the Adjacent Property Leading to Sedimentation & Silt Accumulating in an Existing Wetland / Map 021 / Lot 028-3

New catch basin added. If finished the Land Use office should notify Mr. North.

21-ENF-0005 / Stevens & Groben / Main Street North / NPV Soil Disturbance Caused by Vehicles or Equipment within a Regulated Area / Map 010 / Lot 025A

In the Application stage. See notes under New Applications, 21-IW-2123.

21-ENF-0007 / Foger / 39 Quanopaug Trail / NPV Clearing, Filling and Grading within a Regulated Area / Map 025 / 014-1

New Notice of Potential Violation. Owner sent pictures of cleared area. Discussion of letter and photographs sent to the Agency. Commissioners agree they are not certain what the next step should be; agreed more

discussion with owner is required. There is no Cease and Desist order as of the meeting; a Notice of Potential violation was issued. Alternate Richards wants the Land Use official to visit the site.

DISCUSSION: Alternate Richards states the catch-basin at the Fawn Meadow subdivision is not being maintained. He requests the Land Use office provide for the next meeting the language detailing maintenance requirements contained in the development approval.

CORRESPONDENCE

Received notification from the State of Connecticut that remote access to meetings is no longer required. The Agency agreed to discontinue remote/phone-in access.

Received notice from Mr. Guman that pool installation has begun at 50 Pomperaug Road.

Received from Mr. Trofa a Sedimentation Control report for the Fawn Meadow subdivision.

Received from the Abbey of Regina Laudis notification of construction within 500-feet of the Bethlehem/Woodbury town line.

PRIVILEGE OF THE FLOOR

Member Gillette raised the question of whether tannins contained in run-off water originating at the Transfer Station could have an adverse affect on wild and aquatic life.

Member Richards stated he wants the Agency to receive chemical reports for two Town wells from Aquarion Water Company.

CONSIDERATION OF MINUTES – 6/27/21 Special Meeting(s) & 6/28/21 Regular Meeting

MOTION:

To ACCEPT minutes of *(June 27, 2021 – 9:00 AM and June 27, 2021 – 9:30 AM Special Meetings)* as submitted.

Made by Member Turoczi, Seconded by Alternate Gillette
Vote: 4-0-0 in favor

MOTION:

To ACCEPT minutes of *(June 28, 2021 – 7:30 PM Regular Meeting)* as amended.

Discussion: Member Turoczi was referred to as Alternate Turoczi. Requested the Minutes be corrected to reflect his status as a Member of the Agency.

Made by Alternate Richards, Seconded by Alternate Gillette
Vote: 5-0-0 in favor

ADJOURNMENT

MOTION:

To ADJOURN the meeting at 10:12 P.M.

Made by Member Newell

Filed subject to approval.

Respectfully Submitted,
Edwards S. De Cortin
Substituting for Anne Firlings, Clerk
Inland Wetlands & Watercourses Agency

RECEIVED & FILED
IN WOODSBURY, CT

This 19th day of July 2021
at 3:55 o'clock PM
Edwards S. De Cortin
Anne Firlings