

Town of Woodbury

Inland Wetlands and Watercourses Agency

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

REGULAR MEETING MINUTES

July 8, 2024 – 7:30 PM

Senior/Community Center

265 Main St. South, Woodbury, CT 06798

MEMBERS PRESENT

Mary Tyrrell, Chair
Marty Newell, Vice Chair (7:36 p.m.)
Kyle Turoczi, Secretary
Don Richards
Ernest Werner
Earl Gillette, Alternate

MEMBERS ABSENT

Michael McAloon, Alternate
Timothy Pabst, Alternate

NOTED OTHERS PRESENT – Will Agresta (Town Planner), Vince LaFontain, Christopher Rhoads, & Kate Willoughby

OPENING OF MEETING

Call to Order – The meeting commenced at 7:32 p.m.

Seating of Members / Alternates – Seated for the meeting were members Newell, Richards, Turoczi, Tyrrell and alternate Gillette (*Note member Newell arrived shortly after the meeting started and was seated later in the meeting*).

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

NEW APPLICATIONS

24-IW-0019 – Carmel Hill Road / Map 58, Lots 1 & 1B / OS-100 District / Flanders Nature Center and Land Trust Inc. (applicant/owner) – Marzahl Refuge / Within regulated watercourse (Carmel Hill Brook) and upland review: Stream bank erosion maintenance at pedestrian wooden bridge.

Vince LaFontan was present for the discussion. The Nature Center is looking to get permission to do preventive maintenance of a pedestrian footbridge. He described the property. The bridge itself was described to be in great condition. Due to recent storm events there is a lot of tree debris that has come down the brook. The pressure of the water at the bridge is starting to erode the north side of the bank where the bridge is located. Brian Baker of Civil1 Engineering was hired to assess the site and a prospective local contractor (Paul Carlson & Son Excavation) was asked to review the site to make recommendations. It was noted that Planner Agresta and the Wetlands Enforcement Officer walked the site prior to the application and made some recommendations as well.

Mr. LaFontan reviewed the letter provided by Brian Baker and photos of the bridge site were shown to the Agency. In summary, the request is to:

- Remove the dead trees & fallen logs upstream from the bridge.
- Existing live trees to remain, some saplings may need be removed.
- Large 12-18 in. cobbles found on site will be placed on the slope of exposed soil on the western end of the bridge.

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

- A 36 in diameter boulder was recommended to be placed in an area to prevent potential bridge movement in the future.
- Materials will be from the site, nothing will be brought in.
- Small woody debris will be removed from the bridge area.
- Additional large cobbles will be placed to stabilize the bridge and to help protect cobbles from future erosion.
- It is proposed that the work will be done in August, during the drier time of the year. The project should take less than one week to complete.

A photo showed remnants of an old bridge, this will remain. It was clarified that the bridge is safe, this project is proposed preventative maintenance.

Mr. LaFontan explained that the boulders are being placed in an area firming up where the bank should be so that the bank does not erode away, clarifying that this will not block the water.

Debris removal will be placed elsewhere on the property left to rot in place. It will be placed in an area far enough away as to not get washed away and will not affect any plants or vegetation that they want to remain in the area.

A draft motion was requested for the next meeting.

It was noted that Member Newell arrived during the previous discussion and was then seated for the meeting. At this time Alternate Gillette was seated and Member Turoczi unseated, as he was not present for the discussion on the next application.

PENDING APPLICATIONS / DELIBERATIONS

24-IW-0018 – 16 Weekepeemee Road / Map 39, Lot 45 / OS-60 District / Christopher Rhoads (applicant), Heather Dawn Rhoads (owner) / Within regulated upland review area: Install sections of fence (front and rear portions of the property).

Christopher Rhoads was present. There were no further concerns to be addressed. A draft motion was reviewed by the Agency.

MOTION:

To approve 24-IW-0018 (16 Weekepeemee Road / Map 39, Lot 45 / OS-60 District / Christopher Rhoads (applicant), Heather Dawn Rhoads (owner) / Within regulated upland review area: Install sections of fence (front and rear portions of the property).

Moved by **RICHARDS**, Seconded by **NEWELL**

Vote: 4-0-1 – **Approved** – Motion **Passed**

Aye	Newell, Richards, Tyrrell, Gillette
Nay	None
Abstain	Werner (<i>due to absence from this meeting</i>).

At this time, Alternate Gillette was unseated to reseal Member Turoczi.

21-ENF-0007 – 39 Quanopaug Trail / Map 25, Lot 14-1 / OS-100 District / Oriya Foger (owner) / Remediation Monitoring

The Agency discussed their observations from a recent site walk of the property. The approved remediation plan was reviewed by the Agency. Although the Agency seemed pleased with the remediation that has been done, there were some items they would like to see addressed. A pipe has now been exposed, it is broken and appears to be causing problems. When the Agency walked the site they observed areas with issues caused by the original enforcement violation of clear cutting the hillside, the wood chips are not holding the hillside. Rills have formed, these will turn into gullies if not addressed. There should be vegetation on the hillside to resolve additional erosion. The areas of concern were noted on the plans. There were some invasive species also noted on site. There have been great improvements to the site and the Agency was pleased to see this, however there are areas that need some “fine tuning.” This is a 5-year monitoring plan and is currently in year 3. Chairman Tyrrell read the approval. Tracey Chhalifoux should revisit the site and assist the owner with recommendations for addressing these concerns. The Agency would like to reinspect the site status again early this Fall.

ENFORCEMENT & WETLANDS UPDATE

- **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. Remediation planting photos from earlier in the day were reviewed by the Agency. Ms. Willoughby indicated that she had installed several additional new plants and provided an updated listing for the Agency. The Agency was updated that all the required plantings were installed and appear to be doing well. She intends to purchase and plant more ferns throughout the summer. The Agency requested that they receive an update as to the status of the remediation plantings in the Spring of next year.

The following enforcement & update items were tabled:

- **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.
- **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.

ADMINISTRATIVE

Regular Meeting Minutes – 06/24/24

MOTION:

To accept the Minutes of the June 24, 2024, regular meeting as written.

Moved by **NEWELL**, Seconded by **RICHARDS**

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

Aye Newell, Richards, Tyrrell

Nay None

Abstain Turoczi & Werner (*due to absence from this meeting*).

Regulation Review

Members briefly discussed the proposed regulation for adding Administrative Approvals to the regulations. Consensus was that they were not ready to make this change and it was noted that they could revisit it at a later date.

Chairman Tyrrell will discuss with the First Selectman the Agency’s request for funding to have the proposed regulations reviewed by Janet Brooks or a Land Use Attorney as well as for updating the GIS mapping with the wetlands map layers to accommodate the new proposed upland review area limits.

The Agency was provided a draft set of Forest Regulations by Planner Agresta for review.

CORRESPONDENCE

- Chairman Tyrrell read a letter regarding a large solar project proposed on a property located on Fawn Meadow Lane. This will go through the Siting Council; the Agency may make comments but it will not go before them as an application.
- Chairman Tyrrell noted she received an email from Burt Stevens regarding the Charter Revision. There was no attachment to the email, she will follow up with him.
- There was brief discussion about the Three Rivers Ad Hoc meeting scheduled for July 10th. They will be meeting at Three Rivers. Members noted recent storm concerns including extreme water level readings and additional downed trees. Chairman Tyrrell has contacted Troutscapes.
- An update from Jeff Sherman regarding Japanese Knotweed removal was noted for the record.

PRIVILEGE OF THE FLOOR - None

ADJOURNMENT

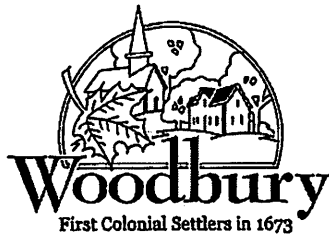
MOTION:

To adjourn the meeting at 8:51 p.m.
Made by **NEWELL** with no objections.

Respectfully submitted,
Anne Firlings
Anne Firlings, Inland Wetlands & Watercourses Agency Clerk

RECEIVED & FILED
IN WOODBURY, CT

This 10th day of July 2027
at 8:36 o'clock A M
Maria M. Mariani
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

16 WEEKEPEEMEE ROAD – 24-IW-0018

Residential Accessory Fencing

Heather Dawn Rhoads (applicant/owner)

Date of Approval	July 8, 2024
Permit Expiration*	July 8, 2026

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

Applicant Christopher Rhoads
 Owner Heather Dawn Rhoads
 Application 24-IW-0018
 Project Install residential accessory fences parallel the front and rear property lines within a regulated upland review area.
 Address 16 Weekepeemee Road, Assessor Map 39, Lot 45
 Site Acreage 0.82 acres
 Zone OS-60 District

WHEREAS the Town of Woodbury Inland Wetlands and Watercourses Agency ("Agency") has received application **24-IW-0018** 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 application materials received include the following:

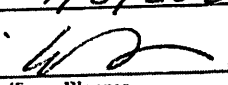
- Application for Inland Wetlands Agency Permit;
- Property Boundary Survey, Roy V. Cheney, LLS, 07/2007;
- Proposed Fence Plan, 05/13/24, revised 06/04/24; and

WHEREAS the following mitigation measures are proposed:

- The proposed fencing will be installed in areas generally consisting of maintained lawn;
- No direct impacts to site wetlands/watercourses are proposed or needed, activity is limited to upland review area;
- Installation of the fence sections do not require heavy machinery and fence support post footings will be hand dug with minimal disturbance to the site;

**Approved by Inland Wetlands &
Watercourses Agency**

Approval Date: 7/8/2024

Signature: 
Town Planner

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

- No significant adverse off-site impacts are anticipated;
- 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 IWWA Regulations following deliberations hereby approves application 24-IW-0018 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** – 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.

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:
 - No ground disturbance beyond that shown on the final approved plans is needed or authorized; and no tree removal is involved or authorized with this approval.
 - Ground disturbance shall be contained and maintained to the minimum necessary to complete the authorized improvements.

- Fence post footings shall be hand dug and excess spoils shall be spread/fine graded at the fence.
 - All storage and staging of materials shall be in the vicinity of the driveway.
 - The septic system tank and fields shall be avoided and protected as necessary.
 - Erosion and sedimentation controls may be required at the direction of the Land Use Office if deemed necessary.
4. Construction vehicles/equipment not in use shall not be stored nor washed out within a regulated upland review 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.
 6. Disturbed soils shall be stabilized in a timely fashion, particularly to avoid/minimize erosion impacts.
 7. 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.

B. 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:
 - Verification of placement and size of approved accessory fencing.
 - 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. **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 IWWA Regulations. Additions or changes to the approved regulated activities shall require prior review and separate approval and permit.
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 Site 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 NEWELL

Vote: 4-0-1 – APPROVED – Motion PASSED

Aye Tyrrell, Newell, Richards, Gillette

Nay None

Abstain Werner