

# Town of Woodbury

## Inland Wetlands & Watercourses Agency

281 Main Street South  
Woodbury, CT 06798  
203.263.3467 ▪ [www.woodburyct.org](http://www.woodburyct.org)

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**MINUTES – SEPTEMBER 9, 2024**  
**REGULAR MEETING**  
**7:30 P.M. – SENIOR CENTER, 265 MAIN ST. SOUTH**

**MEMBERS PRESENT:**

Mary Tyrell, Chair  
Marty Newell, Vice Chair  
Kyle Turoczi, Secretary  
Don Richards  
Earl Gillette, Alternate

**MEMBERS ABSENT:**

Ernest Werner  
Timothy Pabst, Alternate  
Michael McAloon, Alternate

**ALSO PRESENT:** Town Planner Will Agresta, Tom Kaelin (Town Attorney), applicants & agents

**1. OPENING OF MEETING**

- a) CALL TO ORDER – Chair Tyrell convened the meeting at 7:37 p.m.
- b) SEATING OF MEMBERS AND ALTERNATES  
Seated were regular members Newell, Richards, Turoczi, Tyrell and Alternate Gillette  
CONFLICT OF INTEREST (*CGS Section 8-11 & Woodbury Town Charter Section 901*)

**2. PENDING APPLICATIONS / DELIBERATIONS**

- a) **24-IW-0023 – 858 Main Street North / Map 25, Lot 30 / OS-60 District**  
**Ted Mannello (owner/applicant)**  
**Application for Jurisdictional Determination – Seeking determination that a Wetland Permit is not required for change in non-conforming use per Zoning Board of Appeals Special Permit that does involve and new land disturbances.**

Ted Manello, 139 Artillery Road, Middlebury, addressed the Agency. Mr. Manello submitted the updated map with the wetland / watercourse delineation. Chair Tyrell explained the updated map provided by Smith & Company dated September 5, 2024. She called for any questions from the members. The consensus was that all made sense. There was discussion about the dumpster location and where the trucks will be parked.

Ryan Hoyler, Robinson & Cole, Agent for Hiram Peck, addressed the Agency. Mr. Hoyler submitted a letter to the Agency. He stated that the judge who reviewed the case made it clear that it is impossible for this agency to review only what was presented to the ZBA. His client is not in opposition, but the Town requires that there should be a Wetlands Permit approval for the propane tank.

Attorney Kaelin responded that the application for Jurisdictional Determination is for what the ZBA approved for a change of use. He does not believe that the propane tank was part of the ZBA approval. If after walking the property, the Agency found activity that needs permitting, then they should require it be permitted.

The consensus of the Agency was that the change in use does not alter the site nor cause a need for a wetland permit. Further, should the propane tank observed in the upland review area want to remain, a wetland permit would be required for such, and the owner would need to submit an application to the Agency for the propane tank. However, should the tank be removed outside the upland review area a wetland permit would not be needed as the Agency would not have any jurisdiction. Chair Tyrell directed staff to prepare a draft Jurisdictional approval with the appropriate wording for the next meeting.

- b) **24-IW-0025 – 193 Washington Road / Map 39, Lot 1 / OS-60 District**  
**Koen and Patrice R. Loeven (applicant/owner); Amy Mennillo (agent)**  
**Within regulated upland review area: Install generator and two 120-gallon above ground propane tanks.**

Chair Tyrell presented the draft approval for **24-IW-0025 – 193 Washington Road / Map 39, Lot 1 / OS-60 District** for consideration. She called for discussion. There were none.

**MOTION:**

To approve the Draft Approval Resolution **24-IW-0025 – 193 Washington Road / Map 39, Lot 1 / OS-60 District** as presented.

Made by M. Newell, Seconded by K. Turoczi

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

Aye: Gillette, Newell, Richards, Turoczi, Tyrell

Nay: None

Abstain: None

- c) **24-IW-0026 – 628 Middle Road Turnpike / Map 77, Lot 58-A / OS-60 District**  
**Paul Willets (applicant/owner), Lee Steiner, Ground Breakers Building and Excavation LLC (agent)**  
**Construction of a 2,400 sf (40 ft x 60 ft) accessory storage barn and expanded driveway area.**

Chair Tyrell presented the draft approval for **24-IW-0026 – 628 Middle Road Turnpike / Map 77, Lot 58-A / OS-60 District** for consideration. She called for discussion. There was none.

**MOTION:**

To approve the Draft Approval Resolution **24-IW-0026 – 628 Middle Road Turnpike / Map 77, Lot 58-A / OS-60 District** as presented.

Made by M. Newell, Seconded by K. Turoczi

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

Aye: Gillette, Newell, Richards, Turoczi, Tyrell

Nay: None

Abstain: None

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

OH = Open Hearing    PH = Public Hearing    CH = Close Hearing    D = Decision

### 3. NEW / MODIFIED APPLICATIONS

- a) 24-IW-0004-A1 – 64 Westwood Road / Map 38, Lot 54-1 / R-40 District  
 Town of Woodbury (applicant/owner)  
 Three Rivers Park – Amendment of Prior Approval (24-IW-0004) to permit two (2) restoration of riverbank storm erosion.

Town Planner Agresta indicated that no new materials were submitted at this time. As such the item was tabled.

- b) 24-IW-0027 – 18 Edward Avenue / Map 77, Lot 27-29 / OS-60 District  
 Ervin L. and Sharon A. Story (applicant/owner)  
 Within regulated upland review area: Install generator and two 120-gallon above ground propane tanks.

Sharon Story, 18 Edward Ave, addressed the Agency. Ms. Story showed on the map where the generator and two propane tanks would go. She showed pictures of the recent flooding from the storm. The Agency requested her to provide more information on the specifications, elevation, and mounting of the propane tanks, most specifically they wanted to know the dimension of the concrete pads (length, width and height) and how the tanks would be secured to prevent them from floating away.

- c) 57 Clubhouse Drive / Map 48, Lot 8A / OS-60 District  
 Woodlake, Inc (applicant/owner)  
 Annual lake drawdown.

Karl Murphy, Woodlake Committee Chair, addressed the Agency. Mr. Murphy is requesting the annual lake drawdown. Last year the drawdown was only partial. The Woodlake Committee is interested in doing a full drawdown so that they will be able to have a baseline and obtain an accurate study. Kyle Turoczi noted that the environmental study needed and that was required by the Agency previously would need to identify any species of special concern and how the habitat would be impacted. Mr. Murphy noted he received one proposal estimate of \$5,600 and another at \$16,000 but all wanted would details as to what needs to be studied. He is looking for more direction from the Agency. With the road that washed away in the storm, there is the likelihood that the lake will need to be drained to repair the road. That would be handled by the town with permits from the Army Corps of Engineers and CTDEEP. Last winter the lake was drawn down to about five feet. There has been improvement and less plant growth. The Agency discussed study provisions based on information provided by Planner Agresta and also directed Mr. Murphy to reach out to the Pomperaug River Watershed Coalition for more guidance.

### 4. ENFORCEMENT & WETLANDS UPDATE

- a) 24-ENF-IW04 – 544 Old Sherman Hill Road / Map 2, Lot 5 / OS-80 / Nicholas Bennett  
 Unauthorized and non-permitted driveway installation, parking/storage area, vegetation clearing and grading, dumping of tree stumps/debris and storage of contractor materials and equipment within wetlands/watercourses upland review area.

An Agency member noted that there has been some activity. Town Planner Agresta will instruct the ZEO to seek a status from the owner.

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

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- b) **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.

Chair Tyrell stated they are working on the building. The ZEO will be asked to seek a status report from the owner.

- c) **23-ENF-IW05 – 57 Lake Road / Map 77, Lot 3 & 7 / OS-60 / Robert Taggett**  
Unauthorized driveway installation. *NV 08/07/23 – 23-IW-0029 Denial 12/11/23 – appeal filed 01/03/24*

Tabled

- d) **23-ENF-IW06 – 13 Edward Avenue / Map 77, Lot 4-26, 27 & 2 / OS-60 / Frances M. Palomba**  
Unauthorized driveway installation. *NV 08/07/23 – 23-IW-0028 Denial 12/11/23 – appeal filed 01/03/24*

- e) **23-ENF-0002 – 197 Minortown Road / Map 25, Lot 2A-2 / OS-60 District / Michelle Fusco**  
*NV 04/18/23 – Referred to Town Attorney – pending*

Tabled

- f) **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.**  
The Agency is sitting on this.

Tabled

## 5. **ADMINISTRATIVE**

- a) Minutes

Chair Tyrell presented the meeting minutes of August 26, 2024. She called for discussion. There was some regarding enforcement Item 24-IW-0004.

### **MOTION:**

To approve the minutes of the August 26, 2024, Inland Wetlands & Watercourse Agency meeting as amended:

- Page 4, 1<sup>st</sup> paragraph, 4<sup>th</sup> sentence: Remove quotations and to read "...around the tree will make it difficult for them to remove."

Made by D. Richards, Seconded by K. Turoczi

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

Aye: Gillette, Newell, Richards, Turoczi, Tyrell

Nay: None

Abstain: None

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

OH = Open Hearing PH = Public Hearing CH = Close Hearing D = Decision

**b) Regulation Review**

**Draft Inland Wetlands and Watercourses Regulations**

Planner Agresta stated that he spoke with the First Selectman. There was no money in the budget, so he found some money within the Land Use budget. The First Selectman found this acceptable. Planner Agresta passed out a minor edit for the Agency's review addressing the initial comment of Attorney Brooks regarding regulated area verse regulated activity. Staff is to coordinate with Attorney Brooks for her review of the draft Regulations.

**Draft Forest Practices Regulations**

Alternate Pabst was not present, but he has been working on getting a forestry person to come in and talk with the Agency. Hopefully this will happen at the next meeting. This item was tabled.

**6. CORRESPONDENCE**

There was no correspondence.

**7. PRIVILEGE OF THE FLOOR**

Alternate Gillette mentioned his observance of brush piles collecting on Westside Road, which he passed onto Anne Firlings to look at for potential enforcement. He also suggested that Parks & Rec representatives should be at the next meeting regarding the Three Rivers Park plan. Chair Tyrell stated that the Ad-Hoc Committee is setting a meeting up with Trout Scapes at the site to determine how the plans for the permit should be changed.

**8. ADJOURNMENT**

**MOTION:**

To adjourn the meeting at 8:48 p.m.

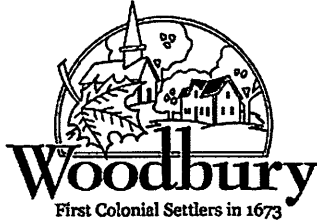
Made by M. Newell  
Consensus of the Agency

Respectfully Submitted,

*Robyn Wright*

Robyn Wright  
Clerk for the Inland Wetlands & Watercourse Agency

RECEIVED & FILED  
IN WOODBURY, CT  
This 11th day of Sept 2024  
at 2:46 o'clock PM  
*Maria M. Mancini*  
Town Clerk



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## WETLANDS / WATERCOURSES PERMIT APPROVAL 193 WASHINGTON ROAD – 24-IW-0025 Residential Accessory Generator and Propane Storage Tanks Koen and Patrice R. Loeven (applicant/owner)

Date of Approval	September 9, 2024
Permit Expiration*	September 9, 2026

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

Applicant	Koen and Patrice R. Loeven
Property Owner	Koen and Patrice R. Loeven
Application	24-IW-0025
Project	Within regulated upland review area install residential accessory generator and two (2) 120-gallon above ground propane storage tanks.
Address	193 Washington Road, Assessor Map 39, Lot 1
Site Acreage	0.3 acres
Zone	OS-60 Zoning District

WHEREAS the Town of Woodbury Inland Wetlands and Watercourses Agency (“Agency”) has received application **24-IW-0025** 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
- Sketch Map of House and Generator/Storage Tanks Location
- GIS Property Image;

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 direct wetland/watercourse disturbances or impacts are involved.
- No significant adverse off-site impacts are anticipated.
- Site disturbance during construction will be short term.
- Site disturbance impacts can be further mitigated by the conditions listed below and the proper use and maintenance of drainage, 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 24-IW-0025 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. **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 approvals as may be required. 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:
  - No ground disturbance beyond that shown on the final approved plans is authorized.
  - Ground disturbance shall be contained 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 as deemed necessary.
  - Disturbed soils shall be stabilized in a timely fashion, particularly to avoid/minimize erosion impacts.
  - Construction vehicles/equipment not in use shall not be stored, and at no time shall such be 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.
  - 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 because of the activity.

**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:
  - Verification of installation consistent with approved final Site Plans. The Land Use Office may require submission of a certified A-2 Survey As-Built Plan if warranted in a form, content and number as may be required by the Land Use Office to determine permit compliance and satisfactory completion consistent with this approval and the endorsed final Site Plans.
  - Verification the site has been cleaned of construction related equipment, materials, and debris.
  - All disturbed areas have been stabilized and exhibit healthy vegetative cover.
  - Any installed erosion controls have been appropriately removed and disposed of following Land Use Office confirmation that the site is stabilized.
2. **Drainage Improvements** – Site and building stormwater management and treatment controls shall be maintained to function as designed and to prevent erosion and sedimentation dispersal as a condition of continued compliance.
3. **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.
4. **Expiration** – This permit approval shall expire and be null and void without further written notice per the date set forth on Page 1 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 **TUROCZI**

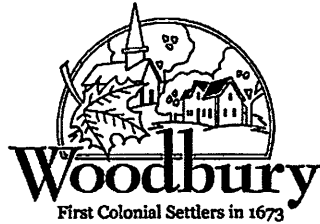
Vote: 5-0-0 – **Approved** – Motion Passed

Aye Tyrrell, Newell, Turoczi, Richards, Gillette

Nay None

Abstain None





# Town of Woodbury

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### WETLANDS / WATERCOURSES PERMIT APPROVAL

**628 MIDDLE ROAD TURNPIKE – 24-IW-0026**

**Accessory Storage Barn (no animals) and Expanded Driveway**

**Paul Willets, Jr. (applicant/owner)**

Date of Approval	September 9, 2024
Permit Expiration*	September 9, 2026

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

Applicant	Paul Willets, Jr.
Property Owner	Paul Willets, Jr.
Application	24-IW-0026
Project	Within regulated upland review area construct a one-story accessory storage barn (for hay and equipment, no animals) and expand driveway.
Address	628 Middle Road Turnpike, Assessor Map 77, Lot 58-A
Site Acreage	10.3 acres
Zone	OS-60 Zoning District

WHEREAS the Town of Woodbury Inland Wetlands and Watercourses Agency (“Agency”) has received application **24-IW-0026** 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:

- No direct wetland/watercourse disturbances or impacts.
- Disturbance proposed within maintained area of lot that works with the contours for access.
- Drainage controls in the form of subsurface infiltration trenches.
- Erosion and sedimentation controls will be maintained during construction; and

WHEREAS application materials received include the following:

- Application for Inland Wetlands Agency Permit
- (Annotated) Site Plan
- Elevation Rendering of Accessory Barn;

**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:

- The barn will be used for storage or hay and equipment, no animals.
- No direct wetland/watercourse disturbances or impacts are involved.
- No significant adverse off-site impacts are anticipated.
- Site disturbance during construction will be short term.
- Site disturbance impacts can be further mitigated by the conditions listed below and the proper use and maintenance of drainage, 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 24-IW-0026 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. **Final Site Plans** – The plans presented shall be endorsed as “approved” by the Agency / Town Planner.
2. 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.
3. **Other Required Approvals** – No work shall be authorized to commence absent securing all approvals as may be required. 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:
  - No ground disturbance beyond that shown on the final approved plans is authorized.
  - Ground disturbance shall be contained to the minimum necessary to complete the authorized improvements.
  - The site shall be kept clean of all loose debris, litter, and similar materials to prevent such from entering wetlands or watercourses.
  - Erosion and sedimentation controls shall be installed and maintained, and additional controls may be required at the direction of the Land Use Office as 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 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.
5. Disturbed soils shall be stabilized in a timely fashion, particularly to avoid/minimize erosion impacts.
6. Construction vehicles/equipment not in use shall not be stored, and at no time shall such be 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.
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 because of the activity.

**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:
  - Verification of installation consistent with approved final Site Plans. The Land Use Office may require submission of a certified A-2 Survey As-Built Plan if warranted in a form, content and number as may be required by the Land Use Office to determine permit compliance and satisfactory completion consistent with this approval and the endorsed final Site Plans.
  - Verification the site has been cleaned of construction related equipment, materials, and debris.
  - Verification all disturbed areas have been stabilized and exhibit healthy vegetative cover.
  - Verification 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 Site 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 as may be required 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** – Stormwater management and treatment controls 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 IWWA Regulations. 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 on Page 1 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 **TUROCZI**

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

Aye Tyrrell, Newell, Turoczi, Richards, Gillette

Nay None

Abstain None