

Town of Woodbury Inland Wetlands & Watercourses Agency

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

MINUTES – DECEMBER 9, 2024

REGULAR MEETING

7:30 P.M. – SENIOR/COMMUNITY CENTER, 265 Main St. South

MEMBERS PRESENT:

Earl Gillette, Alternate
Marty Newell, Vice Chair
Timothy Pabst, Alternate
Don Richards
Kyle Turoczi, Secretary (7:51 p.m.)
Mary Tyrrell, Chair (8:26 p.m.)

MEMBERS ABSENT:

Michael McAloon, Alternate
Ernest Werner

ALSO PRESENT: Will Agresta (Town Planner), Atty. Kaelin (Town Attorney), Dan Fusco, Atty. Judd, Doug Lindell, John Mack, Charlie Spath, James Bolanis, Jason Pabst and other interested members of the public.

OPENING OF MEETING

Call to Order – Vice Chair Newell convened the meeting at 7:30 p.m.

Seating of Members / Alternates - Seated were regular members Newell, Richards, Turoczi, Tyrrell and Alternate Gillette

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

NEW / MODIFIED APPLICATIONS

24-IW-0030 – 197 Minortown Road / Map 25, Lot 2A-2 / OS-60 District / Michelle Fusco (applicant/owner), Ryan and Pilicy (agent)

- (1) ***Subdivision Amendment Review Report to Planning Commission: Amendment of Original Subdivision seeking the removal of original subdivision restriction permitting only a single driveway access shared by both lots of the original subdivision.***
- (2) ***Wetlands/Watercourse Permit: Within a regulated upland review area proposed second, milled access drive on the property.***

Atty. Judd was present for the discussion, as well as Dan Fusco. Atty. Judd noted that the Planning Commission Public Hearing has been scheduled and reiterated that her clients submit that there is no adverse impact on the wetlands and are requesting ADA consideration. The curb cut is a noted concern; however, they are in front of the Planning Commission for that issue.

Member Turoczi was not sure that the Agency had the authority to approve something that was not allowed by the subdivision approval. His issue was not necessarily with the wetland impact, but did not feel that the Agency should approve something that was not originally agreed to when it was built.

Atty. Kaelin (Town Attorney) indicated that the subdivision approval could only be changed by the Planning Commission. In order to do that the Planning Commission would need a positive referral from the Inland Wetlands Agency that they have no issue with the second curb cut and the extension of the driveway.

With that said, Member Turoczi did not have an issue with the curb cut but would like to see the water run back towards the street so it does not cut down the hill. It was clarified by Member Richards that there is no impact on the wetlands, currently, but with the final construction of the driveway it should be done in such a way as to be sure that the drainage is directed to avoid impacting the wetlands. When they viewed the area by the stonewall it did not appear that the water could get over to the stream. The erosion down the hill is a noted concern.

Atty. Judd indicated that the curb cut is in existence, there is no plan to continue further construction. With the exception of what the Agency may want the property owner to do.

Member Gillette questioned the ADA report. Planner Agresta explained the statute. If someone has a disability you have to have to allow the potential for accommodation. Planner Agresta's memo refers to this as well as Atty. Judd's memo.

The slope percentage of the hill was questioned. Planner Agresta stated this is unknown as they don't have a plan for the driveway, however, it is not overly steep.

Member Gillette questioned if runoff from the road down this driveway has been observed. Planner Agresta noted that most of the water is guided towards the culvert crossing. The area does pitch toward the stream as opposed to the house. The consultant recommended cleaning up stuff in this area, add pavement and curb. Member Gillette noted the consultant also recommended removing the southeastern portion of the driveway and questioned what that meant. They are acknowledging that it is not permitted under the subdivision approval and does contribute stormwater to the buffer area. Atty. Judd noted that the consultant came to this conclusion however did not indicate why.

It was clarified that the driveway is not located in the noted conservation easement. The easement is along the stream.

The timeframe of the driveway being there was questioned. This came about from an enforcement action in April of 2023 when the millings were installed. Member Gillette stated that prior it was a "two wheel path." Atty. Judd noting that the area was used differently before a house was there. Planner Agresta noted a Site Analysis Map that was included with the original subdivision application showing the existing conditions of the property before subdivision. There is no indication of any curb cut or any grading associated with a pathway. There was no clearly defined driveway.

Member Newell questioned if the millings pile had been removed. Atty. Judd remarked that the pile had been removed, along with a list of items the Agency had requested. Member Newell indicated that she was stuck on there being alternatives, that the existing driveway could be used in such a way to be less impactful. Atty. Judd felt this was an issue for the Planning Commission, the driveway portion from the house to the road is not a negative contributing factor to the wetlands. Her client believes that the turn (from the front of the house down to the back yard) would be too difficult for the aid workers, larger vehicles and emergency vehicles. Her clients believe there is no feasible alternative that would be less of an impact to them. Atty. Judd reminded that alternatives do not need to be provided. In addition this option is less expensive and is already in place and there is no impact to the wetlands.

It was reminded that there are two members on the board that serve as volunteers on Ambulance and Fire and have indicated previously that there is never any issue with emergency services getting to an individual or a structure.

Chair. Tyrrell noted that she was on the Board at the time of this subdivision. She recollected that at the time they did not want multiple curb cuts and reiterated safety issues with them. Chair. Tyrrell expressed concern with the ability for the ground to absorb water the way it had previously. The compacting of the material will make it impervious; water will run off. She is concerned that in the future the water could lead towards and degrade the wetland areas as it is adjacent to the wetlands, degradation of the driveway due to the erosive nature of the road runoff itself and the sand and salt not being filtered by vegetation.

The Chair. also questioned if a nonpermitted use now be approved just because it now exists. Atty. Judd responded yes if there is a reasonable accommodation in place. This was brought by an enforcement action; they are applying now. She has provided several reasons to allow for this. Sometimes it just happens that things are approved after a "wrongdoing."

Chair. Tyrrell feels that the curb cut was required for a reason and that there are other alternatives that could be used. Atty. Judd stated that she believes the curb cut is for the Planning Commission to decide. Planner Agresta interjected that the Planning Commission decides, however the Wetlands Agency provides a recommendation relative to it.

Chair. Tyrrell reminded the Agency members that they need to report back to the Planning Commission and they need to determine if they want a draft motion for the application ready for the next meeting.

Member Turoczi noted that if there remains a planted buffer it will help protect the wetlands, as there is about 35-40 ft before you get to the stream. There is also a stone wall between the brook and property. If the water cannot get over the hill, those factors would satisfy the protection of the area.

Chair. Tyrrell didn't have a problem with an access between the building and the lower flat area but did with the gradient of the driveway going down and with it coming down off of the roadway. If the area could be accessed using the approved existing driveway coming down in front of the house and turning down, she would not have a problem as much with that as with the curb cut, Member Newell and Richards were in agreement.

The use of millings was questioned. Member Turoczi expressed that millings are inert, not toxic. Planner Agresta remarked that the State does not consider millings to be part of clean fill.

Atty. Judd wanted to confirm that the Agency's finding would include reasoning for the decision as well. The approval will include this.

It was confirmed that the applicant's request is for vehicular access to the rear, a simple walkway would not suffice.

A draft approval with modifications to what was proposed for the driveway was requested for the next meeting. It was questioned if an engineered plan would be required. Planner Agresta noting that the grade is not an issue and it is already there. With respect to the report to the Planning Commission, it has been made clear that in general the Agency is not in favor of the additional curb cut and would like to stick with the original curb cut. They are concerned with the potential of runoff coming off the road and water affecting the downstream area and the wetlands and flood plain area associated with the river.

Member Richards would like to see a plan including length, width and material being used.

Drafts for the approval and referral letter to the Planning Commission were requested for the next meeting.

24-IW-0034 – 300 Minortown Road / Map 10, Lot 9 / OS-60 District / Doug Lindell (applicant/owner) / Within an Upland Review Area: Construction of a driveway with wetland crossing over an existing pathway (approximately 1,000 linear feet of the driveway is within the upland review area).

John Mack and Charlie Spath were present representing the property owner.

Chair. Tyrrell questioned how much of the driveway is actually within the wetlands area. Mr. Spath indicating the area on the plans, and estimated about 150-200 sq. ft. They are on the edge of the wetland, but explained the driveway exists currently. There is an existing gravel driveway that will lead to one residential home. They are replacing the existing pipes. There are no plans to change the grades, essentially keeping it the same as what is there now.

It was questioned how much fill will be required. Mr. Spath said they would be pulling down material from up the driveway using that existing material. Chair. Tyrrell explained that is still considered fill in a regulated area. What is flagged is right up against the existing driveway. Existing and proposed grades were reviewed to be essentially the same.

Mr. Spath explained that a little bit of material will be pulled down the driveway to make it less steep. This was described to be above the crossing. They will be replacing an existing pipe with a slightly larger pipe and another pipe for the neighbor's lawn not currently being used will be replaced to not impede any flow so the neighbor should not have any problems with future flows.

Sediment basins have been added to the plans and a planting plan for them was reviewed. No runoff calculations were provided, as there is no additional runoff. The driveway is the same, they have just added the sediment basins. The driveway exists now, it is the same they are just putting in two pipes. This is the way it was originally designed and approved as a subdivision.

Member Richards confirmed with the engineer that the pipes and plan proposed will be beneficial to the neighbor.

Member Turoczi requested that they add plugs onto the planting plan along with the seed mix and also do this in the wetland area noted at the meeting. Member Turoczi explained that Hemlocks are the only evergreen to live in that amount of shade and are native.

Clearing limits were noted on the plans. Some trees will need to be removed for grading, these were described to not be large trees.

The existing driveway was described to be natural, 3-6 in. stone. The driveway will be process. The applicant does not plan to take anything on or off the site, these will be minor adjustments.

Pull off locations were noted on the plans. A guard rail is proposed in the area where the 60 in. pipe is proposed.

Member Richards questioned if they should have a third party engineer review the plans. Member Turoczi did not see the need; it is an existing driveway and he would not want to see them try to put it anywhere else because it would be more disturbance. The applicant added basins to slow what is coming off the driveway in two sections and they are not proposing to cut the trees in there. He felt the area was being protected. It is the best access to the site. The pull offs are in the best spots with the contours. Member Pabst located two pull offs shown on the plans.

Chairman Tyrrell felt that wetlands shrubs should also be added to the plans for variation. Mr. Spath noted that the planting plan will be updated with the suggestions from the Agency.

Debbie Taylor, 306 Minortown Road – Ms. Taylor questioned the number of trees being removed. She is concerned with runoff affecting her leaching fields. Ms. Taylor also expressed concerns with any impacts to the wetlands and habitat that currently exists. The tree removal and number of trees was discussed. Clearing limits were noted on the plans. Mr. Spath will review the septic area with Ms. Taylor to be sure to avoid any issues.

A draft motion was requested for the next meeting. It was indicated that the revisions to the Planting Plan will be submitted in the next few days to be included in the approval.

PENDING APPLICATIONS / DELIBERATIONS

24-IW-0035 – 93 Weekepeemee Road / Map 40, Lot 48 / OS-100 District / Darren McGovern (applicant/owner) Remediation of 21-ENF-0001 (Prior Remediation Approval 23-IW-0001 not implemented and now expired) Within an Upland Review Area: Remediation for unauthorized tree/shrub clearing, excavation, and grading, and deposition of cut trees and brush within regulated area absent permits.

Members reviewed a draft motion. It was discussed how they can ensure that the approval is adhered to. The draft was revised to be more specific for condition #2, changing Spring and Fall to April 15 and October 15. Members had no further comments.

MOTION:

To approve application 24-IW-0035 for property located at 93 Weekepeemee Road per Draft Approval Resolution dated December 9, 2024, and amended at this meeting.

Moved by **NEWELL**, Seconded by **TUROCZI**

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

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

24-IW-0037 – 237 Bacon Pond Road / Map 86, Lot 17-1, OS-60 District / James L. Bolanis, Trustee, the James L. Bolanis Revocable Trust of 2018 (applicant/owner) / Within an Upland Review Area: Installation of whole house generator and a 120-gallon propane storage tank with associated line trenching.

Members reviewed the draft motion. Members expressed no concerns.

MOTION:

To approve application 24-IW-0037 for property located at 237 Bacon Pond Road per Draft Approval Resolution dated December 9, 2024.

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

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

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

To accommodate those present for Privilege of the Floor, Chair. Tyrrell rearranged the agenda to take up Privilege of the Floor at this time.

PRIVILEGE OF THE FLOOR:

Member Pabst recused himself from the discussion and left the room.

Jason Pabst was present regarding property at 130 Washington Road, Youngs at Three Rivers. He had received an email from the Enforcement Officer and wished to address the Agency. Structures had been erected without any of the required permitting. Mr. Pabst explained that an existing greenhouse was moved and that they had to move their office to higher ground due to the recent flood event. Without a site plan indicating the location, it is uncertain whether these structures would require Inland Wetlands or Flood Plain permits, however, would at minimum require Zoning Commission approvals. Mr. Pabst felt it was exempt because it was agriculture, it was explained the business would require Zoning Commission approvals. Chair. Tyrrell told Mr. Pabst to submit a site plan for the property for the next meeting and include the two structures in question.

ENFORCEMENT & WETLANDS UPDATE

- **23-ENF-0002 – 197 Minortown Road / Map 25, Lot 2A-2 / OS-60 District / Michelle Fusco** – tabled
- **24-ENF-IW04 – 544 Old Sherman Hill Road / Map 2, Lot 5 / OS-80 / Nicholas Bennett** -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.
An email from Mr. Lessard was noted, the woodpile has been removed. This was the last matter to be addressed. Confirmation of such is pending.
- **23-ENF-IW05 – 57 Lake Road / Map 77, Lot 3 & 7 / OS-60 / Robert Taggett** - tabled
- **23-ENF-IW06 – 13 Edward Avenue / Map 77, Lot 4-26, 27 & 2 / OS-60 / Frances M. Palomba** - tabled
- **18-IW-1621 – 614 Main Street South / Map 102, Lot 25 / MQ District / Napoli Woodbury LLC** – Item was requested to be removed from agenda at last meeting.

ADMINISTRATIVE

Regular Meeting Minutes – 11/25/24

MOTION:

To approve the Minutes of the November 25, 2024, meeting as submitted.

Moved by **NEWELL**, Seconded by **TUROCZI**

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

Aye Gillette, Newell, Richards, Turoczi

Nay None

Abstain Tyrrell (due to late arrival to the meeting)

Charter Revision Discussion – Section 402G

Members discussed the Charter section and agreed that a minimum of 10 days advance notice should be included.

Member Richards left the meeting at 9:15 p.m.

Appointment of Nominating Committee - (Election of Officers at First meeting in January)

Chair. Tyrrell noted that the Alternates are usually assigned as the Nominating Committee. Alternates Gillette and Pabst will contact the members for nominations for Chairman, Vice Chairman and Secretary for the first January meeting.

Regulation Review

- Draft Inland Wetlands and Watercourses Regulations – No update.
- Draft Forest Practices Regulations – It was reminded that at the last meeting it had been discussed to have a separate meeting to focus solely on these regulations. A special meeting date and location will need to be coordinated once the Inland Wetlands Agency Regulations have been finalized.

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

CORRESPONDENCE – None

ADJOURNMENT

MOTION:

To adjourn the meeting at 9:22 p.m.
Made by **NEWELL** with no objections

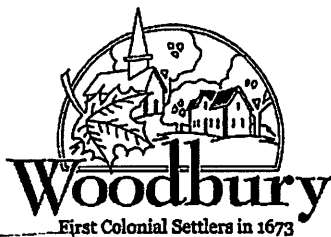
Respectfully Submitted,
Anne Firlings

Anne Firlings, Inland Wetlands & Watercourses Agency Clerk

RECEIVED & FILED
IN WOODBURY, CT

This 10th day of Dec 2024
at 3:30 o'clock PM

Maria M. Marcini
Town Clerk



Town of Woodbury Inland Wetlands and Watercourses Agency

281 Main Street South
Woodbury, CT 06798

203.263.3467 • www.woodburyct.org

COMMENCEMENT OF MONITORING WETLANDS / WATERCOURSES PERMIT – REMEDIATION 93 WEEKEPEEMEE ROAD – 23-IW-0001 Remediation of 21-ENF-0001 Darren McGovern (owner/applicant)

Approved by Inland Wetlands &
Watercourses Agency

Approval Date: 12/9/24

Signature: [Handwritten Signature]
Town Planner

Date of Determination

December 9, 2024

Applicant	Darren McGovern
Owner	Darren McGovern
Application	23-IW-0001 – Remediation of 21-ENF-0001
Project	Remediation for unauthorized tree/shrub clearing, excavation, and grading, and deposition of cut trees and brush within regulated area absent permits.
Address	93 Weekepeemee Road, Assessor Map 40, Lot 48
Zone	OS-100

WHEREAS on April 10, 2023, the Town of Woodbury Inland Wetlands and Watercourses Agency (“Agency”) approved application 23-IW-0001 (remediation of 21-ENF-0001) as submitted by the applicant/owner listed above in accordance with the Inland Wetlands and Watercourses Regulations of the Town of Woodbury (“Regulations”) seeking a Wetlands/Watercourses Permit (“Permit”) to implement restorative remediation of unauthorized regulated activities involving tree/shrub clearing, excavation and grading, and deposition of cut trees and brush affecting on and offsite wetlands, watercourse, and 100-foot upland review area (“regulated area”) on property consisting of approximately 4.23 acres located at 93 Weekepeemee Road within an OS-100 Zoning District, as shown on Assessor Map 40, Lot 48; and

WHEREAS portions of the unauthorized activity also impacted regulated area on the abutting lot at 42 Paper Mill Road, Assessor Map 40, Lot 52A, without permission of the owner of that property; and

WHEREAS the Agency conducted a Site Visit on November 24, 2024, observing that the disturbed area is naturally recovering, and the cut trees have resprouted, while a substantial portion of the cut woody debris pile has been relocated outside of the regulated 100-foot upland review area;

NOW THEREFORE BE IT RESOLVED finding the disturbed area is naturally recovering, the Agency hereby authorizes the commencement of the three (3) year monitoring program as set forth in the original approval dated April 10, 2023, repeated herein 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 the monitoring program shall be as follows:

1. The period of monitoring shall be a minimum of three (3) years.
2. During the monitoring period, the monitor shall visit the property at minimum as follows:
 - Year 1 A minimum of twice per year (no later than April 15th and October 15th)
 - Year 2 A minimum of twice per year (no later than April 15th and October 15th)
 - Year 3 A minimum of twice per year (no later than April 15th and October 15th)
3. Following each visit to the property, the monitor shall prepare a Report, a copy of which shall be provided to the Land Use Office within a minimum of ten (10) days of the site inspection, detailing at minimum the following:
 - Ambient weather conditions
 - Observed site conditions
 - Evaluation of the condition of the remediation area and stump sprouting
 - Evaluation of the adequacy of site stabilization and vegetation growth and health
 - Identification and timely implementation of any needed corrective measures
 - Identification and timely implementation of any needed plant/seeding replacements
 - Verification of the adequacy of the completion of any prior identified corrective measures and plant/seeding replacements
4. The applicant shall implement any identified corrective measures and/or plant/seeding replacements within a timely period after the corresponding site inspection.

BE IT FURTHER RESOLVED noncompliance of the above required monitoring shall be considered a violation of the Inland Wetlands and Watercourses Regulations and this Resolution, subject to potential approval revocation or future enforcement action; and

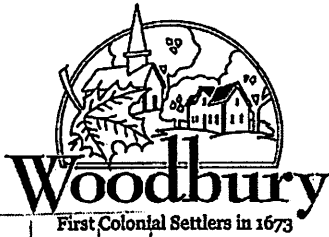
BE IT FURTHER RESOLVED upon completion of monitoring as determined satisfactory by the Land Use Office (the Land Use Office may refer such determination to the Agency), the standing enforcement order 21-ENF-0001 shall be released and closed.

MOTION

Moved by **NEWELL**, seconded by **TUROCZI**

Vote: 5-0-0 – **APPROVED** – Motion **PASSED**

Ayes	Tyrrell, Newell, Turoczi, Richards, Gillette
Nays	None
Abstain	None



**Town of Woodbury
Inland Wetlands and Watercourses Agency**

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

Approved by Inland Wetlands & Watercourses Agency

Approved Date: 12/9/24

Signature: [Handwritten Signature] Non Planner

WETLANDS / WATERCOURSES PERMIT APPROVAL

237 BACON POND ROAD – 24-IW-0037

Residential Accessory Generator and Propane Storage Tank

James L. Bolanis Revocable Trust of 2018 (applicant/owner)

Date of Approval **December 9, 2024**

Permit Expiration* **December 9, 2026**

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

Applicant	James L. Bolanis Revocable Trust of 2018
Property Owner	James L. Bolanis Revocable Trust of 2018
Application	24-IW-0037
Project	Within regulated upland review area install residential accessory whole house generator and a 120-gallon above ground propane storage tank.
Address	237 Bacon Pond Road, Assessor Map 86, Lot 17-1
Site Acreage	0.94 acres
Zone	OS-60 Zoning District

WHEREAS the Town of Woodbury Inland Wetlands and Watercourses Agency ("Agency") has received application **24-IW-0037** 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
- GIS property images
- Generator details; and

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 will be in areas of the lot previously disturbed and currently maintained.
- 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-0037 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 Permits as may be required (Health, Zoning, Building)**

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:
 - Ground disturbance shall be limited to that noted in the application and shown on the final approved plans.
 - Ground disturbance shall be contained to the minimum necessary to complete the authorized improvements.
 - Erosion and sedimentation controls may be required by the Land Use Office.
 - 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 **RICHARDS**

Vote: 5-0-0 – **APPROVED** – Motion **PASSED**

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