



TOWN OF WOODBURY
INLAND WETLANDS AND WATERCOURSE AGENCY

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UNOFFICIAL DRAFT MINUTES – NOT YET APPROVED BY AGENCY
REGULAR MEETING
INLAND WETLANDS AND WATERCOURSES AGENCY
AUGUST 9, 2010

MEMBERS PRESENT

Mary Tyrrell
Robert Walleck
Charlie Lewis
Sue Windesheim
Marty Newell (7:37)

ALTERNATES PRESENT

Ernest Werner (7:34 p.m.)
Don Richards

ALTERNATE ABSENT

Tim Drakeley

OTHERS PRESENT

First Selectman Jerry Stomski, Peter Gottemeier, Curt Smith, Ron Wolff, Kevin McHugh, James Palmer, Chris Hanlon, Daniel Heasley, and interested members of the public and press.

Regular Meeting

- a. Chairwoman Tyrrell called this regular meeting of the Inland Wetlands and Watercourses Agency to order at 7:32 pm.
- b. Chairwoman Tyrrell seated Charlie Lewis, Robert Walleck, Sue Windesheim, and herself. Alternate Don Richards was seated for Marty Newell Reference was made to the Connecticut General Statutes regarding conflict of interest and the Town Regulations.

Enforcement Report

Chairwoman Tyrrell reviewed of the Enforcement report dated August 9, 2010. She explained that the Land Use Office is working on a registry that shows the status of the applications.

The concern with the unexpected increases in the stream flow noted by #418 Flanders Road was discussed. Chairwoman Tyrrell reported that Joe Chapman will inspect above the area of concern in the stream to determine the cause.

The members asked that Mr. Chapman is reminded to view the tree clearing at Leo McGovern's property.

Alternate Don Richards stepped down and Marty Newell was at 7:37 p.m.

Pending Applications

10-IW-1015 / Joliv Gogas (owner) / Ron Wolff (agent) / San Remo Restaurant / 135 Main Street North / Expand existing parking lot / Map 090, Lot 008B

The Agency reviewed the draft motion. Noted was the requirement of the signature block to include the IWWA as an insurance that the final plan includes all that had been discussed. It was noted that an item to be included in the final plan is that there is to be no paving over the millings.

Chairwoman Tyrrell read aloud the draft motion.

MOTION:

WHEREAS, the Woodbury Inland Wetlands and Watercourses Agency (Agency) has received an application, 10-IW-1015, submitted by Joliv Gogas to expand an existing parking lot within a regulated area on property at 135 Main Street North (Tax Assessor's Map 090, Lot 008B); and

WHEREAS, the Agency classified the application summary; and

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

NOW THEREFORE BE IT RESOLVED that the Woodbury Inland Wetland and Watercourses Agency

Approves the application submitted by Joliv Gogas to expand an existing parking lot within a regulated area on property at 135 Main Street North (Tax Assessor's Map 090, Lot 008B) as depicted on plans by Ronald Wolff Associates Engineers dated June 3, 2010 with revisions to July 12, 2010 page 1 labeled "infiltration basin plan" and with review of the plan by Land-Tech Consultants dated July 16, 2010 and on the submitted Inland Wetland and Watercourses Agency application form dated June 14, 2010 subject to the following conditions:

1. The applicant shall provide the Land Use Office with 48 hours notice prior to construction, and shall not commence such work until soil erosion and sedimentation control devices have been installed and inspected (or set aside) by the Land Use Office.
2. There shall be no burying of any tree stumps or tree materials including but not limited to branches, logs, brush, wood chips and the like.
3. The site shall be kept clean of all loose debris, litter and similar materials to prevent any foregoing from entering wetlands or watercourses.
4. Removal of the silt fence shall take place only after the built up silt along the fence line has been removed. This material shall be removed from the site or placed as fill on site in areas that will not allow the material to migrate downslope.
5. All disturbed areas and earth material stock piles must be stabilized and seeded before October 15 of the year in which the construction begins.
6. Monthly inspection reports, including photo documentation, shall be submitted by the property owner showing what work is currently underway and the anticipated completion date based on work already completed. These monthly reports shall be submitted until the property owner requests final inspection to lift the Cease and Desist Order. Thereafter, the property owner shall file annual reports each September, including photo documentation, with the Woodbury Inland Wetlands and Watercourses Agency.
7. A final plan shall be submitted showing the surface coverage (asphalt, millings, turf, etc.). Such surfaces shall not be changed in the future without application to and approval from the Woodbury Inland Wetlands and Watercourses Agency, in addition to any other reviews and approvals that may be required.
8. The infiltration basin and swales shall be maintained according to the plan submitted and referenced in this motion.
9. The plan required in Condition #7 shall include a signature block for the Chairperson of the Woodbury Inland Wetlands and Watercourses Agency.
10. The property owner shall not move forward with any work on the site until the plan required in Condition #7 has been submitted and signed by the Chairperson of the Inland Wetlands and Watercourses Agency.

11. The Wetlands Enforcement Officer may authorize minor field changes as necessary during the construction of this project. Both the written dated requests or additional conditions and the approvals are to be retained in the application file.
12. The applicant shall complete and return to the Land Use Office a copy of the Connecticut Department of Environmental Protection Statewide Inland Wetlands and Watercourses Activity Reporting Form prior to commencement of construction.

Made by Newell, seconded by Walleck. Vote 5-0 in favor.

10-IW-1020 / Ernest Werner (owner) / 41 Flanders Road / Field maintenance, seed, and possibly add 50-60 yards of topsoil / Modification of 09-IW-9017 / Map 090 / Lot 022A/B.

Ernest Werner stepped down from the table as an Alternate to represent himself in this application. Mr. Werner submitted a map indicating the area for the proposed top soil, seed and French drain. He confirmed that there would not be a change in elevation. The tree stumps are to be covered by 50-60 yards of topsoil.

MOTION: To classify as summary application 10-IW-1020 / Ernest Werner (owner) / 41 Flanders Road/ Field maintenance, seed and possibly add 50-60 yards of topsoil/ Modification of 09-IW-9017/ Map 090 / Lot 022A/B.

Made by Newell, seconded by Windesheim. Vote 5-0 in favor.

Chairwoman Tyrrell read aloud the draft motion.

MOTION:

WHEREAS, the Woodbury Inland Wetlands and Watercourses Agency (Agency) has received an application, 10-IW-1020, submitted by Ernest Werner to add topsoil and improve drainage in a pasture area within a regulated area on property at 41 Flanders Road (Tax Assessor's Map 0090, Lot 022-B); and

WHEREAS, the Agency classified the application summary; and

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

NOW THEREFORE BE IT RESOLVED that the Woodbury Inland Wetland and Watercourses Agency approves the application submitted by Ernest Werner to add topsoil and improve drainage in a pasture area within a regulated area on property at 41 Flanders Road (Tax Assessor's Map 090, Lot 022-B) as depicted on "septic design and subdivision of property of Edward L Werner and Rosemary R Werner" revised date of July 18, 2009 sheet 3 of 4 and on the submitted Inland Wetland and Watercourses Agency application form dated July 23, 2010 subject to the following conditions:

1. The applicant shall provide the Land Use Office with 48 hours notice prior to construction, and shall not commence such work until soil erosion and sedimentation control devices have been installed and inspected (or set aside) by the Land Use Office.
2. There shall be no burying of any tree stumps or tree materials including but not limited to branches, logs, brush, wood chips and the like.
3. The site shall be kept clean of all loose debris, litter and similar materials to prevent any foregoing from entering wetlands or watercourses.
4. Removal of the silt fence, if required, shall take place only after the built up silt along the fence line has been removed. This material shall be removed from the site or placed as fill on site in areas that will not allow the material to migrate downslope.

5. All disturbed areas and earth material stock piles must be stabilized and seeded before October 15 of the year in which the construction begins.
6. The Wetlands Enforcement Officer may authorize minor field changes as necessary during the construction of this project. Both the written dated requests or additional conditions and the approvals are to be retained in the application file.
7. The applicant shall complete and return to the Land Use Office a copy of the Connecticut Department of Environmental Protection Statewide Inland Wetlands and Watercourses Activity Reporting Form prior to commencement of construction.

Made by Newell, seconded by Windesheim. Vote 5-0 in favor.

New Applications

10-IW-1021/ Peter Gottemeier (owner)/ 378 Quassapaug Road/Barn in wetland area/Map 77/Lot 49/50

Peter Gottemeier submitted a letter from P&B Trucking Co. with the description of the proposed activity. The Agency discussed the pipe noted in the letter. The hand drawn map was reviewed showing the new proposed location for the barn in the driveway area. Mr. Gottemeier explained that this area is a drier location; however, it is the same distance away from the wetlands. Chairwoman Tyrrell noted that the map is not to scale.

It was noted that the concrete slab is to be on top of compacted stone. Don Richards questioned whether the applicant would consider eliminating a concrete pad from the plan. Mr. Gottemeier explained that a concrete pad is necessary for the intended use of this barn.

The Agency agreed that a scale drawing should be submitted. Mr. Gottemeier agreed to work with the Land Use Office to determine other setbacks. The Agency noted that erosion control should be shown on the map as well as roof drains. Mr. Gottemeier confirmed that material will not be removed from the site and sonotubes will be used.

10-IW-1022 / Raymond Hardisty (owner) / 614 Main Street South / Future commercial space (no measurements apply) / Map 102 / Lot 025

Ron Wolff reviewed maps and submitted a soil scientist's report dated 9/25/99. He explained that this site was a town dump in the 1950s. The proposal is to remove the large debris from the regulated area and add topsoil.

Chairwoman Tyrrell reported that Catherine Adsitt attempted to contact the DEP regarding this application; however, has not received a response.

Chairwoman Tyrrell reviewed the Land Use Office's review of this application noting a few inconsistencies within the plan and application. Mr. Wolff agreed to address the inconsistencies.

The members agreed to schedule a site walk for 6:45 p.m. on August 23, 2010. The Agency requested that the proposal is reviewed by Land Tech.

10-IW-1023 / Kevin McHugh (owner) / 182 Westwood / Shed within regulated area/ Map 039 / Lot 019A

Kevin McHugh submitted a soil scientist reported dated 8/9/10. He explained that there would be crushed stone at the base of the shed that would extend 1 foot past parameter. He reviewed the map with the Agency and noted that the wetlands are not on his property; however, the proposed shed is 55 feet from the wetlands and elevated above the Weekepeemee River.

The Land Use Review for this application was reviewed by the Agency. Chairwoman Tyrrell requested that an arrow be drawn on the map indicating the direction of the wetlands. A GIS map for the file was requested. Mr. McHugh indicated the location of the road on the plan and completed the missing information on the application.

Chairwoman Tyrrell noted that neither the name of the person who drew the map nor a seal was on the map. James Palmer came forward explaining that he drew the map prior to being aware that the proposal was within the wetlands setback. Chairwoman Tyrrell advised that the map should indicate the edge of the wetlands and the 100 foot setback.

10-IW-1024 / Chris Hanlon (owner) / 156 Cat Swamp Road / Shed within regulated area / Map 008 / Lot 019A

Chris Hanlon came forward and reviewed the hand drawn map. He explained that the wetlands are off the property; however, are 40 feet from the shed. He noted that the shed is constructed on sonotubes and the floor is plywood. The shed is used to store tools and do carpentry projects.

Mr. Hanlon agreed to work with the Land Use Office to submit a map showing the shed in relation to abutting properties and the wetlands. He also agreed to submit the map of the septic from the Pomperaug Health Department.

The Agency reviewed the Land Use Office's review of the application for completeness. The Agency looked for the Enforcement Officer's comments from his site walk and requested that this information be submitted for the next meeting.

MOTION: To add to the agenda the application 10-IW-1019 / Daniel Heasley (owner) / 179 Old Town Farm Road / New shed and previously built pool within regulated area/ Map 12 / Lot 5.

Made by Walleck, seconded by Windesheim. Vote 5-0 in favor.

10-IW-1019 / Daniel Heasley (owner) / 179 Old Town Farm Road / New shed and previously built pool within regulated area/ Map 12 / Lot 5

Daniel Heasley reviewed the map with the members. He noted that the proposed shed is 60 feet from the wetlands. Chairwoman Tyrrell noted that the distance of the proposal from the brook should be noted on the map. She indicated the pages of the application where information needs to be completed.

Mr. Heasley explained that the existing pool is noted in the Land Records; however, there is not enough information on file to do a Certificate of Occupancy. Therefore, the Land Use Office suggested that he include it in this application.

The Agency requested that the Enforcement Officer visit the site and take photos of the proposed area.

Other Business

Brushy Hill Road Reconstruction- Curtis B. Smith – Review request for input regarding drainage at intersection of Brushy Hill Road and Flanders Road before making formal application.

First Selectman Stomski and Curt Smith came forward to explain that this is a courtesy review prior to the submission of an application. Selectman Stomski explained that the Town has secured a STEAP Grant to alleviate some of the problems with the roads.

The map was reviewed and it was explained that the road currently drains to the pond. They would like to propose a drainage plan that follows the pattern the water is already following. An alternate plan would require a severe cut and numerous trees to be removed to construct a basin. Mr. Stomski confirmed that the property owner agrees that allowing the water to continue to drain to the pond is the better plan.

Copies of the maps were distributed and the members agreed to view the site individually.

Privilege of the Floor

The resident at 155 Good Hill Road who came forward at the last meeting regarding the damming the stream off of Old Grassy Hill Road inquired about the Enforcement Officer's findings. Chairwoman Tyrrell explained that nothing had been reported regarding this issue and asked that the Land Use Office follow up.

Member Charlie Lewis commented that the IWWA should be receiving complete applications for review. He is not happy with sending applicants home to finish supplying the information required. He suggested that the agenda no longer be revised to add applications. Additionally, Mr. Lewis suggested that the Enforcement Report should return to its place at the end of the agenda. If there is an occasion where Joe Chapman is present at the meeting, the Agency can then move the Enforcement Report up to accommodate his schedule.

Member Don Richards agreed and suggested a deadline for the acceptance of applications. It was noted that when the deadline was the Wednesday prior to the meeting incompleteness was not such a daunting issue. The members agreed that the issue is a waste of their time as volunteers and a waste of the applicant's time when they must return to the IWWA with the appropriate information.

Chairwoman Tyrrell suggested that the Land Use Office create a checklist of required information to complete the application. She reviewed the Regulations and noted that the IWWA can deny an application; however, cannot refuse to accept it. If an application is received on the day of the meeting the Agency does not need to review it until the next meeting.

Consideration of Minutes

On page 5, #6 of the Paparazo motion should be reworded to "...prevent channeling of roof runoff erosion".

MOTION: To approve minutes of July 26, 2010 Regular and Special Meetings as amended.
Made by Lewis, seconded by Walleck. Vote 5-0 in favor.

Clerk's Bill

MOTION: To approve clerk's bill as presented.
Made by Lewis, seconded by Windesheim. Vote 5-0 in favor.

Correspondence

Chairwoman Tyrrell reviewed the correspondence, which included the Pomperaug River Watershed Coalition newsletter received 7/30/10 and a letter dated 7/27/10 sent to St. Teresa's RC Church regarding the IWWA's review of their change of use.

Update of Planning and Zoning

The minutes of the Planning Meeting were reviewed. The Agency questioned whether an extension request for the Mara application should be submitted to the IWWA as well.

Adjournment

MOTION: To adjourn the meeting at 9:58 p.m.
Made by Windesheim, seconded by Walleck. Vote 5-0 in favor.

Filed subject to approval.
Respectfully Submitted,

Tai Kern,
Clerk