



TOWN OF WOODBURY
Inland Wetlands and Watercourses Agency
297 Main Street South
Woodbury, Connecticut 06798-0369

TELEPHONE: (203) 263-3467
FAX: (203) 263-5076

UNOFFICIAL DRAFT MINUTES – NOT YET APPROVED BY COMMISSION
REGULAR MEETING
INLAND WETLANDS AND WATERCOURSES AGENCY
MAY 26, 2009

MEMBERS PRESENT

Mary Tyrrell Marty Newell
Robert Walleck Charlie Lewis

MEMBERS ABSENT

Sue Windesheim

ALTERNATES PRESENT

Don Richards Tim Drakley

1) Regular Meeting

Chairwoman Tyrrell seated members Bob Walleck, Charlie Lewis, Marty Newell and herself as well as alternate Don Richards. Tim Drakley was also present but remained unseated. Reference was made to the Connecticut General Statutes regarding conflict of interest and the Town Regulations.

2) Pending Applications

A) 09-IW-9004/Orkin, Fred/400 Weekepeemee Road/Site drainage installation/upland review/(Tax Assessor's Map 042/Lot 004A).

Frank Pacillio and Fred Orkin came forward to represent the application.

Chairwoman Tyrrell recused herself from the application.

Mr. Pacillio presented maps to show the surrounding property owners and an updated map of the subject property showing that they have added rip rap to the discharge area.

Acting Chair Walleck read into record the letter from an adjacent neighbor, Mr. Pinto, explaining that he did not have any objections to the application.

The Agency agreed that they did not have any further issues or concerns regarding the application.

MOTION: To classify application 09-IW-9004 submitted by Fred Orkin for site drainage installation/upland review on property located at 400 Weekepeemee Road (Tax Assessor's Map 042/Lot 004A) as summary. **Made by Richards, seconded by Newell. Vote 4-0 in favor.**

MOTION:

WHEREAS, the Woodbury Inland Wetlands Agency (Agency) has received an application, 07-IW-7032, submitted by Susan and Fred Orkin for construction of a storm water collection system with discharge into wetlands on property at 400 Weekepeemee Road (Tax Assessor's Map 42, Lot 4A); 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 Wetlands Agency approves the application submitted by Susan and Fred Orkin for construction of a storm water collection system with discharge into wetlands on property at 400 Weekepeemee Road (Tax Assessor's Map 42, Lot 4A) as depicted on map by Frank Pacilio PE of Woodbury Ct page S-1 dated April 28, 2009 and revised to May 20, 2009 and on the wetlands application form dated April 30, 2009 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 construction site shall be kept clean of all loose debris, litter and building or construction materials to prevent any foregoing from entering wetlands or watercourses.
4. The owners shall provide a letter from adjacent property owners at 394 Weekepeemee Road stating their approval of the details of the project as to water discharge. Letter is included with the application.
5. The Wetlands Enforcement Officer may authorize minor field changes, as necessary during the construction of this project. Both the written, dated requests and the approvals are to be retained in the application file.
6. 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 Richards, seconded by Newell. Vote 4-0 in favor.

B) 09-IW-9005/McClintock, Richard (owner)/237 Washington Road/re-build existing barn w/in regulated area/(Tax Assessor's Map 039/Lot 004).

Mr. McClintock was not present to represent the application.

Mr. Chapman stated that since the last meeting, Mr. McClintock provided maps with dimensions for the Agency to use.

Ms. Newell expressed concern with the possibility that the barn is in such bad condition that it will need to be completely reconstructed.

Mr. Chapman stated that removal of existing debris can be modified to include any and all construction debris.

The Agency reviewed the draft motion of approval making minor additions.

Mr. Richards stated that he would like the applicant present before they vote on the motion to be sure that he clearly understands what is being requested of him.

Mr. Chapman stated that the motion should include the reasons for requiring Mr. McClintock clean the debris in his yard prior to beginning this work (as it relates to Wetlands).

Chairwoman Tyrrell read from the minutes of the previous meeting noting that Mr. McClintock himself commented that the debris in his yard must be cleared in order to do the work he is proposing.

Chairwoman Tyrrell commented that their concern is for the floodplain and that the area be able to carry the appropriate amount of water. She stated that if the amount of material currently on the property were to stay with additional material due to the proposed work, it would be detrimental to the floodplain.

The Agency decided to table further discussion of the application to ask that the applicant be present for the next meeting.

3. New Applications

A) 09-IW-9006/Story, Sharon/18 Edward Avenue/14 X 28 Storage shed/(Tax Assessor's Map 077/Lot 027)

Ms. Story came forward to discuss her application for a storage shed. She stated that they will store small items such as garden tools, bikes, etc.,

Chairwoman Tyrrell read from the application which stated that the shed is a pre-fabricated/Klotter Farms shed. It will have approximately 5 tons of trap rock underneath as a foundation.

The Agency reviewed the map showing the proposed location of the shed and layout of the property.

Ms. Story provided the Agency with maps that she was given by Ms. Lynch. The Agency realized that the entire property is in a wetlands area as Ms. Story commented.

Ms. Story stated that the development was created before Zoning and Wetlands. Where they proposed to put the shed is the driest area on the property. She explained that they do not have a garage and only a partial basement, making it very hard to store things.

Chairwoman Tyrrell expressed concerned with the amount of stone being brought in.

Mr. Chapman commented that 5 tons is truly not a great deal of stone.

Chairwoman Tyrrell commented that it may be classified as filling in the wetlands.

Mr. Chapman stated that they are not removing or excavating anything.

The Agency decided to schedule a site walk for Sunday, June 7th at 9:00a.m.

4. Other Business

MOTION: To modify the agenda so that the **Enforcement Report** is listed as item #2 prior to pending applications. **Made by Walleck, seconded by Richards. Vote 5-0 in favor.**

Mr. Chapman handed out a memo discussing Woodbury Ski and Racquet. The Agency members read through the memo and Mr. Chapman discussed the construction of some walls that are not shown on the site development plan. He stated that this is not a big issue with Wetlands except for the fact that some of the area is in a review area

Chairwoman Tyrrell asked about the involvement of the Building Department.

Mr. Chapman stated that Mr. Taylor maintains that there are plenty of fissures in the rocks

Mr. Richards commented that perhaps when Mr. Taylor approaches Zoning he can also be asked to show how the water will drain in the area.

Mr. Richards asked Mr. Chapman to follow up with the situation and update the Agency during the next meeting.

5. Privilege of the Floor

Mr. Gilmore came forward stating that he has noticed a large amount of silt in his river and pond within the last month.

Chairwoman Tyrrell described the location of the property.

Mr. Chapman stated he believes that a pond upstream has been drained and that a dam upstream has been broken. He also commented on an area where the bank is eroded terribly that is likely contributing to the silt problem.

Mr. Gilmore wanted to know what could be done

Mr. Chapman suggested cleaning the pipe that feeds the stream by using a pump (instead of a snake).

Mr. Gilmore asked when he could begin to try and fix the problem.

The Agency decided to allow Mr. Chapman to oversee cleaning the pipe that has been clogged with silt and monitor that the silt is disposed of properly.

Mr. Chapman updated the Agency on a timbering application for Sherwood (end of Pomperaug), which is in front of Zoning. He stated that it involves 13 acres which back up to O&G. He pointed out the location on a map adding that the logging will involve about 3 acres. There are no wetlands in the area but it does include 2 streams.

Chairwoman Tyrrell stated that the streams are wetlands and asked if they are new or existing crossings.

Mr. Chapman said that they seem to be existing crossings.

Chairwoman Tyrrell stated that to be consistent, the Agency should be looking at all timbering applications that involve wetlands.

Mr. Chapman gave the Agency additional details regarding the plan. He commented that there seems to be an old well on the property which they are staying away from this to avoid any damage.

Chairwoman Tyrrell discussed why she felt they needed to request an application.

Mr. Drakley stated that in this case someone came to the town with a detailed plan showing exactly how they plan to log their property. He felt that this is something that Mr. Chapman should be given the authority to oversee. He commented that requiring an application seems to be more than is necessary at this point.

Chairwoman Tyrrell stated that the consensus of the Agency is to request an application.

Ms. Newell asked Mr. Chapman to follow up on the applicant who was given permission to put up his temporary greenhouse.

Mr. Chapman stated that he would remind the applicant of the time constraints.

The Agency discussed the need for Young's Nursery to come up with a more permanent solution to the problem they experience with water and silting.

6) Consideration of Minutes

MOTION: To approve the minutes dated 5/11/09 with the following changes:

1. Page 1, last para. – Change “Mr. explained that they will have two rain liters ...” to Mr. Pacillio explained that they will have two rain leaders...”
2. Page 2, para. 10 - Change “...that current exists...” to “...that currently exists...”
3. Page 1, para. 7 – should read Chairwoman Tyrrell recused herself.
4. Page 2, (para. 1 & para. 6) – Change all references of Chairwoman Tyrrell to Vice Chair Bob Walleck.
5. Under Other Business para. 6. - Remove the word “three”.
Para. 11, change “sated” to “stated”.

To approve the minutes dated 4/27/09 with the following change:

1. Change all references of “Mr. Laby” to “Mr. Labbe”
2. Page 7, para. 1 – Change “...akward...” to “...awkward...”

Made by Lewis, seconded by Richards. Vote 5-0 in favor.

7) Clerk's Bill

MOTION: To approve the clerk's bill. **Made by Lewis, seconded by Walleck. Vote 5-0 in favor.**

8) Correspondence

9) Update of Planning and Zoning

Mr. Lewis updated the Agency on the last two Zoning meetings.

10) Enforcement Report

11) Adjournment

MOTION: To adjourn the meeting at approximately 10:10 P.M. **Made by Windesheim.**

Respectfully Submitted,
Tara Coelho, Clerk