



TOWN OF WOODBURY
Inland Wetlands and Watercourses Agency
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UNOFFICIAL DRAFT MINUTES – NOT YET APPROVED BY COMMISSION
REGULAR MEETING
INLAND WETLANDS AND WATERCOURSES AGENCY
JUNE 8, 2009

MEMBERS PRESENT

Mary Tyrrell Marty Newell
Robert Walleck Charlie Lewis
Sue Windesheim

ALTERNATES PRESENT

Don Richards Tim Drakeley

1) Regular Meeting

Chairwoman Tyrrell called to order the regularly scheduled meeting of the Inland Wetland Agency at approximately 7:35 P.M. and seated members Bob Walleck, Charlie Lewis, Marty Newell, Sue Windesheim and herself. Alternates Don Richards and Tim Drakeley were also present but remained unseated. Reference was made to the Connecticut General Statutes regarding conflict of interest and the Town Regulations.

2) Enforcement Report

Enforcement Officer Joe Chapman reviewed the following:

1. Aquatic Report.
2. Compliant of a river disturbance behind Green Acres (524 Main Street South) and presented some photographs of the area. He explained that there are no wetlands on the property but it is in a floodplain. Mr. Chapman stated that he could not determine if there had been recent activity in the area but there are a few piles of topsoil or fill in the area.. Chairwoman Tyrrell asked if anyone in the Agency wanted the issue to be looked into further. Mr. Drakeley stated that he has not seen very much change in the area over the past 30 years. The Agency asked that Mr. Chapman look further into the complaint and property.
3. Applegate Lane and pond dredging/silt removal.
4. Mr. Labbe's property, 595 Middle Road Turnpike. Mr. Richards and Mr. Chapman both spoke to the Agency and Ms. Underhill about the need to clean out the pipe on Ms. Underhill's property. Ms. Underhill stated that there was no problem with the flow of the stream until Mr. Labbe filled in the area around the willow tree which she believes he was not authorized to do. She asked about the specifics of the record/documentation that stipulated what could and could not be done in the area. Mr. Chapman stated that he was not able to find anything from the previous Enforcement Officer's paperwork. Chairwoman Tyrrell asked that Mr. Chapman look into whether or not the wetlands have been filled in inappropriately. She also stated that there must be some information regarding the history of the area. Ms. Underhill stated that there should be a file created sometime around 2004 – 2005.

3) Pending Applications

- A) 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 came forward.

Chairwoman Tyrrell stated that the Agency had some concerns to discuss with Mr. McClintock mostly related to cleaning of the area.

Chairwoman Tyrrell read the draft motion aloud.

MOTION: To classify application 09-IW-9005 submitted by Richard McClintock for replacement of an existing foundation at property located at 237 Washington Road (Tax Assessor's Map 39/Lot 4) as summary. **Made by Lewis, seconded by Walleck. Vote 5-0 in favor.**

MOTION:

WHEREAS, the Woodbury Inland Wetlands Agency (Agency) has received an application, 09-IW-9005, submitted by Richard McClintock to rebuilding an existing barn within existing footprint within wetlands on property at 237 Washington Road (Tax Assessor's Map 39, Lot4); 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 Richard McClintock for replacement of an existing foundation on property at 237 Washington Road (Tax Assessor's Map 39, Lot 4) as depicted on plans received May 11, 2009 submitted by the property owner and on the wetlands application form dated March 16, 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. Install Soil and Erosion control fencing according to installation instructions before construction begins, maintain during construction and remove only after final approval by enforcement officer. Fencing to be placed so that all work can take place within the area surrounded by the erosion fence.
5. Concrete mixing tubs or concrete washout from trucks shall not be washed out in the wetlands areas. Excess material shall be removed from the site and legally disposed of off the property.
6. The project is to be divided in to two phases. The first phase will consist of removal of all, but not limited to, construction debris, scrap metal, glass, wood, unregistered vehicles, machinery and motors from the areas delineated by wetlands soils. This material cannot be relocated to another part of the property outside the house without permission from the Inland Wetlands Agency. Phase two of the project shall consist of the actual rebuilding/reconstruction of the existing barn. This work cannot be started without confirmation from the Land Use Enforcement Officer that phase one work has been completed.
7. 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.

8. 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 Lewis, seconded by Newell. Vote 5-0 in favor.

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

Chairwoman Tyrrell stated that the Agency performed a site walk June 7, 1009 from 9:00 – 9:15. Present were members Don Richards, Marty Newell and herself. Also present was Ms. Story as well as a neighbor who stated that she did not have any problems with the requested work.

Chairwoman Tyrrell stated that the site was as shown in the pictures submitted by Mr. Chapman. She commented that the area is in need of stone for leveling and to keep water away/to prevent erosion.

Mr. Richards asked if Nancy Contout signed off on the project.

Ms. Story stated that Nancy visited the site with the engineered septic plan and did sign off on the shed location. A copy of the approval was added to the file.

MOTION: To classify application, 09-IW-9006 submitted by Sharon Story for installation of a 14' X 28' prefabricated shed within a regulated area on property located at 18 Edward Avenue (Tax Assessor's Map 077/Lot 027) as summary. **Made by Lewis, seconded by Newell. Vote 5-0 in favor.**

MOTION:

WHEREAS, the Woodbury Inland Wetlands and Watercourses Agency (Agency) has received an application, 09-IW-9006, submitted by Sharon Story for installation of a 14' x 28' prefabricated storage shed within a regulated area on property at 18 Edward Avenue Road (Tax Assessor's Map 077, Lot 027); 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 Sharon Story for a 14' x 28' prefabricated storage shed within a regulated area on property at 18 Edward Avenue (Tax Assessor's Map 077, Lot 027) as depicted on plans by owner dated received on May 14, 2009 and on the submitted Inland Wetland and Watercourses Agency application form dated May 14, 2009 and a site walk review on June 7, 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 site shall be kept clean of all loose debris, litter and similar materials to prevent any foregoing from entering wetlands or watercourses.

4. Install crushed stone of sufficient width and depth on the outside of the barn roof drip lines a minimum of six to twelve horizontal inches to prevent roof shed water from causing ground channeling in any direction from the barn footprint.
5. The shed may be installed on precast concrete blocks of sufficient size, spacing and construction to prevent the structure from deflecting or sinking into the ground. The blocks shall be placed on grade and surrounded by crushed stone.
6. Install crushed stone over filter fabric to a depth of three to four inches on existing grade under the structure. Leave sufficient gap between the crushed stone and the bottom of the structure to allow air flow and facilitate drying if structure is placed on blocks. Do not enclose the perimeter of the structure with a "skirt" or blocking that would impede normal water and air flow from taking place.
7. Installation of electrical service subsequent to plan approval shall require review by the Land Use Enforcement Officer and the Building Department.
8. 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.
9. 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 Lewis, seconded by Windesheim. Vote 5-0 in favor.

3. New Applications

A) 09-IW-9007/Sherwood, Leon & Theresa/94 Pomperaug Road/Timbering permit with wetland crossing/(Tax Assessor's Map 034/Lot 019A).

Chairwoman Tyrrell read aloud the description of the proposed activity from the file.

The applicants were not present to discuss the application.

Chairwoman Tyrrell asked if any members wanted to visit the site on their own time.

Mr. Chapman commented that he did take photographs of the property and thought that they were added to the file; he offered to print them out for the Agency to review.

Mr. Richards stated that he did not feel the need to visit the property.

The Agency discussed the need for a bond and asked that the bond be determined by the Land Use Office.

A draft motion was requested for the next meeting.

B) 09-IW-9008/Hummel, Jean/Great Hollow Road/Timbering permit with wetland crossings/(Tax Assessor's Map 046/Lot 003).

Chairwoman Tyrrell read some of the details from the application.

The Agency asked Mr. Chapman to visit the site.

C) 09-IW-9009/Sweeney, Dan/19 Blueberry Lane/Drive, SFD modification from original plan/Tax Assessor's Map 077/Lot 071D).

Brian Baker from Civil 1 came forward to represent the application with Dan Sweeney. He stated that Mr. Sweeney purchased Lot 4. Mr. Baker brought forward the original subdivision plans outlining Lot 4 depicting the wetlands area. He explained that the wetlands activity was near the driveway but Mr. Sweeney has decided to build a different house in a different location. He pointed out the 100 ft. regulated area explaining that at the corner, they are 65 feet from wetlands, and grading will occur to within 50 feet. Mr. Baker stated that drains run from south to north and towards the detention basin in the back. The area is overgrown but Mr. Sweeney would like to have a lawn up to within 50 feet of the area and beyond have the ability to mow seasonally.

Chairwoman Tyrrell stated that there is an open space area nearby with specific cutting directions. She asked if work has been done to maintain that area.

Mr. Baker explained that he did not know about the preservation area but stated that the area is behind the area they are discussing.

Mr. Baker discussed changes made to the map and clarified that the septic is in same location but the house is now closer to the road and a little longer than originally designed. He also discussed that the location of some of the drains was shifted. Mr. Baker pointed out the 100' regulated area and the small wetland area on the site.

Chairwoman Tyrrell asked about the use of the garage; if it would be used for animals.

Mr. Sweeney stated that it will be a garage/workshop.

The Agency asked Mr. Chapman to take pictures of the site.

Chairwoman Tyrrell stated that her concern is that the area is up-gradient of the wetlands from where the well is going to be and there is always a concern regarding where the concrete will be washed out. She stated that proper precautions must be taken to prevent materials from migrating into the wetlands area. Chairwoman Tyrrell suggested that a wash out pit and location for the well should be added to the plans.

4. Other Business

Chairwoman Tyrrell stated that she asked Mr. Chapman to determine a way to keep track of applications that need revisiting or need renewal of the 5 year time frame.

Chairwoman Tyrrell read aloud a letter from Mary Donegan concerning an application that she is submitting. The abutters list crosses town lines. The Agency expressed that they do not feel the need to look into the matter any further.

5. Privilege of the Floor

6) Consideration of Minutes

MOTION: To approve the minutes dated 5/26/09 with the following changes:

1. Page 1, Change – “Chairwoman Tyrrell recused herself from the application.” to include “...because she is an adjoining property owner.”
2. Page 5, under adjournment – Change Windesheim to Newell.
3. Page 4, para. 10 – Change “loction” to “location”
4. Change all misspellings of Drakley to Drakeley

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

7) Clerk's Bill

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

8) Correspondence

9) Update of Planning and Zoning

Mr. Lewis and Ms. Windesheim updated the Agency on the most recent Zoning and Planning minutes.

10) Adjournment

MOTION: To adjourn the meeting at approximately 9:00 p.m. **Made by Walleck.**

Respectfully Submitted,
Tara Coelho, Clerk