



TOWN OF WOODBURY
INLAND WETLANDS AND WATERCOURSE AGENCY

297 Main Street South
Post Office Box 369
Woodbury, Connecticut 06798-0369

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

UNOFFICIAL DRAFT MINUTES – NOT YET APPROVED BY AGENCY
REGULAR MEETING
INLAND WETLANDS AND WATERCOURSES AGENCY
MARCH 22, 2010

MEMBERS PRESENT

Mary Tyrrell Marty Newell
Sue Windesheim Charlie Lewis
Robert Walleck

ALTERNATES PRESENT

Ernest Werner
Don Richards
Tim Drakeley

OTHERS PRESENT

Joe Chapman, Enforcement Officer, Selectman Stomski, AEA George Johannesen, Rod Taylor, Ms. Dirollo, Ms. Lacaria, Dave Monkton, Ed Dillon, Jim Strub, Mark Lancore, Members of the public and press

1.) 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 Sue Windesheim, Marty Newell, Charlie Lewis, Robert Walleck and herself. Reference was made to the Connecticut General Statutes regarding conflict of interest and the Town Regulations.

2.) Enforcement Report

Chairwoman Tyrrell reviewed the Enforcement Officer's Report dated March 22, 2010.

Chairwoman Tyrrell read aloud a Notice of Violation sent to Mr. Taylor on March 12, 2010. Additionally, she read aloud Mr. Taylor's letter of response noting permission for maintenance of Sprain Brook was granted by the Town. The members reviewed photos of tire treads in Sprain Brook.

Rod Taylor explained that he was cleaning out a tree that come down in the brook. Leaves and branches get caught in the dam and the snow making system will not work. Material he removes is deposited on the edge of the bank. He noted that the DEP wanted him to take the retention boards down as well. The boards are installed in the fall and removed in the spring.

MOTION: To discontinue regular maintenance activity in Sprain Brook at Washington Road, Woodbury Ski/ Taylor (owner). Owner to contact the Enforcement Officer in August to inspect the site, fill out IWWA Application for the Agency to review and issue a 5 year permit with conditions. Owner is to contact the Enforcement Officer if emergency maintenance is required prior to an issuance of a permit.

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

Ms. Dirollo and Ms. Lacaria voiced their concerns about clearing on the adjacent property at 171 Minortown Road. They explained that clearing is being done in the wetlands. Massive amounts of natural habitat are being removed. Large equipment is being used and stumps are actively being dug out.

Joe Chapman reported on his site visit. Chairwoman Tyrrell explained that the clearing of brush and maintaining of property is permitted to create pasture. She reviewed the As of Right Activities from the Regulations.

Ms. Dirollo and Ms. Lacaria noted that they will discuss their concerns with the disturbance of the natural habitat with the DEP

3.) Pending Applications

10-IW-1002/ Estate of Paul F. Cassidy (owner)/AEA George Johannesen (agent)/146 South Pomperaug Avenue/Renovate & expand existing motel building/reconfigure gravel parking area/install landscaping/Map 102/Lot 001

The agent for the applicant, George Johannesen, submitted and reviewed four copies of the revised plans, the certified mail return receipt from the water company and four copies of revised page four of the application. He indicated for the members where the stock piles would be located.

Mr. Johannesen noted that during the site walk of 3/21/10 the Agency members did not have any concerns. Additionally, he has spoken with Selectman Stomski who is thrilled about this coming to the town.

Don Richards questioned whether the electrical system would be underground. Mr. Johannesen explained that they propose to use the existing electrical system unless otherwise suggested by CL&P. He agreed to return with modified plans showing the trench for underground wiring if it is decided that the electrical should be underground.

Mr. Johannesen confirmed for Mr. Richards that the septic flow has decreased with these plans. Records indicate that the Health Department has inspected the old system and it is functioning properly.

Chairwoman Tyrrell reviewed the file to verify that the information provided is complete. Mr. Johannesen confirmed that gutters would go to the ground and the swale across the driveway would be reinforced with rip rap.

The members agreed that this proposal does not create a significant impact to the wetlands; therefore, a Public Hearing is not required. They agreed that they would like Land Tech to review and approve the revisions to the plan.

MOTION: To classify application 10-IW-1002/ Estate of Paul F. Cassidy (owner)/AEA George Johannesen (agent)/146 South Pomperaug Avenue/Renovate & expand existing motel building/reconfigure gravel parking area/install landscaping/Map 102/Lot 001 as summary.

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

4.) New Applications

10-IW-1003/ Town of Woodbury (owner)/Selectman Stomski (agent)/ Scratchville Road/ To replace 16 linear feet of concrete pipe and bank run gravel/ Map 23/ Lot 18B

Selectman Stomski reported that he has asked the Public Works Department to come before the IWWA in the future regarding proposed projects. He explained that they need to set the standard.

Selectman Stomski explained that this repair to Scratchville Road is necessary due to the potential hazard and overflow of water and gravel. The proposal is to replace the cement tiles on Scratchville Road with

squash pipe. Dave Monkton explained that they plan to use two 63" X 40" pipes with a minimum of 12 inches of fill. Most of the material will be taken from the site.

The Agency thanked the Town for presenting the application. Chairwoman Tyrrell reviewed the application and confirmed it was complete. Mr. Monkton confirmed that the project will be done in the dry season. The Agency agreed there was no need to view the site.

MOTION: To classify application 10-IW-1003/ Town of Woodbury (owner)/Selectman Stomski (agent) / Scratchville Road/ To replace 16 linear feet of concrete pipe and bank run gravel/Map 23/Lot 18B as summary.

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

Selectman Stomski reported that the Town is working on plans for the installation of pavers in the parking lots on Jacks Bridge Road. He explained that they would like to dig test holes as part of the planning process and will then submit an application. The Agency agreed that this was a good idea.

Don Richards requested that the Town also submit an alternate plan in the event the pavers are too costly. Selectman Stomski agreed to consider this and noted that at a minimum the Town will begin with a foundation for the pavers.

10-IW-1004/ Edward Dillon (owner)/ 115 Flanders Road/ 22X92 Greenhouse for production of hydroponic produce within regulated area/ Map 92/ Lot 38B

Ed Dillon explained that his intentions were to buy additional property for the greenhouse approved as temporary. However, due to the economic conditions he was unable to do this. He would like to continue to use the greenhouse on the current property at Flanders Road, which is registered with the Department of Agriculture. No new activities are proposed.

Chairwoman Tyrrell reviewed the approval of 12/10/07 noting that the greenhouse was to be removed by 12/31/09. The application no longer meets the requirements for renewal; therefore, this should be considered as a new application.

Joe Chapman reported that he viewed the site and did not see any issues. The greenhouse does not seem to be impacting the area.

Chairwoman Tyrrell reviewed the conditions of the previous application. Mr. Dillon confirmed that in the summer the discharge from the growing tanks are used in the sprinkler system and in the winter the discharge is released in the front of the house. 200 gallons are released at a time from a one inch pipe every three weeks.

MOTION: To classify application 10-IW-1004/ Edward Dillon (owner)/115 Flanders Road/22X92 Greenhouse for production of hydroponic produce within regulated area/Map 92/Lot 38B as summary.

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

5.) Other Business

IWWA draft application

MOTION: To table the review of the draft IWWA Application until later on the agenda.

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

04-IW-4064/ Aisling Properties, LLC (owner)/ Aisling Meadows Subdivision/Transylvania Road/5 year extension request of Inland Wetland permit/ Original to expire March 28, 2010/ Map 42/Lot 002

Attorney Jim Strub explained that there had been some communication confusion with his office and he was unavailable for the previous meeting. He apologized for the misunderstanding. He noted that Aisling Meadows had been mentioned under enforcement and hopes this will be considered a permit extension. Chairwoman Tyrrell explained that the IWWA requested a review by the Town Engineer to advise with regard to the drainage issues; which caused the listing under enforcement even though it will be considered and extension.

Mr. Strub requested that the IWWA consider a 2 month extension of the existing permit to allow for time to work on issues. He noted that bond had been reduced to 10%; however, Land Tech has reviewed and increased the bond amount.

Mark Lancore, Engineer, explained that they are aware that there are technical components that need additional work. He agreed there are deficiencies in the bio-retention basins, plantings are not in place, and construction was not done correctly. He noted that the dyke is in need of repair. A temporary grass swale was placed to divert water during construction.

Mr. Lancore reported that they have a plan to correct the bio-filtration system. He agreed it is currently not working as it was intended; however, it is not adversely affecting the area. He would like to review this plan with Robert Oley. The plantings will be inventoried and those which have not survived will be replaced.

Don Richards noted that the basins are acting as troughs and not holding water. He questioned why there was no means of retaining water. Mr. Lancore explained that the silt and sand is being retained in the dyke as planned. There is no water in the basins because they are dry basins. He has not noticed much silt and sediment in the bio-retention area. Mr. Richards explained that he would like to see a retaining area. Mr. Lancore agreed to look into inverting a pipe to create a retention area. Mr. Lancore noted that when the bio-retention area is reworked it will be cleaned out during the process.

Mr. Strub explained that he will submit the plans to Joe Chapman to be forwarded to Bob Oley for his review and approval.

Chairwoman Tyrrell reported that she discussed the extension with the Town Planner and they agreed to hold the permit open until the issues can be resolved.

IWWA draft application

Chairwoman Tyrrell distributed the revised draft IWWA application. The members agreed to review it before the next meeting. They expressed their thanks to Catherine Adsitt for submitting these revisions.

6.) Privilege of the Floor

Chairwoman Tyrrell looked for comments from the public.

7.) Consideration of Minutes

The correction of the spelling of Don Richards and Aisling Meadows were noted.

MOTION: To approve minutes of March 8, 2010 Regular Meeting as amended.

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

8.) Clerk's Bill

MOTION: To approve clerk's bill as presented.

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

9.) Correspondence

Chairwoman Tyrrell reviewed the correspondence with the Agency.

The members agreed that the timber harvest application provided by the Society of American Foresters could be used as an auxiliary form to the IWWA Application for timber harvest applications. Bob Walleck agreed to discuss this with the Town Planner.

The members agreed that the information regarding Kings Mark Resource Conservation & Development Area should be kept on file for reference. Mr. Walleck agreed to speak with the Town Planner regarding including this in the pre-application review for applications with potentially large impacts.

Mr. Walleck agreed to discuss with the Town Planner the possibility of adding the DEP Regulations noted in the correspondence received 3/16/10 as an addendum to the IWWA Regulations.

10.) Update of Planning and Zoning

C. Lewis reviewed the Zoning Minutes of 03/09/10 with the Agency.

Mr. Lewis commented on the litter at Carmen Anthony's. He found that the trash container was overfull and crows were getting into the garbage. He suggested either a second dumpster or to have the dumpster emptied more often. Joe Chapman reported that he received a complaint regarding this matter. The site was clean when he went out to inspect. Additionally, Mr. Lewis reported significant erosion of the pavement and suggested the addition of rip rap.

S. Windesheim summarized the 03/03/10 Planning Minutes.

11.) Adjournment

MOTION: To adjourn the meeting at 9:55 p.m.

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

Filed subject to approval.
Respectfully Submitted,

Tai Kern
Clerk