



**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
APRIL 26, 2010**

MEMBERS PRESENT

Mary Tyrrell
Sue Windesheim
Robert Walleck
Charlie Lewis

ALTERNATES PRESENT

Ernest Werner
Don Richards

MEMBER ABSENT

Marty Newell

ALTERNATE ABSENT

Tim Drakeley

OTHERS PRESENT

Lisa Turoczi, Robin King, George Johannesen, Jim Straub, Mark Lancor, Rod Taylor, 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 7:30 pm.
- b. Chairwoman Tyrrell seated Sue Windesheim, Charlie Lewis, Robert Walleck and herself. Ernest Werner was seated for Marty Newell. Reference was made to the Connecticut General Statutes regarding conflict of interest and the Town Regulations.

MOTION: To amend the agenda to address Pending Applications to accommodate those present.
Made by Lewis, seconded by Windesheim. Vote 5-0 in favor.

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

George Johannesen reported that both the Public Works Dept. and Land-Tech's comments have been addressed. A letter has been submitted for the file from the Department of Health noting that there will not be any impact with regard to this proposal. He confirmed that public water would be used at this site. Mr. Johannesen submitted and reviewed revised plans and noted the additional information that had been requested is included in these plans.

The members agreed that no additional information was required. It was confirmed that the application had been classified as summary at the March 22, 2010 meeting. It was requested that the Land Use Office provide a draft motion with standard conditions to be reviewed at the next meeting.

10-IW-1005/ Robin King (owner)/ Lisa Turoczi (agent)/ 8 Stone Hollow Road/ Remove invasive and replant with native plants, build retaining wall and extend patio/ Map 48/ Lot 39/18

Chairwoman Tyrrell distributed the review done by the Land Use Office for this application. It was noted that a planting plan had been previously approved for this property as part of the Ailsing Meadows application. Chairwoman Tyrrell expressed her concerns that the rain garden is engineered to be comparable to the previously approved recharger. Lisa Turoczi explained that she would be responsible for confirming the rain garden's capacity is compatible to recharger.

Chairwoman Tyrrell questioned what type of maintenance would be required for the rain garden. Ms. Turoczi explained that a visual inspection would be performed twice a year. The walking path that has been included in the plan will make the area assessable for inspection. She explained that Earth Tones would be providing this service. Additionally, it is noted on the plan that the meadow should be mowed once a year in March. Ms. Turoczi agreed to provide a maintenance check list for the owner as well as a copy for the file.

Ms. Turoczi confirmed that she compared the designs for Ailsing Meadows to her plan. She explained that her plan protects the wetlands, includes plants that will survive the conditions and will be aesthetically pleasing. Ailsing Meadow's plan would merely manage the water.

Don Richards noted that he approves of this proposal. Ms. Turoczi explained the process of installing the rain garden. She confirmed that the soils had been tested in the area. She offered to provide educational information and photos of the rain garden as it progresses. She noted that installation should take about four weeks to complete.

MOTION: To classify as summary application 10-IW-1005/ Robin King (owner)/ Lisa Turoczi (agent)/ 8 Stone Hollow Road/ Remove invasive and replant with native plants, build retaining wall and extend patio/ Map 48/ Lot 39/18.

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

Chairwoman Tyrrell requested that a draft approval be available at the next meeting with standard conditions as well as the maintenance information. Ms. Turoczi agreed to have a maintenance schedule available at the next meeting.

Attorney Straub noted that Ailsing Meadows has no issues with this plan and will make private arrangements with owners.

New Applications

10-IW-1006/ Rod Taylor (owner)/785 Washington Road/ Remove approx. 10 yards of gravel and debris from river, and keep area clean for snowmaking/ Map 56/ Lot 16B.

Chairwoman Tyrrell read aloud the Land Use Office review for this application. Rod Taylor confirmed that the property only has one abutter. He agreed to confirm the lot and map numbers for the property with the Assessor's Office. Additionally, he agreed to provide the address of the one abutter. Mr. Taylor agreed to bring a copy of the property survey to the next meeting. Chairwoman Tyrrell asked that the area in which the material removed will be placed be indicated.

Rod Taylor explained that this is a proposal to remove a small amount of sand and silt from the river. No changes to the area are proposed. This application is for maintenance in the area of the suction line to be performed on an annual basis. Mr. Taylor agreed to notify the Land Use Office each time it is necessary to go into the river for incidental issues.

MOTION: To amend the agenda to address Other Business to accommodate those present.

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

Other Business

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

Mark Lancor submitted a letter dated 4/26/10 addressing reconstruction needed with regard to drainage at the site. He reviewed the proposed reconstruction along with the as built plan for the site.

Mr. Lancor described the proposal for the installation of PVC pool liner in bio-retention area #1. He confirmed the unlimited life span of this material and offered to supply a sample to the members. He advised of the website available offering more information regarding this material. Mr. Lancor noted that no machines would be used for its installation and silt would be removed from the area.

Mr. Lancor noted that the sediment and some plant material would be removed from detention basin #1. A plunge pool is proposed for the dike repair. He has concluded that detention basin #2 is operating as intended. Don Richards respectfully disagreed. Mr. Lancor advised that the repair to the weir will alleviate the issues Mr. Richards has observed. Mr. Richards noted that detention basin #2 should be retaining water. Mr. Lancor explained that this is intended to be a detention basin and what Mr. Richards is referring to is a retention basin. Chairwoman Tyrrell and Charlie Lewis agreed with Mr. Richards' opinion and noted that this was also their understanding when the project was initially approved. Mr. Lancor suggested that this issue be deferred to Land-Tech. Mr. Straub explained that the third basin would not be needed with what is being described. He understood this to be a unique system with this third basin.

Chairwoman Tyrrell questioned whether the planting has been addressed. Mr. Straub explained that as part of the extension the planting plan is to be further implemented. He reminded the members that the project is bonded and the bond will not be released until the planting is done according to plan. He objected to incurring additional charges for Chris Allen to recheck a plan which was already approved, but not yet implemented.

Mr. Richards reminded the members that he requested that the plans be sent to Sean Hayden for review. It was suggested that once planting is finished Sean Hayden should do his review.

Mr. Straub explained that they would like to proceed with the three repairs presented, which will not affect the other issues in question. The members agreed that the activity should be held until their questions can be reviewed by Land-Tech.

MOTION: To amend the agenda to address the application of the Town of Woodbury.

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

10-IW-1007 / Town of Woodbury (owner) / Dave Monkton (agent) / Jacks Bridge Road & Rte 47 / Excavate and construct a 60 space parking area adjacent to recreational area / Map 38 / Lot 54

Chairwoman Tyrrell noted that an agent was not present with regard to this application. She reviewed the map noting the test pits that had been dug. It was confirmed that nothing new has been submitted. She reported that she observed that actual parking is not taking place in the proposed area at this time.

MOTION: To amend the agenda to review the Enforcement Report.

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

Enforcement Report

Chairwoman Tyrrell reviewed the Enforcement Officer's Report dated April 26, 2010. She noted that there was not a submission for Charles Bucchioni / 119 Sherman Hill Road / addition of stone wall and fill, which had been discussed at the previous meeting.

The modification to the original application 09-IW-1012 / Transylvania Road was reviewed. The members found no issues with this change.

The DPW proposal for Judds Hill Road was reviewed. The members were in agreement with their suggestions to prevent further degradation of the road surface.

The DPW memo and photos of Middle Quarter Road were reviewed. The members were satisfied with the expanded version of the roadside catch basin/drywell system to alleviate flooding.

The members discussed the millings installed in the parking lot of San Remo Restaurant at 135 Main St. North, which is in conflict with the approved plan prepared by Ron Wolf Assoc. dated 4/5/04 and revised 5/23/04. It was noted that the new owners came into the office with regard to the work being done; however, lead the Enforcement Officer to believe that more gravel was to be added to the area in question.

The members discussed how to proceed. It was noted that the approval specifically said that asphalt could not be placed in these areas; however, this is not indicated on the deed. Charlie Lewis disagreed with the suggestion to force the new owners to remove the asphalt. It was noted that this would set a precedent and other businesses in the area would like to pave as well. It was agreed that a Cease and Desist Order should be issued immediately on the morning on 4/27/10. A special meeting of the IWWA is to be scheduled within the required timelines for this Order.

Privilege of the Floor

Chairwoman Tyrrell looked for comments from the public.

Consideration of Minutes

It was noted that the following changes should be made to the minutes of the April 12, 2010 meeting:

- Page 1, 2nd paragraph, last sentence under Enforcement Report should be changed to “the town has been mowing down the approved 50 foot buffer strip”
- Page 2, under 10-IW-1002 “application” should be changed to “applicant”
- Page 3, 1st paragraph delete “the” before Joe Chapman

MOTION: To approve minutes of April 12, 2010 Regular Meeting as amended.

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

Clerk's Bill

MOTION: To approve clerk's bill as presented.

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

Correspondence

Chairwoman Tyrrell reviewed the correspondence with the Agency including the Pomperaug River Watershed Coalition spring edition and information regarding a Land Use Academy program.

Chairwoman Tyrrell reported that she had a telephone conversation with the Chair of the Town Charter Review Commission. He asked the IWWA to review the Charter to see if any changes are required. She noted that the Charter is available on the town website. Robert Walleck distributed a memo entitled Charter Excerpts for the IWWA Board to assist in finding sections of the Charter that apply to wetlands. Chairwoman Tyrrell asked the members to respond to her with their suggestions.

Update of Planning and Zoning

C. Lewis reviewed the Zoning Minutes of 04/19/10 with the Agency.

S. Windesheim summarized the 04/07/10 Planning Minutes. The members discussed the potential open space purchase mentioned in these minutes.

Chairwoman Tyrrell noted that Leo McGovern is building a structure on his property; however, it is not in a wetland area.

Adjournment

MOTION: To adjourn the meeting at 10:04 p.m.

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

Filed subject to approval.

Respectfully Submitted,

Tai Kern,
Clerk