



**TOWN OF WOODBURY
INLAND WETLANDS AND WATERCOURSE AGENCY**

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**UNOFFICIAL DRAFT MINUTES – NOT YET APPROVED BY AGENCY
CEASE & DESIST HEARING
INLAND WETLANDS AND WATERCOURSES AGENCY
MAY 24, 2010**

MEMBERS PRESENT

Mary Tyrrell
Robert Walleck
Charlie Lewis
Marty Newell (7:40 p.m.)

ALTERNATES PRESENT

Ernest Werner (7:37 p.m.)

MEMBER ABSENT

Sue Windesheim

ALTERNATES ABSENT

Tim Drakeley
Don Richards

OTHERS PRESENT

Chris Gogas, Thea Nikas, Ron Wolff, Attorney Thomas Calkin, members of the public and press.

Cease and Desist Hearing

- a. Chairwoman Tyrrell called this regular meeting of the Inland Wetlands and Watercourses Agency to order at 7:33 pm.
- b. Chairwoman Tyrrell seated Charlie Lewis, Robert Walleck, and herself. Reference was made to the Connecticut General Statutes regarding conflict of interest and the Town Regulations.

Cease and Desist Order for San Remo Restaurant / 135 Main Street North / Map 090, Lot 008B / Chris Gogas (owner), Thea Nikas (manager)

Ron Wolff, Professional Engineer, presented a conceptual plan for an infiltration basin and grass swale to manage water in the parking area. He explained that the grass swale would catch runoff from the site. Some of the top soil would be removed and the area would be reseeded. He confirmed that there are well drained soils on the site and that the existing septic would not be damaged under the parking area.

Mr. Wolff confirmed for the members that there would be increased runoff from the site. Attorney Thomas Calkin noted that the existing graven had been compacted. Chairwoman Tyrrell asked that runoff calculations and permeability testing be provided.

Chris Gogas confirmed that a subsurface base had not been added beneath the millings. He explained that they have not had any water issues since the activity. Mr. Gogas noted the plan had been explained to the Enforcement Officer who gave permission proceed. Chairwoman Tyrrell explained that this activity is a deviation from what was approved on Mr. Wolff's map dated 5/23/04. She noted that the flood plain restrictions should have been advised to Mr. Gogas at the time of the purchase of this real estate. She explained that it is important to preserve the functions of the flood plain.

Attorney Calkin confirmed that everything on the site is as it was at the time of the issuance of the Cease and Desist Order. He explained that they would like to remove the material piles from the site once this issue has been resolved. It was agreed that an application would be submitted for the proposed activity. Mr. Calkin advised that there was no objection to continuing the Show Cause Hearing until an application could be received and reviewed by the IWWA.

MOTION: To continue show cause hearing until an IWWA application is received and reviewed.
Made by Lewis, seconded by Walleck. Vote 3-0 in favor.

Filed subject to approval.
Respectfully Submitted,

Tai Kern,
Clerk