



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
JUNE 14, 2010

MEMBERS PRESENT

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

ALTERNATES PRESENT

Ernest Werner (7:50 p.m.)
Tim Drakeley (8:00 – 9:10 p.m.)
Don Richards

OTHERS PRESENT

First Selectman Jerry Stomski, Ron Wolff, Chris Gogas, Cheryl DiRollo, Frank Quadrato, Erkan Aydar, Mark and June Sawchyn, Hubie Davis, Norma Weisbrich, Mr. & Mrs. Patrick Ranaudo, Steve Docchio, Mark Lancor, Jim Strub, and interested 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 7:33 pm.
- b. Chairwoman Tyrrell seated Charlie Lewis, Robert Walleck, Sue Windesheim, Marty Newell and herself. Reference was made to the Connecticut General Statutes regarding conflict of interest and the Town Regulations.

Enforcement Report

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

Chris Gogas and Ron Wolff submitted a Wetlands Application and six copies of the proposed plans dated 6/13/10. Mr. Wolff explained that a catch basin, swale and infiltration basin has been designed. He will be computing the coverage to determine whether a zoning variance will be requested. Mr. Wolff agreed to submit a letter for the file authorizing him as the agent for the project.

Chairwoman Tyrrell questioned whether oils will be handled with this plan. Mr. Wolff advised that the heavy turf line will assist in separating the oils. Mr. Wolff confirmed for the Board that the pile of top soil will be removed from the site and the area will be seeded. He explained that the drainage is not sized to treat sheet flow from the Northern part of the lot.

Chairwoman Tyrrell asked the Board to consider action regarding the Cease and Desist Order. It was agreed that no work should be done on the site and no material should be moved until the application process can be completed.

MOTION: The Cease and Desist Order is to remain in effect for San Remo Restaurant / 135 Main Street North / Map 090, Lot 008B / Chris Gogas (owner), Thea Nikas (manager) until the application process is complete.

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

Frank Quadrato / Route 61

Chairwoman Tyrrell reported that Charlie Lewis and Joe Chapman visited the site. She read aloud the Enforcement Report dated June 14, 2010. It was noted that the operations manager and his site foreman have agreed to remove the debris before the next IWWA meeting. The site will be visited by the Enforcement Officer after the cleanup is completed and he will submit a report to the Board.

Chairwoman Tyrrell suggested that Mr. Quadrato call Mr. Chapman on June 28th regarding the status of the site to determine whether he should be present at the meeting of the IWWA that evening.

Pending 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 draft motion. It was noted that the condition that the material is to be deposited in the parking areas should be added to the approval. It was confirmed that this is a 5 year permit and that the Land Use Office is to be notified prior to the start of work.

MOTION:

WHEREAS, the Woodbury Inland Wetlands and Watercourses Agency (Agency) has received an application, 10-IW-1006, submitted by Roderick Taylor to remove approximately ten (10) cubic yards of gravel and debris (cumulative) from the river to keep the area clean for water draw necessary to snowmaking operations within a regulated area on property at 785 Washington Road (Tax Assessor's Map 070, 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 Roderick Taylor to remove approximately ten (10) cubic yards of gravel and debris (cumulative) from the river to keep the area clean for water draw necessary to snowmaking operations within a regulated area on property at 785 Washington Road (Tax Assessor's Map 070, Lot 027) as depicted on map by Bradford E Smith & Son, Surveyors dated November 10, 1997 and printed April 29, 2010 with "material deposited" located by owner and a hand drawn vicinity map by owner. The location of the area for gravel and debris removal is described as above the north side of the concrete spillway and below the north end of the pump house and on the submitted Inland Wetland and Watercourses Agency application form dated March 26, 2010 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. All disturbed areas and earth material stock piles must be stabilized and seeded before October 15 of the year in which the construction begins. Dredged material is to be deposited only on the west side parking areas only, designated as lot 027.
5. The Wetlands Enforcement Officer is to be notified in writing before start of any work whether in one operation or multiple times during the year and notified upon its completion for inspection. In no case shall the volume of gravel or debris removed exceed the total amount permitted. Any addition work above that described in the application shall require notification to the Wetlands Enforcement Officer prior to the start of the work.
6. The Wetlands Enforcement Officer may authorize minor field changes as necessary during the construction of this project. Both the written dated requests or additional conditions and the approvals are to be retained in the application file.
7. This permit is in effect for five (5) years and is renewable once for an additional five (5) years upon submittal before the expiration date.
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 Newell, seconded by Lewis. 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 read aloud the letter of opinion from Sean Hayden regarding this project. Charlie Lewis commented that the information provided by Mr. Hayden would be pertinent if they were making the decision to turn farmland into parking for a ball field. However, this is already existing parking for an existing ball field. Selectman Stomski explained that the intention is to minimize the impact on the wetlands while continuing to use the area for recreation.

Selectman Stomski noted the soil profile on the plan. He explained that they would like to re-establish the 50 foot setback from the river with natural planting. He agreed that the setback area would no longer be mowed until the planting plan can be submitted and approved.

Ron Wolff, Engineer, confirmed that there are 60 parking spaces proposed. The only access to the parking area is from Jacks Bridge, which would be gated to encourage parking on Washington Road. Selectman Stomski noted that this parking area is intended to be used for overflow. Selectman Stomski recapped the soil stock pile plan.

MOTION: To classify as summary application 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.

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

The Board requested that a draft motion be available for review at the next meeting.

10-IW-1008 / Mark & June Sawchyn (owner) / Hubie Davis (agent) / 480 Flanders Road / Deck and Portico within regulated area / Map 094 / Lot 014

The Board recapped this application for the replacement of a deck. The applicant confirmed the new deck would be smaller than the original deck.

MOTION: To classify as summary application 10-IW-1008 / Mark & June Sawchyn (owner) / Hubie Davis (agent) / 480 Flanders Road / Deck and Portico within regulated area / Map 094 / Lot 014.

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

MOTION:

WHEREAS, the Woodbury Inland Wetlands and Watercourses Agency (Agency) has received an application, 10-IW-1008, submitted by Mark and June Sawchyn for construction of a deck and portico within a regulated area on property at 480 Flanders Road (Tax Assessor's Map 094, Lot 014); 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 Mark and June Sawchyn for construction of a deck and portico within a regulated area on property at 480 Flanders Road (Tax Assessor's Map 094, Lot 014) as depicted on assessors property map, hand drawn site plan map, GIS overlay map dated and submitted and on the submitted Inland Wetland and Watercourses Agency application form dated May 6, 2010 and 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. Concrete trucks shall not be washed out in the regulated area. Washout material shall be contained within a washout pit or equal containment system and hardened material removed from the site for disposal.
5. Removal of the silt fence shall take place only after the built up silt along the fence line has been removed. This material shall be removed from the site or placed as fill on site in areas that will not allow the material to migrate downslope.
6. All disturbed areas and earth material stock piles must be stabilized and seeded before October 15 of the year in which the construction begins.
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.

10-IW-1010/ Teresa Lacaria / Cheryl DiRollo (owners)/ 171 Minortown Road/ Fence within regulated area/ Map 025/ Lot 1C/2

The construction of the fence was reviewed for the Board. Chairwoman Tyrrell read aloud the draft motion.

MOTION:

WHEREAS, the Woodbury Inland Wetlands and Watercourses Agency (Agency) has received an application, 10-IW-1010, submitted by Ms. Theresa Lacaria and Ms. Cheryl Dirollo for installation of three hundred lineal feet of wood privacy fence within a regulated area on property at 171 Minortown Road (Tax Assessor's Map 025, Lot01C/2); 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 Ms. Theresa Lacaria and Ms. Cheryl Dirollo for installation of three hundred lineal feet of wood privacy fence fifteen feet from the closest property line with a maximum height of eight feet the remainder of the fence to be ten feet high within a regulated area on property at 171 Minortown Road (Tax Assessor's Map 025, Lot 01C/2) as depicted on the Inland Wetlands Agency application, subsurface sewage disposal plan by Ronald Wolff Associates Engineers dated November 9, 2007 site map with location of fence by owners, copy of deed, abutters list, area map and on the submitted Inland Wetland and Watercourses Agency application form dated May 17, 2010 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. All disturbed areas and earth material stock piles must be stabilized and seeded before October 15 of the year in which the construction begins.
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 Newell, seconded by Walleck. Vote 5-0 in favor.

10-IW-1011/ Dana Dayton (owner)/ Ron Wolff (agent)/ 731 Flanders Road/ 3 lot family subdivision/ Map 096/ Lot 011

Charlie Lewis reported that he and Joe Chapman viewed the site and found that no wetlands would be affected by this proposal. Mr. Lewis explained that all activity is outside the setback and he recommends this application for approval.

MOTION: For a declaratory ruling on application 10-IW-1011/ Dana Dayton (owner)/ Ron Wolff (agent)/ 731 Flanders Road/ 3 lot family subdivision/ Map 096/ Lot 011. There is no encroachment within regulated area.

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

10-IW-1012/ Erkan Aydar (owner)/ 308 Old Town Farm Road/ Shed with foundation within regulated area/ Map 012/ Lot 033B

Charlie Lewis reported that he and Joe Chapman viewed the site from the street and agreed that this is the only place on the site for the shed. Mr. Lewis described the site as upland and well away from the river. Erkan Aydar confirmed for the members that the foundation would be concrete and soil removed will be put on the side of the foundation where it is sloped.

Chairwoman Tyrrell read aloud the review from the Town Planner noting erosion sedimentation control was not included in the application. Chairwoman Tyrrell directed Mr. Aydar to speak with the Enforcement Officer regarding what erosion control is required.

MOTION: To classify as summary application 10-IW-1012/ Erkan Aydar (owner)/ 308 Old Town Farm Road/ Shed with foundation within regulated area/ Map 012/ Lot 033B.

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

MOTION:

WHEREAS, the Woodbury Inland Wetlands and Watercourses Agency (Agency) has received an application, 10-IW-1-12, submitted by Erkan Aydar to construct a shed with a foundation within a regulated area on property at 308 Old Town Farm Road (Tax Assessor's Map 012, Lot 033B); 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 Erkan Aydar to construct a shed with a foundation within a regulated area on property at 308 Old Town Farm Road (Tax Assessor's Map 012, Lot 033B) as depicted on GIS wetlands map overlay, hand drawn by owner site map, assessors property map and on the submitted Inland Wetland and Watercourses Agency application form dated May 24, 2010 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. Concrete trucks shall not be washed out in the regulated area. Washout material shall be contained within a washout pit or equal containment system and hardened material removed from the site for disposal.
5. Removal of the silt fence shall take place only after the built up silt along the fence line has been removed. This material shall be removed from the site or placed as fill on site in areas that will not allow the material to migrate downslope.
6. All disturbed areas and earth material stock piles must be stabilized and seeded before October 15 of the year in which the construction begins.
7. The Wetlands Enforcement Officer may authorize minor field changes as necessary during the construction of this project. Both the written dated requests or additional conditions 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.

New Applications

10-IW-1013/ Patrick Ranaudo (owner), Steve Docchio (agent)/ 275 Old Town Farm Rd/ In ground pool within regulated area/ Map 13/ Lot 11

The members reviewed the map entitled Subdivision Map and a hand drawn map showing the distance of the proposed pool from the pond. Chairwoman Tyrrell questioned whether there was an alternative location, which would be further from the pond. The applicants explained that the septic and well preclude alternate locations for the pool. Steve Docchio noted that this would be a salt system with no backwash.

The members questioned the location of the fencing and noted that this information must be added to the plan. Chairwoman Tyrrell reviewed with the members a note from the Town Planner regarding this application. It was requested that the Enforcement Officer view the site.

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

Chairwoman Tyrrell read aloud Land Tech's response to the Agency's questions. Attorney Strub submitted the IWWA approval from March 2005 and Land Tech's review from January 2005, which noted that the plan was consistent with the goals of storm water management. Attorney Strub explained that Land Tech had an opportunity to review and comment with regard to this plan in 2005. Attorney Strub reminded the members that the applicant's goal is to install the plan as it was approved, which it has not been completed to date. Attorney Strub read aloud statutory reference with regard to permit extensions. He noted that the applicant is asking to install what was approved. He explained that if the system is not functioning after the proposal is complete, the Agency will have the opportunity to review.

Chairwoman Tyrrell questioned whether an as-built would be submitted. Attorney Strub confirmed that an as-built would be submitted to the town and the IWWA could be involved in the process prior to the release of bond.

Don Richards commented that he is not happy with the polishing basin and noted that a trench has been dug in the wetlands. He explained that basin 2 should retain some water and is nothing more than a trough. The Agency approved three basins.

Mark Lancor explained that the second basin was never intended for fine filtering. He also reminded the Agency that the weir was intended to create a functional pond. The pond liner requires no maintenance and, although it was not part of the original plan, it is his recommendation to include it.

Charlie Lewis suggested that the applicant be allowed to complete the project correctly. Chairwoman Tyrrell agreed that the Agency should be open minded and know that they can ask questions if it is not working as it should after the plan has been implemented. It was agreed that a draft motion for approval of extension should be prepared for the Agency to review at the next meeting. The draft motion should reference both the original plan dated 11/14/06 and changes indicated on the 4/26/10 plan, sk1 and sk2. Mark Lancor agreed to incorporate the 4/26/10 changes onto the as-built.

MOTION: To add to the agenda request for 5 year extension of Wetland Subdivision approval for Grey Fox Woods 05-IW-5009.

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

05-IW-5009/ Klaus and Norma Weisbrich (owners)/ Grey Fox Woods Subdivision

Chairwoman Tyrrell read aloud request to extend original approval, which was given July 25, 2005. She explained that she will ask for a report from the Land Use Office. She suggested that the members drive by the site if they have an opportunity.

Norma Weisbrich reported that the pond is working well. Land Tech has reviewed the site with regard to the reduction of bond and was pleased.

Privilege of the Floor

Chairwoman Tyrrell looked for comments from the public.

The Balance of the Enforcement Report dated June 14, 2010 was reviewed. It was noted that an application from the Zombies is expected.

Consideration of Minutes

The following corrections were made to the 5/24/10 Regular Meeting Minutes:

- Page 2, paragraph 2- tree should be plural.
- Number 7 of Bucchioni approval - “being” should be change to “behind”
- Page 3, Second paragraph of Lalaria approval - “foot” should be clarified as “wedge”

The following corrections were made to the 5/24/10 Special Meeting Minutes:

- The spelling of Kaelin
- Page 1 paragraph 2 - “graven” should be “gravel” and paragraph 3 “advised” should be changed to “explained”

MOTION: To approve minutes of May 24, 2010 Regular and Special Meetings as amended.

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

Clerk’s Bill

MOTION: To approve clerk’s bill as presented.

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

Correspondence

The Large Woody Debris Fact Sheet was discussed and distributed. Chairwoman Tyrrell noted that this information would be of interest to stabilize banks.

The members acknowledged the receipt of the letter from Engineer Ron Wolff confirming the rain garden calculations for the King application.

Update of Planning and Zoning

Charlie Lewis reviewed the Zoning minutes with the members. It was noted that the meat smoker was not mentioned in the wetlands application for Cowles.

Sue Windesheim reviewed the Planning minutes. It was noted that Planning is reviewing their fees and questioned whether the IWWA should be doing this as well.

Chairwoman Tyrrell reported that the Town Planner will be at the next meeting to discuss the legal update of regulations.

Adjournment

MOTION: To adjourn the meeting at 10:11 p.m.

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

Filed subject to approval.
Respectfully Submitted,

Tai Kern,
Clerk