

APPROVED

**MINUTES INLAND WETLANDS AGENCY
TOWN OF WOODBRIDGE
REGULAR MEETING ON DECEMBER 17, 2008**

A regular meeting of the Inland Wetlands Agency for the Town of Woodbridge was held on December 17, 2008, in Central Meeting Room of the Woodbridge Town Hall, 11 Meetinghouse Lane, Woodbridge, Connecticut.

ATTENDANCE

PRESENT: Robert Blythe, Chairman, Sharon deKadt, David Moore, and David Bixler

ALTERNATE: Jack Kurek

ABSENT: Jennifer Just and Jeff Ginzberg (alternate)

ALSO PRESENT: Robert Criscuolo, Agency Consulting Engineer, Terry Gilbertson, Agency Enforcement Officer, and Carolyn Donovan, Recording Secretary

Chairman Blythe called the meeting to order at 7:32 p.m. Mr. Kurek was seated in place of Ms. Just.

NEW BUSINESS

WANDA PODGWAITE – 533/535 AMITY ROAD

Application for lot line revision to provide accessway to #535 Amity Road, area for reserve septic system for #533 Amity Road, and residential site development of 535 Amity Road.

The application was formally received by the Agency.

John Paul Garcia, Project Engineer was present to speak on behalf of the application. In his presentation he stated:

- The application involves two parcels of land; the back parcel (535 Amity Road) is land-locked.
- The applicant wants to create an access to the rear parcel (535 Amity Road) by swapping off some of the property from the front parcel (533 Amity Road).
- The land exchange will also provide a septic reserve area for 533 Amity Road.
- The wetlands have been flagged. There are considerable wetlands at the back of the 535 Amity Road property.
- In the front of the 535 Amity Road property there is a small man-made pond.
- The project plans have been submitted to the Quinnipiack Valley Health District and Regional Water Authority.

The application plans will be referred to Agency consulting engineer, Robert Criscuolo for review and comment. An inspection of the site was scheduled for Saturday, January 10, 2009. Further action on the application was deferred until the Agency's next regular meeting on January 21, 2009.

GERALD J. & CINDI E. ST LAURENT – 220 SEYMOUR ROAD

Application for residential site development of lot.

The application was formally received by the Agency

John Paul Garcia, Project Engineer, was present to speak on behalf of the application. In his presentation he stated:

- Site development of the property had previously been approved by the Inland Wetlands Agency in 1998. *(Note that permit has expired)*
- The parcel is located on the South side of Seymour Road.
- The original approval has expired, the new application is for the same site plan.
- The new plans show the 100-foot review area.
- The plans have been resubmitted to QVHD.
- Additional soils tests will need to be done, because the soil tests are over 5-years old.
- The plans have been revised to address other regulation changes, but otherwise the plans are the same.
- The parcel is an overgrown piney area.

The application plans will be referred to Agency consulting engineer, Robert Criscuolo for review and comment. An inspection of the site was scheduled for Saturday, January 10, 2009. Further action on the application was deferred until the Agency's next regular meeting on January 21, 2009.

ADDITION TO AGENDA

**** Ms. deKadt moved to add to the evening's agenda receipt and appropriate action regarding an application by Melissa and James Bilotta for bridge repair and installation of underground utilities.**

**** Mr. Moore seconded**

**** VOTING FOR: Kurek, Moore, Bixler and deKadt**

**** OPPOSED: No One**

**** ABSTAINED: No One**

**** RECUSED: Blythe**

UNANIMOUS APPROVAL

MELISSA AND JAMES BILOTTA - 130 CENTER ROAD

Application for bridge repair and installation of underground utilities.

Chairman Blythe recused himself from the application. Mr. Moore chaired this portion of the meeting.

No one was present to represent the applicants. The site had been inspected by members of the Agency on December 13, 2008.

Mr. Gilbertson commented on the application noting:

- That the applicants would like to do some repairs to a small bridge which goes over a seasonal running brook.
- In his experience with this type of project it is the construction methods that are applied during the project which are important.
- That the repairs should be done in a method consistent with good practices for controlling silt at appropriate times.

Agency member David Bixler stated that:

- The drainage swale goes into an 18” or 24” pipe underneath the driveway, and then exits the other side.
- The driveway goes over the pipe, and there are two-stone retaining walls on either side, which the applicants want to replace.
- The applicants also want to bury the electrical utilities underneath the driveway over the pipe.

Agency member David Moore stated he would feel more comfortable if the applicants provided more drawings and details regarding the project.

Action on the application was deferred until the Agency’s next regular meeting on January 21, 2009 to allow time for the applicants to be sent a memo by staff requesting the submission of additional information.

OLD BUSINESS

CONNIE AND DAVID MORGAN - 175 SEYMOUR ROAD

Application for replacement of existing bridge.

Robert Criscuolo, Agency Consulting Engineer, was present and noted that the following issues still need to be addressed regarding the application:

- The design engineer has modified the “Elevation” detail on the site plan sheet to indicate that the bottom of the new reinforced concrete bridge deck would clear the top of the existing stone bridge abutment by 0.5 feet. It is recommended that the elevation of the top of the existing bridge abutment be published in this detail to verify that it is above the 100 year flood elevation. The design engineer should also verify that the apparent breach of an existing upstream stone dam located on the property has not affected the base flood elevation of 267 feet that is published on the site plan.

- As previously requested, additional detail and specification must be provided regarding the dewatering that will be necessary for ground water likely to be encountered during the installation of the new concrete bridge abutment. Would a dewatering basin be used? If so, where would it be located, and what erosion controls would be used in conjunction with its applied use? Where would the discharge point into Bladens Brook be located? Would silt sacks be utilized to prevent the transfer of sediment through Bladens Brook? etc.
- Construction details must be provided for erosion and sedimentation control measures proposed. It is recommended that the erosion and sedimentation control measures proposed for the site be monitored by the design engineer and supplemented with additional controls, as necessary, to insure that the stream channel is not adversely affected.

Mr. Fred D'Amico, Project Engineer, was also present and stated that he has no problems with Mr. Criscuolo's comments.

Later in the meeting, Agency members acted on the application as follows:

**** Mr. Bixler moved approval of the application subject to standard conditions and accordance with Robert Criscuolo's December 17, 2008 memorandum regarding the application.**

**** Mr. Kurek seconded**

**** VOTING FOR: Bixler, Moore, deKadt, Kurek and Blythe**

**** OPPOSED: No One**

**** ABSTAINED: No One**

UNANIMOUS APPROVAL

MICHAEL SOUFRINE - 118 NEWTON ROAD

Application for proposed 5 Lot Subdivision

The project plans had been referred the Agency's consulting engineer Robert Criscuolo for review. Based on his initial review, he had reported in a memorandum to the Agency that he had determined that while there are no regulated wetlands, watercourses, or water bodies on the property that the storm water runoff from the site would likely to impact or affect wetlands or watercourses down slope of the site.

Because of the likely impact or affect to the wetlands and watercourses down slope, it was the consensus of the Agency to formally "rule" that because the storm water runoff from the proposed development of the five lot subdivision of 118 Newton Road is likely to impact or affect wetlands or watercourses down slope of the subject site, that development of the subdivision is a regulated activity. (Ref: Def of a regulated activity in the IWA Regulations), and therefore it is appropriate to process an IWA application for the project

Alan Shepard, Project Engineer, was present to discuss the application. In his presentation he stated:

- Although the drainage is sophisticated, it does work.
- Some of the drainage flows have been reduced.
- Hydraulic testing for the sub terrain drainage systems has been done.
- The outlet structure will have blocks on top of the structure with a grate on top which will provide the 100-year overflow.
- There will also be an emergency overflow on top of the berm, which will provide the second emergency overflow.

Robert Criscuolo, Agency Consulting Engineer, then spoke noting:

- He is still waiting for some of the additional studies and drainage input that he requested to complete his review.
- Relative to the storm drainage outlets, he has asked Mr. Shepard as to the feasibility of obtaining drainage easements through some of the other neighboring properties.
- If he revises his plan, and puts the stormwater into the wetland corridor that's located towards the south of the property additional details will need to be furnished.
- There were some soils testing done.
- He had just received new information which he still needs review.

An inspection of the site was scheduled for Saturday, January 10, 2008. Further action on the application was deferred until the Agency's next regular meeting on January 21, 2009.

LAURA HUANG AND DAVID MIU - 18 VERNON COURT

Application for construction of retaining wall and shed.

John Paul Garcia, Project Engineer, was present to speak on behalf of the application.

The site had been inspected by Agency members on December 13, 2008.

Agency member David Moore noted that a lot of things had been done in the wetlands on the property, such as a dam and retaining walls with concrete blocks.

Agency member Sharon deKadt noted that there was a lot of debris near or in the wetlands on the property which really needed to be looked into further by the Agency Enforcement Officer. Agency member David Bixler concurred with Ms. deKadt.

Later in the meeting Agency members acted as follows on the application:

**** Mr. Bixler moved to deny the application, and relative to the existing cease and desist order issued for work in a regulated area without a permit, direct the property owners to:**

- **Remove the wall and footings that were constructed without benefit of a permit from the Agency, and.**

- **Submit a restoration plan for the Agency's approval for the disturbed area from which the wall and footings are required to be removed. Said plan must be submitted to the Agency no later than its regular meeting on February 11, 2009 so that the plan, once approved, can be implemented during the Spring 2009 growing season..**

In addition, the Agency directed that the following additional enforcement issues be addressed by the land owners:

- **Removal of the tires and debris from the wetland area behind the house.**
- **Removal of dams constructed in the onsite watercourse without benefit of a permit.**

**** Ms. deKadt seconded**

**** VOTING FOR: Bixler, Moore, deKadt, Kurek and Blythe**

**** OPPOSED: No One**

**** ABSTAINED: No One**

UNANIMOUS DENIAL OF THE APPLICATION

TOWN OF WOODBRIDGE - 100 Center Road

Construction of New Firehouse – Update

Note: deKadt recused herself from this agenda item.

There was no report or discussion of this agenda item this evening. Discussion on this agenda item was continued until the Agency's next regularly scheduled meeting on January 21, 2009.

SHANNON LAVERTUE -817 Fountain Street

Restoration of disturbed uplands.

Note: Agency members Blythe and Moore recused themselves from this agenda item.

There was no report or discussion of this agenda item this evening. Discussion on this agenda item was continued until the Agency's next regularly scheduled meeting on January 21, 2009.

NICOLAS CACCAVALE AND GPR CONSTRUCTION, LLC. - 1080 JOHNSON ROAD

Update on Cease and Desist Order issued relative to extensive fill of a wetland and regulated area on property located at 1080 Johnson Road.

It was reported that an e-mail was received from Mr. Klein indicating that work on the site is substantially in compliance with the issued order. Since the Agency accepted Mr. Klein's initial report – which included sketches which were not scale drawings, a site inspection has been scheduled for Friday, December 19th by Mr. Klein and Agency Consulting Engineer Robert Criscuolo to determine the original wetland line in relation to the existing fill line and whether or not additional fill material remains to be removed.

Further discussion on this agenda item was continued until the Agency's next regularly scheduled meeting on January 21, 2009.

HAIG KESHISHIAN - 10 ZAK HILL ROAD

Update regarding release of the \$15,000 joint IWA and TPZ performance bond related to the residential site development of 10 Zak Hill Road.

Enforcement Officer Terry Gilbertson informed the Agency that since his last report to the Agency on October 15, 2008 in response to the bond release request, that he had conducted subsequent inspections during the fall growing season when he had observed substantial vegetative growth occurring on the disturbed portions of the site. Based on the hardiness of the vegetative growth that he had observed, he represented that he could now recommend a partial release of the bond.

Later in the meeting Agency members acted as follows on the bond release request:

- ** Ms. deKadt moved approval to reduce the bond to \$5,000.00.
- ** Mr. Bixler seconded
- ** VOTING FOR: Bixler, Moore, deKadt, Kurek and Blythe
- ** OPPOSED: No One
- ** ABSTAINED: No One

UNANIMOUS APPROVAL TO REDUCE THE BOND

**RECEIPT AND APPROPRIATE ACTION REGARDING CORRESPONDENCE
RECEIVED BY THE IWA SINCE THE NOVEMBER 19, 2008 REGULAR MEETING
OF THE AGENCY INCLUDING THE FOLLOWING ITEMS:**

PETER OLSON: 19 TIMBER LANE

Request for a reduction in the sediment and erosion control bond for the subject site from \$10,000 to \$2,000.

Enforcement Agent Terry Gilbertson informed the Agency that he had inspected the subject site and that while the required plantings and split rail fence met the permit conditions that additional work needs to be done on the rain garden and the lawn needs more time to be established with permanent vegetative growth.

Later in the meeting Agency members acted as follows on the bond release request:

- ** Mr. Bixler moved approval of a partial bond release from \$10,000 to \$2,000.
- ** Mr. Kurek seconded
- ** VOTING FOR: Bixler, Moore, deKadt, Kurek and Blythe
- ** OPPOSED: No One
- ** ABSTAINED: No One

UNANIMOUS APPROVAL TO REDUCE THE BOND

JONATHAN COLBY: 65 SEYMOUR ROAD

Request for a release of the remaining \$7,500 bond posted for the development of 65 Seymour Road.

Action on this bond release request was deferred until the Agency's regular meeting on January 21, 2009, to allow time for Mr. Colby to provide a letter requiring an amendment of the permit

that a new sediment and erosion control bond would be required to be furnished prior to the issuance of a building permit.

SCHEDULING OF DATE FOR NEXT IWA SITE INSPECTIONS

It was the consensus of the Agency members to set a site inspection date for Saturday, January 10, 2009.

**ESTABLISHMENT OF REGULAR MEETING SCHEDULE FOR JANUARY 2009
TO JANUARY 2010**

It was the consensus of the Agency members to adopt the schedule of meeting dates presented by staff, with the exception that the February 18th meeting date will be moved to be on February 11, 2009.

SIGNS TO DELINEATE PROTECTED WETLAND AREAS

Following discussion, it was the consensus of the Agency members to adopt use of the rectangular placard design to designate protected wetland areas, subject to the nail pattern being adjusted.

APPROVAL OF MINUTES

Minutes of Regular Meeting for September 17, 2008

- ** Mr. Bixler moved approval of the minutes as submitted
- ** Mr. Kurek seconded
- ** VOTING FOR: Bixler, Moore, deKadt, Kurek and Blythe
- ** OPPOSED: No One
- ** ABSTAINED: No One

UNANIMOUS APPROVAL

Minutes of Site Inspection Meeting for October 11, 2008

- ** Mr. Bixler moved approval of the minutes as submitted
- ** Ms. deKadt seconded
- ** VOTING FOR: Bixler, Moore, deKadt, Kurek and Blythe
- ** OPPOSED: No One
- ** ABSTAINED: No One

UNANIMOUS APPROVAL

Minutes of Regular Meeting for October 15, 2008

- ** Mr. Bixler moved approval with the amendments as follows: Page 2 – “Morgan” – final bullet states “one” and it should state, “the” stone abutment.
- ** Ms. deKadt seconded
- ** VOTING FOR: Bixler, Moore, deKadt, Kurek and Blythe
- ** OPPOSED: No One
- ** ABSTAINED: No One

UNANIMOUS APPROVAL

Minutes of Regular Meeting for November 19, 2008

Note: These minutes were not yet available for action by the Agency.

Minutes of Site Inspection Meeting for December 13, 2008

Note: These minutes were not yet available for action by the Agency.

ADJOURNMENT

- ** Mr. Bixler moved to adjourn the meeting at 9:40 p.m.**
- ** Ms. deKadt seconded**
- ** VOTING FOR: Bixler, Moore, deKadt, Kurek and Blythe**
- ** OPPOSED: No One**
- ** ABSTAINED: No One**

UNANIMOUS APPROVAL TO ADJOURN THE MEETING

Accordingly the meeting was adjourned at 9:40 p.m.

Respectfully submitted,

Carolyn Donovan
Recording Secretary