

**MINUTES INLAND WETLANDS AGENCY
TOWN OF WOODBRIDGE
REGULAR MEETING ON JANUARY 21, 2009**

A regular meeting of the Inland Wetlands Agency for the Town of Woodbridge was held on January 21, 2009, 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

EXCUSED: Jennifer Just

ABSENT: Jeff Ginzberg (alternate)

ALSO PRESENT: Terry Gilbertson, Agency Enforcement Officer and Kristine Sullivan, Land Use Analyst/Acting 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

No new applications had been submitted for receipt at this evening's meeting.

OLD BUSINESS

MICHAEL SOUFRINE - 118 NEWTON ROAD

Application for proposed 5 Lot Subdivision

At the Agency's regular meeting on December 17, 2008, the Agency had ruled 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 was a regulated activity and required a permit from the Agency. (Ref: Def of a regulated activity in the IWA Regulations)

An estimate for the cost of the application review was provided by Agency Consulting Engineer Robert Criscuolo. Based on that estimate, Agency Enforcement Officer Terry Gilbertson had provided notice of the application fees which were due relative to the applicant. The applicant has submitted a check for the application fee in the amount of \$3610.

Since the December 17, 2008 meeting a second memorandum dated January 13, 2009 was provided by Mr. Criscuolo on the application. In response to that second memorandum, the

Agency formally received at this evening's meeting, the following items from the project engineers:

1. Plans revised to 1/19/09
2. A "Supplement to Engineer Report dated Jan 19, 2008" (sic)

Staff reported that Mr. Criscuolo had thought that he might be able to have his review of those items done before this evening's meeting, but was unable to do so. The applicant had been apprised of this and granted a 35 day extension of time in which to have the Agency act on the application. Because Mr. Criscuolo's comments were not available for this evening's meeting, no one representing the applicant attended this evening's meeting.

Agency members were distributed copies of the consent to extension of time signed by the applicant, as well as copies of a letter from abutting property owner Melissa Silverstone of 31 Penny Lane, stating that she understands that the road drainage system has been designed such that the peak run-off rates will not be increased to her property. (*Note: Town Counsel will be reviewing this document which was submitted in a response to comment 7a in the November 18, 2008 memorandum on the project furnished by consulting engineer Robert Criscuolo.*)

The site had been scheduled to be inspected by Agency members on January 10th, but due to weather conditions that site visit had been cancelled. Agency members agreed to reschedule an inspection of the site for Saturday, February 7, 2009, weather and site conditions permitting.

Further discussion on this application was deferred until the Agency's regular meeting on February 11, 2009.

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 received at last month's meeting. To date the application fee in the amount of \$1735 has not been paid. That fee includes the required \$30 fee for the State for all land use applications and an additional fee of \$255 to cover the balance of the estimated cost of consulting engineer Robert Criscuolo's review of the project plans. A second check payable to the Town Clerk of Woodbridge in the amount of \$43.00 to cover the cost of recording the Agency's decision on the application on the Land Records also needs to be submitted.

The plans had been referred the Agency Consulting Engineer Robert Criscuolo for review. He issued his first memorandum regarding the project on 12/23/08. In response to those comments, Project Engineer John Paul Garcia submitted copies of the following items to Mr. Criscuolo and the Agency:

- A set of plans revised to 1/8/09
- Two page letter dated 1/8/09

- Site Stormwater Management Plan dated December 9, 2008 revised to January 13, 2009.

Mr. Criscuolo reported in a second memorandum dated January 19, 2009, that the foregoing items had addressed his earlier review comments.

The site was scheduled to be inspected by Agency members on January 10th, but due to weather conditions that site visit had been cancelled. It was the consensus of the Agency members to reschedule an inspection of the site for Saturday, February 7, 2009, weather and site conditions permitting. *Note: Because the site had not been inspected, no one representing the applicant attended this evening's meeting.*

Abutting property owners Joanne and Lawrence Keys of 527 Amity Road were present and commented that they were concerned if the existing stone wall would be removed if the driveway to the rear parcel was created. They questioned if the Agency knew whose property the stone wall was on – or if it was located along the property line. Agency members said that that area of the site is beyond the Agency's review purview, and suggested that the Keys contact the project engineer for further information.

Staff noted that affirmative action on the application could not be taken until the application fees had been paid in full. Since the application had been received at the Agency meeting on December 17, 2008 it was the consensus of the Agency members to defer action on the application until the Agency's regular meeting on February 11, 2009 to allow time for receipt of the required application fees, and for Agency members to conduct a site inspection of the property, if feasible.

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

Application for residential site development of lot.

Since last month's meeting the application fee of \$1480 was paid. Still outstanding is payment of a second check payable to the Town Clerk of Woodbridge in the amount of \$43.00 to cover the cost of recording the Agency's decision on the application on the Land Records.

The application plans had been referred to Agency consulting engineer, Robert Criscuolo for review and comment. . Mr. Criscuolo responded with a memorandum dated January 13, 2009 regarding the application. To date no response to Mr. Criscuolo's review comments have been received.

The site was scheduled to be inspected by Agency members on January 10th, but due to weather conditions that site visit had been cancelled. It was the consensus of the Agency members to reschedule an inspection of the site for Saturday, February 7, 2009, weather and site conditions permitting. *Note: Because the site had not been inspected, no one representing the applicant attended this evening's meeting.*

Since the application had been received at the Agency meeting on December 17, 2008 it was the consensus of the Agency members to defer action on the application until the Agency's regular meeting on February 11, 2009 to allow time for the applicant to respond to Mr. Criscuolo's memorandum and for Agency members to conduct a site inspection of the property, if feasible.

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.

Staff noted that the applicants had been unable to attend the Agency's meeting on December 17, 2008 due to the passing of Mr. Biolotta's mother the evening before that meeting.

Based on the Agency's request at the December 17, 2008 Agency Meeting, staff had sent a memorandum to the applicant's outlining additional information that the Agency members had requested to be submitted. That memorandum had also advised the applicants that if the requested information would not be available for this evening's meeting that the applicant's could grant an extension of time in which to have the Agency act on the application. An extension of time from the applicants was received granting the Agency until the Agency's February 11th meeting to act on the application.

Based on extension of time granted by the applicant's in which to act on the application, Agency members deferred action on the application until that Agency's regular meeting on February 11, 2009.

CONNIE AND DAVID MORGAN - 175 SEYMOUR ROAD

Update of Permit approved for replacement of existing bridge.

Revised plans were received from Robert Peck P.E. in response to the conditions of the Agency permit which was issued for the bridge reconstruction at 175 Seymour Road. Staff reported that a set of those plans will be forwarded to Agency Consulting Engineer Robert Criscuolo for review and comment.

LAURA HUANG AND DAVID MIU - 18 VERNON COURT

Update on Cease and Desist Order regarding construction of retaining wall.

It was reported by staff that project engineer John Paul Garcia had met with Mr. Miu, and that Mr. Miu is amenable to complying with the Agency's denial of his application made in December, and will comply with the removal of the dam and debris in the wetlands, but will defer that work until better seasonal working conditions are available.

TOWN OF WOODBRIDGE - 100 Center Road

Construction of New Firehouse – Update

Note: deKadt recused herself from this agenda item.

Agency Enforcement Officer Terry Gilbertson updated Agency members on the status of remaining work on this project. Discussion on this agenda item was continued until the

Agency's next regularly scheduled meeting on February 11, 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 February 11, 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.

A site inspection was held on Friday, December 19th by Mr. Klein, Agency Consulting Engineer Robert Criscuolo, Enforcement Officer Terry Gilbertson and Agency member David Bixler to determine the original wetland line in relation to the existing fill line. Mr. Criscuolo published the results of that meeting in a memorandum dated December 22, 2008. Copies of that memorandum forwarded to Mr. Klein and Mr. Caccavale.

Mrs. Caccavale was present and stated that at the appropriate seasonal working period; the additional material that needs to be removed from the wetlands will be removed in accordance with the memorandum dated December 22, 2008 prepared by Agency Consulting Engineer Robert Criscuolo.

JONATHAN COLBY: 65 SEYMOUR ROAD

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

At last month's meeting, a request was received from Jonathan Colby for the release of the remainder of the bond for 65 Seymour Road. At this time no residential site development of the lot is proposed. Furthermore, the IWA permit for 65 Seymour Road was issued to ABAR Development, not Mr. Colby, so unless that permit is transferred with the Agency's consent, no site development could be undertaken under the current permit except by ABAR Development. Staff has not yet contacted Mr. Colby to supply the additional information that the Agency had requested by submitted relative to this bond release request.

**RECEIPT AND APPROPRIATE ACTION REGARDING CORRESPONDENCE
RECEIVED BY THE IWA SINCE THE DECEMBER 17, 2008 REGULAR MEETING
OF THE AGENCY INCLUDING THE FOLLOWING ITEMS:**

- A letter was received from The State Department of Environmental Protection relative to the proposed demolition of the Ross Pump House and PRV Building at Lake Dawson by the SCCRWA in conjunction with their project on Litchfield Turnpike which was approved by the Agency in October. *Note: No action on this correspondence was necessary. The letter will be placed in the permit file for 1955 Litchfield Turnpike.*

- **The Fall 2008 issue of The Habitat furnished by the Connecticut Association of Conservation and Inland Wetlands Commission was received. *Note: No action on this correspondence was necessary.***

SCHEDULING OF DATE FOR NEXT IWA SITE INSPECTIONS

It was the consensus of the Agency members to set a site inspection date for Saturday, February 11, 2009.

APPROVAL OF MINUTES

Minutes of Regular Meeting for November 19, 2008

- ** **Mr. Bixler moved approval of the minutes with typographical corrections on pages 1 and 4**
- ** **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 December 13, 2008

- ** **Mr. Bixler moved approval of the minutes with typographical corrections on page 1**
- ** **Ms. deKadt seconded**
- ** **VOTING FOR: Bixler, Moore, deKadt, Kurek and Blythe**
- ** **OPPOSED: No One**
- ** **ABSTAINED: No One**

UNANIMOUS APPROVAL

Minutes of Regular Meeting for December 17, 2008

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

ADJOURNMENT

- ** **Mr. Bixler moved to adjourn the meeting at 8:10 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 8:10 p.m.

Respectfully submitted,

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Kristine Sullivan
Acting Recording Secretary