

INLAND WETLANDS AGENCY
TOWN OF WOODBRIDGE
REGULAR MEETING OF FEBRUARY 15, 2023

The regular meeting of the Woodbridge Inland Wetlands Agency (Agency) was commenced at 7:31 pm on Wednesday, February 15, 2023, in the Central Meeting Room of the Woodbridge Town Hall, 11 Meetinghouse Lane, Woodbridge, by Chairman Robert Blythe.

Agency members present for the meeting were: Chairman Robert Blythe, Jack Kurek, Dave Speranzini, Steven Sosensky, Josh Goldberg, Enréne van Tonder (alternate) and Jean Webber (alternate). Agency Enforcement Officer (AEO) Kristine Sullivan was also present.

PUBLIC HEARING

Town of Woodbridge: 100 Center Road

Application for construction of an expanded foundation to the existing storage garage foundation behind the fire house, construction of a storage garage, filling and disruption of wetlands and creation of a wetland mitigation area.

The public hearing on the application by the Town of Woodbridge for the expansion of the foundation for the existing storage garage foundation behind the fire house, construction of a storage garage, filling and disruption of the wetlands and creation of a wetland mitigation area was open by the Chairman.

An email had been received from the project engineer indicating that the required notice to the abutting property owners regarding the public hearing had not been sent, and hence a continuance of the public hearing to allow for that notice to be sent was requested.

It was the consensus of the Agency members to continue the public hearing until a special meeting of the Agency on Wednesday, March 8, 2023 at 8 pm in the Central Meeting Room of the Town Hall, 11 Meetinghouse Lane, Woodbridge.

Accordingly, the public hearing was continued until March 8, 2023 at 8 pm.

NEW BUSINESS

Shermaine Smart: 105 Woodfield Road

Deposition of woodchips in a wetland area.

Ms. Smart was present at the request of AEO Sullivan, to discuss drainage issues she is experiencing on her property at 105 Woodfield Road. AEO Sullivan noted that she had gone to 105 Woodfield Road and met with Ms. Smart, in response to a report from public works that wood chips had been deposited on the subject property adjacent to the onsite stream, and were eroding into the stream.

AEO Sullivan reported that at the time of that visit, Ms. Smart had noted:

- That the woodchips (which had been free from the ongoing town project of trimming trees along town roads), had been placed along the stream in the hope that they would assist in preventing water from getting into her basement and yard.
- Trees in the area where the chips had been placed, had been cut down because they had died.
- The trees had been cut, but not stumped.

- She had moved to the property in 2021 and in storm events had experienced water coming from the Town owned Country Club of Woodbridge (CCW), flooding not only her yard, but also her basement.
- The drainage culvert under the Johnson Road through which the stream flows, seemed to back up the water that was coming off of the CCW property.

AEO Sullivan had noted that the woodchips had been placed in a low lying area that, at least based on the tax assessor's GIS mapping program, is identified as wetlands, but no actual soil survey of the property was found, which given that the house was built before the Inland Wetlands Act, was not unexpected.

AEO Sullivan asked the Agency members if the Agency's consulting engineer could be engaged to determine if the culvert under Johnson Road, which may have been done under the WPA in the 1930's, was adequately sized for current storm events, given the increased volume of rainfall and frequency of storm events, which might be exacerbating the flooding problems experienced by Ms. Smart.

At the conclusion of discussion, it was the consensus of the Agency members to have the Commission's consulting engineer visit the site and provide feedback to the Agency.

OLD BUSINESS

Asmk Assoc., Inc.: 10 South Bradley Road

Application for work to protect building from erosion from rising flood waters in West River and removal of dead trees along the riverbank

The application submitted by Asmk Assoc., Inc. for work to protect the business building from erosion when flooding occurs in the West River and removal of dead trees along the riverbank had been formally received by the Agency at its December 21, 2022, regular meeting.

Members of the Agency inspected the site on January 25, 2023.

Kiyan Bakhtiar and Adam Bakhtiar were present to discuss the application as well as contractor Warren Luciani. Kiyan submitted a notebook with a narrative describing the work to be done, site plan showing the area of the site where the work would be done, details on the riprap sizing and location, drainage pipe replacement, photographs of the dead trees along the river bank, the extent of flooding of the property, and pictures of cracks in the building from the building settling. In response to questions from Agency members they noted that:

- Dead trees adjacent to the river would be removed as would trees that would endanger the building.
- The trees along the river bank are on their way out since most of the dirt has been eroded away from their roots.
- In the most recent storm event, water was within three feet of the building's foundation.
- The onsite catch basin has turned into a sink hole.
- There are two inch wide cracks in the building foundation.
- The building in the twenty years that the business has been located on the site has continued to settle.
- Due to erosion, the buildings footings are being exposed.

- There will be no rip rap placed in the river as recommended by the Agency’s consulting engineer.
- Surge stone will be set into the bank since rip rap can “roll” with the water. Surge stone is greater than 18” in size, modified riprap is 8” ~ 12” in size, and riprap is 12” ~ 18” in size.
- Placed riprap would not encroach into the river and would be installed along the river bank for the length of the property owned by the applicant.
Agency member Sosensky raised his concerns regarding the application including:
 - Rip rap extending into the river
 - How high the grade would be raised along the river
 - Clear cutting of trees along the riverbank when some trees appeared healthy ~ questioned if the trees to be cut should be inventoried by an arborist.
 - The lack of information/detail to support the application
 - The machinery that would be needed to haul out the cut trees
 - Potential siltation into the river if there was a rain event during the project.
 - The benefits of having trees along the watercourse
 - The project would destroy existing riparian zones.

Other Agency members noted:

- The applicant has stated riprap would not extend into the, but would stop one foot above
- Clear cutting would occur ten to twelve feet behind the building
- The area has been commercially developed and the Agency has to deal with the present conditions.
- Both the Agency Engineer and the applicant, who is an engineer, have agreed that rip rap is the best solution to the erosion occurring behind the building

Mr. Adam Bakhtiar noted that he is a professional engineer, and has worked in that capacity for other municipalities and was therefore very familiar with how to address the erosion occurring along the riverbank.

Mr. Warren Luciani, project contractor, noted:

- He had been in the construction business for forty years and would take great care not to impact the river or cause any erosion into it.
- The tree roots along the river have been exposed due to erosion.

At the conclusion of discussion, the Agency members acted on the application as follows:

Speranzini moved to approve the application by Asmk Assoc., Inc. regarding work at 10 South Bradley Road to protect building from erosion from rising flood waters in West River and removal of dead trees along the riverbank

The permit is subject to standard conditions and the additional conditions that:

- **Rip rap along the river would not be placed any lower than one foot above the high water line of the river.**
- **Erosion controls would be provided as necessary dependent on field conditions.**
- **No stumps would be removed.**
- **Surge stone would be utilized to armor the bank where feasible.**

- *** **Kurek seconded**
 - *** **In favor: Blythe, Kurek, Goldberg, and Speranzini**
 - *** **Opposed: Sosensky**
 - *** **Recused: No One**
 - *** **Abstained: No One**
- Majority approval.**

David K. Edwards: 35 Indian Trail Road

Application for Eagle Scout Project to build a bridge across a stream on Land Trust Property related to an existing trail

The application submitted by David K. Edwards for his proposed Eagle Scout project to build a bridge across a stream on Land Trust Property for an existing pedestrian trail had been received by the Agency at its January 18, 2023 meeting. At that time the Agency members had deferred action on the application until this evening's meeting.

Agency members acted on the application as follows:

- *** **Kurek moved to approve the application by David K. Edwards to construct a bridge across a stream on Land Trust property at 35 Indian Trail Road, related to an existing trail. The permit is subject to standard conditions and the additional condition that field adjustments for the bridge construction could be made in consultation with the Agency Enforcement Officer.**
- *** **Speranzini seconded**
- *** **In favor: Blythe, Kurek, Goldberg, Speranzini and Sosensky**
- *** **Opposed: No One**
- *** **Recused: No One**
- *** **Abstained: No One**

CORRESPONDENCE

No correspondence was received.

ENFORCEMENT OFFICER'S REPORT

There was nothing new to report.

APPROVAL OF MINUTES

- *** **Kurek moved to approve the minutes of the Agency's regular meeting of January 18, 2023, subject to corrections by Agency member Webber.**
 - *** **Goldberg seconded**
 - *** **In favor: Blythe, Kurek, Goldberg, Speranzini and Sosensky**
 - *** **Opposed: No One**
 - *** **Recused: No One**
 - *** **Abstained: No One**
- Unanimous approval**
- *** **Kurek moved to approve the minutes of the Agency's site inspection on January 25, 2023, as submitted**
 - *** **Goldberg seconded**

***** In favor: Blythe, Kurek, Goldberg, Speranzini and Sosensky**
***** Opposed: No One**
***** Recused: No One**
***** Abstained: No One**
Unanimous approval

SITE INSPECTIONS

No site visits needed to be scheduled.

MEETING ADJOURNMENT

***** Kurek moved to adjourn the meeting at 8:37 pm.**
***** Sosensky seconded**
***** In favor: Blythe, Kurek, Goldberg, Speranzini and Sosensky**
***** Opposed: No One**
***** Recused: No One**
***** Abstained: No One**
Unanimous approval

Accordingly, the meeting was adjourned at 8:37 pm.

Respectfully submitted,

Kristine Sullivan, Acting Recording Secretary