

INLAND WETLANDS & WATERCOURSES AGENCY

REGULAR MEETING

Monday, May 4, 2020 - 7:00 P.M.

In accordance with Governor Lamont’s Executive Order and social distancing guidelines recommended by the CDC, members of the IWWA participated in the meeting via ZOOM online.

MINUTES

I. **Call to Order:** In Chairman Mark Parker’s absence, Vice Chairman William Rewinski called the meeting to order at 7:30 pm.

II. **Roll Call:**

Members Present: Stuart Peaslee, William Rewinski, Victor Peabody, Marla Butts

Members Absent: Mark Parker

Quorum: Yes

Others Present: Tina Lajoie, Steve Pikul, John Barber, Phyllis Bonneau, Thomas Gotta, Calisto Bertin

III. **Appointment of Alternates (if necessary):** None.

IV. **Action on minutes of previous meeting of February 3, 2020:**

Motion was made by Marla Butts, and **Seconded** by Stuart Peaslee, to **approve** the minutes of the February 3, 2020 IWWA meeting as presented. **The motion passed unanimously.**

V. **Pending Applications:**

a) **03-20-03 – NW Swadia LLC dba North Woodstock Country Store (proposed automobile service station)**

Supporting documentation provided by Bertin Engineering relative to this application was distributed to the Commission members prior to the meeting. Marla Butts stated that by virtue of the application date, the application was statutorily received on March 31, 2020, which is 35 days after submission to the town hall. The deadline was extended 90 days due to COVID-19 Executive Order 71, part 19. Thus, the maximum deadline would then be September 2, 2020 without any additional extensions.

Ms. Lajoie confirmed she received a letter from the town engineer on May 4 regarding the application, which she in turn emailed to all Commission members. Further, she received an email from the applicant stating they would comply with the conditions outlined in the town engineer’s letter. Last, Ms. Lajoie confirmed that she emailed Ms. Butts’ communication requesting additional information from the applicant. Ms. Butts requested that Tina Lajoie mail her request to the applicant, as well.

Calisto Bertin of Bertin Engineering was invited to speak. He provided a brief overview of the project and shared some aspects of the original plan and current plan. Marla Butts asked Mr. Bertin if he would provide revised drawings that would clarify the items listed in her letter. Mr. Bertin confirmed that all engineering items will be addressed prior to the next IWWA meeting of June 1, 2020.

No action was taken on this item. The Commission will review the additional information requested from the town engineer and Marla Butts once it’s received.

VI. **New Applications:** None.

VII. **Preliminary Discussion:** None. This item was added to the agenda in error.

VIII. **Administrative Business:**¹

a) **Bylaw approval – Changes as indicated on 02/03/2020 minutes.**

The revised Bylaws were distributed to IWWA members prior to the meeting. Proposed changes discussed at the February 3, 2020 meeting included revising page 3, item 8a, to reflect meetings be held on the first Monday of each month rather than the third Monday.

Ms. Butts noted that an incorrect version of the Bylaws was included in the packets. Specifically, page 4, item 9, Order of Business, which reflects a version that pre-dates June 17, 2019.

Motion was made by Marla Butts, and **Seconded** by Victor Peabody, to **approve** only the modification recommended at the February 3, 2020 meeting to reflect meetings be held on the first Monday of the month (page 3, item 8a), and all other provisions of the Bylaws as approved on June 17, 2019 remain as is. **The motion passed unanimously.**

b) **Wetlands Agent Activity Report:** It was agreed that Tina Lajoie will email the Wetlands Agent Activity Report to IWWA members.

c) **Bills – Woodstock Villager YMCA Legal Notice:** The cost of the legal notice was \$29.40. This item was emailed to Chairman Parker for approval. No action was required by the IWWA members.

d) **Communications:**

- **Tom Gotta and John Barber – 119 Crooked Trail Extension, Copper Sulfate**
Tom Gotta shared additional information regarding the copper sulfate contamination concern at 119 Crooked Trail Extension, which the IWWA requested at its last meeting. He provided a brief summary of the supporting materials and new information since the last meeting.

Mr. Barber reported that the Lake Association took water samples at four locations on the lake. They were given to Phoenix Environmental Laboratories in Manchester for analysis. One of the samples taken at the lake where Mr. Gotta's property abuts 119 Crooked Trail Extension had a reading of 174 (15 times more heavily laden with copper than the other locations). A safe reading is between 14 and 25 micrograms per liter. It was suggested there is extensive runoff of sulfate into the lake that is questioning aquatic life. The Lake Association and Mr. Gotta will be sharing these new findings with the DEEP.

As a result of these new findings, Mr. Gotta is requesting that the IWWA petition the DEEP to conduct a water solubility test to determine the level of copper sulfate in the soil. Further discussion ensued.

Motion was made by Marla Butts, and **Seconded** by Victor Peabody, to write a letter on behalf of the IWWA requesting the DEEP provide the IWWA with all

¹ Subheadings under Administrative Business may include, as needed, Wetlands Agent Reports, Communications, Bills, Complaints, Investigations, Enforcement, Requests for Permit Extensions / Transfers, Election of Officers, Budget Requests and Other.

information and documentation they have acquired to-date, as well as any further steps they will be taking on this issue.

The motion was opened to discussion. Mr. Gotta was concerned the motion was insufficient due to the new development surrounding the high copper reading of 174 from the water samples. He encouraged the Board to also request the DEEP conduct a water solubility test.

After further discussion, Ms. Butts **modified** the original motion to include in the letter the IWWA also recommends the DEEP pursue a water solubility test on 119 Crooked Trail Extension. **The motion passed unanimously.**

Mr. Barber will send the complete water sample report to Tina Lajoie for distribution to the IWWA members. It was suggested that William Rewinski, Marla Butts and Tina Lajoie craft the letter to the DEEP.

Mr. Rewinski asked if further action may be warranted to control erosion into the lake. Mr. Gotta explained some of the supporting photos he had provided to the IWWA on this matter.

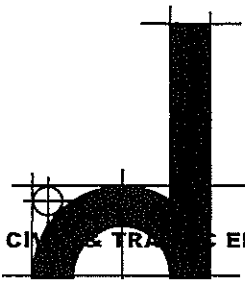
Motion was made by Stuart Peaslee, and **Seconded** by Victor Peabody, to **authorize** the Wetlands Agent to conduct a site visit and record observations relative to potential erosion issues and determine whether further action is immediately warranted. **The motion passed unanimously.**

- **Connecticut Federation of Planning & Zoning Quarterly Newsletter**
This newsletter was included in the IWWA packets as an information item.

- IX. **Citizens' Comments:** Tom Gotta and John Barber thanked the IWWA members for taking the time to address the situation at 119 Crooked Trail Extension.
- X. **Adjournment: Motion** was made by Marla Butts, and **Seconded** by Victor Peabody, to adjourn. **The motion passed unanimously.** The meeting adjourned at 8:45 pm.

The recording of this meeting can be found here: <https://www.youtube.com/watch?v=ocBf9JIXGfk>

Respectfully submitted by Cynthia Brown, Recording Secretary. **DISCLAIMER:** These minutes have not yet been approved by the IWWA. Please refer to next month's minutes for approval/amendments.



CIVIL & TRANSPORTATION ENGINEERS / PLANNERS / SURVEYORS / GIS ANALYSTS / LANDSCAPE ARCHITECTS
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P.O. BOX 1167
21 JEFFREY DRIVE
SOUTH WINDSOR, CT 06074
PHONE: 860.291.8755
FAX: 860.291.8757
www.designprofessionalsinc.com

May 14, 2020

Delia P. Fey, AICP Town Planner
Town of Woodstock
415 Route 169
Woodstock, Connecticut 06281-3039

RE: DPI Peer Review
Swadia Gas Station,
Route 171 Special Permit application

Ms. Fey,

Design Professional, Inc (DPI) has reviewed the above-mentioned application. Our review included the following submitted items:

- Design Plans by Bertin Engineering dated 3-30-2020.
- Stormwater Drainage Analysis by Bertin Engineering dated 03-30-2020.
- Project Description by Bertin Engineering dated 03-03-2020.

Inland Wetland regulation compliance engineering comments include but are not limited to, as follows (these are included as they apply to Zoning compliance as well):

1. Provide Water Quality measures recommended (at minimum an oil/particle separator and deep sump catch basins with trap hoods) for gas stations based on the 2004 Connecticut Stormwater Quality Manual by the Connecticut Department of Energy and Environmental Protection.
2. Provide Water Quality Volume and flow calculations based on the 2004 Connecticut Stormwater Quality Manual.
3. Consideration of infiltration requires the bottom of facility 3 feet above seasonally high-water table based on the 2004 Connecticut Stormwater Quality Manual.
4. Analysis for the 2-, 10- and 100-year storm have been provided. Please also provide analysis for 25- and 50-year storms.
5. Please note maximum slope for grading. In review by pdf, it is difficult to decipher.
6. Provide civil site details, i.e. catch basin, curb, pavement structure, etc.
7. Ensure compliance with all State and Federal gas station regulations.

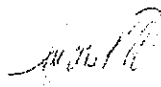
Further Zoning compliance engineering comments include but are not limited to, as follows:

8. Include in submitted documentation an approval letter from Northeast District Department of Health.
9. Provide a completed Conservation Commission Development Review Checklist.
10. A written report is required from the Inland Wetlands and Watercourse Agency.
11. A professional engineer must provide bond estimates for soil erosion and sedimentation prevention measures.

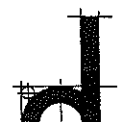
12. An approval block that reads "Approved by the Woodstock Planning and Zoning Commission." must be included on each plan sheet.
13. Article VI Section F. Lighting indicates that lighting shall not shed more than 0.25 foot-candles over a property line. On the submitted lighting plan, foot-candle type C is 0.5 and occasionally crosses property line (into right-of-way and road along both Somers Turnpike and Barlow Cemetery Road)
14. Show the 100-year floodplain or state on the plan that no floodplain exists on site.
15. Provide T-2 certification by land surveyor for topography.
16. CT DOT District 2 letter of approval provided refers to plans dated October 22, 2019. Provide evidence that District 2 has approved current plans.
17. Show sufficient sight lines for driveways.
18. Show the accessible spaces paint as the new standard.
19. The surface runoff from the parking area shall be collected with conventional catch basin structures including deep sumps and trap hoods and pass through a separator.
20. Underground storage tank registration with CT DEEP will be required for fuel tanks.
21. Provide maintenance schedules and final stabilization per the 2002 CT Guidelines for Soil Erosion and Sediment Control.
22. Provide rip rap sizing calculations.
23. Construction erosion controls should be installed/extended to beyond the outlet pipe.
24. Certification of the Sediment and Erosion Control Plan is required.
25. The regulations indicate the maximum area of 32 SF per sign face; the proposed sign appears to be 64 SF on a single side for store name and gas prices.
26. Article VI, Section G.3 states that internal illumination is prohibited for signs.

Review of revised plans may generate new/additional comments. Please contact us with any questions.

Sincerely,
Woodstock Consulting Town Engineer
Design Professionals, Inc.



Suzanne P. Choate, P.E.



Town of Woodstock
Inland Wetlands and Watercourses Agency
Application for Permit

		For Agency Use Only	
Application Number	05-20-10	Public Hearing Date (if required)	
Application Fee	\$95 ⁰⁰ Paid <input checked="" type="checkbox"/>	Date of Receipt	6/11/2020
Date Filed		Decision/Date	

Applicant Instructions:

- Please **Read** the Inland Wetlands and Watercourses Regulations.
- Applicants may and are encouraged to hold a pre-application meeting with the Inland Wetlands Agent to examine the scope of a proposed activity or to determine if the proposed activity involves a "Significant Impact Activity" as defined in the Town of Woodstock Inland Wetlands and Watercourses Regulations.
- Two (2) copies of all applicable completed application materials shall be submitted unless otherwise directed in writing by the Agency or its designated agent.
- All sections of the application **MUST** be completed and submitted in order for the application to be deemed complete.

A.	
	1. Property address/geographical location of the site (map, block, lot): 9 Bassett Hill Rd Woodstock, CT 06281
	2. Name of applicant: Joshua Pratt
	3. Home Address: 9 Bassett Hill Rd, Woodstock, CT 06281
	4. Business address:
	5. Telephone: Home 860-377-2165 Business
	6. Applicant's interest in the property: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Lessee <input type="checkbox"/> Lessor <input type="checkbox"/> Other (explain)
	7. Name of property owner (if not applicant):
	8. Home address:
	9. Business address:
	10. Telephone: Home Business Fax
B.	The purpose and description of the proposed activity and proposed erosion and sedimentation controls. Please see attached
If additional space is needed, add and (Label Exhibit B)	

C. The geographical location of the property which is to be affected by the proposed activity, including but not limited to a description of the land in sufficient detail to allow identification of the inland wetlands and watercourses, and buffer area, a computation of the area(s) in acres or square feet of wetland or watercourses disturbance, soil type(s) and vegetation <i>(Label: Exhibit C)</i>	
D. Alternatives considered by the applicant and why the proposal to alter wetlands set forth in the application was chosen. These alternatives shall be diagramed on a site plan or drawing and submitted to the Agency as part of the application <i>(Label: Exhibit D)</i>	
E. A site plan showing existing and proposed conditions in relation to wetlands and watercourses and identifying any further activities associated with, or reasonably related to, the proposed regulated activity which are made inevitable by the proposed regulated activity and which may have an impact on wetlands or watercourses <i>(Label: Exhibit E)</i>	
F. Names and mailing addresses of adjacent property owners <i>(Label: Exhibit F)</i>	
G. Authorization for the members and Agents of the Agency to inspect the property, at reasonable times, both before and after a final decision has been issued <i>(Label: Exhibit G)</i>	
H. A completed DEP reporting form; the agency shall revise or correct the information provided by the applicant and submit the form to the Commissioner of Environmental Protection in accordance with Section 22a-39-14 of the regulations of Connecticut state agencies <i>(Exhibit H)</i>	
I. Submission of the appropriate filing fee based on the fee schedule established in Article Eleven (11) of these Regulations.	
J. Applicant certification that <i>(Exhibit J)</i> :	
1.	Any portion of the property on which the regulated activity is proposed is not located within five-hundred (500) feet of the boundary of an adjoining municipality;
2.	Traffic attributable to the completed project on the site will not use streets within the adjoining municipality to enter or exit the site;
3.	Sewer or water drainage from the project site will not flow through and impact the sewage or drainage system within the adjoining municipality; or
4.	Water run-off from the improved site will not impact the streets or other municipal or private property within the adjoining municipality.
K. Certification that the applicant is familiar with all the information provided in the application and is aware of the penalties for obtaining a permit through deception or through inaccurate or misleading information <i>(Exhibit K)</i>	
L. Any other information the Agency deems necessary to the understanding of what the applicant is proposing <i>(Exhibit(s) L)</i>	
M. Significant Impact Activities If the proposed activity involves a significant impact activity as determined by the Agency and defined in Article 6 of these Regulations the applicant must provide the following additional information:	

Town of Woodstock Inland Wetlands and Watercourses Agency: **Application for Permit**

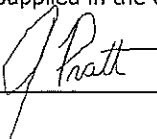
1.	Site plans for the proposed use or operation and the property which will be affected, which show existing and proposed conditions, wetland and watercourse boundaries, land contours, boundaries of land ownership, proposed alterations and uses of wetlands and watercourses, and other pertinent features of the development drawn by a Licensed Surveyor, Professional Engineer, or Landscape Architect registered in the State of Connecticut or by such other qualified person
2.	Engineering reports and analysis and additional drawings to fully describe the proposed project and any filling, excavation, drainage or hydraulic modifications to watercourses and proposed erosion and sedimentation control plan
3.	Mapping of soil types consistent with the categories established by the National Cooperative Soil Survey of the U. S. Soil Conservation Service (the Agency may require the applicant to have the wetlands delineated in the field by a Soil Scientist and have the field delineation incorporated onto the site plan)
4.	Description of the ecological communities and functions of the wetlands or watercourses involved with the application and the effects of the proposed regulated activities on these communities and wetland functions
5.	Description of how the applicant will change, diminish, or enhance the ecological communities and functions of the wetlands or watercourses involved in the application, and with each alternative, and a description of why each alternative considered was deemed neither feasible nor prudent
6.	Analysis of chemical or physical characteristics of any fill material
7.	Management practices and other measures which mitigate the impact of the proposed activity

NOTE: An application that requires local Inland Wetlands approval may also be regulated by the Federal Government under the Clean Water Act which is administered by the U. S. Army Corps of Engineers. Obtaining federal and/or state permits is a responsibility of the applicant as are any fines, penalties, and delays due to the applicant's failure to seek permits or to question their applicability to the proposed activity.

Department of the Army Corps of Engineers 696 Virginia Road Concord, MA. 01742-2751 Phone: 1-800-343-4789	State of Connecticut – D.E. E.P. Inland Water Resources Division 79 Elm Street Hartford, CT. 06106-5127 Phone: (860) 424-3019
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The undersigned applicant hereby consents to necessary and proper inspections of the above mentioned property by Agents of the Inland Wetlands Agency, at reasonable times, both before and after the permit in question has been granted by the Agent and /or the Agency.

The undersigned swears that the information supplied in the completed application is accurate, to the best of his knowledge and belief.


 _____ Signature of Applicant
 _____ Date Application Filed

Commission Action and Date: _____

1. Clean original Silt pond and repair the existing but damaged rock spillway.
 - a. The silt pond was part of the original plan for repair of the man-made pond at 9 Bassett Hill Road. The Silt pond will allow for excess sediment that runs from the swamp, to settle before entering the main pond body. This was an original flaw that was overlooked in the pond construction in the late 50's, which resulted in the slow degradation of the pond over the past 60 years. Allowing the sediment to collect in a small, manageable pond, allows for easier maintenance over the years and help keep a clean water source for its many inhabitants.
 - b. The Spillway was created with large rocks that have fallen from erosion. The water that used to flow over the, flowed under and disrupted the base, it is proposed to place the rocks back in their respective place, and secure them with concrete. To allow the water to flow without causing disturbance while they set, a low piper will be set to direct water flow. Once the rocks are set, and dry, the pipe will be pulled, and the gap filled.
2. The upper end of the pond, or its pan handle shape, would be dug to a deeper depth. This deeper depth will allow for much cooler water from the natural springs that help feed the pond and allow for more species to survive. It is proposed to remove approximately 30 yds of built of silt (to be used as a top layer for new grass, low spots, and gardens over the 3.2 acres). Along with the silt, is a lower level of clay (not topsoil). This removal/disbursement would entail approximately 50 yds of product and be used to contouring the base for the Arched Bridgeway (Part 5). The max depth will be 10-12' as opposed to the current 5-6, with tapered edges.
 - a. After the original pond was dug, there were depths of over 10' throughout the body of the pond. The current pond depth is 5-6' and does not allow for the same species of fish to survive due to some warm summer months, and slow water flow.
 - b. Rainbow and Brown trout, along with Catfish, crayfish and more were common in this pond. Trout can no longer survive the temperature of the water. While I have been able to restore some of the pond's inhabitants after the initial repair, I am still unable to retain what is used to be without proper depth. Note-before the initial repair, no life was present. Since then, I have restored an abundant supply of Native Shiners, and Crawfish
3. To minimally disturb the main body of the pond, a proposal to dig a small pocket of adequate depth of 8-10' to help balance the water temperature and provide another habitable depth/area of the pond. This will require the removal of approximately 15yds of clay.
4. Proposal to clean the edge of the pond where silt run-off returned into the pond after initial repair was cut short. No digging is proposed in this area, only removal of approximately 30yds of silt by scratching the edge. This silt would be used and distributed over the landscaped lawn as topsoil, then seeded.
 - a. Please note, the original plan to repair this pond was not flawed but cut short due to circumstances beyond the owner's control.
5. An Accent/Travel Arched bridge will be built over the inset portion of the pond. This will be for added aesthetics to the property as well as an easier access way to cross the pond for property maintenance.

Exhibit B: The purpose of the proposed pond rehabilitation project is to bring the pond back to its original state, including depth, aesthetics, and natural inhabitants. The main soil being redistributed is clay and will allow for a solid base for the proposed footbridge. The side walls of the proposed bridge base will be seeded and covered with base rock near the water's edge. Any silt sediment that is removed, will be dispersed, and feathered over the existing yard. If required, silt fence will be used until seed begins to grow. Along with the restoration of the pond, the property at 9 Bassett Hill Rd will look more appealing to the eye and hold a higher property appeal. This appeal may bring higher desire to the area and prop surrounding property value.

Exhibit C: The location of the proposed project is at 9 Bassett Hill Rd, Woodstock, CT 06281. The property is a 3.2 acre corner lot, that abuts Route 171 and Bassett Hill Rd. The approximate .3ac pond is located towards the Northeast line of the property. The man-made pond is both stream and spring fed, with a base layer of clay, and a build-up of sediment and silt. The surrounding soil, outside of the pond, is of typical topsoil with average size rock. The main proposed dig area in the 'pan-handle' section is approximately 30x70 with a slight taper...yielding approximately 2100 sq ft, or, .0482ac. There is no vegetation is the proposed dig site. Surrounding vegetation of Typha (Cattail) will be affected in the proposed buildout area near the northwest end, to accommodate for the bridge base. This affected area is approximately 20 linear feet x 2 feet in depth, displacing upwards of 40sq feet of Typha.

Exhibit D: Please see attached. Note, another option not shown was to leave the property 'as-is'. While measures may be taken to make the property more maintainable, leaving the pond 'as-is' may soon cause the waterway to become inhabitable. With the water level too low, we are unable to bring back the original diverse population of fish that originally inhabited the pond. The low water level will, over time, result in higher vegetation growth that may overtake the open water areas of the pond. Higher temperature, due to decreased water depth can also lead to higher bacteria levels and algae growth if left untreated. By creating a more habitable depth for various species of fish, it will increase the ecological diversity. The lower pockets of depth in the pond will allow for cooler water from natural springs and less sunlight intervention, allowing more original species, such as trout to survive. The proposed bridge in Exhibit E, will allow for easier access to the opposing side, for maintenance, as well and visual aesthetics, and pleasure.

Exhibit E: Please see attached

Exhibit F: 17 Bassett Hill Rd, Woodstock, CT 06281

18 West Rd, Woodstock, CT 06281

Exhibit G: I, Joshua Pratt, authorize members and Agents of the Agency to inspect the property at 9 Bassett Hill Rd, before and after a decision may be reached

Exhibit H:

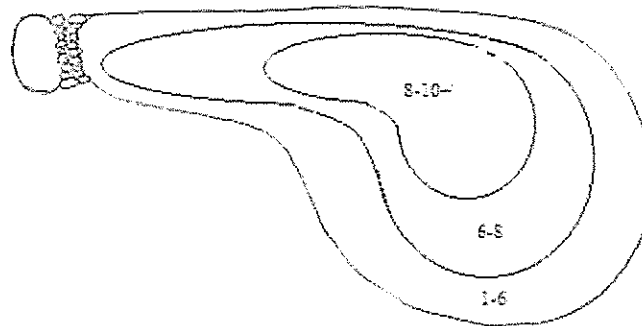
Exhibit I:

Exhibit J: In accordance to Exhibit J, of the Inland Wetlands and Watercourses Agency, I, Joshua Pratt, certify points 1-4 of the Application of Permit.

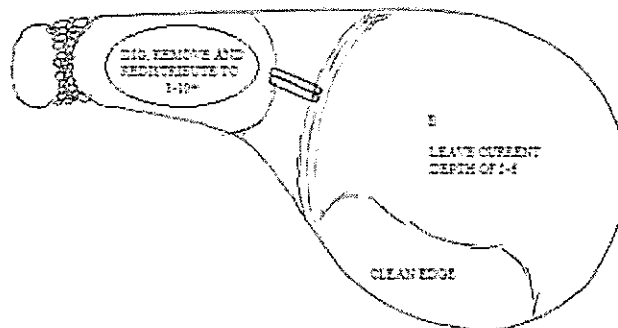
Exhibit K: In accordance to Exhibit K, of the Inland Wetlands and Watercourses Agency, I, Joshua Pratt, certify that I am familiar with the provided information and penalties for obtaining a permit through deception or inaccurate information

Exhibit L: Please see attached Document, displaying points of rehabilitation

EXHIBIT D:

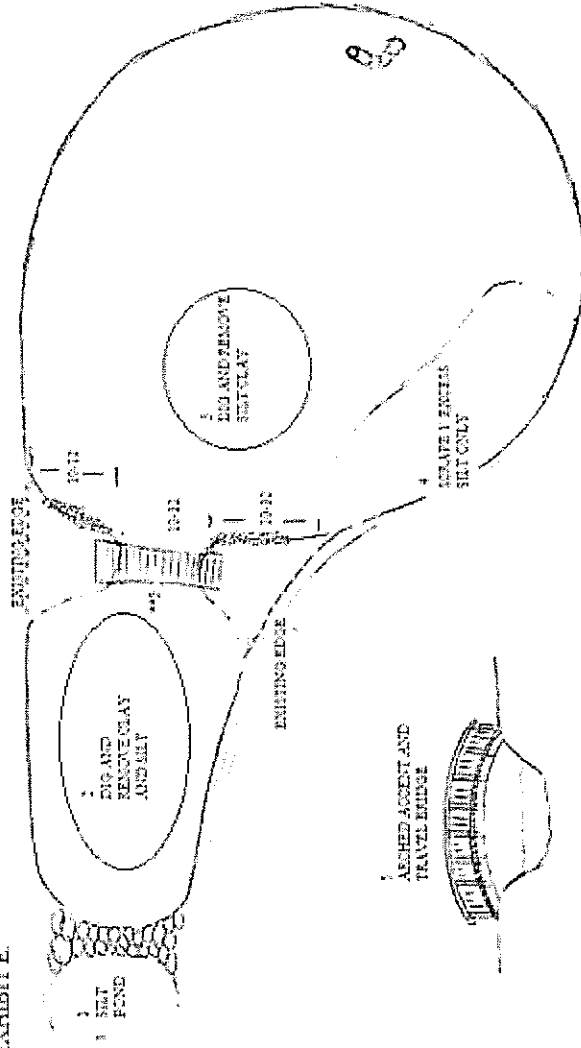


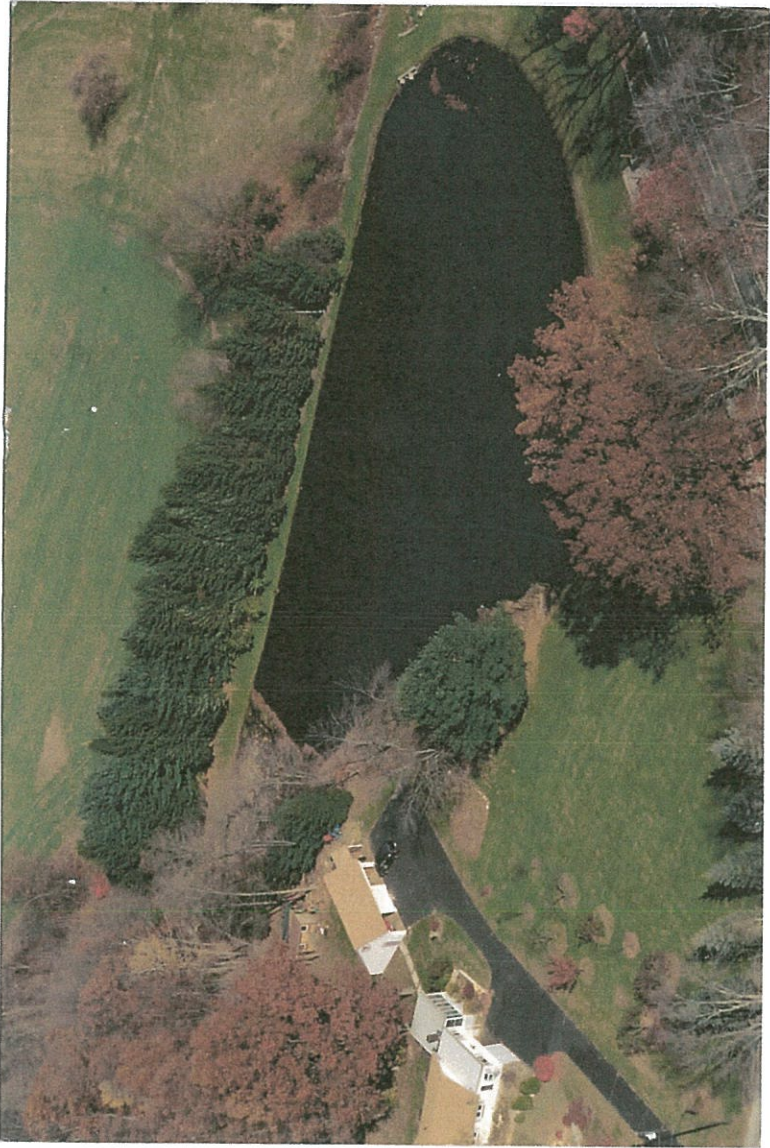
Option A. Dig entire pond to its original depth and remove material



Option B. Separate into upper and lower pond areas with a complete land bridge. Upper pond will maintain cooler water temperatures for 'cool water' ecosystem and fish inhabitants. Land bridge would utilize two (2) submerged 8" diameter pipes to allow up to 3,200gpm flow rate and free travel over land.

EXHIBIT E





Town of Woodstock
By-Laws
Inland Wetlands and Watercourses Agency

Revised June 17, 2019

1. **Purpose and Administration**

The objectives and purposes of the Town of Woodstock Inland Wetlands and Watercourses Agency are those set forth in the Connecticut General Statutes section 22a-36 through 22a-45 as amended and those powers and duties delegated to the Town of Woodstock Inland Wetlands and Watercourses Agency by the aforementioned statutes and by ordinance enacted on by the Town of Woodstock. The Town of Woodstock Inland Wetlands and Watercourses Agency may also be delegated the responsibility of protecting other water resources in the Town of Woodstock under other authorizing ordinances.

2. **Name of Agency**

The Agency shall be known as the Town of Woodstock Inland Wetlands and Watercourses Agency, hereafter called "Agency".

3. **Location and Records**

The office of the Agency shall be the Building Office, located in the Town Office Building, where all Agency files will be kept, including audio recordings of meetings. Minutes and other official documents will be filed and recorded in the Office of the Town Clerk as required by the Freedom of Information Act. The destruction of records will follow the guidelines set forth by the Public Records Administrator for the State of CT.

4. **Membership**

- a. The Agency shall consist of seven (7) members and three (3) alternate members.
- b. Terms and vacancies for the Agency are prescribed in the Town of Woodstock Special Acts and Ordinances, page 19, Section 2.
- c. Resignation from the Agency shall be in writing and transmitted to the Chair, who will then forward it to the First Selectman.
- d. The Chair may recommend to the First Selectman the removal of any member who misses more than three consecutive meetings, following a two-thirds vote of the Agency.
- e. No regular member or alternate member of the Agency shall sit as a member or alternate member of the Planning and Zoning Commission.
- f. Any regular or alternate member acting on matters where they were absent must affirm that they have listened to the official recording of the meeting or part thereof relating to the matter pending before the Agency. Reading of the minutes does not qualify as a substitute for listening to the official recording.

5. Officers and Duties

- a. The officers of the Agency shall consist of a Chair, Vice Chair and Secretary.
- b. The Chair shall preside at all meetings and hearings of the Agency and shall have the duties normally conferred by the parliamentary usage on such officers. The Chair shall have the authority to appoint committees, certify expenditures of funds up to \$100 without prior approval of the Agency, call special meetings, and generally perform other duties as may be prescribed in these by-laws.
- c. The Chair shall have the privilege of discussing all matters before the Agency and of voting thereon.
- d. In the absence of the Chair, the Vice Chair shall preside and have all the powers and duties of the Chair as stated in these by-laws.
 - i. In the event that the Vice Chair is acting Chair at the start of the meeting, he or she shall remain as Chair throughout the entire meeting.
 - ii. In the event that both Chair and Vice Chair are absent at the start of a meeting and a quorum is present, the Secretary shall be designated as acting Chair throughout the entire meeting. This will maintain the continuity of the meeting in case any legal issues occur.

6. Staff and their Duties

- a. The Agency may appoint, by a majority vote of members present, a duly authorized wetland's agent to carry out specific functions and duties as prescribed by the Agency. These duties shall include:
 - i. Making determinations of regulated activities, except those identified in Section 4 of the Agency's regulations, and issuing wetland's agent approvals, provided the duly authorized agent has given proof of completing the comprehensive training program developed pursuant to Section 22a-39(1) of the CT General Statutes;
 - ii. Issuing enforcement orders;
 - iii. Making permit compliance inspections and;
 - iv. Investigating complaints.
- b. The duly authorized agent shall make a report to the Agency at its regular meetings. Such report shall consist of a list and description of all determinations/approvals and activities performed.
- c. Any determination or approval made by the duly authorized agent is subject to final approval by the Agency.

- d. The Agency shall have a clerk who shall keep the records of the Agency as required by law.

7. Election of Officers

- a. The February meeting shall be an annual organization meeting, at which time officers will be elected and by-laws reviewed and made part of the minutes of the meeting. All members must be notified of the annual meeting before election of officers can take place.
- b. Nominations shall be made from the regular members at the annual organization meeting and election of officers shall follow immediately thereafter. Nominees must be present or have submitted a letter of acceptance for a position prior to being elected.
- c. A candidate receiving a majority vote from the entire membership of the Agency shall be declared elected and shall serve for one year beginning at the next regularly scheduled meeting and shall serve until his or her successor takes office.
- d. Vacancies in offices shall be filled by regular election procedure.

8. Meetings

- a. Regular meeting shall be held on the third Monday of each month at 7:00 p.m. in the Town Hall, unless otherwise scheduled by the Agency, and the agenda shall be filed in the office of the Town Clerk not less than 24 hours before any such meeting. If at any time a regular meeting falls on a holiday, such regular meeting shall be held on the next Monday. The annual schedule of upcoming meetings will be decided at the November regular meeting.
- b. A simple majority of the full voting membership of the Agency shall constitute a quorum, and the number of votes necessary to transact business shall be four (4) seated members, which constitutes a majority of member of the Agency.
- c. The notice of a meeting other than a regular meeting shall specify the purpose of such a meeting and no other business shall be considered. The IWWA Clerk, in consultation with the Chair, shall give notice of the special meeting not less than 24 hours in advance of such meeting by filing in the office of the Town Clerk the agenda which shall include the time and place of the meeting.
- d. All Agency meetings shall be open to the public unless closed by a two-thirds vote of an Agency quorum present for an executive session made in accordance with the Connecticut Freedom of Information Act.
- e. The Chair shall be the presiding officer governing the proceedings at Agency meetings.

- f. Unseated alternates may take part in Agency discussions but shall not vote except for election of officers. Alternates shall be seated as regular members in alphabetical order by last name on a rotating basis.
- g. The Chair may, at his or her own discretion or upon written request of three or more members of the Agency, cancel the meeting.
- h. Unless otherwise specified in the Connecticut General Statutes or these by-laws, Newly Revised Robert's Rules of Order shall govern the proceedings of the meetings of the Agency.

9. **Order of Business**

- a. Unless otherwise determined by the Chair, the order of business at regular meetings shall be:
 - i. Call to Order
 - ii. Roll Call
 - iii. Appointment of Alternates (if necessary)
 - iv. Action on minutes of previous meetings
 - v. Pending Applications
 - vi. New Applications
 - vii. Administrative Business¹
 - viii. Citizen's comments
 - ix. Adjournment
- b. Business not on the agenda may be added at a meeting by a unanimous vote of the members present.
- c. Persons wishing to speak about anything, other than a pending or recently ruled application, can request they be added to the agenda.

10. **Public Hearings**

- a. All public hearings shall be held in accordance with the applicable statutes and the Woodstock Inland Wetlands and Watercourses Regulations, as amended.
- b. A hearing shall be recorded by a sound-recording device at each hearing before the Agency. Agendas, minutes and legal notices of the hearings shall be incorporated into the minute book of the Agency to be a permanent part of the record.
 - i. Reports, documents and plans received at previous meetings shall be entered into the record of the public hearing.

¹ Subheadings under Administrative Business may include, as needed, Wetlands Agent Reports, Communications, Bills, Complaints, Investigations, Enforcement, Requests for Permit Extensions / Transfers, Election of Officers, Budget Requests and Other.

- c. The Chair of the Agency shall preside at the public hearing. In the event of his or her absence, the Vice Chair shall act as presiding officer. In the event that the Chair, Vice Chair and Secretary are all absent at the start of a public hearing and a quorum is present, any regular member may be designated as acting Chair and remain as Chair throughout the entire hearing. This will maintain the continuity of the meeting in case any legal issues occur.
- d. The IWWA Clerk shall read the legal advertisement and note the dates and newspaper in which the advertisement appeared.
- e. A summary of the question or issue shall be stated by the presiding officer at the opening of the public hearing. Comments shall be limited to the subject advertised for hearing. In any event, the Agency shall have the privilege of speaking first. The Chair shall describe the method of conduct of the hearing including a possible time limit for speakers and a sign-up procedure for speaking, if required.
- f. The Chair shall first call for statements from the proponents. The opponents shall be given equal opportunity to comment. The order is reversible, the discretion of the Agency prevailing. Each group shall make its presentation in succession without allowing for the intermixture of pro and con comments.
- g. It shall be made clear to all present at the hearing that all questions and comments must be directed through the Chair only after the speaker has been properly recognized by the presiding officer.
- h. All persons recognized shall approach the hearing table in order to facilitate proper recording of comments. Before commenting on the matter before the hearing, each person shall give his or her name and address.
- i. The presiding officer shall assure an orderly hearing and shall take necessary steps to maintain the order and decorum of the hearing at all times. The presiding officer shall reserve the right to terminate and reschedule the hearing in the event the discussion becomes unruly and unmanageable.
- j. The hearing shall be conducted only for the purpose of taking testimony to be considered in deliberations during the regular meeting of the Agency. The polling of persons present at the hearing shall not be allowed on any general question presented to the Agency or applicant at the public hearing.

11. Decisions

Decisions shall be based solely on the contents of the hearing record. Documentary evidence not entered into the record of the hearing shall not be considered when rendering a final decision.

12. Ex parte Communication

Members of the Agency shall not engage in ex parte communication with any party or person on an issue of fact or law unless all parties receive notice and an opportunity to participate. Allowing one party to introduce "evidence" by way of informal comment to any member of the Agency without the other parties having the opportunity to rebut or cross-examine is improper.

13. Conflict of Interest and Disqualification

No member or alternate member of the Agency shall participate in a hearing or decision of the Agency upon any matter in which he or she (or any member of his or her family) is directly or indirectly interested personally or financially. In the event of such disqualification, such fact shall be entered on the records of the Agency and a replacement shall be selected from alternate members to act as a member of the Agency in the hearing and determination of the particular matter or matters in which the disqualification arose.

14. Committee

Committees may be appointed by the Chair for purposes and terms that the Agency approves.

15. Professional Assistance

The Chair of the Agency may retain consultants upon the approval of the majority of the Agency. The Chair may be authorized to sign contracts for services as might be approved by the Agency and in accordance with the policies and procedures of the Town of Woodstock.

16. Public Relations

The Chair or a duly appointed member of staff shall act as a spokesman for the Agency. Duties include the preparation of all news releases to be distributed to the communications media. All information releases shall reflect a consensus of the views and opinions of the majority of the Agency.

17. Amendments

These by-laws may be amended by a two-thirds (2/3) vote of the Agency's entire voting membership, only after the proposed change has been read and discussed at a previous regular meeting, except that the by-laws may be changed at any meeting by the unanimous vote of the Agency's entire voting membership.

Ms. Butts reinforced that the IWWA has no jurisdiction on regulating the application of copper sulfate unless it impacts wetlands and watercourses, which is their jurisdiction. If Ms. Kovaleski denies the DEEP from obtaining samples on her property, the DEEP can request a search warrant to gain access to her property. Witches Woods Association member and resident Maggie Houlihan suggested the IWWA conduct a drive by to assess the damage to the property.

IWWA members recommended that Mr. Gotta request the field report and field notes from the DEEP investigation, and the soil sample test results from the individual who conducted the inspection. They further recommended that Mr. Gotta consider contacting his legislator if he is feels he is not getting a response from the DEEP.

VIII: Administrative Business:¹

- a) **Annual Election of Officers:** Mark Parker, Chairman; William Rewinski, Vice Chair; Marla Butts, Secretary

Motion was made by Victor Peabody, and **Seconded** by Stuart Peaslee, to approve the current slate of officers as presented. **Motion carried unanimously.**

- b) **Review of Bylaws:** The Bylaws are reviewed in February on an annual basis and can be reviewed/revised throughout the year as necessary. Marla Butts suggested a change on page 3, item 8a. "Regular meeting should be held on the third Monday of each month..."; replace "third Monday" with "first Monday."

Mr. Peaslee recommended the IWWA consider a field report be referenced somewhere in the Bylaws. It was agreed to include "Keeping contemporaneous notes of field inspections" be added under Staff and Their Duties as 6a.—v.

These recommendations will be added to next month's agenda for consideration and approval.

- c) **Wetlands Agent Activity Report:** Ms. Lajoie shared that she will be away from February 18 through March 3. Thus, she will miss the next IWWA meeting. She will designate someone to assist in her absence with accepting applications as they are received. She referenced one sign off on her activity report, which was 54 Stonehill Rd.; proposed inground pool in the Upland Review area.

d) **Bills**

- With members' agreement, Chairman Parker approved an invoice for \$44.10 for a legal notice ad in the Stonebridge Press regarding the Erskine property - #11-19-21.
- Mr. Rewinski explained his email to Ms. Lajoie a few months ago in which he referenced certain Bylaws and regulations that allow Ms. Lajoie authority to approve Upland Review area applications.

- e) **Communications:** None.

¹ Subheadings under Administrative Business may include, as needed, Wetlands Agent Reports, Communications, Bills, Complaints, Investigations, Enforcement, Requests for Permit Extensions / Transfers, Election of Officers, Budget Requests and Other.

f) **Budget Finalization:** A memorandum regarding the IWWA Budget Request FY 2020-21 to First Selectman Jay Swan and Treasurer Karen Fitzpatrick was shared with IWWA members. The recommended budget for FY 2020-21 totals \$12,950. Adjustments noted from the previous year's budgeted included adding contractual services (wetland agent's salary) and removing support for ECCD.

IX: Citizens' Comments: None.

X: Adjournment: Motion was made by Marla Butts, and **Seconded** by Victor Peabody, to adjourn. **The motion passed unanimously.** The meeting adjourned at 9:20 pm.

Respectfully submitted by Cynthia Brown, Recording Secretary. **DISCLAIMER:** These minutes have not yet been approved by the IWWA. Please refer to next month's minutes for approval/amendments.

MEMORANDUM

TO: Chair Mark Parker and Inland Wetlands and Watercourses Agency

FROM: TINA LAJOIE, Wetlands Agent



DATE: May 4, 2020 and June 1, 2020

RE: WETLAND'S AGENT MONTHLY REPORT - 02-01-2020 – 06-01-2020

1. 03-21-02 – YMCA, 42 Camp Road – deck enlargement. Proposed deck was within 40 feet of the watercourse. Permit approved. Legal notice in Villager
2. 03-20-03 – ND Swadia LLC, Woodstock Country Store, 1484 Rt 171 - Completed application was received on 03/31/2020. Continued before Wetlands.
3. 03-20-04 – James Byrnes III, 1226 Rt 169 – Septic repair within 125 of brook

Complaint regarding work being done by contractor. I made a quick visit to find the work being done by a contractor. I stopped the work and he immediately came to the town hall to resolve the issue, take out a permit that was reviewed and determined the repair was within the upland review and acceptable. Permit granted. Legal notice printed in Woodstock Villager. Request for elevations to be confirmed.

4. 04-20-05 – Melissa O'Day, 68 Lakeview Drive – 8 ft deck extension, new piers within 40 ft of the watercourse, Lake Bunggee. Application and payment were received and disturbance proposed is minimal and permit was granted.
5. 04-20-06 – Josh Huck, 711 Brickyard Road 0- Above Ground pool, some grading within 125 of watercourse. Permit application and payment were submitted and reviewed. Work being proposed is minimal. Permit was granted. Legal notice in Villager.
6. 04-20-07 – Wilson & Pat Burgos, 128 Indian Spring – 16x24 freestanding deck, piers within 50 ft of the watercourse. Minimal disturbance. Permit application and payment were submitted and reviewed. Permit was granted. Legal notice in Villager.
7. Site visit with Rick Harless at Roseland was completed on 04/28/2020. Location where the boat dock and previous deck was located and demolished will be new deck location. Present concrete foundation and piers to be used. No new digging to be completed on shoreline. Photos were taken of the area. Eagle Scout project. Permit was granted. Work in upland review area, minimal disturbance.
8. 05-20-08 – Creative Exteriors, LLC (Christa Swenson) – 155 laurel Hill Drive – New paver patio and rebuild of existing wall in upland review. Permit was granted. Legal notice in Villager.

9. 05-20-09 Joshua Pratt, 9 Bassett Hill Road – Landscaping, maintenance in upland review area – Permit was granted. Legal notice in Villager.
10. 05-20-10 Joshua Pratt, 9 Bassett Hill Road – Restoration of pond (On agenda as new business)

FIELD REPORT - IWWA

LOCATION: 119 CROOKED TRAIL EXTENSION				
DATE	20_0513	WEATHER: CLR 50'S	ATTENDANCE: TINA LaJOIE, TOM GOTTA, sdp	
TIME	11:00am - 12:00pm			
OBSERVATIONS: IMPROPER USE OF COPPER SULFATE, EXTENTS AND RESULTS: EXISTING CONDITIONS				

a	FACILITIES			
b	STRUCTURAL			
c	USE	SINGLE FAMILY RESID. LAKE LOTS	QUANTITY: SCALE	
d	ENVIRONMENTAL	IMPACT DATA	BEFORE/AFTER WATER TESTING: TIMELINES	
e	MATERIALS	VENDOR SOURCE	CONSISTENCIES	
f	PERMITS			
g	TOPOGRAPHY	LAKESIDE SLOPE - UPLANDS?	ELEVATIONS, DRAINAGE	
h	VEGETATION	SOFT&HARDWOOD TREES, BUSHES, PLANTS, OAK TREES AFFECTED MAY HAVE ROOT DAMAGES AND INVASIVE INSECT DAMAGE		

GENERAL NOTES

ISSUES	PROPERTY DELINEATIONS
NATURAL ATTENUATION	
TREE ROOT CUTTING	
ARBORIST REPORT ACCESS	NOTE SOME (RED MAPLE) TREES SPROUTING (COMING BACK)
SOIL RUNOFF	

MORE DATA AND INFORMATION WILL BE REQUIRED FOR A DEFINITIVE ACTION PLAN THEREFORE SUGGEST THIRD PARTY PROVIDES COMPREHENSIVE ENVIRONMENTAL REPORT WITH TIMELINE AHJ WILL THEN DETERMINE WHETHER AN ONSITE SOILS TEST NECESSARY

DOCUMENTS

SEE THOSE AS PROVIDED BY TG AND OWNER OF 115

PHOTOS

SEE GOOGLE EARTH IMAGES APRIL 2018
SEE TLJ AND REFERENCE PREV. SUBMITTALS