



**TOWN OF MONROE**  
**INLAND WETLANDS COMMISSION**

7 Fan Hill Road  
Monroe, CT 06468

Inland Wetlands Department: (203) 452-2809  
Fax: (203) 261-6197

**Minutes of September 28, 2016**  
**Inland Wetland Commission**  
**Town Council Chambers**  
**Regular Meeting**

**I. Call to Order:**

The Regular Meeting of the Inland Wetlands Commission (“Commission”) was called to Order at 7:05 p.m.

(A) Pledge of Allegiance

(B) Roll Call

Present: Michael S. Muttitt, *Chairman*  
Jason Grady, *Vice-Chairman*  
Lois Spence, *Secretary*  
Ross Mastrorocco, *Commissioner*  
Meghan Hayden, Esq., *Treasurer*  
James Stewart, P.E., L.S., *Commissioner*

Absent: Peter Oliva, Commissioner

Also Present: Scott Schatzlein, P.E., *Land Use Director, Town Engineer, Inland Wetlands Agent*  
Donna Suszynski, *Land Use Office Coordinator*  
Rebecca Wood, *Recording Secretary-in-Training*

(C) Inland Wetland Commission Meeting Minutes

**September 14, 2016 Meeting Minutes - Continued to October 12, 2016**

(D) General Public Participation: None

**II. Application Hearing Determinations: None**

**III. Subdivision Report/Recommendation to the Planning & Zoning Commission:**

**IWC-2016-16** 232 Elm Street, Proposed 4 Lot Residential Subdivision and associated site improvements;  
D’Ausillo

Will be addressed during Regulated Activities: Public Hearings.

#### IV. Regulated Activities:

(A) Regular Meetings (No public input): None

(B) Public Hearings:

**IWC-2016-12 146 Cutlers Farm Road and 267 & 287 Purdy Hill Road**, Proposed 15 Unit Age Restricted Housing, Beaver Brook, LLC

Bill Carbone, an Engineer for Spath Bjorklund Associates provided a summary of the application, site, and responses to comments by Commission and Staff:

- This application is for a 15 unit single family home development on a 10.2 acre site located on the corner of Purdy Hill Road and Cutlers Farm Road currently requesting zone change modification by the Planning and Zoning Commission;
- There are 4 acres of wetlands and 1.9 acres of upland review area on this site; no wetlands will be disturbed, but Building 7 is in a regulated area;
- Drainage on the northeast corner of the property will flow into the Blueberry Lane drainage system, they are merely changing the distribution of the outlet as all the water flows into the same tributary; individual raingardens and detention systems will be widely used;
- They will provide silt fencing backed up with wood chip berm along the water course, followed by landscaping and appropriate conservation seed mixes; the Applicant will install an emergency spillway;
- Runoff for road drainage will discharge directly into Sheeps Meadow Road;
- This site currently has had numerous plantings managed by Ken Twombly and his Nursery; the majority of the site will be planted with his wholesale plantings;
- The Health Department requested a change in the septic system even though testing showed soils in good condition with good percolation rates resulting in moving Building 7 back. This change in location for Building 7 and the septic system modification will be on the plan and filed in the Office of Land Records; wetland markers will be installed and septic reserve areas will be developed to alleviate the need to return to the Commission if the need arises later on;
- The applicant evaluated water runoff for both a 100 and a 500-year storm and found that the water level would still remain below the top of the berm, but has prepared a maintenance plan to insure a clear water course to be cleared at a 75% sediment fill level;

James Cowan, Soil Scientist with Spath Bjorklund, representing the applicant presented the following:

- A detail of the delineated Wetlands Evaluation showing the site as part of a larger wetland pocket with a wooded swamp with drainage flowing from northwest to southeast; there is evidence of saturation but no ponding for any significant period of time, with the water flow and direction providing nutrient provision for plants, carrying seeds of invasive species to be caught by the remaining stone wall;

- There will be 2000 Square Feet of soil brought to the site, covered by screened topsoil, and they will work with the applicant to replant trees on the site, and no fertilizer will be used in the areas of detention basins, and no mow grasses should be investigated for regulated areas or detention basin sites, DEP Disposal Rules will be followed for invasive removal, and a “do not touch/alter the detention basin” sign will be incorporated into the maintenance plan and record;
- In response to a question regarding housing and driveway layout resulting in a high level of impervious surface, Bill Carbone responded that the actual area of impervious surface used for driveways increased when they were shared to allow for additional turning radius;

The Land Use Coordinator read the Exhibits for the Record.

The Chairman requested and allowed for Public Comment in support of, in opposition to, and of a general nature:

- Mr. Kim Danziger, a licensed engineer and a Principal in the Application, stated that as a 30-year builder of over 300 homes in both extensions and subdivisions, along with Ken Twombly a successful plant nursery owner with decades of experience, both of their intentions was to build a development the Town of Monroe would be proud of.

The Public Meeting was continued until the next Inland Wetland Commission Meeting.

**IWC-2016-13 4 High Ridge Drive**, proposed four bedroom home with associated site improvements (Wysocki).

Aleksandra Moch, Soil Scientist, representing the Applicant, responded to questions and comments voiced by the Commission and Staff at the last meeting as follows:

- Regarding building the house forward on the site, Ms. Moch responded that due to both septic and driveway slope limitations, moving the home forward on the site would not be possible, and in response to a question from Chairman Muttitt regarding whether the garage could be built under the house, Ms. Moch responded that it would not be possible to do so due to extensive ledge and required blasting;
- Proposing fifteen native shrubs to be planted in the disturbed area to dissuade invasive species and to stabilize the disturbed soil;
- In response to a suggestion by Lois Spence, and rocks collected during building will be used to amplify and enhance the natural stone wall and wetland markers will be placed in front of the wall to clearly indicate and identify wetland area;

Land Use Coordinator Donna Suszynski read the exhibits for the above application, and requested a readable copy be submitted to the Commission.

The Chairman opened the meeting for Public Comments to the application, hearing none general, in opposition to, or in support of, the application was continued to the next meeting on October 12, 2016.

The Chairman called a five minute recess.

**IWC-2016-13** **232 Elm Street**, Proposed 4 Lot Residential Subdivision and associated site improvements;  
D'Ausillo

Larry Edwards, Licensed Professional Engineer and Land Surveyor, located in Easton, CT and representing the applicant, presented the following:

- This site was a farmed meadow with no trees; it will be serviced by public water;
- will contain four one-acre building lots;
- the width of the road will be reduced from 32' to 26'; all runoff from roads and drives will be directed into the stormwater basin;
- Soils on this site are excellent for septic design and stormwater management;
- Details of the erosion control plan and regulated activities, and a swale will be built along either sides of the road;
- The edge of wetlands will be delineated by markers;
- There will be some filling of the flood plain; Lot 3 is located partially in regulated area;
- There is a 50' limited use easement proposed for the adjacent property based on deed requirements;
- There will be no net increase in the peak net discharge of stormwater;
- Lot 3 is the only lot that was required to come before the Commission, all others were worked on Administratively with Staff;
- Larry Edwards will provide the Land Use Office with the mailing response green cards.

Land Use Coordinator Donna Suszynski read the exhibits for the above application.

The Chairman opened the meeting for Public Comments to the application, hearing none general, in opposition to, or in support of, the application was continued to the next meeting on October 12, 2016.

**V. Violations:**

**IWV-2016-09** 1603 Monroe Turnpike, Informal Hearing

Postponed until October 12, 2016 Commission Meeting

**IWV-2016-10** 1615 Monroe Turnpike, Informal Hearing

Postponed until October 12, 2016 Commission Meeting

**IWV-2016-11** 27 Dogwood Road, Informal Hearing

This owner purchased the property from previous owners who had made substantial improvements with additional decking beyond the setback without permit approvals.

The owners had an A1 survey performed to clearly identify the area of expansion of a non-conforming use violation, secondly resolve the planning and zoning violation with that Commission, and lastly, return to this Commission for Inland Wetland resolution.

The Commission will grant 90 days to address the zoning issues

**IWV-2016-06** 51 Lynn Drive, *Discussion of Commission site inspection.*

The Commission members will secure a site inspection. Postponed until the October 12, 2016 Meeting.

**IWV-2016-08** 424 Hattertown Road, *Discussion of Commission site inspection.*

The Commission members will secure a site inspection. Postponed until the October 12, 2016 Meeting.

**VI. Other:**

**IWC-2014-11** 462, 464, 466, through 470 Main Street; Changes to Existing Approval.

This is a previously approved application for a strip mall. Three different changes occurred:

- An easement could not be secured resulting in a gravity-driven septic system which is now a pumping chamber;
- A full access driveway with site access across an adjacent property is now restricted to a right-turn only driveway with DOT siteline easement marked for one lane ingress and egress;
- Two propane tanks have been reduced to one, but that one tank is located in upland review.

**Motion:** To approve the revised plan in a draft a Letter of Approval by Lois Spence

**Second:** Jason Grady

**Discussion:** The Letter of Approval should include: the survey shall include certification; the Plan should include the closing off of regulated property, stormwater control unit detail, \$8,500. bond, the removal of the lighting posts, and two-year monitoring of plantings.

**Ayes:** Michael Muttitt, Jason Grady, Lois Spence, Ross Mastrococco, Meghan Hayden, James Stewart.

**Nays:** None

**Abstain:** None

**Vote:** 6-0-0 in favor, no oppositions

**VII. Deliberations on Completed Hearings:**

**IWC-2016-14** 754 Main Street, Interior renovations, construction of Truck Well, Outdoor Living showcase, area, stormwater quality measures and pavement repair; Stone Farm, LLC

**Motion:** To approve the draft a Letter of Approval by Jason Grady

**Second:** Lois Spence

**Discussion:** The Letter of Approval was summarized by Staff and included all items required by the Commission.

**Ayes:** Michael Muttitt, Jason Grady, Lois Spence, Ross Mastrococco, Meghan Hayden

**Nays:** None

**Abstain:** James Stewart

**Vote:** 5-0-1 in favor, no oppositions

**VIII. Bond Releases, Reductions, Reports: None**

**IX. Time Extensions:**

**I 11-18** 114 Main Street, Duane Noll (owner), requesting a 5 year extension of the existing Inland Wetland Approval which will expire on 12/7/2016.

The applicant has submitted an application to the Planning and Zoning Commission; no extension is approved; this is an application for remediation.

**IWV-2015-20** 111 Blanket Meadow Road, Souza (owner), Pires (representative); requesting 90-day extension to submit an Inland Wetland application.

**Motion:** To grant 90 Day extension by James Stewart

**Second:** Jason Grady

**Discussion:** None

**Ayes:** Michael Muttitt, Jason Grady, Lois Spence, Ross Mastrococco, Meghan Hayden, James Stewart.

**Nays:** None

**Abstain:** None

**Vote:** 6-0-0 in favor, no oppositions

**IWV-2015-01** 207 Spring Hill Road, Julian Investments; LLC (owner) Bjorklund, Jr. (representative); requesting 60 Day extension to submit an application for new development including remediation of any violations identified on site.

**Motion:** By James Stewart to approve the 60 Day extension to submit an Application for Remediation

**Second:** Jason Grady

**Discussion:** None

**Ayes:** Michael Muttitt, Jason Grady, Lois Spence, Ross Mastrococco, Meghan Hayden, James Stewart.

**Nays:** None

**Abstain:** None

**Vote:** 6-0-0 in favor, no oppositions

**I 04-15** 127 Main Street (Pond View) Phase III – 5 Year Extension

**Motion:** By James Stewart to approve a 5 Year extension

**Second:** Lois Spence

**Discussion:** None

**Ayes:** Michael Muttitt, Jason Grady, Lois Spence, Ross Mastrococco, Meghan Hayden, James Stewart.

**Nays:** None

**Abstain:** None

**Vote:** 6-0-0 in favor, no oppositions

**X. IWC Agent Activities/Reports**

(A) General Permits: None

(B) Agent Approvals: None

**Permitted Uses As of Right**

- **Department of Public Works** – road repair, replacement and/or general maintenance (I/W Regulations Section 4.2)
- **290 Fan Hill Road** – Drainage Maintenance Notice – The Highway Department will be performing maintenance work at the outlet of the drainage pipe in the rear of the property at 290 Fan Hill Road.

**XI. Violation Discussion:**

It was determined that “Administrative Violations” would be continued to the October 12, 2016 meeting.

**XII. General Discussion/Other: None**

**XIII. Correspondence: None**

**XIV. Adjournment**

**Motion:** By Jason Brady to adjourn

**Second:** Meghan Hayden

The Inland Wetland Commission meeting was adjourned at 10:40 p.m.

Respectfully Submitted,  
Rebecca Wood, Recording Secretary-In-Training



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**CERTIFIED MAIL RETURN RECEIPT REQUESTED 7015 1730 0001 9990 2460 AND REGULAR MAIL**

**NOTICE/CERTIFICATE OF DECISION**

October 27, 2016

Leszek Wysocki  
47 Soundview Drive  
Shelton, CT 06484

Re: Application No. IWC-2016-13, (File No.1017) Residential Home  
Application Type: Public Hearing  
Location of site: 4 High Ridge Drive

**Date of Approval: October 26, 2016**  
**Date Final Plans to be Signed by: July 23, 2017**  
**5-Year Expiration Date: October 26, 2021**

**WHEREAS**, the Monroe Inland Wetlands Commission (hereinafter referred to as "Commission") has considered an application by Leszek Sysocki, (applicant); and James E. Quill, P.E. of Fuller Engineering and Surveying, LLC (representative); for the proposed construction of a four bedroom residence with a paved driveway and associated site improvements.

**WHEREAS**, the Commission received the following Application Submissions:

- Town of Monroe Inland Wetlands Application, received June 20, 2016
- List of Abutters with 100', received June 20, 2016
- Plans:
  - C-100, Site Plan..., Proposed 4 Bedroom Residence...4 High Ridge Drive...Leszek Wysocki, by Fuller Engineering and Land Surveying, dated 6-14-16, revised to 9-20-16
  - C-101, Erosion and Sedimentation Control Notes and Details ..., Proposed 4 Bedroom Residence...4 High Ridge Drive...Leszek Wysocki, by Fuller Engineering and Land Surveying, dated 6-14-16, revised to 9-20-16
  - C-102, Details..., Proposed 4 Bedroom Residence...4 High Ridge Drive...Leszek Wysocki, by Fuller Engineering and Land Surveying, dated 6-14-16, revised to 9-20-16
  - C-103, Watershed Area Map, Proposed 4 Bedroom Residence...4 High Ridge Drive...Leszek Wysocki, by Fuller Engineering and Land Surveying, dated 6-14-16, revised to 9-20-16
  - P-100, Proposed Planting Plan of property in 4 High Ridge Drive...for Leszek Wysocki, by Aseksandra Moch, dated 9-26-16.
  - Planting Plan, Proposed 4 Bedroom Residence of property in 4 High Ridge Drive...for Leszek Wysocki, by Fuller Engineering and Land Surveying, dated 9-26-16.
  - Existing Condition and Topographic Survey 4 High Ridge Drive...for Leszek Wysocki, by Fuller Engineering and Land Surveying, dated 4-4-16, revised to 7-13-16.
- Exhibits one (1) through twenty three (23) as referenced and entered into the record during the public hearing.
- Stormwater Management Report by Fuller Engineering, dated 6-14-16

**WHEREAS**, upon considering the above listed submission data and respective testimony at a duly noticed Public Hearing, which open and adjourned on September 14, 2016, and reconvened and adjourned on September 28, 2016 and

reconvened and closed on October 12, 2016; and upon deliberating and requesting the preparation of a Draft Approval for subsequent review and confirmation by the Commission on October 12, 2016; and upon reconvening deliberations and voting on October 26, 2016 the Commission made the following determination (**FINDINGS**):

- The Commission finds that the submitted application materials are consistent with the requirements as set forth by the current Town of Monroe Inland Wetlands and Watercourses Regulations and the Inland Wetlands and Watercourses Act, pursuant to sections 22a-36 to 22a-45 inclusive of the Connecticut General Statutes as amended;
- The applicant has presented un-contradicted expert evidence that the activities as proposed in this application pose no adverse impact to the regulated areas.

**NOW THEREFORE BE IT RESOLVED**, based on the above, the Commission, upon motion by Lois Spence and seconded by Peter Oliva voted six (6) in favor and zero (0) in opposition to **Approve** the above referenced application and the following submitted layout/plans as included in Exhibits Number 21 and:

1. Revised Full Scale Plans-entitled:

- C-100, Site Plan..., Proposed 4 Bedroom Residence...4 High Ridge Drive...Leszek Wysocki, by Fuller Engineering and Land Surveying, dated 6-14-16, revised to 9-20-16
- C-101, Erosion and Sedimentation Control Notes and Details ..., Proposed 4 Bedroom Residence...4 High Ridge Drive...Leszek Wysocki, by Fuller Engineering and Land Surveying, dated 6-14-16, revised to 9-20-16
- C-102, Details..., Proposed 4 Bedroom Residence...4 High Ridge Drive...Leszek Wysocki, by Fuller Engineering and Land Surveying, dated 6-14-16, revised to 9-20-16
- C-103, Watershed Area Map, Proposed 4 Bedroom Residence...4 High Ridge Drive...Leszek Wysocki, by Fuller Engineering and Land Surveying, dated 6-14-16, revised to 9-20-16
- P-100, Proposed Planting Plan of property in 4 High Ridge Drive...for Leszek Wysocki, by Aseksandra Moch, dated 9-26-16.
- Planting Plan, Proposed 4 Bedroom Residence of property in 4 High Ridge Drive...for Leszek Wysocki, by Fuller Engineering and Land Surveying, dated 9-26-16.
- Existing Condition and Topographic Survey 4 High Ridge Drive...for Leszek Wysocki, by Fuller Engineering and Land Surveying, dated 4-4-16, revised to 7-13-16.

2. Stormwater Management Report by Fuller Engineering, dated 6-14-16, revised to 9-12-16.

3. Including consideration of Exhibits one (1) through twenty three (23).

<i>Vote:</i>	Michael Muttitt	Aye	<i>For the Commission:</i>
	Lois Spence	Aye	
	Meghan Hayden	Aye	
	Peter Oliva	Aye	
	Jim Stewart	Aye	
	Ross Mastorocco	Aye	



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*Michael Muttitt, Chair*

**FURTHERMORE**, the Commission required that this approval be subject to the following:

**(A) Conditions to be addressed within 270 days of the Date of Approval (10-26-16) + 270 Days = 7/23/17) or this approval/permit becomes null and void (subject to the \*\* "Extension of Time" provision below):**

1. The applicant shall submit one (1) complete set of final Plans (full size 24" x 36") for review by the Town Engineer/Inland Wetlands Agent which must include the following revisions.
  - a. Relocation of IWC markers to locations in front of the rear yard stone wall.
  - b. Notations indicating that the limits of development and limits of future maintenance activities shall be along the southwesterly side of the rear yard stone wall.

- c. A notation indicating that monitoring reports by an appropriate professional shall be submitted to the Inland Wetlands Office for each of two growing seasons (once per year) following the completion of remediation, restoration, and stabilization measures, and/or the installation of plantings. Said reports shall verify acceptable levels of plant health (establishment and growth), prevention and/or elimination of invasive plant species (measures needed or results obtained), and a verification of the overall success of proposed improvements.
  - d. A notation indicating that stones excavated during the site and house construction shall be loosely placed along the existing stone wall (remains) across the rear yard (limits of disturbance) as discussed during the hearing.
2. Filing of Final Inland Wetlands Commission Approved Plans:  
Upon satisfactory revision of the final Plans as required above, the applicant shall submit five (5) complete sets of certified plans (full size 24" x 36") for the authorized endorsement of same by the Commission Chair.
  3. After completion of conditions listed under (A 1-2) above, the original Notice of Decision must be filed on the land records in the Town Clerk's office. The applicant will obtain the said original Notice from the Inland Wetlands Department. A copy of said recording, showing all marks of recording, shall be provided to the Inland Wetlands Department by the applicant.

\*\* Extension of Time: The Applicant may request an extension of time. The Commission must receive a written time extension request (showing good cause as to why an extension should be granted) prior to the expiration of the initial 270 days. Upon receipt of said timely request, the Commission may grant a limited time extension if the Commission determines, in its sole discretion that granting the request would be consistent with the Act and Municipal Ordinances.

**(B) Conditions to be addressed prior to construction (issuance of an IWC PERMIT – *said permit will be in the form of a permit document, and/or final stamped/signed plans*):**

1. Address all above listed conditions.
2. Verification of easements must be provided, if applicable
3. A pre-construction meeting shall take place with the Wetland Agent prior to any disturbance or alteration to the site. This includes any tree or brush removal. Pre-construction meetings shall not be held until the final plans (as detailed above) have been signed by the Town and building permit has been issued (where applicable).
4. A \$14,000 bond must be posted along with the execution and signing of a respective Bond Agreement.
5. Issuance of Building Permit, if applicable.

**(C) Conditions to be addressed prior to the issuance of a Certificate of Occupancy (if applicable):**

1. All work shall be substantially complete.
2. Address all above listed conditions.
3. An As-Built plan must be provided (progress print at this stage). Said As-Built must be superimposed on the original approved layout plan (to be shown in red or varied shading), and have adequate information to verify that all work was completed in compliance with this approval.

**(D) Conditions to be addressed prior to the release of bond:**

1. Address all above listed conditions.
2. Submission of a final As-Built drawing.
3. Completion of all work, stabilization of all disturbed areas, removal of all siltation and erosion control measures, and restoration of all pre-application/site investigation areas within the individual lots.
4. Submission, acceptance, and filing of any/all easements, if applicable.

**(E) Standard Requirements:**

1. Regulated activities herein shall be implemented by the permittee in accordance with the timing, location, duration, and intent proposed and approved by the Commission.
2. Sedimentation and erosion control measures must be installed prior to any commencement of site activity. Said measures must be regularly inspected prior to and subsequent to major storm events and maintained during construction and properly removed with all affected land restored prior to requesting final inspection. An authorized representative, responsible for all sedimentation and erosion control measures, must be registered with the Town Inland Wetlands Office, Public Works Office and Police Department in addition to being listed on the drawings (include a name, address, business telephone number, off-hours telephone number and other pertinent contact information). All sedimentation and erosion control measures must be provided and installed in accordance with the Connecticut State Department of Energy and Environmental Protection (DEEP) Guidelines for Soil Erosion and Sediment Control dated 2002, or as updated. In constructing the authorized activities, the permittee shall implement such management practices consistent with the terms and conditions of the permit as needed to control storm water discharges and to prevent erosion and sedimentation and to otherwise prevent pollution of wetlands and watercourses.
3. If a bond is not required as a specific condition of approval, the posting of a cash (bank check) or letter of credit may be required at any time during construction by the Inland Wetlands Commission, Inland Wetlands Agent and/or the Town Engineer for erosion controls or any approval requirements and/or Wetland mitigation measures, in an amount to be recommended by the Town Engineer and accepted by the Commission. Once work is complete, a request for bond release must be provided in writing.
4. In the event an appeal is taken from this decision, the applicant shall provide the Commission with three (3) sets of all plans, reports and documents that were submitted for the application within thirty (30) days.
5. Heating oil tanks shall not be buried anywhere on the property.
6. Plant species listed on the most current DEEP publication entitled "Non-native Invasive and Potentially Invasive Vascular Plants in Connecticut" shall not be introduced on the site.
7. The Applicant shall notify the Wetland Agent at least 48 hours prior to starting any work (including, but not limited to, grading or stumping) and upon completion of work.
8. The applicant shall submit any changes of the approved plans with a written request for permit amendment(s). The Commission and/or its Agent shall determine if said changes are acceptable under the permit or if a new application is required.
9. All work and all regulated activities conducted pursuant to the authorization shall be consistent with the terms, intent, and conditions of this permit. All structures, equipment, material, excavation, fill, clearing, encroachments, and activities not specifically identified and authorized herein shall constitute a violation of the permit. This may result in the modification, suspension, or revocation of the permit.

**(F) Timing, Expiration and/or Transfer of Approval/Permit:**

1. In accordance with Connecticut General Statutes, Section 8-3 (i), and the Town of Monroe Inland Wetlands and Watercourses Regulations, Section 11.7, any and all work associated with this approval must be completed within five (5) years of the date of approval (meeting date of vote). Up to one additional five (5) year extension may be requested in writing prior to expiration. **However, if work doesn't commence until sometime within the five (5) year extension period, the applicant shall first submit a schedule detailing needed work to verify that there will be enough remaining time to complete all requirements prior to the expiration date.**
2. A "Permit" resulting from and relating to the aforementioned "approval" will be issued upon addressing all the conditions listed under this Approval, sections... "*(A) Conditions to be addressed within 270 days of the Date of Approval*". However, the issuance of a permit does not allow for work to commence. Work shall only commence upon the issuance of a Permit by satisfactorily addressing all conditions listed under this Approval, sections... "*(A) Conditions to be addressed within 270 days of the Date of Approval*", "*(B) Conditions to be addressed prior to construction*";... and once all other associated State,

Federal, and/or Local permits and/or approvals have been procured and associated permits issued and/or authorizations for construction provided.

3. This permit is not transferable unless: the new owner provides the Commission with a signed acknowledgement that he or she understands and accepts the conditions of approval, a new replacement bond is established by the new owner, or an agreement between the original and new owner is provided, verifying that the original owner will still be responsible for meeting the conditions of approval.

**THIS APPROVAL IS HEREBY ISSUED WITH THE FOLLOWING STATEMENTS, CLARIFICATION OF STANDARDS, CONDITIONS, AND PROCEDURAL REQUIREMENTS:**

**THIS APPROVAL IS NOT AN AUTHORIZATION TO START CONSTRUCTION.**

If there are any questions relative to the conditions of approval, please call the Town prior to submitting the revised plans. This will avoid costly and time consuming revisions and reviews, therefore, expediting the process for you.

This Commission has relied in whole or in part on information provided by the applicant and if such information subsequently proves to be false, deceptive, incomplete or inaccurate, the permit may be modified, suspended or revoked.

This approval is subject to compliance with any and all Inland Wetlands Regulations of the Town of Monroe in addition to all other applicable Local, State and Federal requirements.

This approval does not derogate any present or future rights or powers of the Inland Wetlands Commission or the Town of Monroe, and conveys no rights in real estate or material nor any exclusive privileges, and is further subject to any and all public and private rights and to any federal, state, and municipal laws or regulations pertinent to the subject land or activity.

If the activity authorized by this approval also involves an activity which requires zoning or subdivision approval, special permit, variance or special exception under sections 8.3(g), or 8-26 of the Connecticut General Statutes, no work pursuant to the wetland permit may begin until such approvals are obtained.

Violations of this approval (permit to be issued) may result in termination of associated tax abatements if applicable, as per Town Code, Section 470-30.

Variations from the approved plans must be addressed/discussed with the appropriate Town staff during construction with the resolution and verification of same documented in writing.

This decision is consistent with the purposes of the Monroe Inland Wetlands and Watercourses Regulations which are designed to protect the citizens of the town of Monroe by providing a balance between the need for growth, development and enjoyment of the natural resources of Monroe with the need to protect its environment and ecological stability.

This approval letter may also serve as the Inland Wetlands Commissions Report to the Planning and Zoning Commission (where applicable).

-End-

cc: James E. Quill P.E.  
Fuller Engineering & Surveying, LLC  
525 John Street, 2<sup>nd</sup> Floor  
Bridgeport, CT 06604



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**CERTIFIED MAIL RETURN RECEIPT REQUESTED 7015 1730 0001 9990 2477 AND REGULAR MAIL**

**NOTICE/CERTIFICATE OF DECISION**

October 27, 2016

Beaver Brook, LLC  
c/o Kenneth L. Twombly  
68 Hayes Street  
Easton, CT 06612

Re: **Application No.:** IWC-2016-12, (File No.1011) Age Restricted Units Site Development  
**Application Type:** Public Hearing  
**Location of site:** 146 Cutlers Farm Rd/ 267 & 287 Purdy Hill Road

**Date of Approval:** October 26, 2016

**Date Final Plans to be Signed by:** July 23, 2017

**5-Year Expiration Date:** October 26, 2021

**WHEREAS**, the Monroe Inland Wetlands Commission (hereinafter referred to as “Commission”) has considered an application by Beaver Brook, LLC, Kenneth L. Twombly (applicant); and David S. Bjorklund, Spath-Bjorklund (representative); for the construction of a 15 Unit Age Restricted Community and associated site improvements;

**WHEREAS**, the Commission received the following Application Submissions:

- Town of Monroe Inland Wetlands Application, received May 24, 2016
- Plans including the following:
  - Cover Sheet, The Monroe Mews, 269 & 287 Purdy Hill Road & 146 Cutlers Farm Road, in Monroe..., by SBA, dated 5-24-16.
  - A-1, Area Plan, Purdy Hill Road & Cutlers Farm Road, Monroe...Prepared for Beaver Brook, LLC, by SBA, dated 5-9-16, revised to 5-24-16.
  - Existing Conditions Survey Depicting Parcels to be Combined, Prepared for Kenneth & Priscilla Twombly, 269 Purdy Hill Road, 287 Purdy Hill Road, 146 Cutlers Farm Road, Monroe..., By J. Edwards and Associates, dated 7-24-15
  - S-1, Site Plan, Purdy Hill Road & Cutlers Farm Road, Monroe...Prepared for Beaver Brook, LLC, by SBA, dated 5-9-16, revised to 5-24-16.
  - S-2, Site Plan, Purdy Hill Road & Cutlers Farm Road, Monroe...Prepared for Beaver Brook, LLC, by SBA, dated 5-9-16, revised to 5-24-16.
  - S-3, Underground Utility Plan, Purdy Hill Road & Cutlers Farm Road, Monroe...Prepared for Beaver Brook, LLC, by SBA, dated 5-9-16, revised to 5-24-16.
  - S-4, Erosion Control Plan, Purdy Hill Road & Cutlers Farm Road, Monroe...Prepared for Beaver Brook, LLC, by SBA, dated 5-9-16, revised to xx-xx-xxxx.
  - P-1, Plan & Profile, Purdy Hill Road & Cutlers Farm Road, Monroe...Prepared for Beaver Brook, LLC, by SBA, dated 5-9-16, revised to 5-24-16.
  - P-2, Plan & Profile, Purdy Hill Road & Cutlers Farm Road, Monroe...Prepared for Beaver Brook, LLC, by SBA, dated 5-9-16, revised to 5-24-16.
  - LP-1, East Meadow & Wetland Landscape Plan, Purdy Hill Road & Cutlers Farm Road, Monroe...Prepared for Beaver Brook, LLC, by SBA, dated 5-9-16, revised to 5-24-16.
  - D-1, Details, Purdy Hill Road & Cutlers Farm Road, Monroe...Prepared for Beaver Brook, LLC, by SBA, dated 5-9-16, revised to 5-24-16.
  - D-2, Details, Purdy Hill Road & Cutlers Farm Road, Monroe...Prepared for Beaver Brook, LLC, by SBA, dated 5-9-16, revised to 5-24-16.
  - D-3, Details, Purdy Hill Road & Cutlers Farm Road, Monroe...Prepared for Beaver Brook, LLC, by SBA, dated 5-9-16, revised to 5-24-16.

- List of Abutters with 100', received May 24, 2016
- Exhibits one (1) through twenty (20) as referenced and entered into the record during the public hearing.

**WHEREAS**, upon considering the above listed submission data and respective testimony at a duly noticed Public Hearing, which opened and adjourned on September 28, 2016, and reconvened and closed on October 12, 2016; and upon deliberating and requesting the preparation of a Draft Approval for subsequent review and confirmation by the Commission on October 26, 2016; and upon reconvening deliberations and voting on October 26, 2016, the Commission made the following determination (**FINDINGS**):

- The Commission finds that the submitted application materials are consistent with the requirements as set forth by the current Town of Monroe Inland Wetlands and Watercourses Regulations and the Inland Wetlands and Watercourses Act, pursuant to sections 22a-36 to 22a-45 inclusive of the Connecticut General Statutes as amended;
- The applicant has presented un-contradicted expert evidence that the activities as proposed in this application pose no adverse impact to the regulated areas.

**NOW THEREFORE BE IT RESOLVED**, based on the above, the Commission, upon motion by Lois Spence and seconded by Peter Oliva, voted six (6) in favor and zero (0) in opposition to **Approve** the above referenced application and the following submitted layout/plans as included in Exhibits Number 17 & 20:

1. Revised Full Scale Plans:

- Cover Sheet, The Monroe Mews, 269 & 287 Purdy Hill Road & 146 Cutlers Farm Road, in Monroe..., by SBA, dated 5-24-16, revised to 10-6-16.
- A-1, Area Plan, Purdy Hill Road & Cutlers Farm Road, Monroe...Prepared for Beaver Brook, LLC, by SBA, dated 5-9-16, revised to 5-24-16, revised to 10-6-16..
- Existing Conditions Survey Depicting Parcels to be Combined, Prepared for Kenneth & Priscilla Twombly, 269 Purdy Hill Road, 287 Purdy Hill Road, 146 Cutlers Farm Road, Monroe..., By J. Edwards and Associates, dated 7-24-15, revised to 7-21-16.
- S-1, Site Plan, Purdy Hill Road & Cutlers Farm Road, Monroe...Prepared for Beaver Brook, LLC, by SBA, dated 5-9-16, revised to 5-24-16, revised to 10-6-16.
- S-2, Site Plan, Purdy Hill Road & Cutlers Farm Road, Monroe...Prepared for Beaver Brook, LLC, by SBA, dated 5-9-16, revised to 5-24-16, revised to 10-6-16.
- S-3, Underground Utility Plan, Purdy Hill Road & Cutlers Farm Road, Monroe...Prepared for Beaver Brook, LLC, by SBA, dated 5-9-16, revised to 5-24-16, revised to 10-6-16.
- S-4, Erosion Control Plan, Purdy Hill Road & Cutlers Farm Road, Monroe...Prepared for Beaver Brook, LLC, by SBA, dated 5-9-16, revised to, revised 10-6-16.
- P-1, Plan & Profile, Purdy Hill Road & Cutlers Farm Road, Monroe...Prepared for Beaver Brook, LLC, by SBA, dated 5-9-16, revised to 5-24-16, revised to 10-6-16.
- P-2, Plan & Profile, Purdy Hill Road & Cutlers Farm Road, Monroe...Prepared for Beaver Brook, LLC, by SBA, dated 5-9-16, revised to 5-24-16, revised to 10-6-16.
- LP-1, East Meadow & Wetland Landscape Plan, Purdy Hill Road & Cutlers Farm Road, Monroe...Prepared for Beaver Brook, LLC, by SBA, dated 5-9-16, revised to, revised to 10-6-16.
- D-1, Details, Purdy Hill Road & Cutlers Farm Road, Monroe...Prepared for Beaver Brook, LLC, by SBA, dated 5-9-16, revised to 5-24-16, revised to 10-6-16.
- D-2, Details, Purdy Hill Road & Cutlers Farm Road, Monroe...Prepared for Beaver Brook, LLC, by SBA, dated 5-9-16, revised to 5-24-1, revised to 10-6-16.
- D-3, Details, Purdy Hill Road & Cutlers Farm Road, Monroe...Prepared for Beaver Brook, LLC, by SBA, dated 5-9-16, revised to 5-24-16, revised to 10-6-16.

2. Including consideration of Exhibits one (1) through twenty (20).

*Vote:* Michael Muttitt            Aye    *For the Commission:*  
Lois Spence                Aye  
Meghan Hayden            Aye  
Peter Oliva                 Aye  
Jim Stewart                 Aye  
Ross Mastorocco            Aye



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*Michael Muttitt, Chair*

**FURTHERMORE**, the Commission required that this approval be subject to the following:

**(A) Conditions to be addressed within 270 days of the Date of Approval (10-26-16) + 270 Days = 7/23/17) or this approval/permit becomes null and void (subject to the \*\* “Extension of Time” provision below):**

1. The applicant shall submit one (1) complete set of final Plans (full size 24” x 36”) for review by the Town Engineer/Inland Wetlands Agent which must include the following revisions.
  - The elevation of the added spillway indicated on the plan view, noting that the final engineering report should include reference to the added spillway.
  - A listing of the provided Site Maintenance Plan.
  - Notations and demarcations indicating additional Inland Wetlands markers placed at the P. I. of the lawn off the east corner of unit 7, and along the limits of proposed developed areas to be maintained as lawn and garden areas.
  - A notation indicating that monitoring reports by an appropriate professional shall be submitted to the Inland Wetlands Office for each of three growing seasons (once per year) following the completion of remediation, restoration, and stabilization measures, and/or the installation of plantings. Said reports shall verify acceptable levels of plant health (establishment and growth), prevention and/or elimination of invasive plant species (measures needed or results obtained), and a verification of the overall success of proposed improvements.
  - A notation indicating that the proposed septic system reserve areas within designated Upland Review Areas be fully constructed in order to avoid future concerns relative to the ability to assure the procurement of future permits.
  - Indication of adequate sedimentation and erosion control measures for the pipe conveyance system and outfall of same (scour hole) draining to Sheep Meadow Drive.
  - An indication that the last catch basin located prior to discharge to the proposed detention basin includes a four foot sump and vented hooded outlet.
  - Details and notations indicating that the proposed piping and end wall construction comply with Town standards and requirements.
  - Details of the proposed 3 inch tall lawn slope edging between the proposed grass lawn and adjacent meadow.
  - Notations and delineation indicating the placement of boulders and plantings as indicated during the hearing in such locations as to function as an edging and demarcation of the proposed rain gardens.
  - Notations indicating that the drainage outlet improvements within the easement off the end of Sheep Meadow Drive shall be completed prior to the start of construction of any other part of the entire drainage collection, treatment, and/or conveyance system.
  - Notations and demarcation indicating the installation of plantings for screening along the northeast, east, and southeast sides of the easement off the end of Sheep Meadow Drive as presented and discussed during the hearing (minimum of 3 two gallon size or 3 feet tall (whichever is larger), native, evergreen plantings, 7 feet on center; and 7 or 8, one gallon size or 3 feet tall (whichever is larger) , native plantings placed between the larger plantings).
  
2. An original version of the Soils Report with a more legible sketch shall be provided.

3. Filing of the provided Site Maintenance Plan on the Town Land Records.
4. Filing of Final Inland Wetlands Commission Approved Plans:  
Upon satisfactory revision of the final Plans as required above, the applicant shall submit five (5) complete sets of certified plans (full size 24" x 36") for the authorized endorsement of same by the Commission Chair.
5. After completion of conditions listed under (A 1-4) above, the original Notice of Decision must be filed on the land records in the Town Clerk's office. The applicant will obtain the said original Notice from the Inland Wetlands Department. A copy of said recording, showing all marks of recording, shall be provided to the Inland Wetlands Department by the applicant.

\*\* Extension of Time: The Applicant may request an extension of time. The Commission must receive a written time extension request (showing good cause as to why an extension should be granted) prior to the expiration of the initial 270 days. Upon receipt of said timely request, the Commission may grant a limited time extension if the Commission determines, in its sole discretion that granting the request would be consistent with the Act and Municipal Ordinances.

**(B) Conditions to be addressed prior to construction (issuance of an IWC PERMIT – *said permit will be in the form of a permit document, and/or final stamped/signed plans*):**

1. Address all above listed conditions.
2. Verification of easements must be provided, if applicable.
2. An agreement for maintenance and upkeep of the storm water conveyance, and detention facilities by an association or other ownership entity needs to be submitted for review, acceptance, and ultimately filing on the Land Records.
3. Verification shall be provided indicating that the drainage easement off the end of Sheep Meadow Drive has been filed on the Town Land Records, and is granted to the Town of Monroe with wording (or lack of specific restrictions) such that the proposed improvements are acceptable (per easement allowances).
4. A pre-construction meeting shall take place with the Wetland Agent prior to any disturbance or alteration to the site. This includes any tree or brush removal. Pre-construction meetings shall not be held until the final plans (as detailed above) have been signed by the Town and building permit has been issued (where applicable).
5. A \$22,000.00 bond must be posted along with the execution and signing of a respective Bond Agreement.
6. Issuance of Building Permit, if applicable.

**(C) Conditions to be addressed prior to the issuance of a Certificate of Occupancy (if applicable):**

1. All work shall be substantially complete.
2. Address all above listed conditions.
3. An As-Built plan must be provided (progress print at this stage). Said As-Built must be superimposed on the original approved layout plan (to be shown in red or varied shading), and have adequate information to verify that all work was completed in compliance with this approval.

**(D) Conditions to be addressed prior to the release of bond:**

1. Address all above listed conditions.
2. Submission of a final As-Built drawing.
3. Completion of all work, stabilization of all disturbed areas, removal of all siltation and erosion control measures, and restoration of all pre-application/site investigation areas within the individual lots.
4. Submission, acceptance, and filing of any/all easements, if applicable.

**(E) Standard Requirements:**

1. Regulated activities herein shall be implemented by the permittee in accordance with the timing, location, duration, and intent proposed and approved by the Commission.
2. Sedimentation and erosion control measures must be installed prior to any commencement of site activity. Said measures must be regularly inspected prior to and subsequent to major storm events and maintained during construction and properly removed with all affected land restored prior to requesting final

inspection. An authorized representative, responsible for all sedimentation and erosion control measures, must be registered with the Town Inland Wetlands Office, Public Works Office and Police Department in addition to being listed on the drawings (include a name, address, business telephone number, off-hours telephone number and other pertinent contact information). All sedimentation and erosion control measures must be provided and installed in accordance with the Connecticut State Department of Energy and Environmental Protection (DEEP) Guidelines for Soil Erosion and Sediment Control dated 2002, or as updated. In constructing the authorized activities, the permittee shall implement such management practices consistent with the terms and conditions of the permit as needed to control storm water discharges and to prevent erosion and sedimentation and to otherwise prevent pollution of wetlands and watercourses.

3. If a bond is not required as a specific condition of approval, the posting of a cash (bank check) or letter of credit may be required at any time during construction by the Inland Wetlands Commission, Inland Wetlands Agent and/or the Town Engineer for erosion controls or any approval requirements and/or Wetland mitigation measures, in an amount to be recommended by the Town Engineer and accepted by the Commission. Once work is complete, a request for bond release must be provided in writing.
4. In the event an appeal is taken from this decision, the applicant shall provide the Commission with three (3) sets of all plans, reports and documents that were submitted for the application within thirty (30) days.
5. Heating oil tanks shall not be buried anywhere on the property.
6. Plant species listed on the most current DEEP publication entitled "Non-native Invasive and Potentially Invasive Vascular Plants in Connecticut" shall not be introduced on the site.
7. The Applicant shall notify the Wetland Agent at least 48 hours prior to starting any work (including, but not limited to, grading or stumping) and upon completion of work.
8. The applicant shall submit any changes of the approved plans with a written request for permit amendment(s). The Commission and/or its Agent shall determine if said changes are acceptable under the permit or if a new application is required.
9. All work and all regulated activities conducted pursuant to the authorization shall be consistent with the terms, intent, and conditions of this permit. All structures, equipment, material, excavation, fill, clearing, encroachments, and activities not specifically identified and authorized herein shall constitute a violation of the permit. This may result in the modification, suspension, or revocation of the permit.

**(F) Timing, Expiration and/or Transfer of Approval/Permit:**

1. In accordance with Connecticut General Statutes, Section 8-3 (i), and the Town of Monroe Inland Wetlands and Watercourses Regulations, Section 11.7, any and all work associated with this approval must be completed within five (5) years of the date of approval (meeting date of vote). Up to one additional five (5) year extension may be requested in writing prior to expiration. **However, if work doesn't commence until sometime within the five (5) year extension period, the applicant shall first submit a schedule detailing needed work to verify that there will be enough remaining time to complete all requirements prior to the expiration date.**
2. A "Permit" resulting from and relating to the aforementioned "approval" will be issued upon addressing all the conditions listed under this Approval, sections... "*(A) Conditions to be addressed within 270 days of the Date of Approval*". However, the issuance of a permit does not allow for work to commence. Work shall only commence upon the issuance of a Permit by satisfactorily addressing all conditions listed under this Approval, sections... "*(A) Conditions to be addressed within 270 days of the Date of Approval*", "*(B) Conditions to be addressed prior to construction*";... and once all other associated State, Federal, and/or Local permits and/or approvals have been procured and associated permits issued and/or authorizations for construction provided .
3. This permit is not transferable unless: the new owner provides the Commission with a signed acknowledgement that he or she understands and accepts the conditions of approval, a new replacement bond is established by the new owner, or an agreement between the original and new owner is provided, verifying that the original owner will still be responsible for meeting the conditions of approval.

**THIS APPROVAL IS HEREBY ISSUED WITH THE FOLLOWING STATEMENTS, CLARIFICATION OF STANDARDS, CONDITIONS, AND PROCEDURAL REQUIREMENTS:**

**THIS APPROVAL IS NOT AN AUTHORIZATION TO START CONSTRUCTION.**

If there are any questions relative to the conditions of approval, please call the Town prior to submitting the revised plans. This will avoid costly and time consuming revisions and reviews, therefore, expediting the process for you.

This Commission has relied in whole or in part on information provided by the applicant and if such information subsequently proves to be false, deceptive, incomplete or inaccurate, the permit may be modified, suspended or revoked.

This approval is subject to compliance with any and all Inland Wetlands Regulations of the Town of Monroe in addition to all other applicable Local, State and Federal requirements.

This approval does not derogate any present or future rights or powers of the Inland Wetlands Commission or the Town of Monroe, and conveys no rights in real estate or material nor any exclusive privileges, and is further subject to any and all public and private rights and to any federal, state, and municipal laws or regulations pertinent to the subject land or activity.

If the activity authorized by this approval also involves an activity which requires zoning or subdivision approval, special permit, variance or special exception under sections 8.3(g), or 8-26 of the Connecticut General Statutes, no work pursuant to the wetland permit may begin until such approvals are obtained.

Violations of this approval (permit to be issued) may result in termination of associated tax abatements if applicable, as per Town Code, Section 470-30.

Variations from the approved plans must be addressed/discussed with the appropriate Town staff during construction with the resolution and verification of same documented in writing.

This decision is consistent with the purposes of the Monroe Inland Wetlands and Watercourses Regulations which are designed to protect the citizens of the town of Monroe by providing a balance between the need for growth, development and enjoyment of the natural resources of Monroe with the need to protect its environment and ecological stability.

This approval letter may also serve as the Inland Wetlands Commissions Report to the Planning and Zoning Commission (where applicable).

-End-

cc: David S. Bjorklund, Jr., P.E.  
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