

**INLAND WETLANDS AND WATERCOURSES COMMISSION  
MINUTES  
MAY 6, 2008**

**MEMBERS PRESENT:** Richard Girouard, Chairman  
John Lauria  
Andrew Lubin  
Arlyne Fox  
John Doris (arrived at 7:45 p.m.)  
David Lucas

**ALSO PRESENT:** Stephen Savarese, PE, LS Town Engineer  
Neil Lieberthal, Town of Trumbull Attorney

The Chair convened the meeting at 7:39 p.m.

Mrs. Fox led the Commission in the Pledge of Allegiance.

Mr. Lubin read the public hearing notice.

The Chair extended the Commission's gratitude and best wishes to Brian Smith, Assistant Town Engineer and Inland/Wetlands Agent on his retirement and thanked him for his guidance and assistance through the years.

The Chair opened the public hearing at 7:40 p.m.

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN THAT the Inland Wetlands and Watercourses Commission of the Town of Trumbull will hold a Public Hearing on Tuesday, May 6, 2008, at 7:30 p.m. in the Trumbull Town Hall Courtroom, 5866 Main Street, Trumbull, CT, on the following applications:

Application 08-07, ABM Brothers, LLC, Permit approval for construction of retail space with two drive-thru windows & associated appurtenances at 6540 Main Street.

Application 08-08, Hidden Pond Development LLC, c/o David Wolkoff, Permit approval of a 9 lot subdivision with 1025 linear feet of new roadway; disturb approximately 0.08 acres of inland wetlands; and construct approximately 0.17+/- acres of wetlands at I5 / 198 Booth Hill Road (Volume 1449/Page 97).

A copy of the applications together with the maps showing the location of the above properties are on file for public inspection in the Office of the Town Engineer, Town Hall, Trumbull, CT.

Dated at Trumbull, CT this 7th day of April, 2008  
Richard H. Girouard, Sr., Chairman  
Inland Wetlands and Watercourses Commission  
of the Town of Trumbull

The following is a brief summary of the meeting. A recording was made on tape and is on file in the office of the Town Engineer, Town Hall, Trumbull, CT.

**INLAND WETLANDS AND WATERCOURSES COMMISSION  
MINUTES  
MAY 6, 2008**

**Public Hearing:**

08-08 Hidden Pond Development LLC – Mr. Lubin read into the record letter from Attorney Raymond Rizio dated April 28, 2008 requesting a continuance to the next scheduled Inland/Wetland hearing in June, 2008.

New time frames need to be established for information review prior to site walk. Time line was discussed and Attorney Lieberthal said they are well within the time frame.

In order to have 15 days for documentation review all documentation will have to be submitted by May 20, 2008.

Upon Motion made (Lubin) seconded (Lucas), Motion carried unanimously (all present voting) to GRANT A CONTINUANCE on Application #08-08.

08-11 A.B.M. Brothers – The Chair read into the record letter from David S. Bjorklund, Jr., P.E. of Spath-Bjorklund Associates, Inc. dated April 23, 2008 withdrawing Application 08-11.

Upon Motion made (Fox) seconded (Lucas), Motion carried unanimously (all present voting) to close Public Hearing.

The Chair closed the Public Hearing at 7:50 p.m.  
The Chairman opened New Business at 7:50 p.m.

**New Business:**

Application 08-10      Ian and Margaret Johnston      Permit approval to construct a 24x30 foot deck to back of house at 12 Cove Point.

Margaret Johnston, 12 Cove Lane was present. She stated that they want to construct a new deck. They have an existing deck and would like to enlarge it. The deck will be constructed over grass and there will not be any cutting of trees or shrubs. The house is located more than fifty feet from Pinewood Lake. Anthony Chmielewski, 28 Siminole Trail, the homeowner's uncle, stated that the new deck would be the same width and would be extended out a little further.

Upon motion made (Fox), seconded (Doris), to RECEIVE Application 08-10; Motion carried unanimously (all present voting).

Application 08-11      Bruce T. Silverstone      Permit approval to construct a 14x16 foot three season porch at 121 Whitney Avenue.

Bruce T. Silverstone was present. He stated that he wants to construct a three season room or sun room on an existing deck and the only thing that has to be done to the ground is add three support posts to the deck. Mr. Silverstone indicated that there will be a rain garden for stormwater management. This house

**INLAND WETLANDS AND WATERCOURSES COMMISSION  
MINUTES  
MAY 6, 2008**

was built in 1987 or 1988 and the homeowner knows of no stormwater management provisions put on the house because of the flood zone at that time.

Upon motion made (Lubin), seconded (Doris), to RECEIVE Application 08-11; Motion carried unanimously (all present voting).

Application 08-12      Joseph Hyatt                      Permit approval to fill 150x150 foot area and seed; replant Evergreen trees at 49 Moose Hill Road.

Joseph Hyatt, 49 Moose Hill Road was present. When he moved in three years ago he had a septic field installed and says that the Town told him to put some material in to fill the area because there is a slope. He stated that 23 feet of the area that is being filled is within the 100 foot radius. He has erosion control in place. The homeowner stated that the fill area is 73 feet from the wetlands. Mr. Hyatt indicated that the rocks that are being stored on the property are for a stonewall in the front. He also said that there is equipment on the site that he has been using. He had a permit to do the third car garage on the house and two rooms above it. The applicant submitted pictures of the site.

Upon motion made (Fox), seconded (Lauria), to RECEIVE Application 08-12; Motion carried unanimously (all present voting).

Application 08-13      Robert Zunick                      Permit approval to construct a two story addition at  
                                 David Kronish/Agent                      37 Zephyr Road.

Dave Kronish of Nova Builders representing Bob and Ellen Zunick, 37 Zephyr Road stated that the house is on city sewer. The house is near a watercourse – approximately sixty feet from the proposed addition. He indicated that its elevated considerably above the level of the water and there is a narrow watercourse now where the storm sewers drain into it and it fluctuates based on weather conditions and time of year. He also stated that it doesn't entirely dry up according to the homeowner and it continues to be wet. He has designed a 950 gallon capacity drywell gallery system to take all the runoff from the downspouts. He also indicated that the homeowner wants to move the existing shed straight back and he drew the shed location on the Chairman's copy of the plan.

Upon motion made (Lubin), seconded (Lucas) to RECEIVE Application 08-13; Motion carried unanimously all present voting).

Upon motion made (Fox), seconded (Doris), and carried unanimously (all present voting) to close new business at 8:15 p.m.

**Work Session:**

The Chairman opened the work session at 8:16 p.m.

After discussion and review, the Commission took action as follows:

**INLAND WETLANDS AND WATERCOURSES COMMISSION**  
**MINUTES**  
**MAY 6, 2008**

Motion made (Fox), seconded (Lubin), Motion carried unanimously (all present voting) to **APPROVE** Application 08-10, as submitted, subject to the General Conditions as established by the Commission.

Application 08-11 – The Commission and the Town Engineer had discussions regarding the flood plane administrator and flood plane management because the property is in a flood zone and a flood way. The Commissioners want to walk the site. The applicant is not expanding the footprint of the house and wants to build a room on an existing deck. Mr. Savarese wants elevations of where the deck is and where the proposed room is going to be able to identify the flood way or flood plane. Mr. Doris stated concerns about whether or not the high velocity of water could eliminate the peers that the deck and room will be on. The Commission decided to walk the site. Mr. Savarese stated that he wants to verify that the elevations are not in a flood way.

Application 08-12 – Mrs. Fox stated that she would like to see why there was a cease and desist issued and wants to see the site. Mr. Savarese explained that the complaint came from the Connecticut DEP regarding the type and nature of fill that was being brought into the site. The applicant had to comply with the DEP's order for mandatory soil testing. Mr. Savarese informed the Commission that the DEP did not find any hazardous chemicals on the site and the applicant did comply with the DEP and he has a copy. The Commission decided to walk the site.

Application 08-13 – Mr. Lauria questioned Mr. Savarese as to whether or not the custom designed infiltrator system would work. Mr. Savarese indicated that the stormwater management plan has two criteria and criteria one offers cost saving measures for smaller additions. An inspector from the Engineering Department would go out and inspect the system. The house presently has a basement and the addition will be on slab.

Motion made (Fox), seconded (Lubin), Motion carried unanimously (all present voting) to **APPROVE** Application 08-13, as submitted, subject to the General Conditions as established by the Commission.

Mrs. Fox indicated that she has been receiving complaint phone calls from residents in the Fieldcrest and Bullfrog area they are having problems with water and erosion. She would like to look at the area in question at the time of the field inspections. Mr. Lauria did not agree that this should be addressed at the time of the walks because it has never been on the agenda. He indicated that he has a problem with it being outside the Commission's agenda items and procedures. Mrs. Fox will call the Town Engineer in the morning with the names and addresses and he will look into it.

**Field Inspection:**

The field inspection date was scheduled for Wednesday, May 21, 2008 leaving the Town Hall at 3:00 p.m. on the following applications:

**Application: #08-11**

**Application: #08-12** - Perimeter of the proposed land clearing, grading and seeding area staked out for the walk.

**Application: #08-08** - if the site has been re-flagged and re-staked by May 20<sup>th</sup>.

**INLAND WETLANDS AND WATERCOURSES COMMISSION  
MINUTES  
MAY 6, 2008**

There was discussion regarding the meeting date change for November's meeting – Commissioners still want it on the Thursday – will discuss it again at June's meeting. Commission wants to know what dates are available in November or what buildings are available for Thursday, November 6<sup>th</sup>.

**Correspondence:**

Correspondence was included in each Commissioner's packet for their review.

The Chairman went over letter from Spath-Bjorklund dated April 25, 2008 indicating they are going to pay the fees for the soil scientist for Application 08-08.

Upon motion made (Doris), seconded (Lucas), and carried unanimously (all present voting) to close work session at 9:00 p.m.

Chairman called a recess at 9:00 p.m.

Chairman called the meeting back to order at 9:13 p.m.

Arlyne Fox left the meeting at 9:35 p.m.

**Old Business:**

Up-dating Regulations:

The Chairman gave the Commissioners fee schedules he obtained from area Cities and Towns to review. The Commissioners discussed changes to public hearing procedures and fees, additional application and publication fees and site walks that are being considered for the up-dated Regulations.

The members also discussed proposed changes to Articles 3.4, 7.5k, 7.4, 7.5a, 7.5i, 7.6a, 8, 9, 9.1, 10.3, 10.6, 10.7, 11, 11.1, 11.2, 11.10, 11.11, 11.7, 12.1, 14.3, 15.1.

**Approval of Meeting Minutes:**

Motion made (Lubin), and seconded (Lucas), Motion carried unanimously (all present voting) to APPROVE meeting minutes dated April 1, 2008.

There being no further business, upon Motion made (Lubin), and seconded (Doris), Motion carried unanimously (all present voting) to adjourn at 10:30 p.m.

Respectfully submitted,

BY: \_\_\_\_\_  
Joyce Augustinsky, Clerk