



INLAND WETLANDS AND WATERCOURSES COMMISSION
MINUTES
May 1, 2012

- MEMBERS PRESENT:** Richard Girouard, Chairman
Arlyne Fox, Vice Chairman
John Lauria, Secretary
Carmine DeFeo
Kevin Chamberlain, Alternate (voting)
- MEMBERS ABSENT:** Lars Jorgensen and David Lucas.
- ALSO PRESENT:** Frank M. Smeriglio, P.E.
William C. Maurer Civil Engineer, L.S.

The Chair convened the meeting at 7:34 p.m.

All present joined in the Pledge of Allegiance led by the Commissioner Fox.

REGULAR MEETING

NEW BUSINESS:

The Chair opened New Business at 7:36 p.m.

Application 12-14, Carlos Varela - Permit approval to construct a 513 sq. ft. addition, new addition will contain new mud room, family room and a half bathroom with poured concrete foundation for a 6'8" basement within a regulated area at 2140 Huntington Turnpike.

Mr. Michael Varela of 16 Church Hill Drive, Bridgeport, CT was present on behalf of the applicant and indicated The addition will include a new family room, half bath and a mud room entrance with a poured concrete foundation. The soil will be taken off-site by truck and a silt fence will be installed. The stonewall divides the property, the silt fence will be installed from that point and around the back of the property. The existing garage will be connected to the new basement by opening up the basement wall. The stream is down hill from the house, there is a slight slope towards the driveway. They had not planned a storm water system although if the commission requires one, they will submit it. There is no existing drain system for the gutters. The house is currently on septic. Ms. Laurie Panettiere of 2140 Huntington Turnpike was present and indicated that the sewers have just come to their street in August of last year; to date the street has not been released to connect to the sewer. The project can not begin before they connect to the sewer. Mr. Varela indicated the addition will take 2.5 to 3 months from start to finish. The existing deck will be removed although part of the deck will be put back where the deck connects to the foundation and the mudroom area. The work will be 65'-80' from the wetlands. Ms. Panettiere stated a storm drain on Primrose drains to the stream. Mr. Varela indicated that it is only wet when it rains, when it does there is approximately 3"-5" of water.

Motion made (Fox) seconded (Lauria) to RECEIVE Application 12-14 (Carlos Varela)
VOTE: MOTION CARRIED UNANIMOUSLY

Application 12-17, Barry Mucci/Mucci Construction LLC - Permit approval to install a patio in rear of yard, extend existing deck by 11' x 12' on the northern side and 3' X 7' on the southern side within a regulated area at 5 Sarenee Circle.

Mr. Barry Mucci of Mucci Construction LLC of 61 Armstrong Road, Shelton, CT was present on behalf of the owner. The owners had hired a different contractor to do the work. Mr. Mucci submitted and reviewed photographs for the record. As homeowners they knew they did not need a permit for a patio but were not aware of the 100' wetland regulated area. Currently there are two (2) rows of silt fence installed. When the project is completed there will be a 2:1 slope, plantings and a lower wall. The patio will be made of fieldstone; no mortar will be used allowing water through. The patio shape on the plan is over drawn by the surveyor. Mr. Mucci distributed additional photos for the record. Construction of the deck has not begun. The closest area of the wetlands to the deck disturbance area is 15'. Wetlands are indicated on the original subdivision map. The conservation easement is the wetlands demarcation. There is a 16' existing patio. There is a drain that will pick up the water cascading off the lawn. The retaining wall will be 2' high and could be terraced. No trees have been removed. Mr. Mucci submitted a picture representing the yard in its original condition. The house was built 17-18 years ago; they have not found any wetland plaques. The commissioners noted that monumentation are close to the ground. Mr. Jim Fitzgibbons owner of 5 Sarenee Circle was present and indicated that the patio is 20' x 30' is approximately 600 sq. ft.

Mr. Maurer explained that the plan submitted is an as-built, a surveyor had come out to the site, and the wall is exactly where it is indicated. The 800 sq. ft. of land disturbance is based on the application (.2 acres of disturbance). The plan indicates a 1' high section which represents the outside wall of the patio, there is a retaining wall being built, (a photograph representing the area was submitted). Mr. Mucci indicated that the yard is temporarily stabilized by a double row of silt fences. Mr. Maurer suggested if the application were approved, a condition of approval could be compliance with the Storm Water Management Policy. Mr. Maurer indicated that the site is already tight; it may be possible to drain off to the stream. Mr. Mucci stated the storm drain runs into the stream and is what created the wetland on the owner's side of the property; there is an under drain that had been installed when the house was built, and does not believe it drains to a catch basin. Mr. Mucci confirmed that the wetlands could be staked. Mr. Fitzgibbons indicated that the property is a corner lot there are no neighbors, the stream flows downhill. Mr. Chamberlain indicated the commission may request the conservation easement be staked.

Motion made (Fox) seconded (Chamberlain) to RECEIVE Application 12-17 (Barry Mucci/Mucci Construction LLC). VOTE: MOTION CARRIED UNANIMOUSLY

Application 12-19, Gary Williams and Ellen Grosso - Permit approval to remove trees, brush, litter, debris, add plantings, replace an existing deck, add stone patio and walk on-grade, general clean up/maintenance and install a 12' x 36" above ground seasonal pool within a regulated area at 24 Indian Road.

Mr. Gary Williams and Ellen Grosso of 24 Indian Road were present. Mr. Williams indicated that the application is for a series of landscaping improvements within the regulated area, there is one hard-scape, a proposed stone patio. They have cleared an area at the north end of the property for the installation of a swing set, and would like to clean out the wooded area on their property. There were significant amounts of litter. Some of the improvements have already been carried out and others are proposed for the future. Ox Brook which borders the property flows into a pond. There are two (2) tiers of land with a step down of 5' between the grass area and the wooded area. Mr. Williams reviewed for the commissioners the performed activities and the proposed activities as

outlined in documentation included in the application. The deck at the back of the house is 60'. The trampoline is at the northeast corner of the property; there is a stone wall between the trampoline and where the property borders Ox Brook. There is 15' to the edge the trampoline and the stone wall on the west side of the property. Ms. Grosso indicated that the entire backyard is within the 100' of the brook. Mr. Williams stated he does have a wetland soils report but did not submit the report with the application. Ms. Grosso stated they are not working in the wetlands area but are within the 100' regulated area. Mr. Maurer stated the back deck is within 100' from Ox Brook. Ox brook is a manmade pond made in the 1940's. There is established wildlife and is a pristine area. Mr. Williams stated where the Hemlocks will be planted is not wetlands area and is dry ground with the exception of one in the corner. The existing hemlocks are growing very well. The 1,100 sq. feet of disturbance includes area where the removed the litter and the cleanup, there was no excavation. Ms. Grosso stated the pool is 12' x 36"; it is not a permanent structure. The swing set is staked to the ground, no cement was used.

Motion made (Fox) seconded (Chamberlain) to RECEIVE Application 12-19 (Gary Williams and Ellen Grosso)
VOTE: MOTION CARRIED UNANIMOUSLY

Motion made (Lauria) seconded by (DeFeo) to close the New Business.
New Business closed at 8:34 p.m.
VOTE: Motion carried unanimously.

MINUTES:

By unanimous consent the Inland Wetlands & Watercourses Commission amended the April 3, 2012 meeting striking the word ~~improved~~ and replacing it with approved on page 5, under Application 12-11. The amended section reads as:

Motion made (Chamberlain) seconded (Lauria) to APPROVE Application 12-11, (Jennifer and Philippe Lindade), as submitted, subject to the General Conditions as established by the Commission and the following specific conditions:

- The impervious surface of the deck is addressed with additional drainage to be submitted and approved by the Town Engineer's office.
- All of the conditions of the approval of the prior Application 10-24 are unaffected by this approval.

Motion made (Lauria) seconded by (DeFeo) to accept the April 3, 2012 minutes as corrected.
VOTE: Motion CARRIED UNANIMOUSLY.

WORK SESSION:

The Work Session began at 8:37 p.m.

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

Application 12-14, Carlos Varela - Permit approval to construct a 513 sq. ft. addition, new addition will contain new mud room, family room and a half bathroom with poured concrete foundation for a 6'8" basement within a regulated area at 2140 Huntington Turnpike.

Motion made (Lauria) seconded (Chamberlain) to APPROVE Application 12-14, (Carlos Varela), as submitted, subject to the General Conditions as established by the Commission.
VOTE: Motion CARRIED UNANIMOUSLY.

Application 12-17, Barry Mucci/Mucci Construction LLC - Permit approval to install a patio in rear of yard, extend existing deck by 11' x 12' on the northern side and 3' X 7' on the southern side within a regulated area at 5 Sarenee Circle.

Motion made (Chamberlain) seconded (Fox) to APPROVE Application 12-17, (Barry Mucci/Mucci Construction LLC) for discussion purposes only.

Motion made (Chamberlain) seconded (Fox) to amend the previous motion and to APPROVE Application 12-17, (Barry Mucci/Mucci Construction LLC), as submitted, subject to the General Conditions as established by the Commission and the following specific conditions:

- The applicant shall submit an engineered site plan and drainage plan in a form acceptable to the Town Engineer to address the additional impervious surface on the property.
- There shall be details and dimension (either in square footage or written dimensions) on the patio construction.
- At least three (3) points along property's conservation easement be staked by a surveyor using iron pins.

VOTE: Motion CARRIED UNANIMOUSLY.

Application 12-19, Gary Williams and Ellen Grosso - Permit approval to remove trees, brush, litter, debris, add plantings, replace an existing deck, add stone patio and walk on-grade, general clean up/maintenance and install a 12' x 36" above ground seasonal pool within a regulated area at 24 Indian Road.

Motion made (Defeo) seconded (Lauria) to amend the previous motion and to APPROVE Application 12-19, (Gary Williams and Ellen Grosso) for discussion purposes to DENY the application without prejudice due to an incomplete application as follows:

- Not having dimensions.

The commission requires a detailed map prepared by a land surveyor and the inland waterway and wetlands be flagged as determined by a soil scientist.

Mr. Defeo withdrew his motion.

The Inland and Wetlands & Watercourses Commission unanimously agreed to a Site Inspection on Application 12-19.

By unanimous consent The Inland and Wetlands & Watercourses Commission scheduled the Field Inspection for Wednesday, May 9, 2012 leaving the Town Hall at 3:30 p.m.

There being no further business to discuss The Inland Wetlands & Watercourses Commission adjourned by unanimous consent at 9:32 p.m.

Respectfully Submitted,

Margaret D. Mastroni, Clerk