

INLAND WETLANDS AND WATERCOURSES COMMISSION

Town of Trumbull

CONNECTICUT

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TOWN HALL
Trumbull

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MINUTES
March 5, 2013

MEMBERS PRESENT: Richard Girouard, Chairman
Arlyne Fox, Vice Chairman
John Lauria, Secretary
Kevin Chamberlain
Jeffrey Wright (Arrived at 7:46 p.m.)

ABSENT: Carmine DeFeo

ALSO PRESENT: William Maurer, LS, Civil Engineer

The Chair convened the meeting at 7:31 p.m. All present joined in the Pledge of Allegiance led by Commissioner Fox.

PUBLIC HEARING:

Commissioner Lauria read the Public Hearing Notice into the record as follows:

**TRUMBULL
INLAND WETLANDS AND WATERCOURSES COMMISSION
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, March 5, 2013 at 7:30 p.m. in the Trumbull Town Hall Courtroom, 5866 Main Street, Trumbull, Connecticut, on the following application:

Application 13-05, Silver Nichols LLC-Permit Approval to construct a parking lot associated with 999 Silver Lane, the proposed parking lot is for the medical use building, activities include filling, grading and paving within the regulated area at Map# J-11, Parcel 101 Silver Lane.

A copy of the application and maps are on file for public inspection in the Town Engineer's Office, Town Hall, Trumbull, Connecticut.

Dated at Trumbull, Connecticut this 21st day of February, 2013.

Richard H. Girouard, Sr., Chairman
Inland Wetlands and Watercourses Commission of the Town of Trumbull

REGULAR MEETING

NEW BUSINESS:

Application 13-06, Massimo & Angela DeCarli - Permit approval for construction of a garage under a deck, pool, pool deck and storage shed within a regulated area at 15 Washington Avenue.

Mr. Massimo DeCarli of 15 Washington Street was present and indicated the application includes an existing pool deck and garage. There is some impact to the wetland. The Chair explained that Mr. DeCarli had purchased the property from the developer, the plan shows what had been approved. The applicant was not aware he needed a wetlands permit and proceeded to add the other items included in the application. Mr. DeCarli confirmed for Commissioner Chamberlain that the wetland area extends throughout the rear yard, where the pool, deck, garage and even under where part of the house had been built. The plan references wetland boundaries that were part of the 2001 site-plan approval , (large dash line and the WLF #6, #5, #4 and #3 indicate wetland boundaries on plan). Commissioner Chamberlain questioned whether the commission would have approved the construction of the house over the wetland boundary. Mr. Maurer indicated the first application was submitted in 2001 (Application 01-23), the approved plan was Alternate plan #1. The commission reviewed Alternate Plan #1. Commissioner Lauria stated that it appears the house was approved forward on the plan and was possibly built further back. Mr. DeCarli indicated for Commissioner Fox that his yard is not wet. Mr. Maurer stated that there is a stream on the southern boundary; the stream is a drainage channel from 30 acres upland and is fed entirely by storm drainage pipes; it is not a natural stream. Mr. DeCarli explained that some trees were removed but not all and did not have the exact count, most were removed by the builder. When he purchased the house most of the enhancements were already there. The applicant added the pool, garage under the deck, shed and extended the driveway to the garage.

The Chair indicated if the IWWC grants the approval the applicant would then go to P&Z, he may have a ZBA setback and will also have to get building permits. Mr. Maurer stated Mr. DeCarli has been very forthcoming; he brought this to the Town's attention that he did not have permits and has been very cooperative. The stream is a low quality wetlands, it is a drainage swale. Development in the area by other people has really made these low quality wetlands. Mr. DeCarli indicated he has lived at this location for 11 years and confirmed that the application includes the building of a future proposed shed. The existing pool is above ground, he would not have built an in-ground pool due to the cost.

Motion (Chamberlain), seconded by (Fox) to RECEIVE.

VOTE: Motion CARRIED unanimously.

Application 13-07, Gerald & Sandra Weiner-Permit approval to construct a one-floor addition on a crawl space , approximately 336 sq. ft. within a regulated area at 137 Whitney Avenue.

Mr. Scott Fargunerson of Baybrook Remolders, contractor for the project, was present on behalf of the applicants. The homeowners were also present. (Commissioner Wright arrived at 7:46 p.m.) The proposal is to construct an addition to the existing home, the property borders the

Pequonnock River; the river divides the property line. The property was surveyed. The addition and construction site is beyond the 1% flood line (100-year flood) and will have an elevation above the flood elevation of 234'. The crawl space elevation is 235' and the floor elevation is at 239.79' matching the existing. This is almost 6' above the flood elevation. The proposal calls for lowboy galleries for rain water control and a proposed septic reserve. Wetlands were flagged by a Soil Scientist and Environmental Services of Cheshire, CT. The perk testing was performed by K. Wright Excavating in conjunction with the Town Health Dept. and the Town Engineering Dept. The B-108 meets the Town's requirements. Erosion and sediment control will be installed by Baybrook Remodelers according to requirements by the Town and the Engineering Dept. Monitoring of installation and on-site review of the controls will be done by himself, Mr. Scott Fargunerson of Baybrook Remolders. The house is located two houses east of the walking path before the underpass for RT. 25, (before the bridge). The bridge is parallel to the house. Mr. Fargunerson submitted photographs of the existing deck that will be removed for the addition on the east end of the house. One tree will be removed. The addition will have a crawl space. They are showing a reserve to the septic system, it is not necessary to add to the septic system at this time. Mr. Maurer explained that the reserve is required because of the bedroom addition; septic systems are sized by the number of bedrooms. The application did not specifically speak to the septic system but it should be included in case they need to add to the system within 5 years, it would not have to come back to the commission for disturbance of the upland area. The galleys (82 linear ft.) are towards the existing garage.

Motion (Chamberlain), seconded by (Fox) to RECEIVE.

VOTE: Motion CARRIED unanimously.

Motion (Fox), seconded by (Chamberlain) to CLOSE New Business.

VOTE: Motion CARRIED unanimously.

New Business CLOSED at 7:53 p.m.

PUBLIC HEARING

The Chair OPENED the PUBLIC HEARING at 7:54 p.m.

Application 13-05, Silver Nichols LLC-Permit approval to construct a parking lot associated with 999 Silver Lane, the proposed parking lot is for the medical use building, activities include filling, grading and paving within the regulated area at Map# J-11, Parcel 101 Silver Lane.

Mr. Michael Earley of Peirera Engineering with offices at One Enterprise Drive of Shelton was present on behalf of the applicant. The proposal is for a 29-space parking lot located at Silver Lane. It will serve the principal use of the medical building. Pereira was responsible for the grading and the storm water design on this project Mr. Earley described the storm water design in detail to the commission as follows: The storm water will sheet flow towards a catch basin located in the nw corner of the parking lot. The water will reach the catch basin and will be routed to an underground storm water detention system. Once in the detention system, the storm water will infiltrate back close to the ground, the detention system will fill, the excess water will discharge through a pipe located at the back of the catch basin and towards an energy dissipater and will sheet flow over the wetlands. Since the last meeting this plan has not been revised. To determine the size of the underground detention system they had made assumptions that the

percolation rate would be an-inch-in-30 minutes. Since the last meeting they have performed perk tests in the area, at the lowest grade the results were better than an inch-in-30. The commission requested that they provide a *Storm Water Operation & Schedule Maintenance Schedule* as part of this application. Mr. Earley indicated it would be provided but has not been put on the plan yet. It would include the inspection of the catch basin, the underground storm water management system, the energy dissipater and any of the facilities assisted with the storm water management system. This would be performed at least every six months and the typical cleaning of the catch basin at least once a year, usually in October. The catch basin will have a 4' sump with two hoods; the pipe heading towards the underground system will have a hood on it as well as the high level over flow pipe discharges towards the rip rap energy dissipater. There will be two hoods and the catch basin. The owners would be responsible for the *Storm Water Operation & Schedule Maintenance Schedule*.

Mr. John Guedes, Principal with the Silver Nichols LLC was present and indicated the building is managed by the Felner Corp. of Fairfield they would assume the responsibilities of maintenance of all of the systems within the total property. There was not a requirement for them to provide reports to the commission but generally if the systems are not maintained they would not work. The building has maintained the same amount of space and square footage. The public hearing notices were sent out to the adjoining property owners, the only calls he had received were in support of what is being proposed. The neighbors are relieved that additional parking is being provided. The building is short parking and has always been, the building still has the same 21,000 sq. ft. as it did when built, nothing has changed. All of the neighbors within 75' were notified. This application and the lighting system will be submitted to P&Z. Part of the P&Z requirement is to put in a concrete walk. All of the properties on Silver Lane in Trumbull are zoned commercial; he would expect that the properties would be developed someday, although not by them. The parking lot's need is specific to the building, the cost to this project is extreme and they would not be doing this unless it was needed. The only way they can do this is to maximize the number of spaces they can get and at the same time fulfill the obligations under the regulations both under this commission and the P&Z Commission.

Mr. Earley indicated that the infiltrators/cold-teck units are at elevation 113 and the bottom of the stone is at elevation 122. They did assume the volume of the voids in the stone as part of the system, and was set at the same elevation as the water. There was no standing water in the perk holes and does not foresee ground water being an issue. The landscape plan provides for a mulch buffer/ snow shelf around the parking lot. The dark line depicted on the plan is a silt fence and the limits of disturbance of the landscaping, paving and filling of the area.

Mr. Maurer indicated for the record that the application file includes the certificate of mailings for the public hearing and the Stratford residents were included.

Bill Kenny Principal of William Kenny Associates of Fairfield CT, registered landscape architect, soil and wetland scientist was present and indicated his tasks on this project were to map the wetlands, look at the characteristics and conditions of the wetlands, work with the design team to prepare a landscape plan that focused both on enhancing the wetland and buffer environment as well as landscaping the core remainder of the upland property to provide stabilization and habitat enhancements. The majority of the proposed planting material is native,

within the wetland and buffer it is entirely native material. The plan submitted entitled Wetland Site Planting Plan indicates the wetlands are at the north side of the property and the stream flows from east to west on the property. The stream is small. North of the stream is a woodland. Between the proposed development and the stream is a wetland area that has been degraded due to invasive plants. The photograph (submitted at the 2-5-13 IWWC meeting and resubmitted at this meeting) show that the shrub layer is entirely invasive plants. There is a significant amount of invasive vines that are destroying the trees, particularly in the flood plain. They are proposing to cut down the invasive plants and shrubs and plant native trees south of the stream and south of the buffer, in the wetland. This will help restore the woodland environment. There will be a freestanding stonewall which is a significant demarcation between the natural environment to the north and the proposed development. Along the wall a diversity of shrubs are proposed. Shrub plantings have been clustered to protect them, particularly while their roots are being established. The proposed planting, south of the demarcation feature are evergreens. Due to the deer they have proposed Spruce and the Green Giant Arborvitae, (the only species proposed that are not native). There will be shade trees planted, spaced 40'-50' apart up and down either side, a snow shelf with native perennial ground covers at the northern end of the parking lot and a 5'-10' strip on either end of the parking lot. Mr. Kenny indicated for Commissioner Lauria that it is a common occurrence to create levies along streams, when the water raises out of the bay its velocity is high, once it hits that level where it spreads thin, it will cross the landscape and the flood plain, the velocity is dry so it drops the sand resulting in mounded areas along the edge of the stream where the sand drops out. Eventually the steam breaks through. It is also a common occurrence that a stream does not run straight down the flood plain. Mr. Kenny indicated for Commissioner Chamberlain that they could move the silt fence to the activities north of the proposed silt fence. The activities' only soil disturbance were related to the planting of the trees and cutting of the vegetation, the trees would be planted and back filled the same day. They do not need heavy equipment to get into the area. The trees would be brought in by hand or by hand truck for tree balls. The soils will be stabilized with a meadow seed mix north of the wall, there is a quite a bit of leaf litter through that area.

There was no one from the public to speak for or against this application

Motion (Fox), seconded by (Wright) to CLOSE the PUBLIC HEARING.
The Chair CLOSED the PUBLIC HEARING at 8:16 p.m.

MINUTES: Accept the February 5, 2013 meeting minutes:

Motion (Lauria), seconded (Chamberlain) to amend February 5, 2013 meeting minutes as follows:

- Page 2, first paragraph, first line strike the words ~~Red Maples~~ and insert the word ***Cedars***, the line would read as:

Application 12-45, Quarry Road Lot 2, LLC, (c/o R.D. Scinto, Inc.), Robert D. Scinto, member: David Bjorklund, P.E., President of the firm Spath Bjorklund Associates with offices in Monroe was present on behalf of the applicant and explained that the thought process began in 2011 when R.D. Scinto approached the State of CT. The State has no objection to the clearing with the exception of the ~~Red Maples~~ **Cedars** and the White Birches, although they did make it a requirement to come before the Trumbull Inland Wetlands and Watercourses Commission to retain permission.

- Page 3, second paragraph, the line directly after *(Commissioner Chamberlain arrived at 8:10 p.m.)* to strike the letter ~~z~~ and insert the word *they* **the line would read as:**
Mr. Davison stated that the area is densely vegetated; the first growing season after the trees are cut ~~z~~ **they** will have a lot of new growth, and are proposing instead of having landscapers grub out the new growth to plant the new shrubs, to wait one growing season to see what new growth comes in.
- Page 4, the 18th line, middle of the page for clarification purposes strike the word ~~z~~ and replace with the phrase ***The culvert footings*** **the line would read as:**
~~z~~ **The culvert footings** will be as deep as the wall that is there now, the water does not allow frost penetration.

VOTE: Motion CARRIED unanimously.

Motion (Lauria), seconded by (Chamberlain) to ACCEPT as AMENDED.

VOTE: Motion as amended carried unanimously.

WORK SESSION:

The Chair opened the Work Session at 8:20 p.m.

After discussion and review, the Commission took action on the following applications as follows:
Application 13-05, Silver Nichols LLC - Permit approval to construct a parking lot associated with 999 Silver Lane, the proposed parking lot is for the medical use building, activities include filling, grading and paving within the regulated area at Map# J-11, Parcel 101 Silver Lane.

Motion (Chamberlain), seconded (Wright) to APPROVE APPLICATION 13-05 Silver Nichols LLC subject to the General Conditions as established by the Commission and the following specific conditions:

- A maintenance schedule in a form acceptable to the Town Engineer shall be submitted prior to construction.

VOTE: Motion CARRIED unanimously.

Application 13-06, Massimo & Angela DeCarli - Permit approval for construction of a garage under a deck, pool, pool deck and storage shed within a regulated area at 15 Washington Avenue.

Motion (Chamberlain), seconded (Fox) to APPROVE for discussion purposes.

Commissioner Chamberlain amended his motion to include the following condition:

Motion (Chamberlain), seconded (Fox) to APPROVE APPLICATION 13-06 Massimo & Angela DeCarli subject to the General Conditions as established by the Commission and the following specific conditions:

- The proposed future shed shall not be included in this approval.

VOTE: Motion CARRIED unanimously.

Application 13-07, Gerald & Sandra Weiner-Permit approval to construct a one-floor addition on a crawl space , approximately 336 sq. ft. within a regulated area at 137 Whitney Avenue.

Motion (Fox) seconded (Chamberlain) to APPROVE Application 13-07 Gerald & Sandra Weiner as submitted subject to the General Conditions as established by the Commission.

SCHEDULE FIELD INSPECTIONS - None

ANYTHING THAT MAY RIGHTFULLY COME BEFORE THE COMMISSION

By unanimous consent the Inland Wetlands and Watercourse Commission agreed to schedule a special meeting on Thursday March 14, 2013 at 7:00 p.m. at the Town Hall, the exact location is TBD, for the purpose of discussion and preparation of the commission's feedback on the Planning & Zoning Commission's proposed updated Plan of Conservation and Development.

There being no further business to discuss the Inland Wetlands and Watercourse Commission adjourned by unanimous consent at 8:42 p.m.

Respectfully Submitted,

Margaret D. Mastroni, Clerk