

INLAND WETLANDS AND WATERCOURSES COMMISSION

Town of Trumbull

CONNECTICUT

www.trumbull-ct.gov

TOWN HALL  
Trumbull

TELEPHONE  
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MINUTES  
JUNE 3, 2014

MEMBERS PRESENT: Richard Girouard, Chairman, John Lauria, Vice Chairman  
Carmine DeFeo, Richard Deecken,  
David Molgard, Alternate (Voting)

ABSENT: Kevin Chamberlain, Secretary, Guido Picarazzi, Mark MacKeil Sr.  
and Bruce Elstein, Alternate.

ALSO PRESENT: William Maurer, P.E., LS

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CALL TO ORDER: The Chair convened the meeting at 7:06 p.m. All present joined in the Pledge of Allegiance.

Commissioner Deecken read the Public Hearing notice into the record. The Chair stated the applicant's attorney had requested a continuance to the July agenda on this public hearing.

**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, June 3, 2014 at 7:00 p.m. at the Trumbull Town Hall, 5866 Main Street, Trumbull, Connecticut, on the following application:

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

Application 14-10, Emilio Ferri -Permit approval to construct a single family residence, retaining wall & driveway, extend roadway, add fill, and related improvements, allow the residence to be built within 10' of the wetlands boundary (present approval is 15') within a regulated area at Sycamore Street, Parcel C, D10-321.

Dated at Trumbull, Connecticut this 22<sup>nd</sup> day of May, 2014.

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

NEW BUSINESS:

The Chair Opened New Business at 7:08 p.m.

1. Application 14-12      Stephen Wing      Permit approval to install a 6' chain-line fence along the property line within a regulated area at 26 Bonnie View Drive.

Mr. Bill Quida, Facilities Manager for the Church of Jesus Christ Latter Day Saints was present on behalf of the applicant. The church was planning on installing a fence along the property line, when they walked the property they noticed skunk cabbage and as a result hired a soil scientist. The wetlands have been flagged and the property has been surveyed. The wetland area is a wooded area approximately 4,590 s.f.; 65' of the fence will cross the wetland area. Only vines and vegetation will be disturbed while installing the fence. The area where the fence crosses the wetlands the bottom 2' of the fence will be left open so that it does not get clogged with leaves. It will be a 6' high fence made of black vinyl clad and posts. No machinery will be used. The fence will be installed by hand. No trees will be removed within the wetland area. This is a new fence, currently there is no fence on site. Mr. Maurer clarified there are other improvements to be made on the site but they are all outside the review area. Mr. Quida confirmed, there is some clearing to be done on site but it is outside of the wetlands review area.

Motion (Deecken), seconded (Lauria) to RECEIVE.

VOTE: Motion CARRIED unanimously.

2. Application 14-13      Cooper Surgical  
                                 Rachel Augustine      Permit approval to create a gravel walking trail behind the shrubs on the property. No tree larger than 12" in diameter will be removed within a regulated area at 75/95 Corporate Drive.

Mr. Barry Unger an architect with an office in Monroe, CT was present on behalf of the applicant. Cooper Surgical wishes to provide an environment that has healthy activities available for their staff. The application represents a proposed 6' wide walking trail at the rear of the property near the row of Pine trees. The trail will be a gravel base with pea gravel on top. They had looked into using wood mulch but the mulch can rot and does not drain as well as the gravel. The goal is to clear the brush on both sides approximately 8'-10' up. There will be minimal cutting. The trail will be 2,012 linear feet and will hug the Pine trees. The trail is quite a distance from the residents. Mr. Unger reviewed the site map with the commissioners noting the trail is in red right and is behind the tree line behind the parking lot. There is a gradual incline to the trail making it nice to walk. There is no need for steps. There is no intent to install benches or tables. The trail is intended for people to exercise. Mr. Unger reviewed a printout from the web based GIS which represents 75 & 95 Corporate Drive. The proposed trail is 45' from the wetlands. Anything cut will be taken off the property. Mr. Unger submitted a letter dated June 3, 2014 to the Wetlands Commission from Kerry Blair Cooper Surgical Vice-President of Operations re: Cooper Surgical's proposed walk path at 75 Corporate Drive. The letter stated the trail will be maintained by Cooper Surgical. All debris and general maintenance will be done by Cooper Surgical. Cooper Surgical puts forth an effort to provide ways for their

employees to stay healthy and active and would appreciate the commission allowing them to put in the trail.

Motion (Deecken), seconded (DeFeo) to RECEIVE.

VOTE: Motion CARRIED unanimously.

Motion (Deecken), seconded (Molgard) to CLOSE New Business.

VOTE: Motion CARRIED unanimously.

New Business CLOSED at 7:24 p.m.

OLD BUSINESS:

The Chair OPENED Old Business & Work Session at 7:25 p.m.

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

3. Application 14-07, John E. & Donna M. Seidell-Permit approval to construct a two-story addition at rear of residence within a regulated area at 182 Old Dike Road.

Motion (Deecken), seconded (DeFeo) to APPROVE for discussion purposes only.

Motion (Deecken) seconded (Lauria) to amend the previous motion to read as:

To APPROVE as submitted subject to the General Conditions as established by the Commission.

VOTE: Motion CARRIED unanimously.

4. Application 14-08, Dmitri Paris, Parks Superintendent - Permit approval to remove all dead or dying evergreens, top soil, all surface debris buried pipe, garbage, re-grade to all existing perimeter elevations, return screened topsoil, seed with rye & meadow blend within a regulated area at 1445 Huntington Turnpike.

Motion (Lauria) seconded (Deecken) to APPROVE for discussion purposes only.

Motion withdrawn by Commissioner Lauria.

Motion (Deecken) seconded (Molgard) to APPROVE as submitted subject to the General Conditions as established by the Commission and following specific condition:

- The wetlands shall be delineated by a soil scientist and the wetlands shall be flagged. Upon completion said soil scientist report shall be submitted to the Inland Wetlands & Watercourses Commission.

VOTE: Motion CARRIED 4-0-1 (ABSTENTION: Lauria)

5. Application 14-10, Emilio Ferri - Permit approval to construct a single family residence, retaining wall & driveway, extend roadway, add fill, and related improvements, allow the residence to be built within 10' of the wetlands boundary (present approval is 15') within a regulated area at Sycamore Street, Parcel C, D10-321.

CORRESPONDENCE: The Chair noted for the record that the commission had received a letter dated May 22, 2014 from Attorney Raymond Rizio to the Inland Wetlands &

Watercourses Commission formally requesting a continuance for the public hearing on Application 14-10.

Motion (Lauria), seconded (DeFeo) to POSTPONE the Public Hearing.  
VOTE: Motion CARRIED unanimously.

6. Application 14-11. Stephen & Heather Woolburt - Permit approval to expand a deck (25' x 12') and replace & enlarge an existing wood dock by 5' within a regulated area at 111 Pinewood Trail.

Motion (Deecken), seconded (Molgard) to APPROVE as submitted subject to the General Conditions as established by the Commission.

VOTE: Motion CARRIED unanimously.

#### MINUTES ACCEPT MAY 6, 2014 MEETING MINUTES:

By unanimous consent the Inland Wetlands & Watercourses Commission TABLED the acceptance of the May 6, 2014 meeting minutes to the July 2014 regular meeting.

Motion (Lauria), seconded (Deecken) to CLOSE Old Business and Work Session.  
Old Business and the Work Session CLOSED at 8:07 p.m.

#### ANYTHING THAT MIGHT RIGHTFULLY COME BEFORE THE COMMISSION

##### *Fine Schedule:*

The Chair stated he had sent a letter to the First Selectman seeking his support for a fine schedule. The Chair would like to use the town of Washington's as a model for Trumbull. If the First Selectman supports the fine schedule a sub-committee will be formed.

Commissioner Deecken spoke in favor of also having a WEO (Wetlands Enforcement Officer) although does not believe this to be possible at this time. A fine schedule would be prudent, compliance would be consistent. The fines would be used as sparingly as possible, but would be on hand for the most egregious offenders. Mr. Maurer stated most violations come from the residents because they are not aware, not developers. The developers do submit applications. The Chair indicated his concern is with regard to contractors who are aware of the regulations and perform the work without an approval anyway. Currently work done by a contractor that results in a violation is the responsibility of the homeowner.

Commissioner Lauria spoke in favor of the fine schedule. Commissioner DeFeo spoke in favor a fine schedule and establishing an educational program. The Chair stated the commission will make every effort to make the public aware. The public is generally made aware when they go through the Building Dept. and/or P&Z permit sign-off process. There is a sign-off required for Inland Wetlands & Watercourses.

Mr. Maurer clarified for the commission that when the commission requires filing a map as part of an approval it is filed at the Town Clerk's office, it is not filed on the deed. The commission would need a legal opinion whether it is within their jurisdiction to put something on the deed. The check and balance currently in place is that the Town will not sign off on the certificate of occupancy until it has been confirmed the map was filed.

Mr. Maurer explained wetlands are not identified on a property solely based on the mapping. A soil scientist would have to go out to the property and flag them. Without the soil scientist's report it would only be speculation that there are wetlands.

Mr. Maurer stated the Town was flown in 2010 for GIS and again in 2013 for the GBRC's GIS system they are currently working on. The State flies the whole state every five (5) years. It is an expensive process. Commissioner Deecken noted during the P&Z POCD process he had noticed that maps are sometimes wrong and do include some minor mistakes, it could be a concern when it involves wetlands.

Mr. Maurer reported there is a sale pending on the house at 5 Baldwin Avenue. The owners are moving forward with the stonewall. It should be completed in the next two weeks. Mr. Bjorklund, P.E. of Spath Bjorklund Associates will be overseeing the job. Mr. Maurer will also go to the site.

Mr. Maurer reported the application for Rocky Hill Road has not been submitted to date. The latest correspondence from the owner is that the application would be submitted in the next week or two.

#### SCHEDULE FIELD INSPECTIONS

There will be a Field Inspection conducted on Application 14-10. Field Inspection date TBD (To Be Determined).

There being no further business to discuss the Inland Wetlands & Watercourses Commission adjourned by unanimous consent at 8:27 p.m.

Respectfully Submitted,

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Margaret Mastroni, Clerk