

INLAND WETLANDS AND WATERCOURSES COMMISSION

Town of Trumbull

CONNECTICUT

www.trumbull-ct.gov

TOWN HALL  
Trumbull

TELEPHONE  
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MINUTES  
SPECIAL MEETING  
JULY 12, 2016

CALL TO ORDER: The Chair called the meeting to order at 7:08 p.m.

PRESENT: Chairman Richard Girouard Vice-Chairman John Lauria  
Carmine DeFeo Andrew Lubin (Alternate)  
Mark MacKeil David Verespy (Alternate)

ABSENT: Secretary Richard Deecken, Ennio DeVita, Guido Picarazzi

ALSO

PRESENT: William Maurer, P.E., L.S. and Town Attorney Vincent Marino

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The following is a brief summary of the meeting. A complete record is on tape, on file, in the office of the Inland Wetlands and Watercourses Commission located in the Trumbull Town Hall.

The Chairman read the letter from Mr. Joe Giacobbe asking the Commission to reconsider the decision on Application 16-10.

This is to rescind a motion to deny without prejudice because the applicant did not show up.

Motion (Lauria), Seconded (Verespy) to RESCIND Decision on Application 16-10 to DENY WITHOUT PREJUDICE

VOTE: Motion CARRIED unanimously

Mr. Giacobbe apologized for the misunderstanding. He mistakenly confused zoning and wetland meetings. This will be a single family dwelling. The house was staked out for the walkthrough as well as the silt fence, house, septic, driveway, water management system and the wetlands area was flagged. A plan submitted to the health department for the septic and was approved. The only consideration was to take the reserve area and slide it over the primary to pull it 25 feet from the wetlands. There is a wetlands easement on the property which is part of the original subdivision. It is a conservation easement. The Commission asked if Mr. Giacobbe would have a problem moving the conservation easement equal to the demarcation of the wetlands? Mr. Giacobbe had no problem with that. The Commission asked how he would mark the beginning of the conservation easement

so that homeowners don't run in the area; planting grass, trees or shrubs. Mr. Giacobbe mentioned a split rail fence or additional planting. According to the Agent, there is a 4 page easement and it is pretty thorough in what it says. The Commission would like the applicant to put the wetlands placards on the fence posts so new homeowners know that the fence is not just decorative that it is a marking. The septic will not be done until the end. The stockpile will be in the northeast corner of the property. The Commission requested that be shown on the plan as well as the construction access. There is concern that future property owners not recognizing the wetlands boundary. In talking about putting the fence with placards on it, the Commission would like to see 10 feet off of that fence as a permanent line of disturbance with some plantings between that and the fence. As for the buffer plantings some good wetlands species that the Soil Scientist could come up with. Fence will be along the wetlands and then 10 feet inside of that would be a permanent line of demarcation with plantings. That would give future property owners enough area for lawn and landscape so they wouldn't have to come back to the Commission. There are still all the items from the letter from William Maurer dated June 6, 2016 that are outstanding and need to be addressed. The tree that the applicant is requesting to remove is located somewhere between flag 4 and 6. Mr. Kenny, Soil Scientist, thoughts on the fence are it might be easier to monitor and enforce in the future if you do something that's straighter. Straight lines would be easier to document with the surveyor. The Agent suggested that in the end an as built plan showing the fence and the wetlands flagging should be filed on mylar and submitted to Town Clerk. There is a catch basin with a drainage easement to the town according to the Agent. According to Mr. Giacobbe the stone wall will stay. If they could they may move it to the property line so they have access during construction period.

The Chairman then called the neighbors to speak. Per the Town Attorney, because it is a public meeting the public does not have the right to speak at a public meeting only at a public hearing, however, at the discretion of the Chairman he can allow the public to speak.

Mr. Peter Treacy, 8 Winhall Lane addressed the Commission. His main concern is for the wetlands and the wildlife that goes through there. He has lived here only 1 year but there is a lot in that swamp area. The rivers are seasonal. There are a lot of deer that run through. His concern in putting up a fence on the easement is that would maybe hinder the wildlife. He's not opposed to it, he doesn't know anything about it as he just got the plans today so his concern is there is a lot of wetlands there.

The Agent confirmed for the Chairman that this was a previously approved building lot in 1983. The original subdivision for both lots were approved from the wetlands commission application 83-20 and became effective on March 16, 1984.

Josephine & Scott Reis, 17 Moose Hill Road. There is an enormous amount of wildlife there. It is a refuge. They stated they are not saying they can't build a house but hearing fences would destroy that ability for the animals to go through and a fence is not common to the shared people. She is concerned about the historical stone walls and would like them preserved. For them the concern is not about a house going in it's hearing about the fence that concerns them and about the animals.

The Town Attorney pointed out to the public that was there that as a matter of process that since this is an approved subdivision there is no need for this applicant to go to Planning & Zoning for any approvals so he doesn't want them to leave with the impression that there's another venue. Assuming there's an approval out of this Commission they can go directly and get a building permit. This is the only venue of review because it is a regulated area within a wetland area but it is an approved subdivision so it's an approved building lot.

Joe Giordano, 11 Winhall. New to neighborhood. His comments are in regards to the stone wall and impacting the stone wall and he wants to be sure that is the correct property. His concern is it being taken down and that

area is landscaped as their property. He also wanted to know if procedurally if the requirement is when an application is filed that the abutting neighbors should be notified.

The Town Attorney stated this is not a public hearing so notice by law the applicant must give notice for a public hearing. This is technically a public meeting. The Commission would be required to hold a public hearing if it receives a petition signed by 25 residents within the town or if it's determined there is a significant impact of activity that's going to have an impact on the wetlands.

The Commission asked if Mr. Giacobbe researched any other alternates that would create less of an impact to the regulated resources. Although they do see that from the original plan to the new plan it has been reduced and compacted further. Mr. Giacobbe stated that in regards to a 3 bedroom septic system they are basically shoehorning it in there. There really is not much wiggle room as far as trying to relocate the house. Unless there were sewers there then maybe they could pull it back. To have something that's marketable for that area it's actually a smaller house than most of the houses that are there. The Commission asked Mr. Kenney if he had other suggestions besides using a split rail fence. Mr. Kenney suggested eliminating the rails and just do posts every 30 feet or so with a marker, another thing that is used in other towns is a large boulder spaced along that edge. The fence is open so the smaller animals can go under and the larger over and with all the trees the wood of a fence would blend in pretty well.

Motion (Lauria), Seconded (Verespy) to CONCLUDE Applicants Presentation on Application 16-10  
VOTE: Motion CARRIED unanimously

Motion (Lubin), Seconded (None) for Public Hearing. Motion FAILED.

Motion (Lauria), Seconded (MacKeil) to APPROVE for Discussion Purposes Only  
VOTE: Motion CARRIED unanimously

Motion to AMEND (Lauria), Seconded (Verespy) to Add Conditions for the Basis of Approval  
VOTE: Motion CARRIED unanimously

1. Delineate the wetlands by putting in a split rail fence that will run from wetland flags 7, 10, 13, 17; 10 feet away from the wetlands; likewise for monuments for the wetlands in the same positions 7, 10, 13, 17. Placards need to be put on posts of fence.
2. The Conservation easement that has been filed will be extended to incorporate the new found area of wetlands.
3. Nothing to be planted in the wetlands without prior approval by the Wetlands Commission.
4. Topsoil stockpile will be in the northeast corner of the property.
5. Trees that are over 6" in caliper or greater will be marked and discussed with the Town Engineer prior to removal. No clear cutting.
6. Final as built mylar showing location of the fence and permanent line of disturbance will be filed on the town land records.
7. Native shrub planting will be installed and maintained between the fence and the wetland limit line.
8. There will be no burying of stumps or debris on site.
9. The removal of the stump between wetland flags 4 and 6 will be done during the winter to avoid disturbing soils and limit damage to the wetlands soils.
10. All conditions from letter dated June 6, 2016 addressed to Mr. Pereira, PE from William Maurer must be addressed prior to Engineering approval.

Motion (Lauria), Seconded (Verespy) to APPROVE as AMENDED  
VOTE: Motion CARRIED unanimously

By unanimous consent the Inland Wetlands Watercourses Commission adjourned at 8:13 p.m.

Respectfully Submitted, \_\_\_\_\_

Colleen Lombardo  
Clerk