

**INLAND WETLANDS AND WATERCOURSES COMMISSION
MINUTES
MARCH 4, 2008**

MEMBERS PRESENT: Richard Girouard, Chairman
Arlyne Fox
John Lauria
Andrew Lubin
David Lucas

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

The Chair convened the meeting at 7:33 p.m.
Mrs. Fox led the Commission in the Pledge of Allegiance.
The Notice of Public Hearing was read by Mr. Lubin:

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 4, 2008, at 7:30 p.m. in the Trumbull Town Hall Courtroom, 5866 Main Street, Trumbull, CT, on the following applications:

Application #08-01. Mary Grace Mandanici/John Mandanici, 276 Funston Avenue, Bridgeport, CT 06606. Permit approval of a four (4) lot subdivision in a regulated area at 254 Shelton Road.

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 8th day of February, 2008

Richard Girouard, 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.

Public Hearing:

The Chairman opened the public hearing at 7:35 p.m.

Application #08-01	Mary Grace Mandanici/John Mandanici 276 Funston Avenue Bridgeport, CT 06606	Permit approval of a four (4) lot subdivision in a regulated area at 254 Shelton Road, Trumbull, CT.
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Attorney Thomas E. Farver of Farver & Heffernan, 2858 Old Dixwell Avenue, Hamden, CT was present representing the applicant. Certificate of mailings were submitted for the record. He indicated there were questions on the site inspection regarding wood chips and remediation measures. He stated that hay

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bales have been placed to hold the slope. There is no invasion into the actual wetland flagging itself and the chips appear to be stabilizing the slope and there is no sediment escaping below the chips. The proposal for the remediation plan is to be given time until the planting season when the weather is better. This is a 4.83 acres site with 1.23 acres in the wetlands. The proposal is for four single family residential lots on site with septic. The septic on three of the lots would be within the hundred foot buffer, but outside of the fifty foot buffer of the wetlands. This site previously was farms and orchards and most recently used as a wood lot and tree farming operation.

Alan Shepard a professional engineer and a partner in the firm Nowakowski, O’Bymachow, Kane Associates, 415 Howe Avenue, Shelton, Connecticut was present representing the applicant. He acknowledged that there was a violation on the property and a restoration plan would be done first. He went over the plan and said that it has already been started. Tree planting is being offered as mitigation and some trees on the property will be relocated and they will also plant grass. There will only be minimum grading and there is no filling proposed.

There was previously logging, stock piling and wood chipping on the lot under a farm exemption. Mr. Shepard went over the planting and mitigation plan.

One of the septic systems will be where the wood chips are and a perc test has been done on the soil. Primary septic system is close to the wetlands and the reserve area is further away. This could be switched if it is a condition of approval by the Commission. The restoration plan is for all the wood chips within the hundred foot buffer. He indicated that they would not have a problem with developing one lot at a time.

There are recharge galleries for stormwater, a stormwater quality basin has been added and the discharge procedure was explained. They would be agreeable to have basin maintenance put on the deeds and he would discuss easements with this clients.

No one spoke in favor of this application.

In opposition of this application:

Mr. Dale Parsons, 248 Pinewood Trail, Trumbull, Connecticut. He was concerned about the violation and wood chips on the property that can cause seepage into the soil as they decay. He also said he looked at the plans on file and noted that the spreaders and drainage outlets are very close to the wetlands.

Mr. Carmine DeFeo, 15 Woodcrest Avenue. He was not for or against but wanted information on the Conservation Commission’s letter. He was given a copy of the letter.

Mr. Shepard addressed the issue of the spreader being close to the wetlands – because of the slope in this area they do not want it on the slope too much so it is in an area that is flatter. He also stated that the violation will be taken care of as soon as the weather breaks.

Motion made (Lubin), and seconded (Lucas), Motion carried unanimously (all present voting) to close the public hearing at 8:15 p.m.

Chairman opened New Business at 8:17 p.m.

New Business:

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Mr. Bjorklund stated that he wants to sit down with the Town Engineer regarding the plans. He would provide an overlay of the differences between this plan and the plan that has already been approved. The stormwater management plan is different because the Town's stormwater management criteria has changed. The existing approval is the alternate and on this application the building is smaller. Mr. Bjorklund stated that if for some reason the Town Engineer and his office can not come to an agreement by the time of the Public Hearing then they won't go forward with the hearing. The Town Engineer explained that this site is going to be torn between stormwater quality and runoff controls. The plan does not show how much volume or how much flood plain will be lost with this commercial development.

Motion made (Lubin) seconded (Lauria), to RECEIVE APPLICATION #08-07; Motion carried four in favor and one against (Fox) (all present voting).

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).
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David Bjorklund, president of Spath-Bjorklund Associates with offices in Monroe, a professional engineer registered in the State of Connecticut was present for the applicant. This is an application on the east side of Booth Hill Road and is similar to the application filed in January and then withdrawn. They decided to change the zoning for the development and plans from an open space green belt subdivision to a planned residence conservation zone subdivision. PRZD zoning regulations permit private roads. They are proposing a private road coming in off of Booth Hill Road that will have a gate at the existing cul-de-sac for Hidden Pond. There will be emergency access which will permit emergency vehicles to get through.

They are also proposing wetland restoration, stormwater detention and stormwater quality maintenance. There will be an extension of the sanitary sewers in the future to Hidden Pond Lane and Shadowood subdivision. He said that he has had conversations with Steve and this subdivision is a significant activity. Within the next two weeks they will provide environmental impact statement, impact mitigation and proposed inland impacts.

Mr. Bjorklund also stated that the site is all staked out and ready for the Commission to walk it. Lot 9 is a new house that was not on the old plan. PRZD zoning allows them to drop the width of the road 24 feet to 30 feet so with the width of the road dropped they were able to shrink down the road and have less impact on the wetlands. They are also proposing a three sided box culvert at the Cross Stream Road crossing that will be placed over the watercourse and will not disturb the actual base of the watercourse. The driveway crossing is also a culvert. The wetland mitigation area is along the brook and was developed by a wetlands' biologist. The actual planting plan will be submitted within the next two weeks.

The Commission discussed with Mr. Bjorklund significant activity and section 7.6a of the Regulations.

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Steve Savarese went over his comments with the Commission.

Mr. Bjorklund discussed phasing the development into different areas. He is not in favor of clear cutting the entire site then building roads and houses. Steve and Bjorklund feel they have enough time to work out matters that are outstanding or questioned.

Mr. Lubin wanted to make sure that Steve gets the information he needs prior to the public hearing and the applicant comply with 7.6a and 7.6b of Regulations. If information is not supplied he does not want to go forward with the public hearing at that time. The Chairman will contact ERT.

Motion made (Lubin) seconded (Lauria), to RECEIVE APPLICATION #08-08; Motion carried unanimously (all present voting).

Chairman called a recess at 9:35 p.m.

Chairman called the meeting back to order at 9:55 p.m.

Application 08-09	Estate of F. Francis D'Addario c/o David D'Addario	Permit approval to construct a single family dwelling within a regulated area on Parcel 102 Williams Road.
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David Bjorklund, president of Spath-Bjorklund Associates, a professional engineer registered in the State of Connecticut was present for the applicant. This is a proposed three lot subdivision 1.66 acre parcel fronted by Williams Road, Frenchtown Road and the Merritt Parkway. Proposing two lots on Williams Road and one Lot, Lot 3 has wetland flags. This area may be remnant wetlands prior to the parkway. There is no direct impact into wetlands.

Motion made (Fox) seconded (Lubin), to RECEIVE APPLICATION #08-09; Motion carried unanimously (all present voting).

Motion made (Lauria), and seconded (Fox), Motion carried unanimously (all present voting) to close new business at 10:02 p.m.

Old Business:

Review updated Regulations – Richard spoke with Commissions still has work to do on them. Changing the deadline for applications was discussed by Steve. Mrs. Fox had questions regarding fines for violations in regulated areas and flood zones. Maybe the way to go is to have a sub-committee for the revisions. The Commissioners took up-dated Regulations home to work on them.

Correspondence: Reviewed correspondence from Trumbull Conservation Commission regarding Application 08-01 other violation letters.

Work Session:

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

Application #08-01	John Mandanici/Mary Grace Mandanici	Permit approval of a four lot subdivision in a regulated
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area at 254 Shelton Road.

Motion made (Lubin), seconded (Lucas), Motion carried by a vote of 4 in favor and 1 against (Fox) (all present voting) to **APPROVE** Application 08-01 subject to the GENERAL CONDITIONS AS ESTABLISHED BY THE COMMISSION and the following SPECIFIC CONDITIONS:

1. Prior to any construction in connection with the subdivision the applicant implement the remediation plan as submitted with the following guidelines:
 - 1a. That the removal of the wood chips be completed in no more than three (3) months from the date of approval;
 - 1b. That the entire remediation plan be completed no later than six (6) months from the date of approval;
 - 1c. That the applicant is required to post a bond with the Town in an amount equal to the cost of remediation as determined by the Town Engineer;
 - 1d. No work to commence until such time as the bond is submitted;
 - 1e. That no construction in connection with the subdivision be started until remediation plan has been completed as certified by the Town Engineer;
 - 1f. Upon completion of the remediation the applicant may begin the construction subject to whatever other approvals will be needed by the Town;
2. In connection with the subdivision:
 - 2a. That there be a Deed Restriction between Lots 3 and 4 in connection with the maintenance of the catch basin, identified as the water quality sump on the Plan, crossing the boundaries between Lots 3 and 4.
 - 2b. The applicant will monument the wetlands by providing no less than ten monuments spaced appropriately over all four lots.
 - 2c. The applicant will not disturb more than one lot at a time.
 - 2d. The primary and reserved septic systems on Lot 3 are to be interchanged.

Application 08-05	Richard Donovan, Agent for Diane Fusco	Permit approval for pond maintenance and removal of silt and debris at 27 Mischa Hill Road.
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Motion made (Fox), seconded (Lucas), Motion carried unanimously (all present voting) to **APPROVE** Application #08-05, as submitted subject to the GENERAL CONDITIONS AS ESTABLISHED BY THE COMMISSION and the following SPECIFIC CONDITION:

- Subject to the Town Engineer's supervision of the removal of the silt and debris

Application 08-06	Wayne R. Moore, Jr.	Permit approval for land excavation of new utility lines; fill and irrigate to put in raised beds for farming under present garden beds using fill from excavation at 400 Booth Hill Road.
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Motion made (Fox), seconded (Lucas), Motion carried unanimously (all present voting) to **APPROVE** Application #08-06, as submitted subject to the GENERAL CONDITIONS AS ESTABLISHED BY THE COMMISSION.

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Application 08-09	Estate of F. Francis D'Addario c/o David D'Addario	Permit approval to construct a single family dwelling within a regulated area on Parcel 102 Williams Road.
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Motion made (Lubin), seconded (Fox), Motion carried unanimously (all present voting) to **APPROVE** Application #08-09, as submitted subject to the GENERAL CONDITIONS AS ESTABLISHED BY THE COMMISSION and the following SPECIFIC CONDITION:

- Erosion and sedimentation controls as approved by and supervised by the Town Engineer.

Field Inspection:

The field inspection date was scheduled for Saturday, March 15, 2008 leaving the Town Hall at 9:00 a.m. on the following applications:

Application: #08-07

Application: #08-08

Approval of Meeting Minutes:

Motion made (Lubin), and seconded (Lucas), Motion carried unanimously (all present voting) to APPROVE meeting minutes dated February 5, 2008.

There being no further business, upon Motion made (Lubin), and seconded (Lucas), Motion carried unanimously (all present voting) to adjourn at 10:56 p.m.

Respectfully submitted,

BY: _____
Joyce Augustinsky, Clerk