

**MINUTES
INLAND WETLANDS AND WATERCOURSES COMMISSION
JANUARY 5, 2010**

MEMBERS PRESENT: Richard Girouard, Chairman
Arlyne Fox, Vice Chairman
Andrew Lubin, Secretary
John Doris (not voting on 09-34, 09-44, 09-39)
John Lauria
David Lucas
Kevin Chamberlain, Alternate (voting)
Richard Deecken, Alternate (voting on 09-34, 09-44, 09-39)

ALSO PRESENT: Stephen Savarese, PE, LS Town Engineer
Mario F. Coppola, Town of Trumbull Attorney

The Chairman convened the meeting at 7:40 p.m.
Arlyne Fox led the Commission in the Pledge of Allegiance.
The Chairman thanked Attorney Neil Lieberthal for his eight years of service to the Commission and welcomed Attorney Mario F. Coppola as the Commission's new attorney.
Andrew Lubin read the public hearing notice.

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, January 5, 2010, at 7:30 p.m. in the Trumbull Town Hall Courtroom, 5866 Main Street, Trumbull, Connecticut, on the following applications:

Application 09-34 Edward W. Herndon. Permit approval to install 15'x30' in-ground pool, cut down 5 trees, plant 3 trees and bushes in a regulated area at 74 Sunnycrest Road.

Application 09-40 Town of Trumbull. Up-date Regulations.

Application 09-44 Douglas and Elizabeth Steeves (Mackey). Permit approval to remove trees that have been cut, grind stumps, remove brush, reseed, and demolish existing shed in a regulated area at 50 Pondview Avenue.

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

Dated at Trumbull, Connecticut this 7th day of December, 2009.
Richard H. Girouard, Sr., Chairman
Inland Wetlands and Watercourses Commission of the Town of Trumbull

Public Hearing.

The Chairman opened the public hearing at 7:45 p.m.

Application 09-34 Edward W. Herndon. Permit approval to install 15'x30' in-ground pool, cut down 5 trees, plant 3 trees and bushes in a regulated area at 74 Sunnycrest Road. Edward Herndon was present and

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submitted certified mailings. Discussions took place regarding the new plan which has a rectangular shaped pool to fit within the area between the two easements with no encroachment on the wetlands. The plan also shows the location of the retaining wall and fence. Paul Taormina, 25 Grayrock Road, Trumbull, a professional engineer, was also present and highlighted the plans, drainage, salt water system and answered questions from the Commission.

The Chairman asked if anyone from the public wished to speak. No one came forward.

Application 09-40 – Town of Trumbull. Up-date Regulations – Proposed changes. Discussion took place. The Chairman asked if anyone from the public wished to speak. No one came forward.

Application 09-44 (Steeves/Mackey). Permit approval to remove trees that have been cut, grind stumps, remove brush, reseed, and demolish existing shed in a regulated area at 50 Pondview Avenue. Doug and Elizabeth Steeves, 35 Hannah Lane, Monroe were present and submitted certified mailings, copies of letters and photos into the record. Mr. and Mrs. Steeves summarized the condition of the property and the plan to clean it up because it has been neglected for years and is overgrown. A diagram cataloging the trees was explained by Mrs. Steeves. Discussions took place regarding the remaining work to be done, the clean up and removing additional trees to be done under the supervision of Dmitri Paris of the Town's Parks' Department.

The Chairman asked if anyone from the public wished to speak.

William Selski, 8 Harwood Terrace. Stated he is grateful to the applicant for cleaning up the area and wrote a letter that was submitted into the record by Mrs. Steeves. He would also like the Town to clean up the overgrown area by the pond.

No one else from the public came forward.

Motion made (Fox) seconded (Lauria) to close the public hearing at 8:20 p.m. No Discussion. All in favor - MOTION CARRIED UNANIMOUSLY.

The Chairman opened new business at 8:20 p.m.

Application 10-01 – Chris and Sarah Cenatiempo. Permit approval to remove overgrown and/or dead brush, trees, chain link fence, pitching machine, concrete and netting; rebuild stone walls; add fill and grade in a regulated area at 43 Puritan Road.

The applicant was not present and the Chairman stated the application would be re-addressed later in the evening in case the applicant arrived late.

Application 10-02 – RDR 5520, LLC. Permit approval to remove portion of existing oversized detention basin and renovate remaining basin in a regulated area at 5520 Park Avenue. This application was put on the agenda in error as it was reviewed and approved on January 5, 2010 in accordance with Section 12.A of the Inland Wetlands and Watercourses Regulations.

Application 10-01 – the applicant did not show up.

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Motion made (Fox) seconded (Lauria) to close new business at 8:25 p.m. No Discussion. All in favor - MOTION CARRIED UNANIMOUSLY.

The Chairman opened old business.

Application 08-28 (Hyatt) and Application 09-20 (Cook) – Attorney Coppola is currently evaluating the files.

Melanie Noga, 55 Moose Hill Road inquired whether or not the cease and desists are still in effect and the Chairman indicated that they are.

Motion made (Fox) seconded (Lauria) to refer Application 08-28 (Hyatt) to the Town Attorney to handle. All in favor – MOTION CARRIED UNANIMOUSLY.

Motion made (Fox) seconded (Lauria) to refer Application 09-20 (Cook) to the Town Attorney to handle. All in favor – MOTION CARRIED UNANIMOUSLY.

The Chairman closed old business and opened the work session at 8:45 p.m.

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

Application 09-40 – Town of Trumbull. Up-date Regulations. Discussions took place regarding the transfer of a permit to a new owner. The Commission had specific questions regarding 11-9 and 11.11e and Attorney Coppola will review and research the sections and get back to the Commission.

Motion made (Chamberlain) seconded (Lucas) to APPROVE Application 09-34 (Herndon) as shown on plan submitted on December 30, 2009, prepared by Taormina Associates, dated 12-28-09 and subject to the General Conditions as established by the Commission and the following specific condition:

- All work to be done under the guidance and supervision of the Town Engineer.

Discussion. MOTION CARRIED by a vote 6 in favor (Girouard, Lubin, Lauria, Lucas, Chamberlain, Deecken), 1 against (Fox).

Motion made (Deecken) seconded (Fox) to APPROVE Application 09-44 (Steeves/Mackey), as submitted, subject to the General Conditions as established by the Commission and the following specific condition:

- All work to be performed under the guidance and supervision of the Parks' Supervisor.

Discussion. MOTION CARRIED UNANIMOUSLY.

Motion made (Deecken) seconded (Lauria) to APPROVE Application 09-39 (Kachele), as submitted. After discussion, Mr. Deecken withdrew his motion and Mr. Lauria withdrew his second.

Motion made (Chamberlain) seconded (Lubin) to APPROVE Application 09-39 (Kachele), as submitted, subject to the General Conditions as established by the Commission and the following specific conditions:

- Construction limit line be defined on the plans/drawings and that it follow the line of the siltation fence;
- There will be no blasting for the foundation;
- An A2 "as built" survey of the foundation is to be submitted prior to construction of the house;

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- The split rail fence is to be installed before any construction so we define and protect the conservation area;
- Markers, that are suitable to the Town Engineer, are to be placed on the tops of the split rail fence posts to identify the area as a conservation area;
- All the marker numbers are to be put on the site plan;
- That the application be reviewed and approved by the Town Engineer for compliance with the Town's stormwater management policy.

Discussion. MOTION CARRIED by a vote 5 in favor (Girouard, Lubin, Lucas, Chamberlain, Deecken), 2 abstentions (Fox, Lauria).

Motion made (Fox) seconded (Deecken) to CONTINUE the public hearing on Application 09-40 (Town of Trumbull) to the next regularly scheduled meeting of February 2, 2010. Discussion. All in favor - MOTION CARRIED UNANIMOUSLY.

Motion made (Lauria) seconded (Deecken) to accept meeting minutes of December 1, 2009 and field inspection minutes of December 15, 2009. No Discussion. MOTION CARRIED UNANIMOUSLY.

Motion made (Lucas) seconded (Jorgensen) to adjourn the meeting at 9:35 p.m. No discussion. All in favor – MOTION CARRIED UNANIMOUSLY.

Submitted by,
Joyce Augustinsky
Clerk of the Commission