

TOWN OF TRUMBULL  
CONNECTICUT



INLAND WETLANDS AND WATERCOURSES COMMISSION  
MINUTES  
June 7, 2011

**MEMBERS PRESENT:** Richard Girouard, Chairman  
Arlyne Fox, Vice Chairman  
John Lauria, Secretary  
Carmin DeFeo  
Frank Marcus  
Lars Jorgensen  
Kevin Chamberlain, Alternate (voting)

**MEMBERS ABSENT:** David Lucas

**ALSO PRESENT:** Stephen Savarese, PE, LS Town Engineer

The Chair convened the meeting at 7:34 p.m.  
Ms. Fox led those present in the Pledge of Allegiance.

**REGULAR MEETING**

**NEW BUSINESS**

The Chairman opened new business at 7:35p.m.

**11-12-Michael Sparano.** Permit approval to remove cedar trees and replace with new trees and shrubbery and spread wood chips in a regulated area at 60 Jackson Drive.

The applicant was present and indicated for the record that he is proposing to clean up dead trees, remove some unsightly cedar trees, and replace with new trees and shrubbery. He will also spread wood chips to access the watercourse area and to keep it clean. This will prevent the water from getting stagnant and attracting mosquitoes. The applicant reviewed the plan provided and orientated the commission to where the above mentioned trees, shrubbery and woodchips are located on the site.

The applicant submitted photographs for the record.

The applicant had dropped the woodchips in place before he had been made aware that it was not allowed. In reference to the logs in the photograph, the applicant explained that the logs were from a tree in the front of his home that had split, almost in half. The watercourse runs behind the tree and behind the shed. At the location where the watercourse flows under the street are dead trees and debris that has accumulated. This debris has accumulated since the house was built. The woodchips will provide a cleaner path for the applicant to access the area instead of walking over the debris. The cedar trees may be on the Town right-of-way. There is a silt barrier

to keep the woodchips from the entering the watercourse. The trees have not been removed. The applicant stated there is skunk cabbage on the property, therefore there may be wetlands on the property. The stonewall marks where the swamp area starts; there is some run-off from the swamp area into the watercourse. The applicant did not have photographs of the watercourse for the commissioners to review.

Motion made (Lauria) seconded (Fox) to RECEIVE Application 11-12 (Sparano). Discussion. **All in favor. MOTION CARRIED UNANIMOUSLY.**

**11-13- Stuart and Susan Horowitz.** Permit approval to install in ground pool in a regulated area at 340 Stonehouse Road.

The applicants were present. Mr. Horowitz indicated for the record, his wife and he would like to install a gunite swimming pool within 100' of the edge of the wetlands. The pool will end 55' before the wetland area begins. All of the soil extracted for the pool will be removed from the property; there will be no damage to wetlands and no impact to shrubs, greenery and/or foliage. The applicant identified the exact distance the proposed activity was to the wetland area utilizing the Town's computer imaging software with the assistance of the Town Engineer, Mr. Savarese. There is no septic system. There will be paver patio around the pool. The furthest area of disturbance towards the wetland is 55'. The applicant submitted and reviewed photographs for the record. The temporary fence will be removed, the pool will be installed and a new fence around the pool installed.

Motion made (Fox) seconded (Marcus) to RECEIVE Application 11-13 (Horowitz). Discussion. **All in favor. MOTION CARRIED UNANIMOUSLY.**

**11-14- Tony Wynne.** Permit approval of replacement of deck with slightly larger structure in a regulated area at 30 Aspen Lane.

The applicant Tony Wynne, AW Contracting of 12 Old Orchard Road, Riverside CT representing Sue and Bruce Ennis of 30 Aspen Lane was present. Mr. Wynne indicated for the record that the homeowner's deck had collapsed in January 2011; the deck was 12' off the house and would like to enlarge the deck to 14'. The previous deck was 70' from the wetlands and now is proposed at 68' from the wetlands. The commission confirmed the distance from the wetlands at 67'.

Motion made (Fox) seconded (Marcus) to RECEIVE Application 11-14 (Wynne). Discussion. **All in favor. MOTION CARRIED UNANIMOUSLY.**

**11-15-Kerry Burke.** Permit approval of construction of a deck in a regulated area at 28 Lansing Avenue.

The applicant Kerry Burke of 379 Meadow Street, Fairfield, CT was present on behalf of the homeowners, Lori and Beau Golias. Mr. Burke indicated that they would like to construct a 12' x 19' deck at the rear of their house. The silt fence is close to the outlet, the Town Engineer confirmed the silt fence is in the correct area, noting that the ground will stabilize quickly. The retaining wall rises approximately 3', with the watercourse lower than the wall. The property is predominately flat.

Motion made (Lauria) seconded (Chamberlain) to RECEIVE Application 11-15 (Burke). Discussion. **All in favor. MOTION CARRIED UNANIMOUSLY.**

**11-16-Tayant & Sheila Kish.** Permit approval of a proposed addition in a regulated area at 60 Stag Lane. Kevin Daley with Signature Contracting of 501 Westport Avenue, Norwalk, CT along with the applicant Mrs. Krish was present. Mr. Daley submitted photographs and a map for the record. Mr. Daley indicated that there was an addition and a deck area at the back of the residence; the first floor of the addition was a room; the second floor was a deck with a railing. This past winter the snow-load caused the second floor roof to collapse onto the first floor, causing the first floor ceiling joists of the addition to collapse. The addition was

approximately 10' x 28'; and was located next a deck and patio area. There is an existing retaining wall that runs the back of the property ranging from 6'-8' high, (the wall has been there since house was built in 1972). There is a cliff on the property that ranges from 30'-50' high. The low area between the cliff and the retaining wall is covered with large boulders, wetlands, logs and untouched vegetation. There is an existing fence.

There were two (2) decks on the property, a 20' deck and a 10' x 12' deck with a storage shed. Both sheds had been removed with the addition. All that is left at this time is the slab and the retaining wall. As a temporary benefit, the part of the fence that had fallen down has been put back up.

The homeowner would like to put back the 10' x 64' disturbed area and put a new fence on top of the retaining wall. The proposed activity is staying within the same footprint. The ground is level. Due to the fact there is no basement; the homeowner would like to put the room back to the way it was with some storage space on the side. The homeowner would like to be able to repair the fence on top of the wall. The fence is located where the property meets the cliff/ledge, it is not a new fence and would like permission to repair and replace what was there. The wall is stable; the ground is stable and is completely level.

Motion made (Fox) seconded (Marcus) to RECEIVE Application 11-16 (Krish). Discussion. **All in favor. MOTION CARRIED UNANIMOUSLY.**

Mr. Savarese, Town Engineer requested that the Chairman consider allowing an application that came in after the deadline be heard at this meeting. The Chairman agreed.

Motion made (Fox) seconded (Marcus) to ADD Application 11-17 to the Agenda (Martin). Discussion. **All in favor. MOTION CARRIED UNANIMOUSLY.**

**11-17- Larry and Kathy Martin.** Permit approval for an addition at the rear of their house at 91 Bunker Hill Drive.

The applicants Larry and Kathy Martin were present. Mr. Martin indicated they are proposing a small elevated kitchen addition at the rear of their house, it will be approximately 6' x 13', resting on 3 posts secured with sonotubes. Work performed will be within 100' from the wetlands at the rear of the residence. The wetland area trickles down to the pond at the end of Bunker Hill and Old Fire, currently it is completely dry, but after a heavy rain it trickles down to the pond. The water does not seep onto their property. A drawing of the existing home and the proposed addition were submitted for the record.

Motion made (Lauria) seconded (Chamberlain) to RECEIVE Application 11-17 (Martin). Discussion. **All in favor. MOTION CARRIED UNANIMOUSLY.**

#### **New Business Closed:**

Motion made (Fox) seconded (Marcus) to close new business. No Discussion. **All in favor. MOTION CARRIED UNANIMOUSLY.**

#### **MINUTES:**

Motion made (Lauria) seconded (Chamberlain) to approve the meeting minutes of May 3, 2011. No Discussion. All in favor. **MOTION CARRIED UNANIMOUSLY.**

#### **Correspondence:**

Mr. Savarese requested that the commissioners pick up the newest edition of the Habitat magazines at the end of this meeting.

Ms. Fox reported that she had received a phone call from concerned resident with regard to the Highland property, and its condition there is much debris on the property. There is more than one source of water on the

property. Mr. Savarese stated that a complaint had been received from a member of the community to investigate this wetland property at a certain address, what was seen was documented, a report was written staff has responded to the property and has made contact with the homeowner. There has been no land disturbance or breach of regulations determined. A commissioner suggested that this may be a blight condition. Chairman Girouard and Commissioner Lauria volunteered to inspect the property.

**WORK SESSION:**

After discussion and review the Inland Wetland and Watercourse Commission took action on the following applications:

Application 11-12 (Sparano) - Motion made (Lauria) seconded (Fox) to conduct a FIELD INSPECTION and Public Hearing on Application 11-12 (Sparano) Discussion. **All in favor. MOTION CARRIED UNANIMOUSLY.**

Application 11-13 (Horowitz) - Motion made (Fox) seconded (Chamberlain) to APPROVE Application 11-13 (Horowitz), as submitted, subject to the General Conditions as established by the Commission. Discussion. **All in favor. MOTION CARRIED UNANIMOUSLY**

Application 11-14 (Wynne) - Motion made (Fox) seconded (Lauria) to APPROVE Application 11-14 (Wynne), as submitted, subject to the General Conditions as established by the Commission. Discussion. **All in favor. MOTION CARRIED UNANIMOUSLY.**

Application 11-15 (Burke) - Motion made (Chamberlain) seconded (Fox) to APPROVE Application 11-15 (Burke), as submitted with the inclusion of the right to repair and correct the fence, subject to the General Conditions as established by the Commission. Discussion. **All in favor. MOTION CARRIED UNANIMOUSLY.**

Application 11-16 (Krish) - Motion made (Fox) seconded (Marcus) to APPROVE Application 11-16 (Krish), as submitted, subject to the General Conditions as established by the Commission. Discussion. **All in favor. MOTION CARRIED UNANIMOUSLY.**

Application 11-17 (Martin) - Motion made (Chamberlain) seconded (Fox) to APPROVE Application 11-17 (Martin), as submitted, subject to the General Conditions as established by the Commission. Discussion. **All in favor. MOTION CARRIED UNANIMOUSLY.**

**Field Inspections:**

The Inland Wetlands and Watercourses Commission scheduled the Field Inspection for June 28, 2011 at 4:00 p.m. on the following Application 11-12 (Sparano).

The Chairman on behalf of the Inland Wetlands and Watercourse Commission extended his gratitude to Donna Marcus, Acting Clerk for her hard work and service.

There being no further business to discuss the Inland Wetlands and Watercourse Commission adjourned by unanimous consent at 8:25 p.m.

Submitted by,

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Margaret D. Mastroni, Clerk of the Commission