

INLAND WETLANDS AND WATERCOURSES COMMISSION

Town of Trumbull

CONNECTICUT

www.trumbull-ct.gov

TOWN HALL
Trumbull

TELEPHONE
(203) 452-5005



MINUTES
OCTOBER 1, 2019

CALL TO ORDER: The Chair called the meeting to order at 7:03 p.m.

PRESENT: Chairman Richard Girouard Vice-Chairman John Lauria
Secretary Richard Deecken Carmine DeFeo
Laura Pulie, alternate Tony Silber
David Verespy

ABSENT: Mark MacKeil

ALSO

PRESENT: Tatiana Smotritskaya, P.E. Assistant Town Engineer, IWWC Co-Agent; Jim Bova, Civil Engineer; Town Attorney James Cordone

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

Chairman Girouard seated Laura Pulie in Mark MacKeil's absence.

NEW BUSINESS OPENED at 7:03 p.m.

NEW BUSINESS

Application 19-45 Brian Slattery-Permit approval for regrading within a Regulated area at 6 McGrath Lane. Modification of Application 14-47. Brian Slattery homeowner told the Commission that he purchased the house in September of last year. He said he wasn't left with the greatest soil to plant a yard so he scrapped the top layer of soil off and brought in some topsoil. He kept the same layout of the lawn. The topography did change in a couple of spots. He did not encroach into the wetlands and apologized saying he did not know he needed a permit. The Commission said according to the Assistant Town Engineer an authorization letter is needed from the church next door since he encroached on their property. He said the reason he went into the area was there was metal so he took that out and recovered it with soil. He spoke to the Facilities Manager for the property and they walked the property and Mr. Slattery showed him what was done and the Facilities Manager said that nothing has changed physically with their property and he is fine with anything that did happen. Mr. Slattery asked if he would like him to plant anything for him and the FM said it wasn't necessary. He said if a letter was needed he would be ok with that. The Commission requested that the letter be submitted

at the next meeting. Mr. Slattery said on the slope where the existing split rail fence is he installed a silt fence. He plans on covering that area with native plants. The Commission asked if he removed any trees. He said he did not. The Commission requested a planting plan. The applicant said there was a lot of wood chips that was used as the grading to fill. So he started at the top corners of his property and scrapped a couple inches and redistributed that into the backyard and then brought in new topsoil and went over his lot. So there is new topsoil in the back and stops at the silt fence. There is nothing in between the silt fence and the split rail fence.— The Commission asked if any fill was brought in. The applicant said topsoil only. The IWWC Co-Agent asked if with the new topsoil the inspection ports of the cultex get buried. He said he waited until he regraded everything and then he cut and flashed them so he knows where they are. The footing drains are still daylighted and flowing freely.

Application 19-46 Derek Roth-Permit approval for regrading within a regulated area at 2 McGrath Lane. Modification of Application 14-47. Derek Roth homeowner spoke to the Commission. He bought the property in January 2019. The back yard was a complete mess. The topography was basically washboarded almost like stair steps. The front yard was really high. There was no grass. He had the dirt pushed to the back and he brought in topsoil and had that leveled off. After receiving the violation letter he put erosion blankets down and water diligently and now it is completely grass. The IWWC Co-Agent asked if the inspection ports are accessible. He said he did not bury them. The Commission asked which side of the silt fence he put the blankets down on. The applicant said his side.

Application 19-47 Edward Herndon-Permit approval for a deck, above ground pool, patio with hot tub and fire pit within a regulated area at 74 Sunnycrest Road. Ed Herndon addressed the Commission. He has an existing 10x20 deck that he wants to replace with a new one 20x20 with a patio under it, a hot tub and a lower deck to the left and an above ground pool. The IWWC Co-Agent said the property had an approval back in 2010 for an in ground pool and removal of some trees with some planted. She asked the applicant if they were ever planted. He said no. She said the new deck and the deck around the pool are encroaching into the conservation easement. And asked if he considered modifying the size of the deck. He said no and believes he is 6-7 feet away from that area. The Co-Agent said according to the drawing it is encroaching into the conservation easement by about 4 feet. The conservation easement is not marked on the property. The Commission said the map needs to be resubmitted in the appropriate scales so it makes sense. The existing conditions should also be shown.

Application 19-50 Make A Wish Foundation-Permit approval for 1 additional parking space, two patio/deck areas, a walkway and other site improvements within a regulated area at 56 Commerce Drive. Modification of Application 18-47. Commissioner David Verespy recused himself because they were a former client of his. John Knuff, Attorney spoke on behalf of Make A Wish Foundation. This is an application to conduct regulated activities within the upland review area of 2 man-made storm water ponds. This will be a location where children's wishes will be granted. They have also submitted a P&Z application. Joseph Lenahan, PE with Fuss and O'Neil reviewed the application. There is a lot of landscaping in front of the business and as you approach there will be some added patio areas there with pervious pavers. In addition in the lower area they want to make an existing stone patio and create a raised platform deck which is ADA accessible from the building onto the deck and down below. There is currently a timber bridge that crosses between parcels and part of that will be configured in a manner enhanced to make a wishing bridge. There will be an access path that's down the slope to an area where there will be a pirate ship. These are the areas that will be impacted in the upland area. There is erosion sedimentation control. As part of their proposed project there is around 270 square feet of impervious area. They are proposing to grade the added parking area which was approved in previous application and have the runoff go into a bio swale. There will be invasive species control along the water's edge. Outside of the regulated area they are adding a trash tote enclosure. The IWWC Co-Agent asked the Mr. Lenahan what the note subject to change was for. He said it was for the ship in that it depends on the manufacturer who may/may

not donate. They wanted something appropriate in that area that would provide the impact that they are looking for. There would not be a significant change from what is proposed. She asked if perk tests were done. He said that information would be done during the construction period. She asked about the planting plan not having information on the biofiltration basin system and requested that it be added. Also to specify an emergency overflow. The Co-Agent asked about the curbing. He said the curbing in the front area as well as the pavement is very deteriorated so there is an area that is going to be recurbed and repaved since it is the main entrance. The rest of site they will remove the weeds growing through the asphalt and resealing the cracks.

Application 19-51 Richard Courville-Permit approval for an in-ground pool within a regulated area at 455 Stonehouse Road. Diane Ward of Willinger Bucci on behalf of applicant spoke to the Commission. The in ground pool will be 36x16 in the back yard. The property does not contain any wetlands however it is in the upland review area. They believe there are no significant impact to the wetlands and they request a public hearing be waived. A landscape architect was hired and they are adding 43 shrubs and 3 trees to the property line. They are looking to getting an agent approval.

The IWWC Co-Agent suggested that this application be an Agent Approval since the remediation plan is more than sophisticated and there is no patio in the plan.

Motion (Deecken) Seconded (Lauria) to APPROVE as AGENT APPROVAL

The Commission recommended the following conditions be included:

IWWC General Conditions Section I 1.1 through 1.10

IWWC Site Specific Conditions Section II 2.5, 2.9 and Pools Section 2.14, 2.15, 2.16, 2.17 and any other conditions at the discretion of the IWWC Co-Agent.

VOTE to APPROVE as AGENT APPROVAL CARRIED unanimously.

Application 19-52 Jesus & Julisa Jimenez-Permit approval for landscape, wall and driveway improvements. Patio, 2 sheds, and front/back porch within a regulated area at 1930 Old Town Road. Jesus Jimenez spoke to the Commission. He said he built 2 sheds in his backyard. The IWWC Co-Agent said this started as a violation and upon inspection they noticed a substantial development in the backyard that includes the patios and sheds and chicken coops and what is not shown is a stockpile that is near the stone wall on the northeast corner. The Commission discussed the map provided, the improvements and the location of the wetlands to get a better understanding of the application. They asked what the violation was. The IWWC Co-Agent said everything that is labeled as improvement on the plans has not been permitted by the IWWC. The Commission suggested they walk the property, make a determination and then work from there. Right now the wetlands is strictly a pond.

Application 19-53 7182 Main Street, LLC-Permit approval for fill to prepare for future site development within a regulated area at 7180 & 7192 Main Street. The Chairman informed the Commission that this is right near Monroe. Kevin Solli, PE, Solli Engineering spoke on behalf of applicant. It is strictly a fill permit located across 3 different properties 7180 & 7192 Main Street in Trumbull, 4 Main Street & 5 Victoria Drive in Monroe. Included in this fill application is wetland restoration and remediation for prior acts done on these properties. Along the town line there is a wetland pocket that is just under 4000 square feet which was excavated down to ground water. It seems this was done for irrigation purposes as part of the former operation on the property. They are proposing to impact this wetland pocket but they are proposing some extensive remediation and restoration around the additional perimeter as part of their application. They are proposing to import approximately 64000 cubic yards of material on the property. They will import fill, raise the grade closer to Route 25 to prepare the site for a future mixed use development. They are going to establish sediment traps during the fill operation which will in the future be converted to water quality basins to handle storm water or a portion of the storm water for the future development. The landscape shows the extension wetland buffers

they are proposing. The Commission asked if they were planning on filling in the small pond. Mr. Solli said they are proposing to impact that pond by manipulating it by essentially creating a storm water pond. They are filling it and putting a pond adjacent to it. The Commission said that being in a rivery flood zone they are not allowed to fill within a rivery flood zone without providing compensatory storage. Mr. Solli responded that they can provide those specific calculations. The IWWC Co-Agent asked if the total volume of proposed fill is over 64000 cubic yards and the application states that in Trumbull its 36700 sq. feet. It should be cubic yards. The 100 foot wetland setback line needs to be added to the plans. Also from a stormwater perspective if or when the site should be developed that building cannot be used as existing conditions. So the existing conditions will be the area you are restoring it to right now. She asked how many trees they are proposing to remove. Mr. Solli said the site itself isn't considerably vegetative. There are some trees along the northerly property line. He doesn't have the exact number but will quantify it for the Commission. She mentioned that this would be a good candidate for a site monitor. The Engineering staff would like an estimate for erosion controls with a bond to be submitted for review and approval. A conservation easement is something the Commission should consider. Mr. Solli said they are proposing about a 22 foot fill in the lowest portion of the property.

NEW BUSINESS CLOSED at 9:03 p.m.

A brief recess was taken.

OLD BUSINESS OPENED at 9:13 p.m.

Application 19-43	Town of Trumbull	Permit approval for improvements to the riparian buffer, pond water quality, culverts and to facilitate pond maintenance within a regulated area at Twin Brooks Park.
-------------------	------------------	---

MOTION (Deecken) Seconded (Lauria) to APPROVE
MOTION (Deecken) to AMEND the motion to include the following conditions:
IWWC General Conditions Section I 1.1 through 1.10
IWWC Site Specific Conditions Section II 2.1, 2.3, 2.4, 2.5, 2.6, 2.7, 2.8, 2.9, 2.10
VOTE to APPROVE as amended CARRIED unanimously.

Application 19-40	Elizabeth Gisolfi	Permit approval for previously removed dead tree stump and applied topsoil to lawn within a regulated area at 2 Highfield Drive.
-------------------	-------------------	--

MOTION (Deecken) Seconded (DeFeo) to APPROVE
MOTION (Deecken) to AMEND the motion to include the following conditions:
IWWC General Conditions Section I 1.1 through 1.10
IWWC Site Specific Conditions Section II 2.9 and IWWC Section III Additional Conditions:
3.1 Revise planting plan to exclude bluet perennials and use 6 sweet pepperbush shrubs & 6 mountain laurel shrubs.
3.2 Use an appropriate wetlands restoration shade tolerant seed mix with erosion control blankets on slopes.
Added to this application is the wall.
Work needs to be completed by November 30, 2019.
VOTE to APPROVE as amended CARRIED unanimously.

Application 19-41	Michael Fleahman	Permit approval to remove & grind tree
-------------------	------------------	--

stumps, install swale & berm; 3 raingardens, replace shed and remove rock wall within a regulated area at 22 Camelot Drive.

MOTION (Deecken) Seconded (Lauria) to APPROVE

MOTION (Deecken) to AMEND the motion to include the following conditions:

IWWC General Conditions Section I 1.1 through 1.10

IWWC Site Specific Conditions Section II 2.1, 2.5, 2.10.

VOTE to APPROVE as amended CARRIED unanimously.

Application 19-44

Adelio Zaros Jr

Permit approval for in ground pool, propane tank and to repave driveway within a regulated area at 15 Old Teller Road.

MOTION (Deecken) Seconded (Lauria) to APPROVE

MOTION (Deecken) to AMEND the motion to include the following conditions:

IWWC General Conditions Section I 1.1 through 1.10

IWWC Site Specific Conditions Section II 2.1, 2.5, 2.11 at wetland flags 4, 6, 8, 13, 15; Pools Section 2.14, 2.15, 2.16, 2.17 and IWWC Section III Additional Condition:

3.1 Continuous planted buffer alternating 5 foot on center following placard line to be completed by November 30, 2019.

3.2 Using the southwestern corner as a pivot point rotate the pool and associated fence in a westerly direction to be parallel with the house with keeping southwesterly point in place.

VOTE to APPROVE as amended CARRIED unanimously.

OLD BUSINESS CLOSED at 10:03 p.m.

MINUTES

By unanimous consent the Commission VOTED to ACCEPT the September 3, 2019 meeting minutes as submitted.

SCHEDULE FIELD INSPECTION(S)

Wednesday, October 23, 2019 leaving Town Hall at 2:00 p.m.

Application 19-45	Brian Slattery	6 McGrath Lane
Application 19-46	Derek Roth	2 McGrath Lane
Application 19-47	Edward Herndon	74 Sunnycrest Road
Application 19-50	Make A Wish Foundation	56 Commerce Drive
Application 19-52	Jesus & Julisa Jimenez	1930 Old Town Road
Application 19-53	7182 Main Street	7180 & 7192 Main Street

OTHER BUSINESS

The Assistant Town Engineer and Civil Engineer Updated the Commission on Violation-40 Lindberg Drive

By unanimous consent the Inland Wetlands and Watercourses Commission adjourned at 10:47 p.m.

Respectfully Submitted,

Colleen Lombardo
Clerk