

INLAND WETLANDS AND WATERCOURSES COMMISSION

Town of Trumbull

CONNECTICUT

www.trumbull-ct.gov

TOWN HALL  
Trumbull

TELEPHONE  
(203) 452-5005



MINUTES  
JUNE 4, 2019

CALL TO ORDER: The Chair called the meeting to order at 7:11 p.m.

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

ABSENT:

ALSO

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

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Chairman Richard Girouard seated Laura Pulie as a voting member.

NEW BUSINESS OPENED at 7:11 p.m.

NEW BUSINESS

Application 19-26 Town of Trumbull-Permit approval for drainage improvements and repairs within a regulated area at Unity Park. Joseph Canas, Licensed Professional Engineer with Tighe & Bond addressed the Commission on behalf of the Town of Trumbull. These improvements are being proposed due to a number of maintenance issues. There's a large sediment buildup in the skating ponds and the lower pond has some water quality issues. The 2 ponds are connected by a very narrow channel. The existing outlet is eroding and there is some additional storm drainage issues at the health dept. driveway and at the baseball field. The other issue is the existing Bayberry Lane culvert is in very poor condition. The plan is to create a forebay for the skating ponds to trap most of the sediment to make maintenance in the future easier. The forebay will be 470 cu yards. It is proposed to dredge the skating pond to provide a level bottom which will be about 18-24" depth. Also proposed are 2 outlet control structures. One at the location of the existing channel and a new one at the southwest corner of the lower skating pond. The outlet control structures will be controlled by flash boards so there is the ability to raise and lower them. The health dept. parking lot has some drainage issues so new drainage will be installed with a new outlet. For the baseball fields a new basin will be added that will have a 4 foot sump. Rip rap protection will be added here and at the health dept. outlet. In addition to assist with some of the sedimentation erosion control in the pond a low gabion weir to act as a very small forebay so that the parks dept. can get in there and clean it out. At Bayberry Road the existing 6 foot wide by 4 ½ feet high

corrugated metal pipe culvert will be replaced with a 12 foot wide by 4 foot high concrete box culvert with the lowest foot of that box culvert sunk below grade. The wetlands were flagged by a certified soil scientist and they looked at the CT Dept. of Environmental Protection and Energy's Natural Diversity database and there were no listed species of concern in the project area. It is in a floodplain and floodway but there are no adverse impacts. For water handling for the culvert there is a series of sediment erosion control plans. The Commission asked what was being done with material that's being excavated from the pond. Mr. Canas said the material would be tested and then disposed of offsite. Mr. Dmitri Paris, Parks and Rec Superintendent for the Town told the Commission that the skating pond is decomposing at such a rapid level at this point there is so much debris so it doesn't freeze and that this work will allow the pond to freeze and be used for a skating pond. In response to the Commission's question about the plantings he said he chose the monoculture of plants for its visual and maintenance. Monoculture this size is very easy to care for. The species selected is very low and will be able to harmonize very well within that environment. The IWWC Co-Agent said they have been working with Tighe & Bond as the plans were developed so have no comments at this time.

NEW BUSINESS CLOSED at 7:36 p.m.

OLD BUSINESS OPENED at 7:37 p.m.

OLD BUSINESS

Application 19-16

MGM Properties II, LLC

Permit approval for modification of IWWC Application 17-55 for reduction in development size, lot area and ownership within a regulated area at 6540 Main Street and Map No. E04-1.

Commissioner Verespy recused himself from Application 19-16 and will not be voting on this application.

MOTION (Deecken) Seconded (Pulie) to APPROVE to include the following conditions:

All conditions that applied to previously approved Application 17-55 along with the following additional conditions:

- 3.1 No stockpiling of material in a FEMA hazard zone.
- 3.2 Temporary structures must comply with Zoning regulation Article XI.
- 3.3 Change Application 17-55 condition 2.5 to Application 19-16 condition 2.9.
- 3.4 Educational signage to be placed in each of the 2 raingardens.

VOTE to APPROVE CARRIED unanimously. For the record for the following reasons:

Met all prior requirements for Application 17-55

Less impact-mostly because of taking away the adjoining property

Completely out of the floodplain

Raingardens stayed the same footprint and are educational

Commissioner Verespy rejoined the meeting.

Application 19-17

Daniels Farm Estates LLC

Permit approval for 30 single family detached dwellings with new roadway, utilities, sewer improvements and drainage within a regulated area at 147 Daniels Farm Road.

MOTION (Deecken) SECONDED (Lauria) to APPROVE for discussion purposes with the following conditions:

Section I 1.1 through 1.10; Section II 2.1 through 2.13; and Section III Additional Conditions:

3.1 Must abide by letter from W. Maurer & T. Smotrinskaya dated 2/15/2018 and modified 5/6/2019

3.2 Remove walking trail from application

3.3 100 foot setback line be staked prior to construction 20 foot on center

VOTE to APPROVE DENIED unanimously for the following reasons:

Applicant provided no mitigation plan

The environmental impact would be too severe for that particular area

Section 10-2 of IWWC Regulations were not met especially 10-2a

Letter referenced in Motion signed by Town Engineer and Civil Engineer – 15 out of the 40 questions were not answered in a generous 1 ½ month period – level of missing information rises to level of incomplete application

Application 19-20

Robert & Taylor Priest

Permit approval for expanded 2 car garage and shed within a regulated area at 55 Tanglewood Road.

MOTION to APPROVE (Deecken) Seconded (MacKeil) including the following conditions:

Section I IWWC General Conditions 1.1 through 1.10

Section II IWWC Site Specific Conditions 2.1, 2.4, 2.5, 2.9, 2.10

Section III Additional Conditions:

3.1 Five – six existing arborvitaes shall be excavated and relocated.

3.2 Plan for stabilization including 5-6 small native shrub plantings 5 foot on center from rear edge of garage to front end of garage length approximately 15 feet and along headwall shall be planted.

3.3 Full landscape plan needed.

3.4 Compliance with letter from Engineering dated 6/4/2019.

3.5 Shed to be moved to the location on the map

3.6 Removed stumps and debris cannot be buried on site.

VOTE to APPROVED CARRIED unanimously.

OLD BUSINESS CLOSED at 8:26 p.m.

### MINUTES

By unanimous consent the Commission VOTED to ACCEPT the May 7, 2019 meeting minutes as submitted.

### SCHEDULE FIELD INSPECTION(S)

None

In response to the recent discussions, comments and questions, Jim Cordone, Town Attorney addressed the Commission about the jurisdiction of the wetlands commission and what state law allows and provides. The state law does permit an IWWC agency to regulate activity outside of wetlands. The Towns regulations have established the upland review area of 100 feet which is what we currently have jurisdiction over. The Towns current regulations have not been updated since 2010 and appear to be very close to the state model regulations. There has been multiple proposed updates by DEEP to the model regulations since 2010. It is advisable that staff along with him work on proposed regulations that may address the concerns raised in the last couple of meetings. Attorney Cordone looked at the process and submittal to the DEEP and being properly noticed is required. There is a process that needs to be followed. Work sessions with proposed feedback before going to the public was suggested. If the Commission wanted to look beyond 100 foot upland review area modification to the regulations would be required.

The IWWC Co-Agent gave a brief update on the notices of violations that were sent.

Rina Bakalar, Director Economic & Community Development was present. She addressed the Commission and suggested that if the Commission were to revise their regulations that they be shared with P&Z and pertinent others. She feels that this Commission is very effective, bipartisan, non-controversial and functioning commission and is a value for the town; both from a protection and development perspective.

By unanimous consent the Inland Wetlands Watercourses Commission adjourned at 9:39 p.m. \_\_\_\_\_

Respectfully Submitted,

Colleen Lombardo  
Clerk