

INLAND WETLANDS AND WATERCOURSES COMMISSION

Town of Trumbull

CONNECTICUT

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TOWN HALL  
Trumbull

TELEPHONE  
(203) 452-5005



MINUTES  
MAY 6, 2014

MEMBERS PRESENT: Richard Girouard, Chairman  
John Lauria, Vice Chairman  
Kevin Chamberlain, Secretary  
Carmine DeFeo  
Guido Picarazzi, Sr.  
Mark MacKeil  
Richard Deecken  
Bruce Elstein, Alternate (Not Voting)

ABSENT: David Molgard, Alternate

ALSO PRESENT: William Maurer, P.E., LS and Town Attorney Vincent Marino.

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CALL TO ORDER: The Chair convened the meeting at 7:04 p.m. All present joined in the Pledge of Allegiance.

OLD BUSINESS:

The Chair Opened Old Business at 7:05 p.m.

The Chair stated that both items #1 and #2 would be presented at the same time.

1. Application 14-05, Town of Trumbull-Permit approval to pipe an existing open swale, remove trees, fill, re-grade and reseed and plant trees within a regulated area at 165 Lake Avenue.
2. Application 14-06, Town of Trumbull-Permit approval to remove trees, re-grade, add topsoil, reseed and replant trees along the property line with 165 Lake Avenue within a regulated at 161 Lake Avenue.

Mr. William Maurer, L.S, P.E. representing the Town of Trumbull was present and indicated it would be possible to use a pipe less than 80' but it would be problematic. In order to pick up the grade they would need to excavate further to the 100' point for the pipe to daylight. Using a pipe less than 80' would still be problematic. Mr. Maurer confirmed that the plunge pool is at the correct depth for the height.

Upon motion (Chamberlain), seconded (Deecken) and by unanimous consent the Chair CLOSED Old Business at 7:08 p.m.

The Chair OPENED New Business at 7:09 p.m.

NEW BUSINESS:

3. Application 14-07, John E. & Donna M. Seidell - Permit approval to construct a two-story addition at rear of residence within a regulated area at 182 Old Dike Road.

John E. & Donna M. Seidell of 182 Old Dike Road were present. Mr. Seidell explained the application represents a two-story addition. The addition is on the basement level and the first floor of their walk-out basement ranch-style home. The first floor addition is a bedroom and bathroom and the bottom floor will be storage. Footings will be used and a slab foundation will be poured. They are currently connected to the sewer system and will use of hay bales to control runoff. The existing upper deck will be removed and will not be replaced. The addition will not be an accessory apartment. Mr. Maurer noted that the silt fence and hay bales are not on the plan and clarified for the applicants that there is 100' setback for wetlands and watercourses. Mr. Seidell stated he does not expect stockpiling of dirt during construction since only footings are being poured. Any dirt removed would be transported or leveled off at the side yard. The wooded area is next to the area labeled Keenan on the plan. There will be no fill near the lake and if there is a great amount it will be trucked out. It does not appear trees will need to be removed with the exception of one that is close to the house. This tree will only be removed if they have to. Mr. Seidell expects the contractor will bring equipment from the front through the side. There is not an expanse of space on the side. There is only enough room to drive a small back-hoe. This would be the side on the site plan near Keenan.

4. Application 14-08, Dmitri Paris, Parks Superintendent - Permit approval to remove all dead or dying evergreens, top soil, all surface debris, buried pipe, garbage, re-grade to all existing perimeter elevations, return screened topsoil, seed with rye & meadow blend within a regulated area at 1445 Huntington Turnpike.

Dmitri Paris, Parks Superintendent and Bob Ferrigno, Chairman of the Parks & Recreation Commission were present. Mr. Paris gave a brief history of the property to the commission as follows:

- The Town purchased the property in the late 1980s or early 1990s.
- The property consists of two contiguous properties, (6-8 +/- acres) known as the Deregó and the Bill property.
- As a condition of sale Mary Bill had life use of 5 acres. Ms. Bill lived to 103 years old.
- When the Town took possession of the property the condition of the property was in serious disrepair. This compound area included abandoned cars, trailers basically anything you would find at the Town Transfer Station could be found on this property.
- 2 to 3 acres of the property had been planted with spruce trees 4' on center. This is not a sustainable planting.

The Town did not expect to do anything with the property upon possession but immediately the property experienced vandalism and presented as a safety/liability issue. The nephew of Ms. Bill was responsible for the dumping and had also set up an ATV race track on the property. Once the nephew left the property those activities did not cease. Mr. Paris's department actively started removing the spruce trees and the debris because they were a hazard. Buried pipes were also found on the property. Mr. Paris dedicated his workforce to stabilize the property over this past winter. This part of the compound had already been disturbed by the dumping on the property. The cars as well as all of the other material were taken off-site. The topsoil was left on site. Mr. Ferrigno explained that Mrs. Bill's son ran a very tight ship when he passed away the nephew moved in. This is when the property began to deteriorate. Mr. Paris indicated that the soils on the property are bank-run-gravel and should not have been classified as wetland soils. There are watercourses on the property but none of them are in the defined area where the dumping took place. Mr. Paris reviewed Areas A, B & C on the site plan. Area A is the dumping area. Area C is the subject of this application. Area B is complete and is where the spruce trees were planted. Mr. Paris indicated that he should have been before the commission earlier but did not because the area was a liability/safety issue and needed to be cleaned immediately. The screening of the topsoil is 50% complete and will re-establish the grade at Area A. The Chair indicated he had been to the site and confirmed that there are hundreds of discarded glass and plastic bottles on the property. Mr. Paris confirmed all of the spruce trees were removed. There is no restriction to sell this property it is listed as open space. The original intent of the Baldwin administration was for this to be a park. The Parks commission is in favor of this and would like the Parks Commission to be in control of it. Mr. Paris explained when they first started working on the property they did not know where the end was. The goal was to get the property stable again. It was difficult to use silt fences because they would have been moved daily. The wetlands area did not receive any topsoil treatment. There has been no change in elevations. The project has been a balancing act between environmental and safety/health issues. Mr. Maurer has been out to the site with Mr. Paris and the two confirmed for the Chair that there will not be runoff issues for the neighbors. Mr. Maurer agreed with Mr. Dmitri that the soil is bank-run-gravel and that the mapping is wrong. Mr. Maurer suggested the commissioners walk the property. Area C has not been cleaned up and will not be until approval of this commission is granted. Mr. Paris expects that work on Area C would begin late fall 2014. He will surround the area with orange plastic fencing. Mr. Ferrigno indicated if this property were a park the liability issues would go away. Security and control would be in place, the Park Rangers would patrol. The house on the property is being considered for use as the Park Ranger Station. Mr. Paris confirmed for the Chair the debris from Area C would be hand-picked, no trucks would be used. This would be handled delicately with hand shovels and wheelbarrows. Mr. Paris confirmed for the commission there are too many access points and the property is too big to keep people out of it. The Chair stated that Area B has been cleaned up and stabilized very well; this was a tremendous improvement to that area.

5. Application 14-10, Emilio Ferri - Permit approval to construct a single family residence, retaining wall & driveway, extend roadway, add fill, and related improvements, allow the residence to be built within 10' of the wetlands boundary (present approval is 15') within a regulated area at Sycamore Street, Parcel C, D10-321.

Attorney Rizio representing the applicant was present and indicated the property had been previously approved by the commission through a court settlement for a house 15' away from the wetlands. The house is 3' from the street. ZBA denied the variance and were told to push

the house further back. The proposed house is a modest size home of approximately 2500 s.f. and 28' deep. Mr. Maurer stated that the settlement reads 20' to the wetlands. Mr. Rizio stated it is unfortunate that the road is not abandoned. Mr. Rizio confirmed for Commissioner Chamberlain that the architectural and site plans will match, an updated site plan will be submitted, the wetlands will be flagged and the house will be staked for the Field Inspection/Public Hearing. Commissioner Lauria requested the relationship of the back of the house to the wetlands be marked as well. Mr. Rizio agreed. Mr. Rizio stated the architectural plans were to show the commission the size of the home not the details. He will make sure that the architectural coincide with the site plan. Mr. Maurer stated he is not familiar with the procedure of abandoning a road. Construction has not started on the other two lots they were waiting to do them all at once. All options are on the table, size and movement of the proposed house. They are trying to stay 7'- 10' from the street.

6. Application 14-11, Stephen & Heather Woolburt - Permit approval to expand a deck (25' x 12') and replace & enlarge an existing wood dock by 5' within a regulated area at 111 Pinewood Trail.

Attorney Rizio representing the applicants was present and submitted photos for the record. The application represents building a proposed deck within the already disturbed area and increase the size by 5'. There will be no change to the shed and all activity will take place within the stonewall area. This is a no impact situation. As a condition of approval the applicant would agree to submission of the footing plans to the Town Engineer for his approval. The stonewall area is an already disturbed mulched lawn area. The side view shows the deck. The deck will encompass this area and will not go beyond the stone-wall. There is no evidence of wetlands and/or filling. During the lake's low period they will dig the dock's footings and replace the dock with a slightly larger dock. The applicant will accept any conditions of supervision by the Town Engineer, inspection of the footings and that no work would begin until the lake is drained in the fall. This application represents is a safety condition. A detailed plan will be submitted for the Town Engineer's approval. The deck will be removed and rebuilt straight out. The lake is drained in October. The proposed deck will be a residential deck built on son-i-tubes. The elevation of the house is 25-30' above the shed. Mr. Maurer confirmed this and stated the shed and deck are out of the flood zone.

Motion (MacKeil), seconded (Deecken) to RECEIVE Application 14-07, Application 14-08, Application 14-10 and Application 14-11.  
VOTE: Motion CARRIED unanimously.

The Chair CLOSED New Business at 8:20 p.m.

The Chair OPENED the Work Session at 8:21 p.m.

Motion (Deecken), seconded (Chamberlain) to APPROVE Application 14-05, Town of Trumbull and Application 14-06, Town of Trumbull as submitted.  
VOTE: Motion CARRIED unanimously.

Mr. Maurer reported that he has two pending violations. He has not heard back from the property owner of Rocky Hill Road. Mr. Maurer will send a letter to the property owner. The owner of Mohawk has set the concrete monuments but has not filed anything on the land records to date. Mr. Maurer has followed up with an email but he has not heard back from the owner.

### SCHEDULE FIELD INSPECTION

By unanimous consent the Inland Wetlands & Watercourses Commission scheduled the Field Inspection to take place on Thursday, May 22, 2014 leaving the Town Hall at 3:30 for the following applications: Application 14-08 and Application 14-10

MINUTES: Motion (Chamberlain) seconded (Lauria) to ACCEPT the April 1, 2014 meeting minutes as submitted.

VOTE: Motion CARRIED unanimously.

Ms. Nina Boynton of 107 Whitney Avenue was present and voiced her concern with regards to the safety of the water at the VFW pond. Landscaping companies go to the VFW pond with 4"-6" collapsible hoses from their spraying tanks either pumping water into the pond or taking water out. Ms. Boynton stated this is done specifically at the waterfall area. The hoses have been exposed to different sprays such as tick sprays. Ms. Boynton suggested a sign be erected stating that this is not allowed. The Chair suggested the clerk and the IWWC agent find out the specific times this happens.

There being no further business to discuss the Inland Wetlands & watercourses Commission adjourned by unanimous consent at 8:34 p.m.

Respectfully Submitted,

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Margaret Mastroni, Clerk