

INLAND WETLANDS AND WATERCOURSES COMMISSION

Town of Trumbull

CONNECTICUT

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TOWN HALL  
Trumbull

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MINUTES  
JULY 1, 2014

MEMBERS PRESENT: Chairman Richard Girouard, Kevin Chamberlain, Secretary, Guido Picarazzi, Mark MacKeil Sr., Carmine DeFeo, Richard Deecken and David Molgard, Alternate

ABSENT: John Lauria, Vice Chairman and Bruce Elstein, 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 7:05 p.m. All present joined in the Pledge of Allegiance.

Commissioner Chamberlain read the Public Hearing Notice into the record as follows;

**TRUMBULL INLAND WETLANDS AND WATERCOURSES COMMISSION  
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, July 1, 2014 at 7:00 p.m. at the Trumbull Town Hall, 5866 Main Street, Trumbull, Connecticut, on the following application:

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

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.  
*(Postponed from the June 3 2014 meeting)*

Dated at Trumbull, Connecticut this 18<sup>th</sup> day of June, 2014.

Richard H. Girouard, Sr., Chairman  
Inland Wetlands and Watercourses Commission of the Town of Trumbull

NEW BUSINESS:

The Chair OPENED New Business at 7:07 p.m.

1. Application 14-16      Town of Trumbull      Permit approval to install a sanitary sewer lateral within a regulated area at 100 Saint John's Drive.

Mr. Maurer, Town of Trumbull Civil Engineer was present representing the applicant and indicated that this application is straight forward. The application is before the commission because it impacts the upland review area only. The activity at its closest point is +/- 10' to the wetlands with little or no impact to the wetlands. The existing pipe starts at the cul-de-sac and is parallel to RT. 8. The trench width will vary between 2' to 3' wide. Silt fences will be installed.

Moved (Deecken), seconded (DeFeo) to RECEIVE.

VOTE: Motion CARRIED unanimously.

2. Application 14-17      MGM Properties,      Permit approval to increase building site, revise grading in building rear to accommodate flood compensatory storage, increase driveway width accessing Broadway, install flood storage galleries and piping within a regulated area at 6528 Main Street.  
(Modification 04-36)      LLC

Attorney Quatrella representing the applicant was present and indicated that the applicant had purchased the property six (6) weeks ago from ABM Brothers. The proposed activity was approved by this commission in 2004 and the approval is still in effect. Due to the recent change to a BC zone for the Long Hill Green area the BC zone will allow the construction of an additional 1,000 s.f. This modification would bring the building from 6,000 s.f. to 7,000 s.f. In 2004 the rear exit was for emergency use only. This application is requesting that the rear exit be modified to both an entrance and exit and the width increased from 15' to 24'. Since 2004 FEMA has changed its flood plain regulations. Due to this change the size of the galleries and in ground storage need to be increased. An extension to the 2004 approval had been approved in 2009. The approval has been extended until December 2014. Mr. Maurer clarified for the commission that the footprint of the building has been moved closer to the road not closer to the watercourse. The applicant's engineer, Thomas Hamilton reviewed with the commission an overlay which represents the change/modifications to the 2014 approved application; (the overlay was submitted for the record at this meeting). The red on the overlay indicates the currently approved 2004 plan and the black represents what is proposed in this application, (Application 14-17).

Mr. Maurer stated this application includes widening the driveway off Broadway and a reconfigured parking lot. Mr. Hamilton confirmed for the commission that there is less parking in this application v. the 2004 approval resulting in a slight decrease of impervious surface, approximately a 1,500 s.f. decrease overall. The reduction in parking is at the south-east corner of the parking lot.

Attorney Marino explained that Public Act 11-5, subsection (g) of §22a-42a applies to approvals issued prior to July 1, 2011 which have not expired prior to May 9, 2011, (the effective date of P.A. 11-5). The approval that fall within this timeline shall be valid for 9 years and can be extended for a total period of 14 years from the date the approval was issued. This is the case with this 2004 approval which had been extended in 2009 to 2014. The current approval would be extended to 2018 by way of Public Act 11-5.

Mr. Hamilton explained there are multiple rows of galleries proposed, 3 rows at one point. Two are the same as the 2004 approval. FEMA's regulations now require compensatory storage. The volume in the flood plain will not change; the compensatory storage is required because of the fill being used for the parking lot. In 2004 galleries were not necessary. The only reason they are needed now is because of the change in FEMA regulations. The galleries will be under the parking lot. At the location of the 15' pipe is an open system. The grades are very close to what they are currently. The proposed building is a one-story building on slab. The plan includes plenty of room for stock piling. The existing drainage on Main Street discharge will not be increasing the run off rate/flow out of the pipe. There will be more flow over time but the rate of the outflow will not increase. The footbridge is staying where it currently is. The grade at the footbridge is lower than the flood plain.

Moved (Chamberlain), seconded (Picarazzi) to RECEIVE.  
VOTE: Motion CARRIED unanimously.

Moved (Deecken), seconded (Picarazzi) to CLOSE New Business.  
VOTE: motion CARRIED unanimously.  
New Business CLOSED at 7:30 p.m.

#### OLD BUSINESS:

The Chair OPENED Old Business/Work Session at 7:31 p.m.

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

3. Application 14-12      Stephen Wing      Permit approval to install a 6' chain-line fence along the property line within a regulated area at 26 Bonnie View Drive.

Moved (Deecken), seconded (DeFeo) to APPROVE for discussion purposes only.  
Moved (Deecken), seconded (Picarazzi) to amend the previous motion to APPROVE as Submitted subject to the General Conditions as established by the Commission. (\*Commissioner Chamberlain not voting.)  
VOTE: Motion CARRIED unanimously.

4. Application 14-13      Cooper Surgical  
                                 Rachel Augustine      Permit approval to create a gravel walking trail behind the shrubs on the property. No tree larger than 12" in diameter will be removed within a regulated area at 75/95 Corporate Drive.

Motion (Deecken), seconded (Molgard) to APPROVE as Submitted subject to the General Conditions as established by the Commission. (\* Commissioner Chamberlain not voting.)  
VOTE: Motion CARRIED unanimously.

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.

Mr. Maurer stated for the record that the applicant had not noticed the abutters within the required amount of time, 15 days prior to the Public Hearing. The applicant sent the letters to the abutters 14 days prior to the Public Hearing and the letter contained the wrong start time of the meeting, it read 7:30 p.m. as opposed to 7:00 p.m. Due to those two notice defects the Public Hearing could not be held. The commission conducted a Field Inspection also known as the Site Walk. Mr. Maurer indicated there is an extreme grade change between the corners of the house and the lower portion of the house. The house was staked and the wetlands were flagged, but none of the flags were identified which made it hard to correlate with any marking. No detail for the retaining wall has been included with the plans. Those items would need to be addressed in the next application.

Motion (Chamberlain), seconded by (DeFeo) to DENY without Prejudice.  
The Chair noted that the present approval was for 20' not 15' as this application indicates.  
VOTE: Motion CARRIED unanimously.

MINUTES: Motion (Chamberlain), seconded (Deecken) to ACCEPT the May 6, 2014 and June 3, 2104 meeting minutes. VOTE: Motion CARRIED unanimously.

CORRESPONDENCE: Letter from the neighbor of Application 14-10 would not be read into the record per the Town Attorney, the Public Hearing was not held due to the failure of notice.

The Commission discussed the future use of Boundary Markers. The Clerk confirmed that the boundary markers are currently in the processed of being purchased. The commission discussed the possibility of charging the applicants the cost of the markers if and when the markers are required per the commission's approval. Atty. Marino confirmed since the regulations do not require the boundary markers charging the applicant for the cost of the marker would amend the fee schedule. This would need to be brought to the Town Council for approval. The Chair asked the commission to review the Town of Washington's fine schedule previously distributed to the commission. The Chair would like to move forward with a fine schedule in the fall if the administration agrees.

There is no August 2014 meeting scheduled.

Respectfully Submitted,

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Margaret D. Mastroni, Clerk