

INLAND WETLANDS AND WATERCOURSES COMMISSION

Town of Trumbull

CONNECTICUT

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TOWN HALL
Trumbull

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SEPTEMBER 9, 2014
MINUTES

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

ABSENT: Bruce Elstein, Alternate.

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

CALL TO ORDER: The Chair convened the meeting at 7:05 p.m. All present joined in the Pledge of Allegiance.

NEW BUSINESS:

1. Application 14-20, Joseph Giamei - Permit approval to install two (2) driveways, construction of a portion of a new home and associated site work within a regulated area at 215 Rocky Hill Road.

Chris Russo was present on behalf of Atty. Ray Rizio. Mr. Russo explained the application represents a property that has been subdivided into 3 lots. They are proposing to construct 2 houses and 2 driveways and have received all ZBA waivers. There are no wetlands on the property. The wetland soil is within 100' of this property on the other side of Rocky Hill Road. Mr. Russo submitted photographs of the property for the record. They plan to connect all three homes to the sanitary sewer and waterlines. There will be no impact to the wetlands. A filter fabric fence will be installed during construction as well as an anti-track mat. Mr. Russo respectfully asked the Commission for approval without a public hearing. Commissioner DeFeo noted that the wetlands 100' boundary is not marked on the plan. Mr. Maurer explained the soils across the street are floodplain soils not poorly drained soils and still fall under the jurisdiction of this Commission. The proposed building on lot #3 and a portion of #1 is within the 100' regulated area. The soil is gravel well drained soils; it is a sensitive soil and is very important. None of the houses are in a flood zone. They may have to extend the water main and the sewer line from Cedar Crest Road. There is a substantial amount of roadwork necessary. The existing house is on well. The floodplain soils go right up to the culvert that crosses White Plains Road. The soils were disturbed when the culvert on RT. 127 was rebuilt years ago. They will not be overly close to the wetland soils in that area. Mr. Maurer agreed with Commissioner Lauria that it would be good to put silt fencing up on the east side, he believes there may not be a curb on that side of the road.

Moved (Deecken), seconded (Molgard) to RECEIVE.
VOTE: Motion CARRIED unanimously.

2. Application 14-21, Eric & Courtney Kudey - Permit approval to relocate a sewage tank/grinder pump, remove a gazebo with an attached room and existing deck and replace with a 14' x 46' deck within a regulated area at 85 Pinewood Trail.

Mr. Eric Kudey of 85 Pinewood Trail was present and indicated the existing sewage tank is very close to the house. The applicant had noticed a smell and it was determined that the tank needed to be replaced due to the fact that it was rotting from the inside out. The gazebo is a finished room and alongside there is another room. They are proposing to replace these rooms with an open deck. The property would then conform to other properties in the area. He stated that it is not typical to remove rooms. There are no wetlands on the property but are within 100' of Pinewood Lake. The erosion and sedimentation plan is delineated on the plan. The existing grinder pump is approximately 3" from the foundation, under the deck, (within a concrete slab) where the breezeway is. They have included a new force main in the proposal but the contractor would prefer to use the existing main if possible. They will not if that is possible until they are actually working the site. Silt fencing will be used and they will do all that needs to be done. The tank is only 12 years old, but is rotting. There will be nothing stored on the site that does not need to be. Whatever needs to be hauled off-site will be. Mr. Maurer indicated a sewer permit will need to be pulled and the old tank will still need to be abandoned according State Health Codes.

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

3. Application 14-22, Warren Jacques - Permit approval for a sanitary sewer connection to an existing main within a regulated area at 62 Spring Hill Road.

Mr. Warren Jacques of 37 Old Elm Road and the Managing Director of 62 Spring Hill Road was present. Mr. Jacques indicated that they are proposing to connect to the sanitary sewer line behind Regency Meadows. The current system is a pump and has had its share of issues since it was installed in 1982. Mr. Maurer explained the existing cross country line is just short of this property. The Town may extend the line in the future to be able to pick up other properties but here are no plans at this time to do so. The application is for this one individual connection. The connection will be made under the stream. The existing culvert is under the parking lot. The culvert is approximately 110 years old. Most of the work is through the paved areas.

Moved (Deecken), seconded (DeFeo) to RECEIVE.
VOTE: Motion CARRIED unanimously.

4. Application 14-23, 147 Daniels Farm Road, LLC c/o James Fracker - Permit approval to construct a single family home subdivision, tree removal, grading, home driveway and road construction, installation of a detention pond, road drainage, channels, sanitary sewers, plunge pools and erosion control measures within a regulated area at 147 Daniels Farm Road.

Mr. David Bjorklund, P.E. of Spath-Bjorklund Associates, Inc. with offices in Monroe, Ct was present on behalf of the applicant and indicated the application represents the 10-acre Mallette property on Daniels Farm Road. The property currently has one house with a garage on it. The property is zoned as 1/2-acre lots. The application proposes 16 single family building lots. The property is within the regulated area due to its proximity to the Pequonnock River. There is no direct wetland impact and/or impact to the river. The current sewer is within an easement. They are proposing houses, driveways, roads and detention ponds. Mr. Maurer stated the application is extensive and is still under review by his office. Two (2) proposed houses are within the flood plain. The BFE is the elevation of the 100 year flood. The plunge pools will be within easements. The Town would be responsible for the plunge pools if the easements are granted. There is no homeowner association proposed. Each lot will be owned by an individual homeowner. The houses will be on sewer and will be in conformance of the Town's Storm-Water Management Policy. The lots are standard and do not need a variance from P&Z. There will be no drainage impact to the cemetery. Mr. Bjorklund confirmed for the commission that if the site is walked the plunge pools, the roads' centerlines and houses #10 & #11 would be marked. Each individual lot has a detention basin. The construction plan does profile the road construction and temporary features. Anti-tracking mats have been calculated as impervious surfaces. The construction plans can be found on P1-P2 and SLP 1 and the Erosion details are on D1, D2 and D3. The commission requested that the catch basin at lot #9 & #10 be marked for the site walk. Mr. Bjorklund agreed. At the upper corner of the property by the Carley property does have swales. The calculations of the additional water runoff from the impervious surfaces are included in the application and can be found in the Storm Water Management Report dated 8-26-2014. The proposal is for the Town to have the easements after the road is accepted/ Lot #10 & #11 could possibly flood if blocked. The area where material will be stock piled will be provided if it is not already on the plan. The commission would like to see the construction phases as well. A landscaping plan is not traditional with a subdivision plan. Each lot will have its own erosion plan when each lot is developed. Each lot will reflect a generic footprint at this stage. Each lot will require a full site-plan as it is developed; this wetlands approval would cover lots #10 & #11. Each lot will require a building permit and would come through the Engineering and Wetlands department for sign-offs. At that time the drainage would be reviewed again. The subdivision would be on sewers. The existing line runs close to the river and is on the west side of the property. The On behalf of the neighbors the Town Attorney submitted a petition to hold a Public Hearing. The petition was signed by more than 25 neighbors.

Moved (Deecken), seconded (Molgard) to RECEIVE.
VOTE: Motion CARRIED unanimously.

ANYTHING THAT MIGHT RIGHTFULLY COME BEFORE THE COMMISSION
NEW BUSINESS:

Moved (Chamberlain), seconded (Picarazzi) to add two items to the agenda: Application 14-25, Kelly Carling, Trustee of Tobias and Kelly Carling Living Trust dated 10-19-2013 and 14-27 Lisa Hawke. VOTE: Motion CARRIED unanimously.

Application 14-25, Kelly Carling, Trustee of Tobias and Kelly Carling Living Trust dated 10-19-2013 - Permit approval to straighten and widen the driveway, remove existing retaining wall and replace with a fieldstone retaining wall, demolish the existing stone patio and replace with a bluestone patio with an 18" sitting wall, fire pit and barbecue area, Install an above-ground hot tub, replace the front steps with bluestone, plant new trees and shrubs throughout the site and remove Pine trees, Spruce and Willow within a regulated area at 6 Whippoorwill Lane.

Ms. Carling of 6 Whippoorwill Lane was present. Ms. Carling submitted for the record photographs of the site and articles which speak to results of unsafe trees on properties. Almost her entire property is within the regulated area (100' to the pond). Ms. Carling stated the survey shows that the 6 pine trees are on the neighbors' property. The Commission confirmed that the removal of the 6 pine trees could not be part of this application it would need to a separate application made by the owner. It could be possible that the owner could make Ms. Carling the agent for that application. Ms. Carling reviewed the plan with the commission. The plan reviewed had not been previously submitted with the application but would be submitted for the record at this meeting. The existing patio goes to the edge of the pond, they are proposing to plant water loving plants at the edge of the pond. These plantings will be between the patio and the edge of the waterway. Currently this area is overgrown with weeds. There are new hemlocks that had been planted alongside the fence; the hot tub is part of this application. This type of hot tub never needs to be drained. The Commission requested that the trees to be removed be marked with a ribbon if they conduct a site inspection. Ms. Carling agreed.

Moved (MacKeil), seconded (Picarazzi) to RECEIVE.

VOTE: Motion CARRIED unanimously.

Application 14-27, Lisa Hawkes – Permit approval to install a shed within a regulated area at 122 Fern Circle.

Ms. Lisa Hawkes of 122 Fern Circle was present and indicated west of the proposed shed is an intermediate watercourse. There is a large oak tree in the area between the proposed shed and the waterway. The shed is farther away from the waterway and closer to the house. The shed is being installed at the mulched area where the children's swing set had been. Moving the location of the proposed shed would move it further into the treed area. Mr. Maurer explained for the commission that the Town's wetland mapping is generic, to know the detail of a particular wetland it would need to be mapped by a soil scientist. The red lines on the plan indicate the contours.

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

VOTE: Motion CARRIED unanimously.

Moved (Deecken), seconded (Picarazzi) to CLOSE New Business.

VOTE: Motion CARRIED unanimously.

New Business Closed at 8:25 p.m.

The Chair called a RECESS at 8:26 p.m.

The Chair called the meeting BACK TO ORDER at 8:31 p.m.

OLD BUSINESS

The Chair OPENED Old Business/Work Session at 8:32 p.m.

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

Motion (Chamberlain), seconded (Deecken) to APPROVE Application 14-16, Town of Trumbull as submitted subject to the General Conditions as established by the Commission.

VOTE: Motion CARRIED 7-0-1 (ABSTENTION: Lauria).

6. Application 14-17, MGM Properties LLC (Modification 04-36) - 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.

Mr. Bjorklund was presented a letter from the Town Engineering Dept. at this meeting with regards to the proposal, one of the items within the letter will require him to contact FEMA therefore the applicant will need additional time and will request a continuance.

Mr. Bjorklund requested a 35-Day CONTINUANCE.

Motion (Chamberlain), seconded (DeFeo) to GRANT a 35-Day CONTINUANCE on Application 14-17, MGM Properties LLC (Modification 04-36).

VOTE: Motion CARRIED unanimously.

MINUTES: Motion (Chamberlain), seconded (Picarazzi) to ACCEPT the July 1, 2014 meeting minutes as submitted. VOTE: Motion CARRIED unanimously.

The clerk reported the boundary markers had been shipped and received. The Commission discussed how payment could be received from the applicants for the markers. The Town Attorney stated council approval is necessary to add this to the fee schedule. The Chair stated the Commission will work on the proposed fine schedule in the coming weeks and will request to be added to the council agenda for both in the future.

CORRESPONDENCE:

The clerk stated there were 2 items of correspondence one of which was received after the agenda had been finalized:

- An email to William Maurer dated 09-08-14 from Cynthia Altman re: Application 14-23, 147 Daniels Farm Road, LLC c/o James Fracker.
- A letter from Spath-Bjorklund Associates, Inc. date August 11, 2014 re: Application 14-17 6528 Main Street requesting to add cleaning out a 24" drainage pipe to the pending wetlands application.

The Commission agreed to defer the two items of correspondence to the next meeting.

Mr. Maurer reported on the following:

- Application 14-04, Falcon – 33 Melrose Avenue: Work has been completed and is in compliance with the plans.
- A Notice of Violation will be sent to the Nichols Farm Burial Ground for bringing in fill to a regulated area and is currently working with them.
- Mohawk Drive - The arborvitaes have been planted and the property corners have been monumented.
- Rocky Hill Road property – The application is at ZBA – It is not required to have IWWC approval prior to approval by ZBA, (P&Z requires prior approval by the IWWC). Mr. Maurer expects them to come to the IWWC with an application soon. The permit(s) will be for the cabana, not removing the cars. Any disturbance to the cars would need to be done by going through the wetlands which would cause more of an adverse impact than the leaving the cars as they are.

SCHEDULE FIELD INSPECTIONS:

By unanimous consent the Inland Wetlands & Watercourses Commission scheduled the Field Inspection to take place on Wednesday, September 17, 2014, leaving the Town Hall at 3:00 p.m. for the following applications:

- Application 14-25, Kelly Carling, Trustee of Tobias and Kelly Carling Living Trust dated 10-19-2013.
- Application 14-23, 147 Daniels Farm Road, LLC c/o James Fracker.

PUBLIC HEARING(S):

By unanimous consent the Inland Wetlands & Watercourses Commission agreed that Application 14-23, 147 Daniels Farm Road, LLC c/o James Fracker would require a Public Hearing to take place at the regular October IWWC meeting.

There being no further business to discuss the Inland Wetlands & Watercourses Commission adjourned by unanimous consent at 8:51 p.m.

Respectfully Submitted,

Margaret D. Mastroni, Clerk