

INLAND WETLANDS AND WATERCOURSES COMMISSION

Town of Trumbull

CONNECTICUT

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TOWN HALL  
Trumbull

TELEPHONE  
(203) 452-5005



FEBRUARY 3, 2015  
MINUTES

**CALL TO ORDER:** The Chair called the meeting to order at 7:05 p.m.

**PRESENT:** Chairman Richard Girouard  
Vice-Chairman John Lauria  
Kevin Chamberlain, Secretary  
Carmine DeFeo  
Guido Picarazzi  
Mark MacKeil  
Richard Deecken  
David Verespy, Alternate  
Andrew Lubin, Alternate

**ABSENT:** David Molgard, Alternate

**ALSO**

**PRESENT:** William Maurer, P.E., L.S., and Town Attorney Vincent Marino.

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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, February 3, 2015 at 7:00 p.m. at the Trumbull Town Hall 5866 Main Street, Trumbull, CT on the following application(s):

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.

*(Continued from January 6, 2015)*

Application 14-28, Emilio Ferri - Permit approval to construct a single family residence, retaining wall, driveway, extend the roadway, place fill, and related improvements, and allow the home to be built within ten (10') feet of the wetlands boundary (present approval is fifteen (15) feet within a regulated area at Sycamore Street , Parcel "C".

*(Continued from January 6, 2015)*

*(Next page)*

Application 14-37, Emilio Ferri - Permit approval to construct a single family house with associated grading and utilities within a regulated area at Parcel A, Sycamore Street.  
(Continued from January 6, 2015)

Application 14-38, Emilio Ferri - Permit approval to construct a single family house with associated grading and utilities within a regulated area at Parcel B, Sycamore Street. (Prior December 6, 2005 Approval Expired)  
(Continued from January 6, 2015)

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

Dated at Trumbull, Connecticut this 22<sup>nd</sup> day of January, 2015.  
Richard H. Girouard, Sr., Chairman  
Inland Wetlands and Watercourses Commission of the Town of Trumbull

1<sup>st</sup> Publication in CT Post 01/22/2015 (Authorization #14-014800 01/22/15)  
2<sup>nd</sup> Publication in CT Post 01/30/2015 (Authorization #14-014800 01/30/15)

The Chair welcomed Andrew Lubin to the commission as the new alternate.

**NEW BUSINESS:**

1. Application 15-01, Daniel Pizarro - Permit approval to remove fill within a regulated area at 1491 Huntington Turnpike.

Anna Ryzenga consultant of Westfair Drive of Westport, CT representing the applicant was present and indicated the application is an enforcement action that resulted in a notice of violation issued October 8, 2014. It is a violation of Sections 6.1 and 7.1 of the Inland Wetlands and Watercourses Commission's regulations. The property is .65 acres in a residential AA zone with a single-family residence served by public water and an existing septic system. There is approximately 1,100 sf of wetlands on the property and 18,800 sf of upland review area. In October fill was brought onto the property without permits, approximately 7,800 sf (.18 acres in size) 232 cubic yards of material. For the record Ms. Ryzenga submitted google 2012 photographs representing what the property prior to the addition of the fill. A silt fence had been installed but it is not intact in certain places due to the snow. There are two (2) soil scientist reports included in the file. One is dated December 23, 2014 (defines the wetlands soils, types and wetlands flags #2 - #14), and the January 5, 2015 report. A plan has been prepared to remove the fill from the embankment. The erosion and sedimentation plan has been submitted with the application. The plan includes a silt fence and hay bales at the base of the embankment. An excavator will be placed at the top of the embankment and will reach across and down the embankment to remove the deposited materials. The fill removed will be placed in a stockpile with silt fence around it and will be used to finish the landscaping that was begun at the north side of the house near Huntington Turnpike. The slope will be seeded with a grass mix and covered with hay. It was Ms. Ryzenga's recommendation for immediate stabilization to use matting or blankets on the slopes. A second row of silt fencing will be installed across the top of the slope. All of the

disturbed area at the east of the embankment will be top soiled and seeded with grass mixed with mulch for stabilization. Ms. Ryzenga requested the application be amended to include a 150 s.f. deck. Photographs of the site were submitted for the record. Ms. Ryzenga reviewed the site plan in detail with the commission. The area in orange represents where the silt fencing will be added. There is silt fence there now but has fallen due to the recent snow storm. The yellow area represents where the disturbed area. Mr. Maurer stated the fill is placed on the Bill's property and is part of the Town's Parks Department. The applicant may need to seek approval from the Parks Department. The contractor will need to post a bond and a certificate of insurance since they will be working on Town property. At elevation 137, the excavator will be placed approximately where it reads "area of the fill" on the map. The plan will need to be revised to denote the "temporary stock pile location". Ms. Ryzenga confirmed for the commission it would be brought to a 2 to 1 slope. The wetlands were flagged after the area was filled. The soil scientist had not indicated the fill had covered any wetlands. He was unable to attend this meeting due to a conflict in schedule. Commissioner Chamberlain noted the site-walk may need to be deferred until weather conditions are more favorable and questioned the applicant's timeframe. Ms. Ryzenga indicated the applicant would like to get this done as soon as the weather permits. Ms. Ryzenga stated she did not believe there is a safety issue. Ms. Ryzenga agreed a planting plan could be submitted to Mr. Maurer for review and approval and could include a vegetative buffer (shrubs) 10' to 15' from the wetlands instead of grass at the 2 to 1 sloped area.

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

2. Application 14-50, Rick Fazio - Permit approval to construct a deck and patio, plant arborvitae along the northern portion of the property and install fencing around the garden area within a regulated area at 110 Daniels Farm Road.

Mr. Maurer indicated the plan is simple it includes planting arborvitae along the property line, a deck, a patio at the back of the house and a fence around the garden.

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

3. Application 14-51, Lamar Outdoor Advertising- Permit approval to maintain and repair the footings of four (4) existing billboards, will hand dig 4x6x4 trenches at each base post to install "T" or "dead man" braces at the bottom of the posts. Will then backfill with excavated soil. The same shall be done with the kicker braces in back. Above the surface and with no impact on the wetlands, will strengthen and reinforce the platforms and bracing within a regulated area at 6175 Main Street.

The Chair noted and Mr. Maurer confirmed this parcel had been deeded to the Town effective January 23, 2015. The lease runs to 2020.

Motion (Deecken), seconded (DeFeo) to RECEIVE.  
VOTE: Motion CARRIED unanimously.  
The Chair CLOSED New Business at 7:22 p.m.

OLD BUSINESS:

The Chair OPENED Old Business at 7:23 p.m.

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. The Chair read the letter from Spath Bjorklund that announced the application had been WITHDRAWN.

Motion (Lauria), seconded (Picarazzi) to CONTINUE Application 14-28, 14-37 and 14-38 to the March 2105 meeting.

VOTE: Motion CARRIED unanimously.

5. Application 14-28, Emilio Ferri - Permit approval to construct a single family residence, retaining wall, driveway, extend the roadway, place fill, and related improvements, and allow the home to be built within ten (10') feet of the wetlands boundary (present approval is fifteen (15) feet within a regulated area at Sycamore Street , Parcel "C".  
CONTINUED to the March meeting.
6. Application 14-37, Emilio Ferri - Permit approval to construct a single family house with associated grading and utilities within a regulated area at Parcel A, Sycamore Street.  
CONTINUED to the March meeting.
7. Application 14-38, Emilio Ferri - Permit approval to construct a single family house with associated grading and utilities within a regulated area at Parcel B, Sycamore Street. (Prior December 6, 2005 Approval Expired)  
CONTINUED to the March meeting.
8. Application 14-34 , Firlgelski Living Trust - Permit approval to construct a commercial building & associated parking with drainage within a regulated area at 123 Monroe Turnpike. (Continued from the January 6, 2015 Meeting)

Ms. Melissa Cole of D'Amico Associates was present on behalf of the applicant and indicated since the last meeting they have addressed the Town engineer's comments, revised the FEMA floodway on the map to match the flood mapping on the Town GIS, the board ratio and other water quality item calculations were adjusted. The drainage is now galleys as opposed to the detention basin. (Sheet 2 of 6 had been revised to show the floodway and the detention galleys). The proposed activity is drainage and grading and only a small portion of the building is within the upland review area. The entire floodway is a flood zone; there will be no activity within that area. The LOD is right in front of the silt fence. They will use a single pump for the 2" force main. Mr. Fernando Deandre indicated it will be a single pump, if it fails they will have 4-5 hours and possibly up to 8 hours to respond. It is a 1,100 gallon tank. It would take a full day for it to overflow. This building will be week day use only. Mr.

Maurer confirmed for the commission that the new plans and calculations were submitted this afternoon and has not had sufficient time to review. The building is planned to be a medical use building. Commissioner Verespy indicated he had reviewed the planting plan and would rather see native species used as opposed to the Bradford Pear tree and Colorado Spruce and would like to see more plantings at the lower parking lot at elevation 382 where the silt fence is indicated on the plan. This will serve as buffer for the wetlands.

9. Application 14-42, Anthony F. and Kim Clomiro - Permit approval to construct a 603 sf single- story addition within a regulated area at 33 Pinewood Trail. (Continued from the January 6, 2015 Meeting)

Attorney Chris Russo of Quatrella and Rizio with offices in Fairfield, CT was present on behalf of the applicant. The applicant is proposing a single-story 603 s.f. addition to an existing 800 s.f. house. Atty. Russo orientated the commission to the property. The applicants have received their side yard setback ZBA approval. The wetlands are across the street on the West Mischa Road side approximately 40' onto that property. A photograph representing the view from Pinewood Trail looking to where the addition will be was submitted for the record. The runoff would have to cross this property, go across West Mischa and then another 35'. The project is isolated from the wetlands. Colcheck chambers, an anti-tracking apron by Pinewood Trail and a silt fence all along the property will be installed. A drainage report was submitted. The applicant has received comments from Mr. Maurer and is happy to accept any of the comments as conditions of approval. The proposed project is for the applicants' father and did not indicate a need for a deck. The addition will be one step up from grade. There is no basement under the addition; the engineer did not see an issue with the discharge next to the addition. Mr. Maurer indicated that the application was submitted only a few days ago and has responded in the form of a letter this afternoon. There are some minor items that the engineer will need to address.

10. Application 14-46 , Matthew and Lina Matera - Permit approval to construct an addition and driveway within a regulated area at 40 Old Green Road.

Matthew Matera owner of 40 Old Green Road was present and indicated the purpose of the application is to add an in-law apartment and driveway to the north side of the single-family residence. The proposed development will increase the impervious surface by 2,831 s.f. In accordance with the Town of Trumbull Regulations 0% increase of peak rate of run off must be provided for the 2, 5, 10 and 25 year rain fall events. In this case the detention system will be created to meet the requirements and not increase the ponding depth of 9". The wetlands are shown by the brook at the corner of the property; the addition is at the other side of the property and outside of the review area. The only item within the regulated area is the overflow pipe from the bio-retention basin. Mr. Maurer reviewed the drainage report and has found the bio-retention basin to be adequate and spoke favorably of what the applicant had proposed. The applicant confirmed the area subject to the grass seed indicated on the planting plan is currently wooded. Commissioner Verespy stated the grass seed mixture will not perform well in that area and suggested native shrubs and shade tolerant plantings as opposed to the sun loving seed mixture. The applicant agreed to the suggestion.

11. Application 14-47, John Mandanici, Jr. - Permit approval to relocate the road due to safety and circulation concerns and Town regulations for the for the approved 4-single family residential lot subdivision within a regulated area at 254 Shelton Road. (All houses and driveways outside the regulated area)

Atty. Russo of Quatrella and Rizio with offices in Fairfield, CT was present and requested a continuance on this application. The reason for the continuance is due to the fact that the drainage information requested has not been submitted to date.

Motion (Lauria), seconded (Deecken) to CONTINUE the application to the next meeting.  
VOTE: Motion CARRIED unanimously.

12. Application 14-48, Booth Hill Road LLC - Permit approval to construct a 4-lot subdivision, including 400' of new roadway, regulated activities include construction of a storm pipe and flared end discharge within a regulated area at Map 16, Parcel 90 Booth Hill Road. (No houses, yards or roadway construction is proposed in the wetlands, watercourse or upland review area.)

James Swift, P.E., Landscape Architect was present on behalf of the applicant and indicated the 5.5 acre site is proposed with a new roadway. There are no wetlands and watercourses other than the small portion of the Bear Damn Brook at the back of the site. The plan shows the upland review area; there no houses, yards or driveways in the upland review area. A portion of the storm pipe was planned to discharge into the brook. The engineering department has questions with how they would handle the storm water and in particular drainage to the brook. Based on this morning's meeting with the engineering department they are looking at pushing more water out to Booth Hill Road to lessen the drainage towards Bear Den Brook. It is a major concern not to impact the neighbor hence the discharge to the brook. More time is needed to examine what was discussed at the meeting with the engineering department and submit new plans. Mr. Swift requested a continuance. The neighbors from the area are not available for the next meeting; therefore Mr. Swift asked that the neighbors be allowed to speak at this meeting. The property does require ZBA approval, and have been granted an approval. They are in conversation with the Town with who will receive the open land. At this time it appears the Trumbull Land Trust is interested. Mr. Maurer confirmed for the Chair an easement would be necessary for the drainage to the brook. Mr. Swift stated one of the issues the engineering dept. has is that there is no detention. There are other suggestions the engineering dept. made that will eliminate the discharge to Bear Den brook altogether.

Joann Parsons neighbor to the application in favor of the plan in concept. Open Space has been considered and will be deeded to the Town. This is an important part of the plan and for the wildlife. The 2014 POCD includes (on page 85) that open space should be preserved. Ms. Parson's stated the following items are their concerns:

- Permanent demarcation should be considered.
- They are concerned with the overflow pipe to Been Den Brook. It is a sensitive slope and should be considered in more detail. It should be staked for the Town Engineer to review before any work commences.

- In some places where there are steep slopes hay bales should be placed in addition to the silt fence.
- They are concerned with clogging of the pipe so it does not affect the neighbor at the end of Hunter's Lane.
- The language of the Open Space should be dedicated specifically for wildlife.

Ms. Parsons stated they are in favor of the application as it is laid out.

Mr. Swift clarified for the Chair that the steep slope by the river is approximately 20' in elevation, that discharge may be eliminated. It is vitally important to protect the neighbor and if there is a way to do that without any discharge they will.

Richard Tyler homeowner of the property on Hunter's Lane was present and stated that his main concern was the drain pipe. The grade the pipe will go down is certainly more than 20'. His main concern is that there will not be any destruction to the root systems while installing the pipe. The 45 degree angle will be jeopardized if trees and roots are taken out. The pipe will go down approximately 55' - 60' and asked would it be below or above the highest water mark. He has many concerns but heard at this meeting that nothing is definite yet. He and other neighbors do have other concerns but will address them at a later date.

Motion (Lauria), seconded (Deecken) to CONTINUE the application to the next meeting.  
VOTE: Motion CARRIED unanimously.

The Chair CLOSED Old Business at 8:10 p.m.

MINUTES: Motion (Chamberlain), seconded (Picarazzi) to ACCEPT the January 6, 2015 meeting minutes as submitted.

VOTE: Motion CARRIED unanimously.

The Chair OPENED the WORK SESSION at 8:12 p.m.

After review, the Commission took action on the following agenda items as follows:

Application 14-34, Firgeleski Living Trust - Permit approval to construct a commercial building & associated parking with drainage within a regulated area at 123 Monroe Turnpike.  
(Continued from the January 6, 2015 Meeting)

Motion, (Deecken), seconded (MacKeil) to APPROVE as submitted subject to the General Conditions as established by the Commission and the following specific conditions:

1. All review comments contained in the attached Town Engineering office's letter dated January 13, 2015 shall be addressed to the satisfaction of the Town Engineer.
2. A planting plan which includes the planting of 50-60 native species shrubs 18"-24" in size shall be submitted and approved by the Town Engineer.
3. The LOD (Limit of Disturbance) shall be consistent with the silt fence on sheet 2 of 6 and there shall be no disturbance downslope from the silt fence.

VOTE: Motion CARRIED unanimously.

Application 14-42, Anthony F. and Kim Clomiro - Permit approval to construct a 603 sf single- story addition within a regulated area at 33 Pinewood Trail. (Continued from the January 6, 2015 Meeting)

Motion, (Deecken), seconded (Picarazzi) to APPROVE as submitted subject to the General Conditions as established by the Commission and the following specific conditions:

1. All review comments contained in the attached Town Engineering office's letter dated February 3, 2015 shall be addressed to the satisfaction of the Town Engineer.

VOTE: Motion CARRIED unanimously.

Application 14-46, Matthew and Lina Matera - Permit approval to construct an addition and driveway within a regulated area at 40 Old Green Road.

Motion, (Deecken), seconded (MacKeil) to APPROVE as submitted subject to the General Conditions as established by the Commission and the following specific conditions:

1. A planting plan which includes the planting of 30-40 native species shrubs at the perimeter of the basin in lieu of a grass seed mix shall be submitted and approved by the Town Engineer.

The Chair CLOSED the Work Session at 8:25 p.m.

By unanimous consent the Inland Wetlands & Watercourses Commission agreed to schedule a Public Hearing for Application 14-47.

Attorney Marino explained to the commission the creation of swales in a sub-division would not create wetlands for those residents.

There being no further business to discuss the Inland Wetlands & Watercourses Commission adjourned by unanimous consent at 8:41 p.m.

Respectfully Submitted,

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Margaret D. Mastroni, Clerk