

INLAND WETLANDS AND WATERCOURSES COMMISSION

Town of Trumbull

CONNECTICUT

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TOWN HALL
Trumbull

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MINUTES
MAY 3, 2016

CALL TO ORDER: The Chair called the meeting to order at 7:01 p.m.

PRESENT: Chairman Richard Girouard Vice-Chairman John Lauria
Secretary Richard Deecken Carmine DeFeo
Ennio DeVita David Verespy (Alternate)

ABSENT: Andrew Lubin (Alternate), Mark MacKeil, Guido Picarazzi

ALSO

PRESENT: William Maurer, P.E., L.S., Amrik Matharu, Civil Engineer and Town Attorney Vincent Marino

The following is a brief summary of the meeting. A complete record is on tape, on file, in the office of the Inland Wetlands and Watercourses Commission located in the Trumbull Town Hall.

The Chair opened NEW Business at 7:02 p.m.

Application 16-05 John DeRosa - Permit approval for deck extension and above ground pool within a regulated area at 40 Sterling Road.

John DeRosa, CT Design Build, presented on behalf of the Ryan family. They are seeking to extend their existing deck and also construct an above ground pool in their backyard. The deck addition and pool are designed within zoning regulations with 50' rear set back and 20' side set back. With the construction of this project a silt fence will be installed during construction of the pool and deck extension. The current deck has gravel underneath it and the deck extension will have gravel underneath it as well. The pool will not be emptied on site or in the storm drain or the sanitary line. The water will be pumped out and brought offsite. Both neighbors have same set up. The Commission looked over the map attachments in order to see the location of the wetlands and/or upland review area. Mr. DeRosa stated that they are about 40' from the property line and the water is another 20-30'. The impact is very minimal. A couple of holes will be dug for the deck. There is (4) or (5) 12" diameter holes and 42" deep for the sono tube footings. The dirt will be placed back in the holes to backfill. It's a 24' diameter pool which was reduced from a 27'. Precautions will be taken and a silt fence will be put up. There will be no removal of trees. The Commission questioned where the backwash water from

the filter will go. Mr. DeRosa said they would happily put in a retention pit to catch the water if necessary and/or required.

Application 16-08 Jenny & Jim Kilcullen - Permit approval to repair existing drainage system, stabilize slope, reseed lawn, plant shrubs, remove trees and install a shed within a regulated area at 76 Cranberry Drive.

Jenny & Jim Kilcullen, the homeowners, reviewed their application for the Commission. According to the IWWC Agent there was a drainage problem on the south side of the property and repairs were made. After that the homeowners decided to fix the lawn in the back. They did not increase any disturbance. They just re-disturbed it. It wasn't wetlands it was their lawn. According to the homeowners there is a curtain drain that stopped working and there was a lot of moisture on top of the soil so the crushed part of the drain was fixed. There were two locations where the water wasn't draining so they dug it up and replaced a few links that were required and filled it back in completely. There is a tree in the back that had a large branch fall off which made them notice that on the top of the tree there is more damage and there is concern that it might come down on swingset. There is another one in the center of the front yard that is completely rotted out in the middle. It is a few feet from power lines and there is concern that it could come down in a storm. The Commission asked that the trees be marked in advance of a site walk.

Motion (Deecken), seconded (DeFeo) to CLOSE New Business VOTE: Motion CARRIED unanimously. New Business Closed at 7:22 p.m.

The Chair Opened OLD Business at 7:22 p.m.

Application 16-01 Daniel Mond - Permit approval for lakefront landscape improvements; a proposed path, a patio with fire pit, a beach area, relocating the dock slightly and a deck with an outdoor kitchen area within a regulated area at 121 Pinewood Trail.

Mr. Mond addressed the Commission on behalf of the Wilber's. Due to the concerns from the Commission regarding the proposed gas lines as they relate to the FEMA flood lines of 175' elevation, they are removing the gas lines and gas appliances from the project. They will still put in a kitchen but it will be a wood or charcoal fire grill and likely a small pizza oven. They would like to still bring down electricity and water. On the hardscape plan on page 2 you can see the trench locations for that. The electric will all be water-tight fixtures. After discussing the commissions concerns regarding the construction methodology of the stone wall on the shoreline as well as the construction detail for the deck they have spoken with civil engineers, structural engineers, and builders along with coastal professional and they were assured that a process can be devised regarding that methodology but it is very dependent on the soil conditions at those specific sites. The intent for the deck is to put the post out of the water. There is land at the water's edge where they would like to put the deck post. At the most he believes the deck will extend out 3 feet. They would like to maximize that extension out to the tree without impacting the tree itself. There is another cross section on the maps that the Commission requested to see how the footing of the proposed shoreline wall interacts with the shoreline and the grading as it goes up the hill as well. He made rough calculations on autocad regarding the grading to make sure that there is no slope steeper than 45 degrees. The IWWC Agent reported that he spoke with someone from the Pinewood Association and there were a couple of concerns that he believes Mr. Mond was going to address on Thursday. The main part from the Association was that there be no planting in the water. The deck overhang shouldn't be over the water. Mr. Mond stated that the dock was not changing and it is going to just be re-pinned to the ground and if the Association is concerned about the deck overhanging the water Mr. Mond hoped that showing them the height and the amount of space underneath will alleviate their concerns. The Trumbull Conservation Commission submitted a letter offering comments and recommendations. The Commission Secretary read the

letter. Mr. Mond requested that they be allowed to move ahead with the project and not let the wall hinder them from moving forward on other aspects which they believe will not have any impact to the lake. The upland plantings within the walkway and garden are ornamental garden plantings. The plantings on the shoreline and on the edges of the property are native plantings. There will be machinery coming down such as an excavator. Not sure of size. There is a detail in plan showing an anti-traction tracking pad as well as the construction entrance on the hardscape plan. They will be coming in through driveway and onto the lawn. They will use a stockpile area down there if necessary and will also be using northern side of house for staging. This area is the only flat level land. Most of the excavation will be for the patio. For the deck, sono tubes will be used. The footings are minimal and will likely be hand dug. For the footings for the walls and the grading, the excavating will be done by machine. It is expected that the walkway will be hand dug. In some areas where necessary hay bales will be added behind the silt fencing. The IWWC Agent had the following comments: the applicant needs to provide contact information in the case of erosion control failures and needs to specify that the tree stump is not to be removed; it may be grinded. In response to the Commission concerns on how the wall will be built, Mr. Mond has had conversations with a coastal engineering company and both civil and structural engineers. There is a methodology to building this with minimal effect on the lake. Whether it's a coffer dam or a rubber dam it gets put onto the surface and inflated and they pump the water out from that small area so they are not impacting the water, the coffer dam would essentially do the same thing. Once they have a builder in place they would be able to determine a methodology on how they can build it. Mr. Mond would like to begin the rest of the project and not let the wall hold them back from starting. A lengthy discussion continued between the Commission and Mr. Mond in regards to the proposed wall to be built.

Application 16-03 Benjamin W. Grant Permit approval to dredge pond and water course areas, replace sub-surface sewage disposal system, install new in-ground pool, build two-story addition, extend rear patio area with new retaining walls and re-grade slopes to create a lawn area and landscape screening within a regulated area at 1487 Huntington Turnpike.

Anna Rycenga, Rycenga Land Use Consulting addressed the Commission on behalf of the homeowner, Benjamin Grant. They have retained Ian Cole, Soil and Wetlands Scientist and he prepared a wetlands delineation report dated February 25, 2016. He also prepared a report dated April 30th with the recommended upland review area wetland plantings. In his report he recommends that the upland review area mitigation measures proposed for this project include an enhancement existing site resources. This is done in two steps. The first is that the invasive plants we choose that are on site be removed and then the wetland buffer shrubs which there's a total of 80 would be replanted with the appropriate seed mixes proposed in table 1 of that letter. Erosion and sedimentation control plan was prepared by Washington Cabezas. The pond and watercourse dredging is needed maintenance. The pond over time has silted and sediment has accumulated on the bottom which reduced the pond depth and volume. An excavator with a long reach boom will be used to remove the sediments from the pond and watercourse. On the revised plans it shows the temporary staging area which will be in the proximity of the tennis courts. The excavator will have to change positions while dredging although it will have a long boom. Revised plans were submitted for the record. The staging area will consist of hay bales and geotextile fencing for the settling and dewatering for the dredged spoils material. They will be increasing the depth of the shallow pond to approximately 6' in depth which equates to approximately 1,666 cubic yards of dredged spoils. The dredged spoils once dried will be utilized for top soil on site. By increasing the depth of the pond it has long term advantages, promoting fish growth, discouraging weed growth and increasing the oxygen levels. During the site walk it was observed the temporary construction entrance access which was lacking in anti-mud tracking pad. That has since been added to the plans. The pile of wood that was on the Town of Trumbull property has since been removed. While on site at the site walk there was an outlet structure that clearly had stream flow that feed the watercourse. By hand, Mr. Grant raked out the leaves and debris that was there and there was a 24" pipe. The alpha structure is functioning and is sound and there is stream flow.

The Commission has concerns about the construction entrance going over the septic fields and driving heavy equipment over it. Mr. Grant said that in his conversation with Mondo Construction the idea is to use boulders and then a concrete slab to cross the septic and staging area. The Commission informed Mr. Grant that because the dredging is more than 5000 sq. ft. it will require the Army Corp of Engineers involvement. There also seems to be many trees that were marked for removal that are not reflected on plans. Mr. Grant would like to take down any trees that are dead, have vines or snapped. The Commission mentioned that the trees shade provides cooling to the water and they want to keep the water itself to a cool temperature which is better for the environment. Mr. Grant stated they are not trying to clear cut the property. They are trying to replant trees as well. The original soil scientist report stated that it is in better shape now. The Commission had the following comments. There are several areas of proposed buffer plantings which need to have detail with them. Are there any plans of restoration of disturbance on town property? The areas where the owner went off property and cut trees. Along the back property line surrounding the tennis courts there should be a plan for permanent demarcation. Looking at the erosion control plan there are no hay bales or outlet protection structures or check dams or gravel dams which would provide siltation protection for the eastern exit of the watercourse from the property. Stockpiling for materials on tennis courts should be only temporary. Would like to see trees added to the wetlands buffer plantings. Plantings should extend around perimeter of all of wetlands once final construction is completed. These are mere suggestions and not part of an approval. The two areas of stockpiling are about 20 feet apart which is not enough. There needs to be more space than 20 feet. In regards to the swimming pool without being on sewers how will the backwash water be handled since it is within the 100 ft. regulating space. A dewatering detailed plan will be provided. It seems the impervious area will be increased and there is no storm water retention shown. The storm water regulation needs to be in compliance. The Commission would like to revisit the site to see the trees that will be cut down. The plan does not reflect them. There are a lot of things on the plan that the Commission would like to see corrected before being comfortable voting. The homeowner requested that they be allowed to remove the invasive species on site and they would like to get started right away which is around property line and around pond. The Commission provided their consent to remove the invasive species.

Motion (Lauria) seconded (Verespy) for CONTINUANCE to next scheduled IWWC Meeting.

VOTE to CONTINUE CARRIED unanimously.

Motion (Deecken) seconded (DeFeo) to CLOSE Old Business VOTE: Motion CARRIED unanimously. Old Business Closed at 8:59 p.m.

The IWWC Agent updated the Commission on the violation on 120 Hilltop Drive. The environmental testing came back and it all tested negative. There is no hazardous containments on his property. There is still a wetlands violation and zoning violation on the property. An application needs to be made and they need to come in with a plan.

By unanimous consent the Commission VOTED to ACCEPT the April 5, 2016 meeting minutes as submitted.

Application 16-01 Daniel Mond

Motion (Deecken) seconded (DeVita) to APPROVE as submitted subject to the general conditions as established by the Commission and the following specific conditions:

1. No Japanese Barberry to be planted inside, outside or along watercourse.
2. No plantings are permitted in the watercourse.
3. All removed trees and vegetation may not be buried on site nor discarded in the watercourse.

4. The planting of non-native plants is to be minimized in order to create and/or maintain a habitat for local & migratory wildlife and provide a robust root system to minimize erosion.
5. Stockpile and staging area shall be surrounded by silt fencing. Geotextile fencing and/or hay bales shall be utilized if deemed necessary by the Town Engineer and/or its Agent.
6. Coordinate construction of wall along shore with scheduled draining of Pinewood Lake or an approved coffer-dam detail.
7. Construction phasing/staging plan, including construction of wall, shall be created by applicant and approved by Town Engineer and/or its Agent. No work shall begin until approval by the Town Engineer and/or its Agent.
8. Tree stump is to be ground not removed to preserve the root structure.
9. The contact information of the owner, the project manager and construction director shall be provided to the Town Engineer and/or its Agent prior to construction. No construction is to commence without that information provided to Town Engineer and/or its Agent.

VOTE to APPROVE with conditions CARRIED unanimously.

By unanimous consent the Inland Wetlands Watercourses Commission scheduled field inspections for Application 16-03; Application 16-08 and 120 Hilltop Drive on Thursday May 19, 2016 leaving the Town Hall at 3:00 p.m.

The Commission revisited the discussion regarding Application 16-03. The following suggestions were made:

- Provide a detailed dewatering and backwash plan to be approved by Town Engineer and/or its Agent
- Show a stormwater retention plan
- Comply with stormwater regulations
- Make all attempts not to increase the impervious area
- Revise plan to reflect warranted tree removal
- Make sure the trees that are marked for removal are flagged and are also reflected on the plan
- It was suggested that the applicant put new ribbons on the trees with numbers and key that into the plan
- Would like a buffer plantings list
- Restoration of disturbance on town property – corner where they stocked wood – because it is the parks department decision it would be best to ask them.
- Should be some permanent demarcation on property line – maybe use signs IWWC has
- Needs to be siltation detail at outlet of watercourse
- Detail for siltation protection
- No stockpiling materials on tennis court
- Trees added to wetlands buffer plantings
- Buffer plantings should extend all the way around the wetlands limit line and around the pond from flag 2 through 13 – continuous
- The applicant should consider fixing the pipe between the watercourse and the pond so that it is included on this application in case in the future it will need repairs.

By unanimous consent the Inland Wetlands Watercourses Commission adjourned at 9:31 p.m.

Respectfully Submitted,

Colleen Lombardo
Clerk