

INLAND WETLANDS AND WATERCOURSES COMMISSION

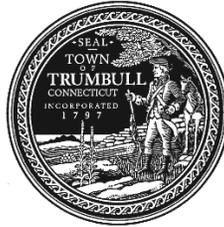
Town of Trumbull

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TOWN HALL
Trumbull

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MINUTES
JUNE 7, 2016

CALL TO ORDER: The Chair called the meeting to order at 7:02 p.m.

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

ABSENT: Guido Picarazzi

ALSO

PRESENT: William Maurer, P.E., L.S. 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 7:03 p.m.

Application 16-09 Richard Uva-Permit approval to build an inground gunite swimming pool within a regulated area at 36 Melrose Ave. The applicant was not in attendance.

Application 16-10 Giacobbe Construction LLC-Permit approval to construct a three bedroom dwelling, a driveway, associated land clearing and grading. Installation of subsurface sewage disposal system and stormwater management system. Build a 14'x16' deck and rear and front porch within a regulated area at 10 Winhall Lane. Mr. Joseph Giacobbe was in attendance and presented his application as the contractor-purchaser. He handed out a proposed site plan that showed in red-approved in the 80s-for a 2 bedroom house and he was showing this because it was actually on the wetlands line. They took into consideration what they have today and they pulled it back 25 feet from where that line originally was. They do have a septic for a 3 bedroom today instead of 2 bedroom that was approved back in the day. They did add on a deck so the site plan is a little grey in that area. He will have a new plan when he comes back. It is a 14'x16' deck in the rear. The front porch was penciled in as well. The comments received from Engineering, Joe Pereira now has. It is needed for the application and will be ready for the next meeting. This is a piece of property leftover and basically the whole lot is in a regulated area. It is an approved building lot. They kept it marketable in

consideration of the nature of the property. As far as working on it there is one corner of silt fence that is pretty close so they will work themselves backwards from there. The Commission asked that the house and wetlands be staked out if they decided to walk the property. The house is 20' off the sideline. They will not be going to ZBA for any variances. The Commission asked if there are any intentions to put in retaining structures along the wetlands limit line or encroaching into the wetlands and how they intend to deal with the grading. Mr. Giacobbe stated they have a system going from the opposite way. A grading plan has been submitted on the plan submitted with application. The flagging of the wetlands is recent. The Commission questioned whether there would be significant trees removed. Mr. Giacobbe stated that there are not much there. There is one tree that is laying down in the wetlands and he wanted to ask if he can remove it. The Commission suggested he add it to his application.

Motion (Deecken), seconded (DeFeo) to CLOSE New Business VOTE: Motion CARRIED unanimously. New Business Closed at 7:14 p.m.

The Chair Opened OLD Business at 7:14 p.m.

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

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

1. Silt fence shall be installed during construction of pool and deck extension.
2. Pool shall not be emptied on site nor in the storm drain nor the sanitary line. Water must be pumped out and brought offsite.
3. There shall be no removal of trees.
4. Retention pit shall be installed if required by the Town Engineer and/or his Agent.

Seconded (Verespy) VOTE to APPROVE CARRIED unanimously.

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 Cranbury Drive.

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

1. Plants, trees and other vegetation that are removed shall not be buried on site.

Seconded (Verespy) VOTE to APPROVE CARRIED unanimously.

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 on behalf of Benjamin Grant addressed the Commission. Revised plans were submitted to the Commission. Ms. Rycenga stated that she would like to address the concerns from the last regular meeting. Noting however that they would like to amend the application to remove the pond dredging. The plans have been revised to reflect the revision date of June 7, 2016. The dredging portion of the application is not financially feasible for them at this time. Estimates for the dredging and dewatering process that were over \$100,000 which does not include the expert cost to prepare the plans. They are still moving forward with the proposed planting plan and all the other items on the application however the dredging is not something they are prepared for at this time. They are well aware that they would have to apply to the Commission in the near future and to other state and federal agencies if they decide to dredge the pond. The

amended application is for installing an inground pool, a 2-story addition, extend the rear patio and new retaining walls, regrade slopes to create a lawn area and landscape screening within a regulated area. Ms. Rycenga addressed each concern from last meeting:

1. Dewatering plan – this is no longer needed due to the removal of the dredging on the application.
 2. Backwash plan – the property is on septic and there's not sufficient areas to discharge the backwash onto the property due to the wetlands and watercourses so the property owners have agreed to ensure that a release prevention plan is implemented by hiring a contractor to pump the pool water into a trough to be hauled off site.
 3. Stormwater retention plan – they respectfully request that a condition of approval be issued for details on stormwater retention plan. This plan shall be submitted by the applicant and approved by the Town Engineer and/or its authorized Agent. The Engineer did not have time to prepare the plan.
 4. Compliance with stormwater regulations – Washington Cabezas, their professional engineer and licensed land surveyor added a note to the plan the proposed site plan is in compliance with the stormwater quality manual and regulations.
 5. Impervious area – a note has been added to the plans by the professional engineer that states all attempts have been made not to increase the impervious area as requested by the Commission.
 6. Warranted tree removal – the plans have been revised to reflect the tree removal. The original list was hand sketched by her client and was lacking tree number 14 and 30. Tree number 14 and 30 have to be removed due to the septic repair. Of the trees to be removed there are approximately 3 on the Town of Trumbull's property. Obviously they are well aware that they cannot remove those trees. They will contact Warren Jacques the Trumbull Tree Warden for a tree inspection, evaluation and management of the pruning and the removal of the trees as warranted. Tree number 24 and 26 will be transplanted. Not sure of the exact location of where they are going to transplant them however they will be transplanted.
 7. Planting List in the Buffer Area – Ian Cole has submitted a planting plan for the mitigation area date June 7, 2016 for review.
 8. Restoration of disturbance on Town of Trumbull property – after consultation with the Wetlands Agent on Friday, May 27th he advised he spoke with Parks and Rec and they have no issues with removal of invasive species on town property. So they are willing to remove that.
 9. Permanent demarcation along Town of Trumbull property – we have agreed to demark the property using the IWWC marker signs
 10. Siltation detail – no longer needed due to the removal of the dredging on the application
 11. Detail for siltation protection – plan reflects the detail for siltation protection in accordance with the 2002 E&S guidelines with the proposed silt fencing as seen on sitewalk the silt fence is currently erected.
 12. No stockpiling materials on tennis courts – no longer needed due to the removal of the dredging on the application
 13. Trees added the wetlands buffer plantings – Ian Cole the expert has prepared a planting plan dated June 7, 2016 and he will discuss it further
 14. Buffer plantings should extend all the way around the wetlands limit line and around the pond from flag number 2-13 – the plants have been revised to reflect zones 1-5 that include a total of 30 trees and 100 shrubs around the pond. Ian Cole will elaborate.
 15. Consideration for replacing the pipe between the watercourse and the pond – this is no longer needed due to the amendment of the application of removing the dredging of the pond.
They would like to seek approval to plant along the perimeter of the property line southwesterly to plant blue spruce, white spruce and Norway spruce. It is not shown on the plan. They are seeking to provide screen for the property. A detailed landscaping plan will be provided.
- Mr. Ian Cole then addressed the Commission. As requested by the Commission he revised the proposed upland review area planting plan. Specifically, revisiting the planting location between wetland flag 2 and wetland flag 13 which surrounds the former pond area, which is not really a pond any more, it has transitioned into an emerging wetland because it is filled in so much. Around the pond they are purposing 100 shrubs. They have 4

different shrub species that are native to the area and provide wildlife attributes and will increase functions and values of the wetland and both enhance them. The species specifically called out were silky dogwood, spice bush, black chokeberry and nanny berry. Proposing to plant shrubs 3-4 feet tall. In addition at the request of the Commission to offset some of the tree species that are being removed they would like to plant 30 tree species in these zones also consisting of swamp white oak, red oak, sugar maple and yellow birch. The Commission is very concerned about what is happening between the wetlands limit line and the edge of the watercourse. There is no showing of any plantings to be done in that area which leaves it ripe for invasive species to colonize. The intention should be that any disturbed areas from the wetlands limit line to the edge of the watercourse should be protected with plantings. Essentially they have increased their plantings from wetland flag 2-13 leaving 2 spaces some there can be some connectivity to the pond for the applicant so there is feasible use of the property for recreation. The intent for the pond is planting plants to help enhance and increase the water quality properties. The Commission stated the removal of trees isn't included on the application. Also looking at the planting plan some is in the wetland area of the pond and if it isn't in the wetland area it's in every case seems to be hugging right up to the wetland line. Shouldn't there be a little extra buffer so repairing type plants could naturally populate along the edge and not be forced out. The Commission believes it should be pulled back a little bit. In the area where the 2 ponds almost kiss where the pipe is installed there doesn't seem to be much of an opening left between the 2 planting plans. It looks like at some future date it is going to be closed. The Commission asked if that was the intention. Ms. Rycenga stated that when the Soil Scientist had prepared the planting plan he had the old plan. The Commission would like to see the planting plan incorporated into the main plan. The Commission expressed their concern that new things are being brought before the Commission at each meeting. The planting plan does not match with the Washington Cabezas plan. The Commission suggested that they consolidate everything into one plan and be very specific. It was requested that the planting plan be put on the construction plan. The Commission offered the following suggestions: A detailed septic backwash plan and release prevention plan shall be created by the applicant and approved by the town engineer likewise with the stormwater retention plan.

All work shall conform to the stormwater quality manual.

There should be a plan on how to carry out warranted tree removal that shall be approved by the tree warden and/or the Town Engineer and/or its Agent.

Siltation protection measures including silt fencing shall be installed and shall be maintained throughout this application process.

A staging plan should be created by the applicant and approved by the Town Engineer and/or its Agent.

A detailed list of all plants including the spruces on the edge of the property as detailed as the 30 tree, 100 shrub count. Not only inventory and qualify the new trees but also delineate exactly where they are.

Trees 24 and 26 – add to tree plan that they will be transplanted.

The 3 trees on town property would be handled by the tree warden. The 3 trees are #5, #20 and #19.

The pond and watercourse shall be cleaned and cleared of excessive organic debris and it is recommended that a maintenance plan be followed to maintain wetland quality.

Signage along the northwestern and southern border along the town property should be added to the plan. A note identifying that signs will be installed and at what interval.

The Commission stated these are proposed conditions if it were to be approved and as usual it would be that simply conditions.

According to the Commission where the temporary anti track construction pad on the side there is very large tree that is very diseased at the base. It is suggested that they ask the tree warden how to handle the tree.

Trees #24 and #26 are to be transplanted. The Commission asked if there was a backup plan if they cannot be transplanted. Mr. Cole stated if there is mortality as a result of transplanting them they will be replaced with like species.

Motion (Lauria), seconded (Verespy) to APPROVE 30 day continuance on Application 16-03.
VOTE to CONTINUE CARRIED unanimously.

Motion (Deecken), seconded (DeFeo) to CLOSE Old Business. VOTE: Motion carried UNANIMOUSLY

Joanne Parson, Conservation Commission addressed the Commission regarding some suggestions and ideas.——
The Conservation Commission would like to ask the IWWC to release a joint letter to the residents of anyone that is living in 100' setback of any lake, streams, ponds, waterbodies that they not do any removal of trees, shrubs, aquatic plants within that 100' setback without the approval of the IWWC Commission. The reason for the request is their Commission would like to send letters to property owners that live with these regulated setbacks on their property so that they are made aware of the fact that this is a regulated activity and it needs to come before the Commission. Also they would like to add to the letter that there would be a fine if they do not comply with the regulations. It has come out because there is a lot of clearing that is not regulated. A lot of people are cutting without asking then asking for forgiveness later. This would be a good proactive move to send these letters out. The Commission informed Mrs. Parsons that there is in fact a fee ordinance and that can be added to the letter. In regards to the fees the Commission tries to be benign. People do make mistakes and if they are willing to come in and mitigate it, it doesn't necessarily mean the Commission will fine them. This is a first draft and is being done as joint Commissions.

By unanimous consent the Commission VOTED to ACCEPT the May 3, 2016 meeting minutes as submitted.

By unanimous consent the Inland Wetlands Watercourses Commission scheduled field inspections for Application 16-09 and Application 16-10 on Thursday June 23, 2016 and Friday June 24, 2016 at 3:00 p.m.

The Agent provided an update on Violation on 730 White Plains Road. The new owner came in and saw the Agent who told him he needed a wetlands permit. He needed flood information. He went there and cut down a tree and brought in fill. He seeded it and put up a silt fence so it's stable now. He was told not to go any further. The Agent expects an application going forward. It's a flood zone, a flood way and wetlands. There is all but maybe 50 sq. ft. that is not in the upland review area.

The Agent provided an update on Hilltop. They removed the fill and seeded and put hay blankets down. He is expected to come in for an application for the final closure.

By unanimous consent the Inland Wetlands Watercourses Commission adjourned at 8:30 p.m.

Respectfully Submitted,

Colleen Lombardo
Clerk