

INLAND WETLANDS AND WATERCOURSES COMMISSION

Town of Trumbull

CONNECTICUT

www.trumbull-ct.gov

TOWN HALL  
Trumbull

TELEPHONE  
(203) 452-5005



MINUTES  
OCTOBER 4, 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 Mark MacKeil  
Andrew Lubin (Alternate) David Verespy (Alternate)

ABSENT: Guido Picarazzi

ALSO

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

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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.

NEW BUSINESS

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

Application 16-25 Tomasz Miskowiak-Permit approval to fix retaining walls, regrade a portion of backyard, remove two dead trees, five leaning trees and plant shrubs and grass within a regulated area at 63 Tashua Road. Mr. & Mrs. Miskowiak were present and spoke to the commission. They stated that their main concern is their small children. The commission asked if the work has already been done. Mr. Miskowiak stated that it was. The trees have been removed already. They were not aware of the regulated zone. The Agent stated that this wasn't a violation. The homeowner came through with the application himself. The Commission asked how the wetland boundary was determined. Mr. Miskowiak stated that was by Steve Danzer, the soil scientist. The Commission asked about the regrading of the backyard and asked if it was done to make it steeper. The homeowner stated that it was just to be flatter and it is not flowing directly toward the wetland. The Commission asked if the homeowner was planning on doing any plantings on the rough slope to stabilize to avoid erosion in the future. Mr. Miskowiak stated that they stopped everything because they wanted to get the permit first. The only thing he is requesting permission for at this point since all the work has been already done is putting grass and plants on the slope. The retaining wall has already been secured and there will be no further regrading and the trees are gone and some shrubs have been planted.

Application 16-26 Joseph Sansone-Permit approval for area of road & building construction, utility installation and general grading within a regulated area at 110 Fernwood Road. The Chair stated that the Commission received a petition on this application. He asked that the Town Attorney address it. The Town Attorney stated that a petition was received that was signed by approximately 30 residents of the town requesting that the matter be sent to public hearing. It needs to be verified that enough signatures constitute the 25 signatures that are required under the regulations to trigger a public hearing. It appears on its face to but it will need to go back to the assessors to verify that the residents reside in the town. Under the circumstances it is recommended that since the Commission is receiving the application tonight and there would ordinarily be a presentation and a decision would be made whether or not the matter should be referred to public hearing. If the petition is proper it would automatically go to public hearing. The Town Attorney recommended that the Commission only receive the application tonight and not take in any presentation because the applicant would have to redo the presentation at the public hearing. Anything said tonight would not be part of the record that ultimately would constitute what this Commission would have to base its decision on and since the public is not here for a public hearing he thinks it would be inappropriate to do anything other than receive the application.

Application 16-27 Oakview Realty Acquisitions LLC & Trumbull Developers LLC-Permit approval for site disturbance, grading and construction activities for development of a 214 unit multi-family community within a regulated area at 100 Oakview Drive. Mr. John Knuff, Attorney addressed the Commission on behalf of the 2 applicants. He noted that there is a further refinement to plan as per submitted. The original plan calls for a 214-units. Their professional engineer Patrick O'Leary has made some changes to the plan to reduce the number of units to 202 which would further protect the wetlands. To note is that they do propose work in a regulated area they do not propose any work within any wetland or watercourse. In making a determination to whether or not this is a significant activity or not he did a brief memo responding to the 7 criteria that would determine whether activity is indeed significant or not. Also noted is that they do not trigger any of the 7 of significant activity. He asked that the Commission make a determination that they do not propose significant activity. Mr. Patrick O'Leary, PE addressed the Commission. The original plan shows 214 units in 7 buildings. That plan had an impact of almost 2 acres in the upland area with no direct impact to the wetlands whatsoever. The wetlands itself serves primarily as a storm water management area. The old hillside drained down into that area water was stored and infiltrated back into the ground water. It is their intent to maintain essentially the same configuration for the site. The site is developed at this time. The application and the plan that was submitted originally contained 3 buildings within the regulated area and a portion of another. Their goal is to try to make the site better and be more environmentally sensitive than past developments on the site. In its existing conditions there is no stormwater treatment and there is no storm water treatment with respect to quantity. They will be providing a number of stormwater management enhancements. In what's considered the recreation area, stormwater management will consist of a long linear grass swale going through that area to provide water quality treatment. Overflow from the raingardens will go into a closed stormwater management system. There is another raingarden on the back side near the maintenance building to treat water coming from the parking area and the maintenance area prior to it being discharged into the wetlands. Part of the overall plan is to go down to clean out the sands and other materials out of the wetlands and dispose of it properly. They are not requesting to fill any of the wetlands as part of this application. The plans before the Commission at this time as part of the package are null and void given the reconfiguration of the site. Aside from reducing one building, it also gets rid of 24-30 parking spots and also geometrically it has allowed them the opportunity to consolidate the site and move everything away from the wetlands. The goal is try to stay within the existing development and this reconfiguration truly allowed them to come close to it. In fact in some cases they are even less developed than what the previous developments were. New plans will be provided in about 7-10 days. The new plans will contain the storm water management system and the raingarden. The Commission asked if there will be increased downstream volume. Mr. O'Leary stated the downstream volume will be decreased. They anticipate there will be a nominal decrease in the impervious area. There is no infiltration

taking place out there. It's a closed stormwater runoff system right now except for the water off the pavement building that shoots and falls down into the wetlands. They will take advantage of any opportunities to infiltrate on the site be it in the 2 detention areas underneath the parking area or in the rain gardens themselves. They will not take into the account that benefit of the infiltration from the stormwater design standpoint. They will treat those areas as if their pure detention areas but the soils out there based on the geotech reports seen they certainly support a fair amount of infiltration so there will be a net reduction of stormwater going down into the wetlands and what goes there. The Commission asked what the maintenance building would be used for. According to the applicant it is storage related to the swimming pool such as cabanas, lounge chairs, tables. All the maintenance is going to be done by an outside maintenance company. In response to the Commission, Mr. O'Leary stated that the 2 closest areas of disturbance are over by the existing outfall areas to the northerly portion of the plan. There's approximately 10 feet separating between the edge of the wetlands and where the disturbance will occur. They have retained the walls to limit that disturbance in those areas. In regards to other other developments of this nature, recently one very similar to this opened in Shelton on Bridgeport Ave. Very similar. The same buildings. Everything is essentially the same. They also requested that if they do hold a public hearing it is scheduled for the next meeting on November 1, 2016.

Application 16-28 Thomas & Sheelah Brown-Permit approval for proposed dwelling, deck and grading within a regulated area at 42 Indian Road. Jim Fracker introduced himself. They propose to split off a half acre of an existing piece of property. There is a pool in the backyard right now. They are going to remove the pool. They would like to build a house 64 feet from the wetland marker. The wetland flag is the corner of the deck and 66 feet would be the closest point to the corner of the house. The Commission stated that there seem to be some things lacking in the plan like stockpiling area, some details about the construction. Mr. Fracker said that stockpiling area would have to be in the front of the house. Which would be whatever topsoil is there. It would be very minimal amount of materials that will be leftover. They are going to keep the existing grade as it is. Any material they dig out they will take off property. The Commission asked about the removal of the pool. Mr. Fracker stated that it is a patio around a hole at this point. They are going to take all that material out of there. There is no activity in the wetland. There will be no work done on lot #1. The proposed new house will have a walk out basement. The finished floor elevation is the 1<sup>st</sup> floor. The lot slopes down about 6 feet and that's perfect for a walk out basement. The Agent stated that the applicant still needs to show compliance with the stormwater regulation, wide deep hole test, and drainage report. The Commission asked if they plan on digging the basement out and if the soil would be moved off site. Mr. Fracker said a good part of it and some of it would be used for grading in the front yard. The Commission asked if they had any plantings proposed as a buffer between the deck/lawn area and the wetlands along the top of the stone wall. Mr. Fracker stated they are going to just plant grass. It's a relatively small lawn. The Commission said grass clippings and everything will flow down over the wall and into the wetlands and they would like to improve that condition. Mr. Fracker said they could work something out on that.

Motion (Deecken), seconded (MacKeil) to CLOSE New Business VOTE: Motion CARRIED unanimously.  
New Business Closed at 7:54 p.m.

### OLD BUSINESS

The Chair opened OLD Business at 7:56 p.m.

Application 16-16 William & Susan Bachlechner-Permit approval to plant approximately 25 "Thuja" green giant arborvitae within a regulated area at 120 Hilltop Drive. The Commission stated that according to their notes there are only 9 trees to be planted because the other 14 are on the state. The application is now 9 trees. Mr. Bachlechner agreed.

Application 16-17 Marc & Kristin Mascola-Permit approval to construct an inground pool and grading within a regulated area at 94 Old Tree Farm Lane. Mr. Jim Swift PE, Landscape Architect addressed the Commission. He was contacted to assist with this project because it is increasing impervious surface. They do have an intermittent water course as generated by some catch basin discharges. Some of the things mentioned at the wetlands meeting last month is to correct the upland review area from 50' to 100' that has been done on the plans and certified and submitted. Any pump out of the pool from the site would be removed from the site and not discharged and that note has been added to the drawings. A dry well be added for backwash for the pool that drywell has been added to the plan. Perform a percolation and soil test underneath where the infiltrators will go. That test was performed. The Commission mentioned planting either above or below the stone wall to for filtering. Mr. Swift said they looked at it and he met with clients and as they mentioned there is lawn that goes down to the stone wall and the other side of the stone wall is pretty heavily wooded so they are looking for what they can mitigate and what they have is quite a bit of existing vegetation; both full size tree and shrub planting inside the wooded area of the stone wall. If they are reducing the lawn area which is the source of the water pollution he thinks the Commission might want to consider whether that's not necessary. The Commission stated that one of the concerns is that old stone walls acts as conduits and act in a sense as a french drain. They pick the water up and they move them quickly through the land and discharge into the watercourse so some small buffering in front of that wall will help prevent any fertilizers or pesticides from getting into that channel and going into the wetlands. Mr. Swift said they are reducing that lawn area. Having said that if the Commission desires they do some plantings along the stone wall they are certainly open to that requirement. The Agent stated that the applicant has addressed all the issues from his letter.

Application 16-18 Trumbull Landscape & Excavating LLC-Permit approval to renovate existing house, construct a garage, extend existing driveway, add a patio, storm drainage system and landscape within a regulated area at 730 White Plains Road. Mr. Mark Ochman representing the applicant said since the last meeting the wetlands have been flagged by a soil scientist and have been updated on the current map. They addressed some of the comments/concerns from the last meeting in reference to the catch basin. They have added a 90 degree hood within the catch basin as well as increased the conveyance pipe through the storm drainage chambers. Additional requests by the Engineering department, per the letter dated September 6, 2016, have added the sewer lateral location along with details as well as contact names and additional information for the soil erosion control site line. The Commission asked if additional stockpiling would be required. Mr. Ochman said no and that very minimal excavating will be done. In response to the Commission, Mr. Ochman stated that the brush, debris, some type of wooden pad for a shed and the piles of asphalt would be removed. The Agent stated they addressed all his concerns of his letter.

Application 16-19 Megan & Ante Kolanovic-Permit approval to cut trees, level off property, plant new grass and trees within a regulated area at 22 Stowe Place.

The Applicant has requested a CONTINUANCE to the November meeting.

MOTION (Deecken) seconded (Lubin) to continue Application 16-19. VOTE to CONTINUE APPROVED unanimously.

Application 16-20 Town of Trumbull-Permit approval for piping existing stream in front of Spring Hill Road transfer station within a regulated area. Mr. Dana Huff PE of Tighe & Bond Engineers stated that the DPW retained them to look at improvements to Spring Hill Road to alleviate traffic issues during heavy use of the transfer station. It creates a major safety issue for through traffic. Traffic is only 2 lanes on Spring Hill Road.

They were asked to look at some possibilities for creating a layout that would provide dedicated turning lanes into the transfer station from both directions. The recommended option and solution included is closing the open channel that's between Spring Hill Road and the transfer station and between the entrance and exits of the transfer station which are both now culverts. By enclosing the culvert and filling that area it allows them to put 2 que lanes on the side of Spring Hill Road and the transfer station. They want to try to eliminate relocating utility poles. The proposed option alters about 9260 sq ft of degraded wetland area and that area was delineated by registered soil scientist. Mr. Huff spoke in length about the stormwater drainage and water quality. He stated that the proposed project will absolutely improve the traffic safety and it should improve the water quality leaving the site. The Commission asked how many trees would be coming down. Mr. Huff said he cannot quantify the number or size of the trees but he can get that. Mr. Huff confirmed that there will be fill brought in. It has not be quantified yet. They will grade from the roadway level up to the transfer station.

Application 16-21 Stephen Kaplan-Permit approval to trim and remove trees within a regulated area at 70 Cranbury Drive. There was no one present to speak.

Application 16-22 Sedigheh Nowrouzzadeh-Permit approval to remove trees within a regulated area at 47 Wildwood Drive. Ms. Nowrouzzadeh was present. She stated she would like to remove 13 trees. The Commission asked if the stumps would be grinded. She replied yes.

Application 16-23 Timothy Jagoe-Permit approval to remove trees within a regulated area at 112 Greenbrier Road. There was no one present to speak.

Motion (Deecken), seconded (DeVita) to CLOSE Old Business VOTE: Motion CARRIED unanimously. Old Business Closed at 8:27 p.m.

## MINUTES

By unanimous consent the Commission VOTED to ACCEPT the September 6, 2016 meeting minutes as submitted.

Application 16-16 William & Susan Bachlechner-Permit approval to plant approximately 25 "Thuja" green giant arborvitaes within a regulated area at 120 Hilltop Drive.

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

1. Planting of 9 trees only.

VOTE to APPROVE CARRIED unanimously.

Application 16-17 Marc & Kristin Mascola-Permit approval to construct an inground pool and grading within a regulated area at 94 Old Tree Farm Lane.

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

1. Only organic fertilizers be used on the lawn slope or anywhere else in the regulated area.

VOTE to APPROVE CARRIED unanimously.

Application 16-18 Trumbull Landscape & Excavating LLC-Permit approval to renovate existing house, construct a garage, extend existing driveway, add a patio, stormdrainage system and landscape within a regulated area at 730 White Plains Road.

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

1. All debris including brick paver pile, asphalt, remnants of wooden pad, ancient bridge and any other rubbish shall be removed.
2. Backyard to be stabilized with sod which may only be fertilized with organic fertilizers.
3. Backyard is not to be used for stockpiling of landscape materials.

VOTE to APPROVE CARRIED unanimously.

Application 16-19 Megan & Ante Kolanovic-Permit approval to cut trees, level off property, plant new grass and trees within a regulated area at 22 Stowe Place.

Agent requested, in writing, a CONTINUANCE to the November meeting.

Application 16-20 Town of Trumbull-Permit approval for piping existing stream in front of Spring Hill Road transfer station within a regulated area.

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

1. Tree removal on town property shall be conducted by licensed arborist, bonded and insured.
2. Buffer planting plan to be developed by applicant and overseen by the Town Engineer and/or Agent.

VOTE to APPROVE CARRIED 6-1 (AGAINST Verespy)

Application 16-21 Stephen Kaplan-Permit approval to trim and remove trees within a regulated area at 70 Cranbury Drive

Motion (Deecken) seconded (MacKeil) to APPROVE as submitted subject to the general conditions as established by the Commission.

VOTE to APPROVE CARRIED unanimously.

Application 16-22 Sedigheh Nowrouzadeh-Permit approval to remove trees within a regulated area at 47 Wildwood Drive.

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

1. Plants, trees and other vegetation that are removed shall not be buried on site or in any wetland or watercourse.
2. The stumps shall not be completely removed as to provide a robust root structure.
3. Every effort shall be made to preserve existing trees on site.

VOTE to APPROVE CARRIED unanimously. \_\_\_\_\_

Application 16-23 Timothy Jagoe-Permit approval to remove trees within a regulated area at 112 Greenbrier Road.

Motion (Deecken) seconded (MacKeil) to DENY WITHOUT PREJUDICE due to insufficient plan.

VOTE to DENY WITHOUT PREJUDICE CARRIED unanimously.

SCHEDULE FIELD INSPECTION(S)

By unanimous consent the Inland Wetlands Watercourses Commission scheduled field inspections for the following on Monday, October 17, 2016 leaving Town Hall at time 3:00 p.m.

Application 16-25	63 Tashua Road
Application 16-26	110 Fernwood Road
Application 16-27	100 Oakview Drive
Application 16-28	42 Indian Road

By unanimous consent the Inland Wetlands Watercourses Commission adjourned at 8:52 p.m.

Respectfully Submitted,

Colleen Lombardo  
Clerk