

INLAND WETLANDS AND WATERCOURSES COMMISSION

Town of Trumbull

CONNECTICUT

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TOWN HALL
Trumbull

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MINUTES
DECEMBER 6, 2016

CALL TO ORDER: The Chair called the meeting to order at 7:04 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, IWWC Agent, P.E., L.S., Town Attorney Vincent Marino, Tatiana Smotritskaya, P.E., Civil Engineer

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.

Public Hearing continued from November 1, 2016 meeting.

NEW BUSINESS

The Chair opened NEW Business at 7:05 p.m.

Application 16-31 Om P. Mehta-Permit approval for construction of single-family house and driveway, remove trees, build retaining walls and landscape within a regulated area at 188 Main Street. (Parcel #D03 188)

Mr. Mehta was present to speak. The lot is ½ acre. They want to build one single family home; crossing the existing wetlands with the driveway, using a pipe to convey the flow. There is quite a bit of wetland on the property. The whole land area is regulated area. Raingardens will be put in for storage of excess rainwater. They will be putting in a pipe across for the wetlands. The Commission asked if his plan is to cap the intermittent watercourse, put a pipe through it and pipe everything through and build a bridge. Mr. Mehta said the pipe is small, no bridge required. The Agent stated for the record that the Application says 188 Main Street. That is the part of the parcel number. The Parcel number is D03 188 not the address. The Commission expressed their concern that there is not enough planting to stabilize the amount of area of disturbance for the raingardens. Mr. Mehta stated he can look at it and add some more and show the landscaping next meeting. Mr. Mehta stated that about 15-20 trees will be cut down which would be about half of the trees on the property.

He said most are standing on the rocks. The Commission is concerned that taking them way would send more water down into the wetland area. Mr. Mehta said they plan to add more trees to the back of the yard. The Commission would like to see the list. The Commission requested that if they were to go out on a walk of the property they would like to see the wetlands flags, would like the four corners of the proposed house staked and the center line of the driveway. They would also like for the applicant to put ribbons around the trees that will be taken down.

Motion (Deecken), seconded (Lauria) to CLOSE New Business VOTE: Motion CARRIED unanimously. New Business Closed at 7:23 p.m.

OLD BUSINESS

The Chair opened OLD Business at 7:23 p.m.

The Chair stated for the record that David Verespy would be seated for Guido Picarazzi who was not present.

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.

Motion (Lauria) seconded (MacKeil) to CONTINUE application to January meeting as requested by Applicant. VOTE to CONTINUE CARRIED unanimously.

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.

Mr. Robert Wheeway handed out materials to the Commission for the record. They put in a full set of response comments to the Town Engineer's November 1, 2016 review comments which included line by line item of his comments as well as the provision of hydraulic analysis and watershed map for the existing drainage system on Lorma Ave which will also be receiving part of the flow from their proposed headwall on the project. Also included is an inland analysis for the headwall which is located within their property. Provided to the Commission is a modified wetland offset line which takes into consideration the elevation of the adjacent wetland flags and the relationship to the existing topography along the stream channel as well as the retaining walls which confine Horse Tavern Brook as you get more towards the southeasterly direction. They have looked at the retaining walls to be removed on the demolition plan and it is their opinion that they will keep the existing retaining walls immediately adjacent to the existing house. In regards to the limit of disturbance they will be noted on the revised drawings as well as the proposed phasing plan for the development and cut and fill calculations. Mr. Gordan, Licensed Landscape Architect said he and Matt Popp made a couple visits out to the site after the trees were field located. The trees have been noted: which will be preserved that are near the construction proposed areas and areas where trees would be removed. To note there was a drafting error on the original submission they had oak trees that were labeled as white pine. There are no white pine trees proposed on this project. Mr. Popp had some recommended buffer plantings along the limits of the disturbance closest to the wetlands area and tying into the Commissioners' comments they have installed these on the plans: staggered rows and mixing it with boulders to create a buffer to prevent anything from entering down slope to the wetlands. In regards to snow removal they believe that with the porous asphalt for a normal lower snowfall they have adequate shelf areas to take snow removal. For larger events or accumulated events it will be necessary to remove snow from the property. Mr. Wheeway said they are in receipt of comments from BetaGroup and they are currently in the process of reviewing and coming up with responses. In regards to the Conservation Commission letter from 12/2/2016 they have not had the opportunity to review and are not in a position tonight to provide any responses. Based upon the information that they have submitted with the

application it is their opinion that they are not going to have any significant impacts to the wetlands or watercourses as a result of this project. What they need to do is to get an opinion from the Commission as to whether or not they feel that this project does represent a significant impact to the wetlands because per the regulations that effects how they need to respond to certain items that are within the regulations so they would ask that the Commission make a determination on that particular item if at all possible tonight. The fact that they still need to respond back to Beta comments they are going to grant the Commission a 30 day extension for the completion of the public hearing. Mr. Theall spoke to address a comments from the Beta Group regarding soil type. The Commission requested that the invasive plant listed on the planting plan be removed and be replaced with a more native species. The Commission requested that they put ribbons around the trees that are to be removed.

The Chair asked if anyone from the public would like to speak. Mr. Joel Green who practices law in Bridgeport spoke on behalf of the Friends of Gunther Village, Albert Palatiello and Seth Shepard. He is new to this application and he has retained some consultants and had prepared for the hearing this evening and this afternoon they received the new materials submitted by the applicant and he understands that there are additional materials that will be submitted by the applicant. In his letter submitted to the Commission it was initially to ask the public hearing be kept open until the next regular meeting. They would ask for the opportunity to have some time to review the materials that have just been submitted by the Applicant to review with their consultants and to at least for his clients make a presentation at the next hearing of the Commission. He would like to establish some reasonable date for the applicant to submit all the materials that they intend to submit in support of the application so that his clients and him and the public has a full and fair opportunity to review the materials and to respond in a meaningful and concise way to the Commission. He added that they filed a notice of intervention. So he is asking that his clients and he be permitted to make their presentation at the next session of the public hearing. A conversation was held with Mr. Green, Mr. Thomas Lynch – the applicants attorney, Mr. Wheeway and the Commission working out the specific dates for submitting new materials as well as logistics of the timings.

Applicant granted extension to February 2017 meeting.

Motion (Lauria) seconded (Deecken) to CONTINUE application to January meeting.
VOTE to CONTINUE CARRIED unanimously

A brief recess was taken.

Application 16-27 Oakview Realty Acquisitions LLC & Trumbull Developers LLC-Permit approval for site disturbance, grading and construction activities for development of a 202 unit multi-family community within a regulated area at 100 Oakview Drive. John Knuff was present to speak. Their plan is to submit revised plans, all the calculations as requested by the staff reports next week along with the memo that details a response to every comment on the Engineering groups memo. Mr. O'Leary stated they have designed a system for the trash compactor. The compactor area will be enclosed by walls, they will use a concrete pad that's graded down to the center and a catch basin drain in the center of it which will convey any fluids from rain or otherwise that fall within this area to an oil water separator then further discharged to a water quality unit and then into the raingarden. For the shed, they have enclosed the perimeter with curbing gutter, if anything ever spilled within that area it will find its way into the curbing gutter, it will drain along the curbing gutter, reach the catch basin and be conveyed over to the oil water separator once again to the water quality unit then into the raingarden, and ultimately in the wetland. They requested from the Commission that if they could have a concurrence that the design in conjunction with the location makes perfect sense. The Commission asked how the location of the trash compactor would prevent paper from going into the wetlands. Mr. O'Leary stated that the compactor itself is completely enclosed. There is a side mount door where the trash is then compacted. Within the

compactor there are areas for all recyclables within the same structure in the enclosed area. The Commission requested that any ice melt not be kept in the maintenance building to ensure it would not go into the wetlands. The Agent said he noticed that in their zoning application the pool configuration is different and asked if they ironed out the pool and the clubhouse layout because it does impact the raingarden. They said by the time they are prepared for P&Z they will have ironed out those details. The volume will remain the same. The shape may change. As for the snow removal there are some areas that are suitable to store snow. There is a bank going down which is going to be grass and will be a great area to store snow. When it melts it will have an opportunity to cleanse itself. The Commission asked if for the pool they are going to provide a detailed backwash plan and/or drywell plan. It is a usual condition that is attached to most pools. Mr. O'Leary stated they would.

Motion (Lauria) seconded (Deecken) to CONTINUE application to January meeting. VOTE to CONTINUE CARRIED unanimously.

Application 16-28 Thomas & Sheelah Brown-Permit approval for proposed dwelling, deck and grading within a regulated area at 42 Indian Road. Mr. Fracker was present. The Agent stated there are a couple of outstanding issues on the stormwater report but he does not feel it should keep them from moving forward. They still need to go to P&Z for subdivision approval. The Agent requested: if the Commission should approve this tonight that he would like it to be a condition that there be a temporary access easement to the parcel to the north because the Town is willing to do a one-time clean-up of the sedimentation that is in that pond and they meet all the conditions of their letter dated 12/5/16.

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

1. All conditions listed in the letter dated December 5, 2016 from William Maurer, P.E., L.S. be addressed.
2. Temporary access easement to the parcel to the north be granted for the one time clean up by the Town of sedimentation in the water course.
3. The large sycamore tree in the vicinity of wetland flag #5 shall not be cut.
4. Plants, trees and other vegetation that are removed shall not be buried on site.
5. All fill to be hauled off site.
6. A phasing and staging plan shall be created by the Applicant and approved by the Town Engineer and/or his Agent.
7. Absolutely no material, man-made or otherwise, including dead and/or removed vegetation, stumps, or other debris, shall be deposited or buried in any wetland, watercourse, or regulated area, unless explicitly authorized by the Inland Wetlands and Watercourses Commission.

VOTE to APPROVE CARRIED unanimously.

Application 16-30 St. Josephs High School-Permit approval to restore the wetland pond, create new wetland adjacent to existing drainage channel, create flood storage and runoff detention area. Remove existing house, driveway and walk pavement. Construct new parking and walk pavement within a regulated area at 2320-2340-2328 Huntington Turnpike. The Applicant was not present. The Commission did have some questions and/or concerns for the Applicant as follows. They are not all inclusive. Why did the berm go in without the IWWC knowing about it and in the process they filled the wetlands with the wood chips. Another: the soil right in front of the shed is similar to the soil and the plant growth that's in Wetlands "G"; is that actually wetlands? Is the shed being removed because it has a pretty good sized foundation which may indicate why they put that foundation under the shed. Is this wetlands? For the plantings that they did do in the berm area are any of those invasive style plantings? The Agent stated that he did tell the applicant about the wood chips and the erosion

that was going into the stream. They said they would pull back the berm. The Commission would like a list of what was planted in the work that was previously done. Wetland area G has a fair amount of man-made material, asphalt and what not, that they would like to see removed. On the North side of the house there is a pipe that comes down about 1” near the house that’s staying there’s a wash out are heading towards the wetland area G what is that pipe, why is there getting a washout can something be done to correct that?

Motion (Lauria), seconded (Deecken) to CONTINUE application to January meeting.
VOTE to CONTINUE CARRIED unanimously.

Motion (Deecken), seconded (Lauria) to CLOSE Old Business VOTE: Motion CARRIED unanimously. Old Business Closed at 9:08 p.m.

MINUTES

By unanimous consent the Commission VOTED to ACCEPT the November 1, 2016 meeting minutes as submitted.

2017 MEETING DATES

By unanimous consent the Inlands and Wetlands Watercourses Commission approved the 2017 Meeting Dates.

ELECTION OF OFFICERS

Vice Chairman Lauria nominated Richard Deecken as Secretary of the Inland Wetlands and Watercourses Commission, seconded by Chairman Girouard, hearing no other nominations the commission voted unanimously.

Secretary Deecken nominated John Lauria as Vice-Chairman of the Inland Wetlands and Watercourses Commission, seconded by Chairman Girouard, hearing no other nominations the commission voted unanimously.

Secretary Deecken nominated Richard Girouard as Chairman of the Inland Wetlands and Watercourses Commission, seconded by Commissioner DeFeo, hearing no other nominations the commission voted unanimously.

SCHEDULE FIELD INSPECTION(S)

By unanimous consent the Inland Wetlands Watercourses Commission scheduled field inspections for the following applications on Monday, December 19, 2016 leaving Town Hall at 2:00 p.m.

Application 16-31	Om P. Mehta	Parcel #D03-188 (Main Street)
Application 16-26	Joseph Sansone	110 Fernwood Road
Application 16-27	Oakview Realty Acq.	100 Oakview Drive
Application 16-30	St. Joseph High School	2320-2340-2328 Huntington Turnpike

The Agent updated the Commission on the notice of violations for Sycamore where more fill was brought in. He was given until the 30th to correct it and he has removed all the fill, put up more silt fence. The Agent went out and inspected it. There was also one for 500 Plattsville Road. Same owner. There was some wetlands on the parcel that may or may not have been there but he has moved so much fill around that the Agent can’t tell. The owner is in the process of submitting a full application or showing that there is no wetlands.

By unanimous consent the Inland Wetlands Watercourses Commission adjourned at 9:34 p.m.

Respectfully Submitted,

Colleen Lombardo
Clerk
