

**CITY OF NORWALK
CONSERVATION COMMISSION/INLAND WETLAND AGENCY
JANUARY 14, 2025**

PRESENT: Cheryl Brown, acting as Chair; Heather Breslin; Paul Vinett; Kathryn Knight

STAFF: Alexis Cherichetti; Amelia Williams

OTHERS: Jackie Aylward; Mike Andeson; Brian Carey

I. CALL TO ORDER

Ms. Brown called the meeting to order at 6:03 p.m. It should be noted that this meeting was held on Zoom.com with all participants calling in, separately.

II. ROLL CALL

Ms. Cherichetti called the roll.

III. PUBLIC PARTICIPATION

There were no members of the public that spoke.

IV. RECEIPT & DISCUSSION

A. #S24-650 - 292 Fillow Street - Brook Clark Landscape Architects - Corrective Action reconstruction of a retaining wall within a wetland and a watercourse

Ms. Williams gave a brief presentation, explaining how the Conservation Department was made aware of the violations because of work that had been done to a dam. Upon inspection, they realized that there was no permit for the work. She said that she had spoken with one of the property owners who was not aware of the Inland/Wetland regulations. A notice of violation was sent and all work stopped. They hired a landscape architect to prepare the corrective action permit which was posted on the website. She also oriented the commissioners as to the location of the property on an aerial map.

Jackie Aylward, representing the applicant, continued the presentation by explaining the plan to rebuild the wall as well as the plantings they were proposing. She then showed them the site plans.

There was a discussion about the grade change which Ms. Aylward said would go back to the existing grade. There was also a discussion about a deck, which Ms. Aylward showed them some photos. There was a discussion about adding a buffer.

There was a discussion about next steps including the public hearing.

***** MS. BROWN MADE A MOTION TO SCHEDULE THE PUBLIC HEARING ON JANUARY 28, 2025.**

***** MR. VINETT SECONDED THE MOTION.**

Before the vote, Ms. Knight asked if the height of the wall would remain the same which Ms. Aylward said that it would.

***** CHERYL BROWN; HEATHER BRESLIN; PAUL VINETT; KATHRYN KNIGHT APPROVED.**

***** NO ONE OPPOSED THE MOTION.**

***** NO ONE ABSTAINED.**

V. DISCUSSION &/OR DECISION

A. #S24-645 - 36 Range Road - Anderson - Corrective Action grading, filling and landscaping within and adjacent to a wetland and a watercourse (public hearing scheduled for 1/28/2025)

Ms. Cherichetti gave a brief synopsis of the corrective action and reminded the commissioners that a public hearing was scheduled for January 28, 2025. She noted that they had received an updated site plan and narrative from the applicant.

Mike Anderson continued the presentation by discussing the list of revisions and showing them on the site plan. Some changes included amendments to the construction process, erosion controls, and the planting plan.

There was a discussion about the lack of a buffer and how the impacts to the wetland could be mitigated. Mr. Anderson said that the wetlands scientist would be at the public hearing to address those questions. He said that some of the upland review area would be returned to the buffer. Mr. Anderson discussed other changes including a chimney surrounded by bluestone replacing some of the turf area. There was also a discussion about the planting bed at the lowest retaining wall. There was also a discussion about the runoff and lack of vegetative buffer. There was a discussion about the removal of bamboo that had been planted on the property by a previous owner.

There was a discussion about next steps including notification of the neighbors.

B. #S24-648 - 284 New Canaan Avenue - LandTech for Penna Construction - Corrective Action clearing in and adjacent to wetlands and a watercourse

Brian Carey, the wetlands scientist for the applicant, began the presentation with a brief overview. He said that they had submitted an updated plan and memorandum. He said that they had received an updated memorandum from Ms. Cherichetti and replied that they agreed with her recommendations. He discussed some trees that would be replaced. He said that they would submit a five-year monitoring plan of the site.

There was a discussion clarifying the differences in the two separate applications.

***** MS. BROWN MADE A MOTION TO SCHEDULE THE PUBLIC HEARING ON JANUARY 28, 2025.**

***** MS. KNIGHT SECONDED THE MOTION.**

***** CHERYL BROWN; HEATHER BRESLIN; PAUL VINETT; KATHRYN KNIGHT APPROVED.**

***** NO ONE OPPOSED THE MOTION.**

***** NO ONE ABSTAINED.**

**C. #S16-499B - 284 New Canaan Avenue - LandTech for Penna Construction -
Corrective Action permit modification to expand extent of previously approved
contractor's yard**

Brian Carey, the wetlands scientist for the applicant, gave a brief history of the permit for this property which is still active. There are some issues, including drainage that needed to be completed as part of the original permit. He explained that the applicant would like to build a wall as a barrier for sound. He explained how sound is traveling and bothering the neighbors. He also discussed the changes to the property that they were proposing to mitigate the sound. He said that he had received comments from the staff. Since the site is flat, there would be minimal re-grading. He said that he had prepared a memo for the record which detailed the work to be done. He also would speak with the neighbors' attorney. They would be ready for the public hearing on January 28, 2025.

There was a discussion about the proposed expanded area and the boundaries. There was also a discussion about the trees proposed to be removed. There was a discussion about the property in 20216 when they first received their permit. Ms. Cherichetti showed them aerial photos of the property from 2017 and 2018. There was a discussion about the trees that had been removed. Mr. Carey said he would come up with a method to quantify this. He showed them an aerial map of the yard. He showed them where the violation was and what would be moved. There was a discussion about whether there was a survey with the marked trees. Mr. Carey said he would submit it before the public hearing. There was a discussion about the surface material of the proposed area. There was a feasibility analysis which was in the record. Mr. Carey said that the applicant has a special permit for this use.

There was a discussion about a gas line easement. Mr. Carey noted that the applicant cannot expand over the easement. There was a discussion about the amount of buffer area. Ms. Cherichetti said she would forward the feasibility study to the Department of Public Works so that their engineers could review it.

There was a discussion about the expansion area, which Mr. Vinett said it should have more of a buffer. There was also a discussion about runoff and where the water would go. Mr. Carey said it would go into the drainage system. He said it would not go into the wetlands. There was a discussion about the catch basins. Ms. Brown said that she had concerns about the loss of tree cover and the small amount of buffer under this plan. There was a discussion about the length of the sound barrier wall, as well as the materials used to construct it. There was also a discussion about the chain link fence.

VI. ENFORCEMENT ACTIONS

A. #V25-1076 - 143-145 West Norwalk Road - Show Cause Hearing - Removal of Vegetation, grading and filling in and adjacent to wetland and watercourse

Amelia Williams began the presentation by orienting the commissioners as to the location of the property on an aerial map.

Ms. Cherichetti described the Show Cause Hearing process.

Ms. Williams continued the presentation with a history of the permits that were acquired when the house was being built as well as later permits. She also showed them site photos from the fall. She explained why they were required to send the Show Cause Order.

Jen Sanchez, the owner's daughter and her representative, said she had been working with Kate Throckmorton, who would be meeting with Ms. Williams. She explained that her mother has gone back and forth to Ecuador and that they would get this resolved.

There was a discussion as to the clearing. Ms. Sanchez said that there seemed to be a misunderstanding with the landscaper who cleared wood for her wood burning stove. She was not aware of the issues with vehicles and wood chips on the property.

***** MS. KNIGHT MADE A MOTION TO UPHOLD #V25-1076 - 143-145 - WEST NORWALK ROAD - SHOW CAUSE ORDER.**

***** MR. VINETT SECONDED THE MOTION.**

***** CHERYL BROWN; HEATHER BRESLIN; PAUL VINETT; KATHRYN KNIGHT APPROVED.**

***** NO ONE OPPOSED THE MOTION.**

***** NO ONE ABSTAINED.**

VII. ACCEPTANCE OF MINUTES

A. Regular Meeting: December 10, 2024

***** MR. VINETT MADE A MOTION TO APPROVE THE MINUTES OF DECEMBER 10, 2024.**

*** MS. KNIGHT SECONDED THE MOTION.
*** CHERYL BROWN; HEATHER BRESLIN; PAUL VINETT; KATHRYN KNIGHT
APPROVED.
*** NO ONE OPPOSED THE MOTION.
*** HEATHER BRESLIN ABSTAINED.

VIII. CONSERVATION INITIATIVES

There was a brief discussion about Manresa Island. There was also a discussion about design and keeping the smokestack.

There was then a discussion about how the concrete was manufactured and if concrete weathering impacted wetlands.

IX. REPORTS

A. Senior Environmental Officer

Ms. Cherichetti said that the Law Department would be providing land use training to the Conservation Commission, among other commissions. These trainings would be held every January, going forward. She said that it could be scheduled for January 21.

There was a discussion about Mr. Klocke's reappointment to the commission as well as a new commissioner. There was also a discussion about the alternate commissioners.

B. Commission Chair

Ms. Brown said that she had no comments.

XI. ADJOURNMENT

*** MS. KNIGHT MADE A MOTION TO ADJOURN.
*** MS. BRESLIN SECONDED THE MOTION.
*** MOTION PASSED UNANIMOUSLY.

Meeting adjourned at 7:49 pm.

Respectfully submitted,

Diana Palmentiero