CITY OF NORWALK
CONSERVATION COMMISSION/INLAND WETLAND AGENCY
December 13, 2022

PRESENT: Steve Klocke, Chair**;** John Moeling; Cheryl Brown; Matt Pentz; Kathryn Knight (6:04PM)

STAFF: Alexis Cherichetti

OTHERS: Vanessa Valadares, Dan Stanton; Lauren Coles; Larry Stewart

I. CALL TO ORDER

Mr. Klocke called the meeting to order at 6:00 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. MISSION STATEMENT

Mr. Klocke said they were here by the requirements of the state to uphold the state statutes regarding protection of Norwalk's wetlands and watercourses.

IV. PUBLIC COMMENT

There were no members of the public who made a comment.

V. RECEIPT & DISCUSSION

a) #S22-612 – 61 Rampart Road – City of Norwalk, DPW – Installation of drainage improvements adjacent to a wetland and a watercourse

Ms. Cherichetti briefly explained the application on behalf of the City of Norwalk Department of Public Works (DPW).

Vanessa Valadares, DPW, briefly described the project and the department's work on the City's stormwater system as a whole.

Dan Stanton, DPW, said that this project was initiated following notification of flooding issues from neighbors in the area. It was identified by the DPW as an area where they could help mitigate the flooding.

Lauren Coles, the consultant on the project, continued the presentation by orienting the commissioners as to the location of the project. She showed them pictures of the existing conditions. She then explained the project description and what needed to be completed. Pipe sizes would be increased to handle a 25-year storm. She then showed them the proposed plan and details. She explained the project mitigations. She explained the wetland impacts.

There was a discussion about where Keeler Brook connects with the Five Mile River. There was a concern about fixing upstream flooding but causing issues downstream. Vanessa Valadares explained how this would be done.

Mr. Klocke asked if they could see a resolution at their next meeting on January 10.

VI. DISCUSSION &/OR DECISION

a) #S22-609 – 556 & 558 Westport Avenue and 4, 6, 8, 10, 12, & 14 Renzulli Road – Coastal Luxury Homes – Demolition of existing and construction of new mixed used multi-family development with associated stormwater management and landscaping in and adjacent to a wetland and watercourse

Ms. Cherichetti noted that the public hearing had been held on November 8 and was now closed. There had been discussion about some suggested changes from the commissioners. She said that the commissioners could make a decision at this meeting but must make a decision no later than their January 10, 2023 meeting.

There was a discussion about the three alternate site plans that had been submitted. At this point, the commissioners all had input as to which plan they would support. There was a discussion about the building being notched back.

***** MR. MOELING MADE A MOTION TO APPROVE THE RESOLUTION AS DRAFTED FOR #S22-609, BUT MODIFIED TO INCLUDE SITE PLAN ALTERNATATIVE 'A' AS SHOWN ON DRAWING AP-1.**

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

***** MOTION PASSED UNANIMOUSLY.**

b) #S22-611 – 71 Crooked Trail – Meck – Construction of a new residence adjacent to a wetland

Ms. Cherichetti began the presentation by noting that the application had been received at their meeting in October. She reviewed the discussion at the previous meetings.

Ms. Cherichetti had drafted a resolution that reflected the revised site plans that had been submitted just prior to the November 8, 2022 meeting.

There was a discussion about the terrace and how it would not become an impervious surface. Ms. Cherichetti noted that there could be noted as a condition of the permit that the terrace could not be changed and if there were plans to do so, they would need to come before the Conservation Commission and DPW again.

***** MS. KNIGHT MADE A MOTION TO APPROVE THE RESOLUTION AS DRAFTED FOR #S22-611 WITH THE INCLUSION OF AN ADDITIONAL SPECIAL CONDITION THAT CLARIFIES ANY CHANGE IN THE CONSTRUCTION MATERIAL THAT ALTERS THE PERMEABILITY OF THE TERRACE WOULD HAVE TO RETURN TO THE CONSERVATION COMMISSION PRIOR TO DOING THE WORK.**

***** MR. KLOCKE SECONDED THE MOTION.**

***** MOTION APPROVED UNANIMOUSLY.**

VII. ENFORCEMENT ACTIONS

a) #V22-1039 – 761 Main Avenue – iPark Norwalk II, LLC – Show-Cause Hearing - Cease & Restore Order following degradation of a wetland and the Norwalk River through unauthorized excavation, vegetation removal and other activities in and adjacent to a wetland and watercourse

Ms. Cherichetti began the presentation by explaining the various levels of enforcement. She explained she had issued a Cease & Restore Order and now they are required to hold a Show-Cause Hearing within 10 days of the order. She then showed them pictures of the site. In describing the location of the property, she explained that there had been a permit application to do a multi-level property in the recent past, but it has not been constructed.

Ms. Cherichetti displayed photographs of the current conditions of the property. She compared these to older photos and Google StreetView photos. She pointed to the area of current excavation. The large excavated area had a drainage pipe at the bottom of the hole and a large stockpile of dirt next to it. Her office received complaint on November 29, 2022, although the complainant noted the work had begun in the spring. She showed photographs of tree clearing work along the banks of the river and the alterations that had been done to the parking lot. None of the work had a permit.

Larry Stewart, iPark property manager, explained the excavated pit and said that it had been done because of the storms over the last few years. He noted that the building had been flooded because of these storms. They moved the pipe to make sure that the water does not seep back into the building. The dirt would be replaced to cover the pipe. They had also tried to keep trees from falling. He noted that because of the Norwalk Hospital expansion they also needed more parking.

***** MR. KLOCKE MADE A MOTION TO UPHOLD THE ENFORCEMENT ORDER.**

***** MR. MOELING SECONDED THE MOTION.**

***** MOTION WAS UNANIMOUSLY SUPPORTED.**

VIII. BOND RELEASE/REDUCTION REQUESTS

a) #S20-557 – 119 Ponus Avenue – In2Blue Design LLC – Release of bond ($650.00) held for construction of an inground pool adjacent to wetlands and watercourse

Ms. Cherichetti said that this bond was for sedimentation erosion controls for the installation of a pool. The initial inspection showed some materials that had to be removed which have now since been removed. The staff now recommended release of the bond.

***** MR. KLOCKE MADE A MOTION TO RELEASE OF BOND ($650.00) HELD FOR CONSTRUCTION OF AN INGROUND POOL ADJACENT TO WETLANDS AND WATERCOURSE**

***** MR. PENTZ SECONDED THE MOTION.**

***** MOTION APPROVED (5-0).**

b) #S21-586 – 8 Sheffield Drive – LandTech – Reduction of bond ($1,264) held for corrective action landscaping in and adjacent to a wetland

Ms. Cherichetti said that this is a reduction, not a release of the bond. Additional money would be held for two growing seasons. This portion of the bond was held for site work and buffer establishment. The staff recommended the reduction of the bond.

***** MR. KLOCKE MADE A MOTION TO REDUCE THE BOND ($1,264) HELD FOR CORRECTIVE ACTION LANDSCAPING IN AND ADJACENT TO A WETLAND**

***** MS. BROWN SECONDED THE MOTION.**

***** MOTION APPROVED (5-0).**

IX. APPROVAL OF MINUTES

a) November 8, 2022 meeting minutes

***** MR. PENTZ MADE A MOTION TO APPROVE THE MINUTES.**

***** MS. BROWN SECONDED THE MOTION.**

***** MOTION PASSED, 3-0.**

***** MR. MOELING AND MS. KNIGHT ABSTAINED.**

X. COMMENTS OF STAFF

a) Report of the Senior Environmental Officer

Ms. Cherichetti said that Resilient SoNo had started which included Ms. Knight as a member of the steering committee. The SoNo study came out of Resilient CT, which picked different areas of the state to study.

Ms. Cherichetti stated she had applied for many grants to fund development of a flood resiliency plan and the city finally received one from the National Fish and Wildlife Foundation under the National Coastal Resiliency Fund. She announced the Maritime Aquarium also applied to the National Fish and Wildlife Foundation's Long Island Sound Futures Fund for shoreline restoration off the edge of Veteran's Park. At this stage it was a study of how to improve the waters off the coast in this area.

There was a discussion about the resiliency study and when it would start. Ms. Cherichetti said it would start around March 2023. The commissioners would be involved in these implementation projects by making sure the policies support the resilient goals. Ms. Knight said the committee should look at how to mitigate sea level rise and climate change and asked if the study would also focus on how to reduce carbon footprint. Ms. Cherichetti explained the difference between resilience and sustainability and noted the Common Council Ad-Hoc Committee on Sustainability and Resilience was simultaneously issuing a RFQ for consultants to draft a Citywide Climate Action Plan.

XI. COMMENTS OF COMMISSIONERS

a) Report of the Commission Chair

There were no comments.

XII. CONSERVATION INITIATIVES

Mr. Klocke said that this had been addressed by Ms. Cherichetti and Ms. Knight. Mr. Klocke thanked Ms. Knight for volunteering for the Resilient SoNo committee.

XIII. ADJOURNMENT

***** MR. KLOCKE MADE A MOTION TO ADJOURN.**
***** MS. BROWN SECONDED THE MOTION.**
***** THE MOTION PASSED UNANIMOUSLY.**

Meeting adjourned at 7:05 PM.

Respectfully submitted,
Diana Palmentiero