

**CITY OF NORWALK
CONSERVATION COMMISSION/INLAND WETLAND AGENCY
NOVEMBER 28, 2023**

PRESENT: Steve Klocke, Chair; Cheryl Brown; Ed Holowinko; Heather Breslin; Kathryn Knight

STAFF: Alexis Cherichetti

OTHERS: Brian Carey; Dean Martin; Michael Butts

I. CALL TO ORDER

Mr. Klocke 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 COMMENT

There were no members of the public who spoke at this time.

IV. DISCUSSION &/OR DECISION

a) #S23-629 – 284 New Canaan Avenue – LandTech – Expansion of parking lot for commercial use adjacent to a watercourse

Alexis Cherichetti gave a brief overview of the application for the additional parking lot at this address. She noted that the commissioners had some questions at the last meeting which the applicant had addressed. She said that they had also submitted updated site plans.

Brian Carey, the engineer on the project, apologized for submitting the updated site plan that day. A special permit and text amendment had been approved in 2018. The operations on the site had grown since then. The special permit required the applicant to return to the commission for updates if things had changed on the site. He then discussed the updated site plan and discussed the proposed parking lot. He showed them pictures of the current situation. He showed them a picture of the wetlands on the property. He also discussed sediment and erosion controls.

There was a discussion about the existing use of the area. Mr. Carey explained what one of the parking areas was used for. There was a discussion about what areas were wetlands. There was also a discussion about possibly needing more parking spots in the long term. There was a discussion about a permit in 2016 which was modified in 2018. Ms. Cherichetti said that the permit may be lacking in compliance because the Coltex System was not installed. Mr. Carey said they could make it compliant. Since that permit was separate from this application, Mr. Klocke did not think it should affect it.

Mr. Klocke said that he did not think they would be voting on this application at this meeting since there seemed to still be unresolved questions. Ms. Knight noted that although man-made, since the watercourse was part of the system, it should be treated as such for purposes of this application. She suggested the back lot to find more parking spaces. Mr. Carey asked that the commissioners visit the property and observe how it is run. He noted that it is a 24 hour operation that serves Fairfield County in emergencies for water main breaks, etc. There was also a discussion about alternatives including pitching the driveway away from the wetlands. Mr. Klocke asked the commissioners for other suggestions. There was a discussion about sideways parking as well as additional mitigation factors.

There was a discussion about the applicant appearing again at the next meeting and the additional documents needed.

***** MR. KLOCKE MADE A MOTION TO CHANGE THE AGENDA TO SKIP THE PUBLIC HEARING AND START WITH APPROVAL OF THE MINUTES.**

***** MS. BRESLIN SECONDED THE MOTION.**

***** STEVE KLOCKE; CHERYL BROWN; ED HOLOWINKO; HEATHER BRESLIN; KATHRYN KNIGHT APPROVED.**

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

***** NO ONE ABSTAINED.**

VII. APPROVAL OF MINUTES

a) November 14, 2023 meeting minutes

***** MS. BRESLIN MADE A MOTION TO APPROVE THE MINUTES OF NOVEMBER 14, 2023.**

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

***** STEVE KLOCKE; CHERYL BROWN; HEATHER BRESLIN; KATHRYN KNIGHT APPROVED.**

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

***** ED HOLOWINKO ABSTAINED.**

VIII. CONSERVATION INITIATIVES

There was a discussion about the Open Space Fund. Ms. Cherichetti said she had spoken with Parks and Recreation about the increase from \$50K to \$250K.

Ms. Cherichetti said she had submitted a Capital Budget request of \$75K for a consultant to develop an Open Space Plan. With a combination of staff and a consultation a plan could be developed.

Ms. Cherichetti explained why the Open Space Fund was administered by the Parks and Recreation Dept. She also said that there was a description on the city's website.

There was also a discussion about increasing the upland review area. Ms. Cherichetti recommended how to amend the regulations. She said that she would share a red-lined version of the regulations with the commissioners so that they could begin a discussion of how to amend them.

Ms. Breslin said she could assist Ms. Cherichetti with the Open Space Plan.

IX. COMMENTS OF STAFF

a) Report of the Senior Environmental Officer

Ms. Cherichetti had nothing to report at this time.

X. COMMENTS OF COMMISSIONERS

a) Report of the Commission Chair

Mr. Klocke said he had set up a meeting with an architect to work on the state's energy code, but it is moving slowly. He also said that he had not made any further revisions to the zoning regulation re-write.

***** MR. KLOCKE MADE A MOTION TO RECESS THE MEETING UNTIL 7 PM.**

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

***** STEVE KLOCKE; CHERYL BROWN; ED HOLOWINKO; HEATHER BRESLIN; KATHRYN KNIGHT APPROVED.**

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

***** NO ONE ABSTAINED.**

The meeting resumed at 7:02 when Mr. Klocke called the meeting to order. Ms. Cherichetti called the roll.

V. PUBLIC HEARINGS (begins at 7:00 p.m.)

a) #S23-626 – 199 Newtown Avenue – Petrucci – Construction of a new single-family residence adjacent to a wetland and a watercourse

Ms. Cherichetti opened the public hearing and explained the procedure for public comment.

Dean Martin, the engineer on the project, began the presentation by showing them the updated A2 survey which he had only received earlier that day. He showed them some minor changes on it, as compared to the previous topographic survey. Since he had only received it, there would be changes to the site plan. He noted the changes from the previous meeting. The patio would be made of pervious materials. He explained the drainage which slopes toward the pond.

Ms. Cherichetti explained how members of the public could comment.

Michael Butts, 7 Stony Brook Road, said that he would address some comments from Mr. Martin. He said that his property was lower at the property line and that the water does not go to the lake. He also discussed the debris pile. He discussed the brook in the area as well as the catch basins. He had concerns about the future owner of the home.

Marion Costa, with Oksana Cline at 3 Stony Brook Road, said she had sent an email with attachment, which showed her permit for a sewer disposal system and catch basin in 1965. She noted her husband had explained the catch basin at the previous meeting. She was concerned that if anything happened to the drainpipe, her home would be flooded.

Ms. Cherichetti noted that she had not received the updated survey yet so she was not aware of any easements. There was a discussion about the drainage pipe permit from Ms. Cline. There was a discussion that if the pipe had to be moved then it might be regulated by the commission. Ms. Cherichetti said that the applicant should come back to the commission if this were to happen. There was a discussion about the topographic map in connection with the neighboring properties. There was also a discussion about the end of the driveway and the 100 year flood lines.

At this point, Mr. Klocke asked if the commissioners should close the hearing since they could not receive new information. There was a discussion about the commission's purview. There was a discussion about the landscaping plan. They decided to continue the public hearing to December 19, 2023. There was a discussion about an easement. Mr. Martin said that there is no reference to an easement on the survey.

VI. DISCUSSION &/OR DECISION II

a) #S23-626 – 199 Newtown Avenue – Petrucci – Construction of a new single-family residence adjacent to a wetland and a watercourse

This item was continued to December 19, 2023.

XI. ADJOURNMENT

***** MR. KLOCKE MADE A MOTION TO ADJOURN.**

***** MS. BRESLIN SECONDED THE MOTION.**

***** MOTION PASSED UNANIMOUSLY.**

Meeting adjourned at 7:43 pm.

Respectfully submitted,

Diana Palmentiero