

**CITY OF NORWALK
CONSERVATION COMMISSION/INLAND WETLAND AGENCY
SEPTEMBER 26, 2023**

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

STAFF: Alexis Cherichetti

OTHERS: Dean Martin; John Conte; John Conte, Sr.; Aleksandra Moch; Wayne D'Avanzo;
Sam Bird; Raul Pinedo; Atty John Knuff; Michelle Carlson; Mark
Marchisano; Ken Warner

I. CALL TO ORDER

Ms. Brown called the meeting to order at 6:05 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 that spoke.

IV. DISCUSSION &/OR DECISION

a) #S23-626 – 199 Newtown Avenue – Petrucci – New Single Family Residence adjacent to a wetland and a watercourse

Ms. Cherichetti began the presentation with a background of the application. She said that her office had recently received updated plans but she had not had a chance to review them.

Dean Martin, the engineer on the project, continued the presentation by discussing the changes in the plans that had been submitted. He also discussed a planting plan by Matt Popp. He discussed the stormwater analysis which had been submitted as well. There was a discussion about the trees that are being removed in the upland review area. There was also a discussion about the buffer which Mr. Martin said had not changed much. Ms. Cherichetti asked about an updated survey. There was a discussion about the A2 survey and will update if necessary.

There was a discussion about whether the commissioners should schedule a public hearing for the application at the next meeting on October 10. Mr. Klocke noted that there are some items that are missing. Ms. Brown said she would prefer to wait for all items. Ms. Cherichetti also recommended that the applicant speak with the Zoning Department as well.

b) #S23-627 – 91 Witch Lane – Conte - Construct a new Single Family Residence with a new driveway in and adjacent to a wetland

Ms. Cherichetti gave a brief overview of the application.

John Conte, the owner of the property and the applicant, continued the presentation with an explanation of the changes that were made to the plan based on the commissioner's comments from the previous meeting. John Conte, Sr., the applicant's father continued with a discussion of the planting plan.

There was a discussion about the removal of the retaining wall. There was also a discussion about the driveway. Mr. Klocke said that he appreciated the revisions to the plan. There was also a discussion about how much cubic yards of dirt would be moved. Mr. Conte said that he would work on the calculation. Ms. Cherichetti suggested to Mr. Conte that he should do the calculation while the public hearings were being heard at 7 pm. They would continue this discussion after the two public hearings were done.

***** MR. KLOCKE MADE A MOTION TO AMEND THE AGENDA TO CONTINUE TO ITEM BOND RELEASE/REDUCTION REQUESTS.**

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

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

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

***** NO ONE ABSTAINED.**

V. BOND RELEASE/REDUCTION REQUESTS

a) #S21-584 – 6 Lori Lane – Jaeger – Reduction of Bond (\$665) for the corrective action removal of woodchips and re-vegetation of a wetland in and adjacent to a wetland and watercourse

Ms. Cherichetti began the presentation with a description of the application. She said that there had been a replanting of the wetland buffer which had been in place for almost 2 growing seasons. The applicant was requesting a reduction of the bond. She explained what amount was eligible for release.

***** MR. KLOCKE MADE A MOTION TO REDUCE THE BOND IN THE AMOUNT OF \$665.**

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

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

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

***** NO ONE ABSTAINED.**

VI. APPROVAL OF MINUTES

a) September 12, 2023 meeting minutes

***** MS. BROWN MADE A MOTION TO APPROVE THE MINUTES OF SEPTEMBER 12, 2023.**

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

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

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

***** ED HOLOWINKO ABSTAINED.**

IX. CONSERVATION INITIATIVES

Mr. Klocke said he had not made as much progress as he would like. Ms. Brown had made some updates. Mr. Klocke said that he had drafted an email to Ms. Cherichetti but had not sent it. At this point, the commissioners reviewed their memo to the Planning & Zoning Commission regarding the zoning regulations re-write. There was a discussion about the current and proposed stormwater drainage requirements.

At this point, Mr. Klocke said that the commissioners would take a break. They returned to the meeting at 7 pm.

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

a) #S23-624 – 20 Edith Lane – Pinedo – Corrective Action filling, grading and landscaping in and adjacent to a wetland and a watercourse

Ms. Cherichetti explained the process of the public hearing and how the public could make comments. She then opened the public hearing but did not have confirmation that the applicant had noticed the abutting neighbors about the public hearing. Raul Pinedo said that it had been done and he would send copies to Ms. Cherichetti.

Aleksandra Moch, the wetlands scientist for the project, began the presentation with a slide presentation. She oriented the commissioners as to the location of the property on an

aerial map. She showed them the site plan and described the wetland area. She also described the functions and values including the groundwater discharge, sediment retention and sediment stabilization. She discussed the mitigation measures to prevent sedimentation, stabilize the slope, improve stormwater quality and encourage plant establishment. She then discussed the submitted restoration planting plan.

Wayne D'Avanzo, the engineer on the project, discussed the current and proposed grading on the site plan. It would be a flattish backyard with a slope. A swale would be provided. He discussed the amount of fill. There was a discussion about the placement of the blanket and wattles.

Ms. Brown asked about a planting schedule which specified the size of the plants which Ms. Moch showed to the commissioners. There was a discussion about the timeline for the planting and fill. Ms. Moch said that they would like to do it the sooner the better. There was also a discussion about the removal of the fill. Mr. Klocke said that they would not be making a decision at this meeting since they did not have a draft resolution.

At this point, members of the public were invited to speak and Ms. Cherichetti explained how to do so.

Sam Bird said that he and his wife had lived upland of the Pinedo property for about 2 years. Mr. Pinedo had told Mr. Bird that he would be fixing up his backyard so his children could play in it. He said that he had also asked the contractor if the necessary approvals had been obtained and was assured that they had been. Mr. Bird became concerned when he found out that was not the case. He said Ms. Cherichetti had been helpful in explaining what was going on. He was in support of the application because Mr. Bird had been duped by a dishonest supplier. He urged the commissioners to approve the application so that it could be fixed quickly.

***** MR. KLOCKE MADE A MOTION TO CLOSE THE PUBLIC HEARING.**

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

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

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

***** NO ONE ABSTAINED.**

Ms. Cherichetti would draft a resolution for the next meeting. She also explained that after the next public hearing, the applicant would return to the meeting.

b) #S23-628 – 779 & 789 Connecticut Avenue – Costco Wholesale Corporation – Demolition of hotel and construction of a parking garage adjacent to a wetland and a watercourse

Mr. Klocke opened the public hearing. Atty John Knuff, the attorney for the applicant, began the presentation, by noting that they had submitted the certified, return receipt cards evidencing notice of the public hearing to the abutting neighbors. He then gave a brief overview of the application.

Michelle Carlson, the engineer on the project, continued the presentation with a discussion of the changes that were made to the plan since the last meeting. She discussed the existing development within the upland review area. She showed them the proposed site plan. She gave a brief synopsis of existing conditions. She explained that the tire center would be moved out from behind Costco, to be closer to Connecticut Avenue. She also discussed the upper and lower parking decks. She discussed the upland review area buffer and that there would be a better planting buffer. She described the existing retaining wall as well as the proposed. If the retaining wall was removed it would be an 18 month review by FEMA to replace it. She also discussed the proposed development within the upland review area as well as the watercourse buffer enhancement. She discussed the proposed plantings as well as the revised stormwater plan. She then discussed the proposed erosion control plan, as well as the plant schedule. She also discussed the maintenance plan including removal of invasive species.

There was further discussion about the proposed stormwater drainage system as well as what the current drainage system is doing. Ms. Carlson said that it is not currently being treated so the proposed system would be treating the runoff before it goes into the Five Mile River.

Mr. Klocke then discussed next steps as they were now in the public hearing. Ms. Breslin asked if there was something that could help mitigate the fact that the parking garage is an impervious surface. There was also a discussion about the parking garage and adding planters at the top and retention chambers at the bottom of it. There was also a discussion of where the upland review area ended.

Atty Knuff said that he believed his client had done all they could do in protecting the nearby watercourse. He also explained that there would not be a significant negative impact on the Five Mile River. Ms. Carlson discussed the amounts of Total Suspended Solids (TSS) and pathogens which would not be going into the water. Mark Marchisano, Director of Wholesale at Costco, explained that they had directed the engineers to meet and exceed the regulations on this application. He also discussed the retaining wall and what Costco would have to do to remove it. There was further discussion about the retaining wall. Mr. Marchisano said that they would wait for the study to be completed and work with the commission again if the wall had to be removed. Atty Knuff said that the applicant would be fine with this being a condition of approval.

There was a discussion about the parking garage. Mr. Marchisano said that they would be removing the planters on it and replacing them with cart carrells. There was then a

discussion about the reduction of the impervious surfaces to pervious surfaces. Mr. Marchisano then gave a brief synopsis of what Costco does for the environment.

At this point, members of the public were invited to speak.

Ken Warner said he lived near the Five Mile River but also was a member of the Mianus chapter of Trout Unlimited. He offered the expertise of Trout Unlimited if the study showed the retaining wall should be removed. He would give his contact information to Ms. Cherichetti.

There was a lengthy discussion about significant regulated activity.

***** MR. KLOCKE MADE A MOTION TO CLOSE THE PUBLIC HEARING.**

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

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

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

***** NO ONE ABSTAINED.**

VI. DISCUSSION &/OR DECISION II

a) #S23-624 – 20 Edith Lane – Pinedo – Corrective Action filling, grading and landscaping in and adjacent to a wetland and a watercourse

Ms. Cherichetti said that she could prepare a resolution at this meeting or they could move this to the next meeting. Ms. Moch asked for it to be decided at this meeting because there were concerns about the weather getting colder. As the commissioners waited to receive the resolution, Ms. Cherichetti reviewed it.

***** MS. BRESLIN MADE A MOTION TO ADOPT THE RESOLUTION IN THE STAFF MEMO BY ALEXIS CHERICHETTI.**

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

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

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

***** NO ONE ABSTAINED.**

b) #S23-628 – 779 & 789 Connecticut Avenue – Costco Wholesale Corporation – Demolition of hotel and construction of a parking garage adjacent to a wetland and a watercourse

Ms. Cherichetti said she did not have a resolution for this item but would have one prepared for the next meeting.

***** MR. KLOCKE MADE A MOTION TO AMEND THE AGENDA TO CONTINUE TO DISCUSSION AND/OR DECISION**

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

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

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

***** NO ONE ABSTAINED.**

b) #S23-627 – 91 Witch Lane – Conte - Construct a new Single Family Residence with a new driveway in and adjacent to a wetland

John Conte continued the presentation by agreeing that there should be a public hearing. Ms. Cherichetti noted that the commission should have an updated plan before it. She also said that the notice of the public hearing should be sent to the abutting neighbors. The meeting was scheduled for October 10.

***** MR. KLOCKE MADE A MOTION TO HOLD THE PUBLIC HEARING ON OCTOBER 10, 2023.**

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

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

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

***** NO ONE ABSTAINED.**

X. COMMENTS OF STAFF

a) Report of the Senior Environmental Officer

There were no comments from Ms. Cherichetti.

XI. COMMENTS OF COMMISSIONERS

a) Report of the Commission Chair

There were no comments from Mr. Klocke.

XII. ADJOURNMENT

***** MS. BRESLIN MADE A MOTION TO ADJOURN.**

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

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***** MOTION PASSED UNANIMOUSLY.**

Meeting adjourned at 9:08 pm.

Respectfully submitted,

Diana Palmentiero