

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

PRESENT: Steven Klocke, Chair; Cheryl Brown; John Moeling; Matt Pentz; Kathryn Knight

STAFF: Alexis Cherichetti; Amelia Williams

OTHERS: Craig Flaherty; Bill Kenny; Wayne D'Avanzo; Aleksandra Moch; Dr. Steven Danzer

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

This was not discussed.

IV. PUBLIC COMMENT

There were no public comments.

V. RECEIPT & DISCUSSION

a) #S22-608 – 5 Topping Lane – Peppet – Replacement of failing septic system adjacent to wetlands and watercourse

Alexis Cherichetti began the presentation by explaining that she had issued a notice of violation to the property owner on August 12, 2022. This directed them to make the proper repairs to prevent further pollution. The owner filed an application to install a septic system and started the work. She showed them on a map where the new system would be installed and where the old system was. The new system would be a considerable distance from the wetlands.

There was a discussion as to whether the new system had been approved by the Health Department. Ms. Cherichetti said it had been. She also noted that the septic installer would have been able to explain why the new location for the septic was suitable.

Conservation Commission

September 13, 2022
Page 1 of 7

b) #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 said that the commissioners should have received the staff memo as well as her letter to the applicant for preliminary review. She also explained that this application would require a public hearing.

Craig Flaherty, the engineer on the project, began the presentation with a description of the proposed stormwater management. He noted that he had received comments from Ms. Cherichetti. He also discussed the proposed boardwalk over the wetlands which he believed would help maintain it.

There was a discussion about the stormwater conduits across Renzulli Road where the culvert size declines.

Bill Kenny, a professional wetland scientist and landscape architect, continued the presentation and discussed the boundaries of the wetlands. He also discussed the design of the proposal. He then explained the quality of the water in the watercourses. He noted that there were several properties being consolidated for this project. He spoke the invasive vegetation on the properties and about the removal of debris. He noted some lawn would be removed. He showed them several different detailed maps of the proposed plantings. He also discussed further the proposed boardwalk. He showed pictures of what it would look like.

There was discussion of the proposed boardwalk and it being intrusive to the wetlands. There were concerns about litter being left on it, or pet waste going into the wetlands. Mr. Moeling said that he was not comfortable with it.

Mr. Flaherty said he would respond to Ms. Cherichetti's comments and asked that the applicant be on the agenda on October 11. She asked that the responses be sent in as quickly as possible so the commissioners had time to review them. There was also a discussion about staking the wetlands and proposed property corners.

VI. DISCUSSION &/OR DECISION I

***** MR. KLOCKE MADE A MOTION TO ALTER THE AGENDA TO DISCUSS #S22-606 AND #S22-607 BEFORE #S22-599**

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

***** MOTION PASSED 5-0.**

Conservation Commission

September 13, 2022
Page 2 of 7

a) #S22-606 – 32 Knight Street – 32 Knight Street Property, LLC – Partial demolition of building and installation of new parking lot and associated stormwater management adjacent to a watercourse

Ms. Cherichetti explained that the applicant had submitted revised plans since the last meeting.

Craig Flaherty continued the presentation by discussing the changes that had been recommended. He explained there would be more trees on the parking islands in the back. One of the recommended species of trees was changed to be native. Signage was added and a light pole was moved. DPW has signed off on the revisions.

There was a discussion about an embankment that could be degraded in the northeast corner of the property. Mr. Flaherty explained that there were a couple of things they were doing. There was also a discussion about the erosion control plan.

***** MS. BROWN MADE A MOTION TO APPROVE THE RESOLUTION FOR #S22-606 FOR 32 KNIGHT STREET IN THE MEMORANDUM DATED SEPTEMBER 6, 2022.**

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

***** MOTION PASSED 5-0.**

c) #S22-607 – Cannon Street at Betts Pond Brook – Norwalk Department of Public Works – Construction of a retaining wall and reinforcement of bridge parapets in and adjacent to a watercourse

Ms. Cherichetti noted that the applicant had provided revised plans based on the commissioners' comments at the last meeting.

Mr. Moeling said that he had visited the property and realized that there is a small park that is maintained by the First Taxing District. He was in favor of this application.

***** MR. MOELING MADE A MOTION TO APPROVE THE RESOLUTION FOR #S22-607 TO BE GRANTED TO THE CITY WITH CONDITIONS AS SET FORTH IN THE STAFF MEMORANDUM DATED SEPTEMBER 8, 2022.**

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

***** MOTION PASSED 5-0.**

a) #S22-599 – 20 Lancaster Drive – Goldman – Dredging of pond in and adjacent to a wetland and watercourse

Ms. Cherichetti gave the timeline of this application which she noted is still incomplete. She outlined it in her staff memo to the commissioners. She had asked the applicant to withdraw the application but that he wanted it to remain open. She explained that the application had reached the statutory deadline and suggested the commissioners deny the incomplete application.

***** MR. MOELING MADE A MOTION TO DENY THE APPLICATION FOR POND DREDGING AT 20 LANCASTER DRIVE.**

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

***** MOTION PASSED 5-0.**

***** MR. KLOCKE MADE A MOTION TO AMEND THE AGENDA TO DISCUSS THE MINUTES.**

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

***** MOTION PASSED 5-0.**

VII. APPROVAL OF MINUTES

a) August 9, 2022 meeting minutes

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

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

***** MOTION PASSED, 5-0.**

VIII. PUBLIC HEARINGS (Begins at 7:00 p.m.)

a) #S22-596 – 75 Witch Lane – FC Engineering LLC – Dredging of existing pond in and adjacent to wetlands and watercourse

Mr. Klocke opened the public hearing and explained the rules for such. Ms. Cherichetti noted that this hearing had been continued from the commission's last meeting. Once the public hearing has been closed at this meeting, she asked the commissioners not to visit the site. It should have been visited before the public hearing closed.

Wayne D'Avanzo, the engineer on the project, began the presentation by showing them the site plan. He explained the process of dredging. The material would be brought onto the site and remain there. The pond will be level with the existing culvert. He showed them a picture of the pond flooding.

Aleksandra Moch, the wetland scientist for the project, continued the presentation with a recap of the presentation she had previously shared regarding the pond dredging. She discussed the project deficiencies that were addressed in the new submission. She also described some research that was done about the pond from 1965. She explained why dredging of the pond was necessary. She then discussed the planting plan.

There was then a discussion about the elevation of the culvert at Witch Lane. There was a concern about the amount of water that would flow through it. There was also a discussion about the nature of the subdivision.

There was a discussion with Steven Danzer, the City's outside consultant. Mr. Moeling said that he did not think they should be dredging a pond that is not actually a pond anymore. He had concerns since he thought it was being done to build home sites. There was an error that was corrected by the applicant about the amount of the property that was being dredged.

Steve Danzer continued by explaining that the applicant was looking for a conversion of wetland types. He had concluded that there was nothing ecologically harmful. The applicant addressed his comments satisfactorily. There was a discussion about whether a maintenance plan was necessary so that the invasive plants do not return. Mr. Danzer said there should be yearly monitoring.

There was a discussion about the subdivision. Mr. D'Avanzo said that the pond was on two properties.

No members of the public spoke on this matter.

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

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

***** MOTION PASSED 5-0.**

IX. DISCUSSION &/OR DECISION II

a) #S22-596 – 75 Witch Lane – FC Engineering LLC – Dredging of existing pond in and adjacent to wetlands and watercourse

Mr. Klocke asked that monitoring invasive plants for three years be added to any draft approval resolution. Ms. Cherichetti said that they did not have to vote on this item at this meeting and answered what the time limit was for them to vote on it. Mr. Moeling thought they should take more time to deliberate since they had it. Mr. Pentz asked about the 17 technical recommendations in Dr. Danzer's report and what the commissioners thought of them.

There was a discussion about moving from one type of watercourse and wetlands to smaller wetlands and more watercourse which may not support the life it is supposed to support. There was a discussion about the information provided by Dr. Danzer and how it related to the applicant.

Mr. Klocke said that there would be a vote on a resolution in October.

X. CONSERVATION INITIATIVES

There was no discussion of conservation initiatives.

XI. COMMENTS OF STAFF

a) Report of the Senior Environmental Officer

Ms. Cherichetti noted that she had changed the website to reflect verbiage for a fall theme which included not to fertilize after Halloween and not to blow their leaves into the streams.

She said that they had issued two notices of violation recently. One is on Princes Pine Road which recently was sold to a new owner. They have wetlands and a watercourse in the rear. They had done clearing work in the wetland without a permit. The owners have not filed paperwork by the end of the day, which had been directed in the notice.

The other violation was on Edith Lane. Ms. Cherichetti said that the house is at the top of a steep slope but that new owners had made a flat rear yard area by filling. A lot of the fill is in the rear and the quality of it is inappropriate because it includes asphalt and tree stumps.

Ms. Cherichetti said that there were a low number of violations this summer and the lowest that they have seen in a long time. A neighbor on Edith Lane filed a complaint with customer service which then sent it to the Department of Public Works, Planning & Zoning and then to the Conservation Department. It was unfortunate that no one had called about it sooner.

XII. COMMENTS OF COMMISSIONERS

a) Report of the Commission Chair

There was a discussion about the date of the next meeting, which Ms. Cherichetti said it was because the next meeting would have fallen on Rosh Hashanah. Mr. Moeling said he could not attend both meetings in October.

XIII. ADJOURNMENT

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

Meeting adjourned at 8:08 PM.

Respectfully submitted,

Diana Palmentiero