

**CITY OF NORWALK
CONSERVATION COMMISSION/INLAND WETLAND AGENCY
SEPTEMBER 12, 2023**

PRESENT: Steve Klocke, Chair; Matt Pentz; Heather Breslin; Cheryl Brown

STAFF: Alexis Cherichetti

OTHERS: Dean Martin; John Conte; Atty John Knuff; Michelle Carlson; Sagan Simko;
Brian Carey; Mr. Greco

I. CALL TO ORDER

Mr. Klocke called the meeting to order at 6:01 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. RECEIPT & DISCUSSION

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

Alexis Cherichetti began the presentation with a description of the project and oriented the commissioners of the location of the property on an aerial map.

Dean Martin, the engineer on the project, continued the presentation, with a description of the property and then he showed the commissioners the site plan of the proposed project. It is part of an older subdivision in 2011. He described the proposed stormwater management as well as the existing trees and proposed trees. He also noted the setbacks which limited the building lot. He described the silt fencing which would be maintained during construction. He said there was a survey but they could do an updated one. They also did some test holes for the storm water treatment. There was discussion about the water's edge. There was also a discussion about 14 Acre Pond. There was a discussion about the tree canopy. Mr. Martin said they were not removing a substantial amount. He also said that some invasive species would be removed and that there would be a 10 foot buffer. Mr. Klocke referred the commissioners to

the staff memo written by Amelia Williams. Staff was recommending an analysis by a wetlands scientist. Ms. Brown said she thought the 10 foot buffer was narrow.

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 project by orienting the commissioners as to the location of the property on an aerial map.

John Conte, the engineer on the property as well as the owner and applicant, showed the commissioners the site plan. He described the existing structure on the site overview plan. He then discussed the existing driveway. He then described the proposed house, driveway and curb cut. The existing driveway would be removed. He discussed the approvals that the application had already received including Planning & Zoning. He described the plantings which included replacing the soil thus increasing the size of the wetlands.

There was a discussion about the tree removal which Mr. Conte said that about 3 trees would be removed to accommodate the new driveway. There was a discussion about the assessment and impact analysis report. Mr. Conte said that the wetlands had many invasive species in it. He also said that the current driveway is gravel which must be maintained but is not stable. Mr. Conte said there is not a watercourse because it is not a defined one, which Ms. Cherichetti agreed. Photos were shown of the current conditions of the wetlands. There was also a discussion about the materials for the driveway which made it more pervious. There was a discussion about why the driveway had to be in the wetlands. Mr. Klocke thought it would be better not to be constructed through it. Mr. Conte said that there was a narrative of the alternatives for the driveway and why they would not work. There was a discussion about the alternatives. Mr. Klocke noted that their philosophy is to leave things the way they are. Mr. Conte said he would try to save some trees but some are dead. There was a discussion about the property line for the property in front. Mr. Conte showed them the proposed property lines. In the alternatives, the property lines would have to change. There was also a discussion about the distance from the boulder buffer to the wetland line. Ms. Brown suggested less lawn because of the chemicals. There was a discussion about the buffer wall and the grading in the area. There was a further discussion about the existing driveway meeting the new, proposed driveway.

Ms. Cherichetti said that this application would require a public hearing. Mr. Klocke said they would like to review the application again at the new meeting with revisions that address the commissioners' concerns. Ms. Cherichetti strongly encouraged the commissioners to go see the property.

c) #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

Conservation Commission

Ms. Cherichetti began the presentation with a description of the Costco property and that of the proposed project. She explained that the Doubletree Hotel would be demolished in order for Costco to improve their parking garage.

Atty John Knuff, the attorney for Costco, continued the presentation with a description of the two properties owned by Costco. There would be site improvements in connection with the expansion of the parking deck. He described the benefits to the parking. There would also be an additional ingress and egress from Connecticut Avenue which would help traffic. He also described the environmental benefits which would reduce impervious coverage in the upland review area as well as improving the storm water quality. He noted that the application would need a public hearing which they hoped could be scheduled for the next meeting on September 26.

Michelle Carlson, the engineer on the project, continued the presentation by orienting the commissioners as to the location of the property on an aerial map. They would demolish the existing hotel and add to the parking. There is an impervious surface that will be taken out. There is a buffer near the watercourse. She then showed them the proposed plans and the access from Connecticut Avenue. The Tire Center would be relocated on the property. The two properties would be consolidated into one. She described the current storm water treatment and explained how it would be treated. She said they would be demolishing the hotel this year and stabilizing the site. She showed them photos of a fence and noted that the driveway next to the fence would be removed and turned green. She then showed them photos of the stream on the other side of the fence which would remain the same. She also showed them pictures of the parking deck which would be removed.

There was then a discussion about taking the wall down. Ms. Carlson said they would analyze it and discuss it with FEMA. Mr. Klocke noted that they are trying to do what is best for the watercourse.

Sagan Simko, the soil scientist for the project, said that there is one wetland which has some functions for the area. He discussed what is located in the green space which are invasive species, which they would remove. He also discussed the slowing of the water before it goes into the Five Mile River. They would not touch the storm water basin.

There was a review of the Upland Review Area diagram as well as an explanation of the treatment of the storm water before it goes into the river. They will clearly define the channel. The pipes will be designed for a 25 year storm. There was a discussion of the safeguards for the river during the demolition. There was a review of the planting plan for the proposed, new, larger green space. Ms. Carlson showed them the proposed trees, as well as shrubs and flowers. Ms. Cherichetti made some suggestions for the application such as delineating which plantings would fulfill the Conservation/Inland Wetlands requirements and which would fulfill the Planning & Zoning requirements. Ms. Carlson explained that by having

green space adjacent to the watercourse, there would be less dirty water going into it which is what is currently happening as water runs off the driveway. Ms. Brown asked to see a maintenance plan at the next meeting.

Mr. Klocke reminded them that the commission is trying to do the best for the river while realizing that the property owners have rights as well. There was a discussion about setting a date for the public hearing. One of the issues was whether the wall should remain. Ms. Carlson reminded the commissioners that the analysis for the removal of the wall was not a simple one. There was also a discussion about the Five Miler River. Ms. Cherichetti would add a condition about the analysis to the resolution. Atty Knuff said that they would definitely look into the wall situation. Mr. Klocke asked that staff draft a resolution for the public hearing in two weeks.

***** MR. KLOCKE MADE A MOTION TO SCHEDULE A PUBLIC HEARING FOR THE NEXT MEETING ON SEPTEMBER 26, 2023.**

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

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

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

***** NO ONE ABSTAINED.**

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 that since the public hearing had been improperly noticed, it was moved to the commission's agenda on September 26.

VI. DISCUSSION &/OR DECISION

a) #S23-622 – 27 Bonnybrook Road – LandTech – Corrective Action to allow installation of a pool, deck, shed, parking area and removal of trees adjacent to a wetland and watercourse

Ms. Cherichetti noted that this had been discussed at previous meetings and gave a brief overview of the application. At this point, Brian Carey, the engineer on the project, continued the presentation by discussing the revisions that they had made after comments from previous meetings.

There was a discussion of an edit to the resolution.

MR. KLOCKE MADE A MOTION TO APPROVE THE RESOLUTION FOR #S23-622 AS EDITED IN CONDITION 1, LAST REVISED DATE OF AUGUST 24, 2023.

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

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

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

***** MATT PENTZ ABSTAINED.**

b) #S23-623 – 129 Woodward Avenue – 129 Woodward Avenue, LLC c/o LandTech – Expansion of parking lot adjacent to a wetland and a watercourse

Ms. Cherichetti noted that there is an updated site plan on the website and that the commissioners had received a draft resolution.

Mr. Carey continued the presentation by advising what had been added to the site plan. He gave a background on the project. He explained the use on the site which would be more commercial than industrial. He said that the area is full of invasive species. He noted that this project had been approved by the Planning & Zoning Commission several months ago.

MR. KLOCKE MADE A MOTION TO APPROVE THE MEMORANDUM FOR #S23-623 AS WRITTEN.

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

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

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

***** MATT PENTZ ABSTAINED.**

c) #S23-625 – 25 Stony Brook Road – Greco – Second-story addition with associated reserve on-site septic system adjacent to a wetland and watercourse

Ms. Cherichetti gave a brief overview of the project and noted that it had been received at the last meeting. She said that she had a draft resolution for approval. She oriented the commissioners on the site plan. She discussed the new additions of drains for the groundwater. There was a discussion about the size of the drain. Mr. Greco said he would install whatever size drain the commission required and that he played pickleball.

There was a discussion about a revision to the draft resolution.

MR. KLOCKE MADE A MOTION TO APPROVE THE MEMORANDUM DATED SEPTEMBER 7, 2023 FOR #S23-625, AS EDITED.

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

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

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

***** MATT PENTZ ABSTAINED.**

VIII. DECLARATORY RULINGS

a) #DR23-249 – 6 Anchor Road – Wee Burn Country Club – Plant management in and adjacent to a wetland and watercourse

Ms. Cherichetti explained what a declaratory ruling was and noted that applicants cannot just declare they are exempt. They must complete a form. She noted this one was more involved so she did not want to sign off on it without the commission's review. She read a paragraph from the regulations. She then oriented the commissioners as to the location of the property on an aerial map.

Bill Kenny, the wetland and soil scientist on the project, continued the presentation, with a discussion of the northern portion of the property which was a wetland/woodland area. They would like to clean up the invasives and plant native species. He showed them the planting plan which included trees, native shrubs and grasses. He also showed them pictures of the current conditions.

Ms. Cherichetti explained what the commissioners had to do; that it is an as of right activity and that it does not require a permit.

MR. KLOCKE MADE A MOTION THAT THIS IS A DECLARATORY RULING.

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

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

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

***** NO ONE ABSTAINED.**

IX. 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

This item was moved to the next meeting.

VII. 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

X. APPROVAL OF MINUTES

a) August 8, 2023 meeting minutes

***** MR. KLOCKE MADE A MOTION TO APPROVE THE MINUTES OF AUGUST 8, 2023, AS EDITED.**

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

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

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

***** CHERYL BROWN AND MATT PENTZ ABSTAINED.**

XII. COMMENTS OF STAFF

a) Report of the Senior Environmental Officer

Ms. Cherichetti had no comments.

XI. CONSERVATION INITIATIVES

Mr. Klocke said that he had worked on some items for the proposed zoning regulations. Ms. Cherichetti said that if he sent her his notes, she would re-write them and send them to the rest of the commissioners to go over at their next meeting.

XIII. COMMENTS OF COMMISSIONERS

a) Report of the Commission Chair

There were no comments.

XIV. ADJOURNMENT

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

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

***** MOTION PASSED UNANIMOUSLY.**

Meeting adjourned at 8:04 pm.

Respectfully submitted,

Diana Palmentiero

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