

**CONSERVATION COMMISSION &
INLAND WETLAND AGENCY MINUTES
September 10, 2020**

I. CALL TO ORDER

Ms. Destefanis called the meeting to order at 6:00 p.m. Ms. Destefanis would be acting Chair for this virtual meeting.

II. ROLL CALL

Ms. Cherichetti took the roll call.

PRESENT: Ed Holowinko, Chair; Karen Destefanis; John Moeling; Steve Klocke; Cheryl Brown; Matt Pentz
Alexis Cherichetti, staff.

III. RECEIPT & DISCUSSION

- a) **#S20-552 – 10 Holiday Drive - DeSimone** – Corrective Action restoration of a wetland, watercourse and upland review area

Ms. Cherichetti gave a brief overview of the corrective action proposal, the boundaries of the wetland area, the location of the unpermitted work and the location of the proposed restoration work. She added the applicant also wished to install a patio at the rear of the house and install an irrigation system in the rear lawn, including the lawn area underlain by wetland soils.

Mr. Robert Desimone, property owner, while referring to his submitted exhibits, described the areas and his proposed actions. He gave further details regarding his proposed patio and sprinkler system.

Ms. Destefanis asked why he wanted to keep the gravel path in the wetland. Mr. Desimone indicated there had been a dirt path there so he could access the area and pick up debris.

Mr. Moeling suggested the proposed irrigation system be installed up to, but not within, the wetland area.

Mr. Klocke summarized the discussion and indicated there seemed to be consensus the patio and upland irrigation system were okay, the majority of the proposed wetland restoration was okay, but the path in the wetland should be removed and the excavated area should just be seeded and planted.

Ms. Destefanis clarified she felt one narrow footpath at the side of the property in 'area 1' would be acceptable. Commissioners Pentz and Brown agreed.

Mr. Holowinko noted the disturbed wooded wetland must be adequately restored and the lawn wetland could remain lawn, but sprinklers or other disturbance in any part of the wetland was not acceptable.

- b) **#S20-553 – 12 Holiday Drive - Laughton** – Corrective Action restoration of a wetland, watercourse and upland review area

Ms. Cherichetti reviewed this corrective action application, noting the property is adjacent to the property first on the agenda. She described the condition of the property and rear wetland prior to the recent work and showed photographs of the wetland in its current condition. She described the activities cited in the Notice of Violation and briefly described the proposed conditions.

Mr. Chris Laughton, property owner, reviewed the sketches he had submitted with his application. He described the large tree that fell over during Hurricane Sandy and his recent efforts to install recreation space for his family.

Mr. Klocke stated he was of the opinion that the wetland must be restored.

Ms. Destefanis noted that while the fire pit and play features were beautiful, they do not belong in the wetland.

There was discussion regarding the extent of the wetland area and the areas within the upland review area of the wetland and watercourse.

Mr. Holowinko noted the current proposal does not restore the wetland.

There was a discussion of what restoration elements were needed, including removal of woodchips and a restoration of ground cover and shrubs. The applicant was encouraged to retain a professional, such as a landscape architect, to assist with a restoration plan.

Mr. Moeling concurred, noting a detailed plan, more than can be conveyed just on Mr. Theall's sketch map, is required due to the extensive work within the wetland and watercourse.

Ms. Brown noted a clear detailed plan also provides the application with a clear path to compliance.

c) **#S20-554 – 164 West Cedar Street (Colonial Village) – Norwalk Housing Authority –**

Construction of 69-unit residential complex with associated grading and landscaping adjacent to a wetland and watercourse

*** Commissioners Klocke and Holowinko recused themselves from this item and left the meeting.

Ms. Cherichetti noted the applicant's team was present and should provide a summary of the work relative to the inland wetland impacts.

Attorney Elizabeth Suchy, representing the applicant, introduced the development team and provided an overview of the property, its ownership, and the proposal to construct 18 structures supportive of mixed income demographics.

Ms. Kate Throckmorton, landscape architect with Environmental Land Solutions, LLC, gave an overview of the wetland/watercourse system on the property. She described the wetland area and the activities proposed closest to it. She went over the proposed planting plan and proposal for a pedestrian walkway.

Ms. Destefanis asked about the methodology for invasive plant removal in the wetland. Ms. Throckmorton indicated most of the work would be done by hand, however the portions closest to the proposed footpath would likely be accomplished with the same machinery working on the grading in the vicinity.

Mr. Kevin McCutchan, professional engineer with Tighe & Bond, described the proposed stormwater management system in detail. He described existing drainage patterns and the proposed systems. The system would include water quality volume capture and treatment. He highlighted the multiple underground infiltration chambers. He noted the system was designed conservatively, for example the piping has been oversized and permeable areas, such as the permeable pavement for the parking areas, were included in calculations.

Mr. Pentz inquired about the amount of parking proposed and if it was more than the Zoning minimum requirement. Gregory Lickwola, Norwalk Housing Authority, replied there were 138 spaces proposed. He stated they had looked into parking needs for a long time and found most current tenants have two vehicles. He noted when the development was first designed, the Zoning minimum was 1.7 space per unit, but it has since dropped to 1.3 parking space per dwelling unit.

Mr. Pentz questioned the impact the 48 additional parking spaces would have on the wetland. There was additional discussion regarding the permeable paving proposed for the parking spaces.

Ms. Destefanis asked about a previous statement about the drainage patterns. Mr. McCutchan confirmed the existing pattern would be maintained, so for example, areas that currently drain toward West Cedar Street would continue to drain toward West Cedar Street. He further described the local drainage areas on the site and described the conservative design.

There was a discussion regarding the overall stewardship and maintenance of the property. The current use and condition of the property were discussed, as well as the use of the proposed footpath and the care of the wetland area.

The timing of the public hearing was discussed.

*** **MS. DESTEFANIS MADE A MOTION TO SCHEDULE THE PUBLIC HEARING ON THE APPLICATION FOR THE OCTOBER 13, 2020 MEETING BEGINNING AT 7:00PM.**

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

*** **THE MOTION PASSED UNANIMOUSLY.**

d) **#S20-555 – 16 Hilltop Road – Laurel Rock** – Temporary wetland and watercourse crossing for removal of trees and landscaping activities in and adjacent to a wetland and watercourse

Ms. Cherichetti briefly described the activities proposed, including the removal of fallen trees and proposed temporary wetland crossing.

Mike Palmer, The Laurelrock Company, described all of the proposed activities in more detail. He described the trees downed in a recent storm and their location relative to the wetland. He described the planting and seeding they would complete following removal of the down or dead trees.

Ms. Destefanis confirmed the downed trees would be removed off site. Mr. Palmer confirmed and discussed the proposed process of cutting the trees into 15-foot trunk segments and lifting them into large dump trucks. The use of track mats in the wetland area was further discussed.

Ms. Brown noted the applicant needed to submit an Erosion & Sedimentation Plan. Mr. Palmer noted that a jute mesh matting would probably be appropriate for the disturbed slope, in addition to silt fence at the toe of slope.

Ms. Destefanis asked that the revised plan also specify the proposed species and number of planting proposed.

e) **#S20-556 – 21 Homer Street – Hurwitz** - Installation of an in-ground pool with associated grading adjacent to a wetland and watercourse

Ms. Cherichetti gave a quick overview of the proposed pool installation. She noted the grading associated with the pool was the activity that moved the project from a Minor application to an Intermediate application.

Matt Popp, Environmental Land Solutions LLC, described the proposed pool and grading. He noted the applicant recently had the wetlands field delineated and the wetland area stops at the stone wall at the rear of the property. The limit of disturbance would be about thirty (30) feet from the wetland limit line. He also pointed to the proposed planting of twelve (12) native shrubs at the stone wall.

There was further discussion regarding the scope of the proposal. There was affirmation that the project did not warrant a public hearing.

IV. DISCUSSION &/OR DECISION

a) **#S20-551 – 284 New Canaan Avenue – Landtech for Indian Hill RE LLC** – Corrective Action restoration of a wetland and adjacent upland review area

Ms. Cherichetti noted the application was discussed at the previous meeting and there was a staff report with a draft resolution to approve with conditions for the Agency members to consider.

***** MR. PENTZ MADE A MOTION TO ADOPT THE RESOLUTION IN MS. CHERICHETTI'S MEMORANDUM AND APPROVE PERMIT APPLICATION #S20-551.**
***** MR. MOELING SECONDED THE MOTION.**
***** THE MOTION PASSED UNANIMOUSLY (4-0-0)**

VI. BOND RELEASE/REDUCTION REQUESTS

- a) **#S16-492 – 129 Newtown Avenue - Christakos** – Release of bond held (\$3,500.00) for Corrective Action removal of vegetation, installation of lawn and construction of a shed in a wetland adjacent to a watercourse

Ms. Cherichetti described the completed work and noted Ms. Hrtanek had recently inspected the property and confirmed compliance with the permit and regulations.

***** MR. MOELING MADE A MOTION TO RELEASE THE BOND.**
***** MS. BROWN SECONDED THE MOTION.**
***** MOTION PASSED UNANIMOUSLY.**

- b) **#S18-526 – 41 Beau Street – Garfunkel** – Release of bond held (\$700.00) for corrective action landscaping in and adjacent to a wetland and watercourse

Ms. Cherichetti described the site and noted the work was in conformance with the conditions of the permit. She recollected release. There was discussion regarding the control of bamboo on the property.

***** MS. DESTEFANIS MADE A MOTION TO RELEASE THE BOND.**
***** MR. MOELING SECONDED THE MOTION.**
***** MOTION PASSED UNANIMOUSLY.**

- c) **#S19-544 – 3 & 5 Chipping Lane – Goodwin** – Reduction of bond held for Corrective Action fill removal and landscaping in and adjacent to a wetland and watercourse

Ms. Cherichetti noted only a portion of the bond was eligible for release. She described the scope of work completed. The portions eligible for release were held for sedimentation & erosion control, fill removal, and environmental consultant oversight.

***** MS. DESTEFANIS MADE A MOTION TO REDUCE THE BOND.**
***** MR. MOELING SECONDED THE MOTION.**
***** MOTION PASSED UNANIMOUSLY.**

VII. MINUTES

- a) June 30, 2020 meeting minutes

***** Mr. MOELING MADE A MOTION TO ACCEPT THE MEETING MINUTES.**
***** MS. DESTEFANIS SECONDED THE MOTION.**

There was discussion regarding a minor edit.

***** THE MOTION PASSED UNANIMOUSLY.**

VIII. COMMENTS OF STAFF

IX. COMMENTS OF COMMISSIONERS

V. ADJOURNMENT

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

***** MS. BROWN SECONDED THE MOTION.**
***** THE MOTION PASSED UNANIMOUSLY.**

Meeting adjourned at 8:43PM.

DRAFT

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- *** THE MOTION PASSED UNANIMOUSLY (4-0-0)**

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VII. MINUTES

- a) June 30, 2020 meeting minutes

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There was discussion regarding a minor edit.

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VIII. COMMENTS OF STAFF

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V. ADJOURNMENT

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

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

***** THE MOTION PASSED UNANIMOUSLY.**

Meeting adjourned at 8:43PM.