

CITY OF NORWALK
CONSERVATION COMMISSION/INLAND WETLAND AGENCY
JULY 25, 2023

PRESENT: Cheryl Brown, acting as Chair; Ed Holowinko; Kathryn Knight; Heather Breslin

STAFF: Alexis Cherichetti

OTHERS: Wayne D'Avanzo; Brian Carey

I. CALL TO ORDER

Ms. Brown 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 that spoke.

IV. RECEIPT & DISCUSSION

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

Ms. Cherichetti oriented the commissioners as to the location of the property on an aerial map. She explained the corrective action that was necessary.

Wayne D'Avanzo, the engineer on the project, shared the drawings of the property which included what was there as well as the proposed grading. They would get the property back to what it had been. He explained the excavation including the erosion controls with silt fencing around the perimeter. He also pointed to where the wetlands and setbacks were on the drawings.

Ms. Cherichetti said that she had issued an Enforcement Order that triggered the Show Cause hearing. The order had been upheld by the commissioners. She then showed photos of the property including aerial photos. She also noted that the commissioners should go to the property. The aerial photos were from the years 2017, 2021, 2022 and in March 2023. She showed them the silt fencing that the owner had put around the property. There was also a trench on the property. A pipe had been removed. The photos were taken behind the house on

the property taken the previous winter. The yard is now relatively flat. She also showed them pictures when the Notice of Violation had been sent. She discussed the Fill and Excavation permit. A fair amount of the fill material was unsuitable. She showed them the proposed site plan. Part of the plan was to screen the fill material for unsuitable materials. They submitted a landscaping plan which included a wetland buffer. The area will be overseeded with native seed mix. She also discussed the proposed plantings. Mr. D'Avanzo discussed how long it would take to remediate and then begin the plantings.

There was a discussion about the grading in the upland review area. Ms. Cherichetti asked the commissioners if they would like an ecologist or professional wetland scientist to review this proposal. She discussed the possible options for the commissioners. Ms. Brown asked for more information on how the slope would affect the wetlands. Ms. Cherichetti reviewed the aerial map again which showed what had been a pond and what were wetland soils. She also noted that there was a valley through the property and that a swale was proposed.

Ms. Brown said she had concerns about the slope. She offered some suggestions such as more robust plantings and requested more information from a wetlands scientist. Mr. Holowinko and Ms. Knight said that they would like the proposal to go back to the original way the property looked.

V. 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 gave a brief synopsis of what had occurred at the previous meeting and had drafted a resolution and discussed the conditions. She noted that they could make a decision at the next meeting. She also suggested that the plantings could be done in the fall since it is not a good idea to plant in July or August.

There was a discussion about the number of trees that had been removed. However, some trees were being replaced in the upland review area. Brian Carey said that no changes had been made to the plan. Ms. Cherichetti discussed the trees which she said could provide shade. Ms. Knight said she would like to see more trees in the upland review area since 10 had been removed and Mr. Holowinko agreed. At this point, there was a discussion about adding an amendment to the draft resolution about the trees. Mr. Carey said that if large trees were added there would be crowding and some mortality of trees. He explained this was why they had added the trees where they had. Ms. Brown said they were asking for 5 ft. trees and that they would like to see a revised plan.

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 gave a brief summary of what had been discussed at the last meeting. She noted that Mr. Carey had not submitted any additional plans. He said that he would have revised plans to the staff by early in the following week.

VI. BOND RELEASE/REDUCTION REQUESTS

a) #S16-488 – 227 New Canaan Avenue – Rich – Release of bond (\$6,240) held for the construction of a new single-family residence, with associated filling, grading, stormwater drainage, and wetland buffer enhancement

Ms. Cherichetti explained the original application and that there had been a Corrective Action on the property since they had not followed the approved plan. She said that the inspectors found a majority of shrubs that had survived but that there were also a fair amount of invasive species. She showed them pictures of current conditions and the boulder retaining wall. There was a discussion about the amount of shrubs that had survived. She showed them the pictures of the site in 2021. She said that fill had been filled to help the grade. She explained when the vines could be seen.

***** MS. BROWN MADE A MOTION TO APPROVE FOR #S16-488 – 227 NEW CANAAN AVENUE - THE RELEASE OF THE BOND FOR (\$6,240) HELD FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE, WITH ASSOCIATED FILLING, GRADING, STORMWATER DRAINAGE, AND WETLAND BUFFER ENHANCEMENT**

***** MR. HOLOWINKO SECONDED THE MOTION.**

***** CHERYI BROWN; ED HOLOWINKO; KATHRYN KNIGHT; HEATHER BRESLIN APPROVED.**

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

***** NO ONE ABSTAINED.**

VII. APPROVAL OF MINUTES

a) July 11, 2023 meeting minutes

***** MS. KNIGHT MADE A MOTION TO APPROVE THE MINUTES OF JULY 11, 2023.**

***** MR. HOLOWINKO SECONDED THE MOTION.**

***** CHERYI BROWN; ED HOLOWINKO; KATHRYN KNIGHT APPROVED.**

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

***** HEATHER BRESLIN ABSTAINED.**

***** MS. BROWN MADE A MOTION TO AMEND THE AGENDA TO REVIEW WHETHER A POTENTIAL PERMIT IS NEEDED FOR AN APPLICATION.**

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

***** CHERYI BROWN; ED HOLOWINKO; KATHRYN KNIGHT; HEATHER BRESLIN APPROVED.**

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

***** NO ONE ABSTAINED.**

Ms. Cherichetti began with a discussion of the iPark property at 761 Main which had recently received a corrective action permit from the commission. She discussed the corrective action permit that had been approved by the Conservation Commission. Now they have added parking spaces by changing the grade. They submitted an application to correct it and described what the applicant is proposing. At this point, Ms. Cherichetti asked the commissioners if they would like to continue to review this application or whether they would like to leave it to staff. The commissioners then suggested to Ms. Cherichetti to add trees on the landscape plan. The commissioners agreed it should be a minor permit.

VIII. CONSERVATION INITIATIVES

Ms. Brown said she had done some research about trees for the proposed zoning rewrite regulations and gave a brief synopsis. She said that in some districts there did not seem to be any regulations about trees. Ms. Cherichetti said she would check with Planning and Zoning.

Ms. Knight then spoke about the EV charging station as well as some of the city's groups that were supportive of these measures. One group suggested a workshop to pool insights and resources. There was a suggestion about composting. She said that Lisa Shanahan, a member of the Common Council, as well as the ad hoc sustainability committee, would work with the commission to set up the workshop in September. There was a brief discussion about the Resilient SoNo stakeholder meeting. Ms. Cherichetti also discussed overlay areas.

Ms. Knight also discussed what she had researched about limiting tear downs in Aspen, Colorado. She suggested adding it to the proposed regulations. The commissioners discussed the benefits of this further, especially since there were many homes being torn down and replaced. Ms. Breslin discussed the conversion of commercial buildings to residential. She said that it was happening in Boston. In Colorado there was a limit on the number of demolition permits issued.

Ms. Breslin said that she had researched green building standards, and shared her screen for the commissioners. Ms. Cherichetti said that some of the changes would be in the zoning regulations and others would be in the building codes. Ms. Cherichetti discussed

density credits as well as amenity credits. She also noted that it would be a good suggestion to meet with the sustainability committee of the Common Council. She discussed NGBS as one standard that she reviewed, as well as LEEDS being another standard.

Ms. Cherichetti encouraged them to send her questions which she could discuss with the Planning and Zoning dept.

IX. COMMENTS OF STAFF

a) Report of the Senior Environmental Officer

Ms. Cherichetti said she would give them a report of what had been happening over the last three months.

X. COMMENTS OF COMMISSIONERS

a) Report of the Commission Chair

There were no comments from the commissioners.

XI. ADJOURNMENT

***** MS. BRESLIN MADE A MOTION TO ADJOURN.**
***** MS. BROWN SECONDED THE MOTION.**
***** MOTION PASSED UNANIMOUSLY.**

Meeting adjourned at 7:48 pm.

Respectfully submitted,

Diana Palmentiero