

CITY OF NORWALK
CONSERVATION COMMISSION/INLAND WETLAND AGENCY
JULY 23, 2024

PRESENT: Steve Klocke, Chair; Cheryl Brown; Heather Breslin; Kathryn Knight; Ed Holowinko (arrived after roll call)

STAFF: Alexis Cherichetti; Amelia Williams

OTHERS: Jay Fain; Bryan Muller; Paul Sotnik; Peter Grandy

I. CALL TO ORDER

Mr. Klocke called the meeting to order at 6:02 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

There were no new applications to be received.

V. DISCUSSION &/OR DECISION

a) #S24-640 – 2 Lloyd Road – Jay Fain & Associates, LLC – Corrective Action piping and filling of a wetland and watercourse

Amelia Williams began with a discussion of the status of this application. She explained that they had received materials following the previous meeting. She believed they would be reviewing those materials and deciding if they would like to receive alternate proposals for the corrective action.

Jay Fain continued the presentation by explaining that the owner had piped approximately 100 feet of intermittent watercourse. He believed that with the construction of the roads in this area, the watercourse paths were altered. He explained the water source for the intermittent watercourse as well as the base flow. He explained what happened during

significant rain events. He said they recommended leaving the existing pipe as it is. He discussed the mitigation plan.

Bryan Muller, the engineer for the applicant, continued the presentation, by explaining that the owner had asked him to confirm that the pipe was sized appropriately. He noted that there had been a steel pipe which had probably been on the property since the building of the house. The new pipe is slightly larger than the old one and runs from the upper side of the property to the lower property. The intermittent watercourse drains into this pipe. He also explained that neighbors downstream have a pipe that pipes the intermittent watercourse under their property. He noted that the applicant's pipe does not connect to this pipe, but rather, ends at the edge of the property line and is open. He said they mostly see water flowing in high intense rain storms. He would meet with the city's engineer to discuss the pipe, which he believed benefited everyone.

There was a discussion about the length of the pipe that was recently installed which was 100 feet. Mr. Muller again explained where the pipe ended, as well as why the pipe could not be seen. Mr. Muller said that what was on the survey was correct. He noted that the pipe was put into the channel. There was also a discussion about delineated wetlands on the site.

Jay Fain discussed the intermittent watercourse on the property. He said that the soil on the property is fill soil and did not think there were wetland soils on it. Otto Theall who had owned the property prior to the applicant, had filed drawings prior work to earlier work. There was a discussion about the wetland delineation that was done in 2000 and whether it was incorrect. Mr. Fain said it was disturbed soil with both fill and wetland soils. He said he did not dig too deep or to a depth where fill ended. There was also a discussion about the drainage and the pipe. Bryan Muller said that the pipe flows open to the end of the property. He said the pipe was analyzed over the spring. Ms. Cherichetti said that the applicant should also speak with the Department of Public Works about where the pipe outlet is located.

Ms. Cherichetti showed them the topography map and there was further discussion about it. She said that there was a question as to whether there were wetlands in this area. It might be difficult because the areas have been disturbed. Mr. Fain said that the area was maintained as a lawn. There was also a discussion as to whether this pipe would have been approved had a permit been applied for. The commissioners agreed that a third party should review the wetland delineation and wetland assessment.

There was a further discussion about the third party assessment and noted that the applicant would be charged for it. Mr. Klocke suggested that another option was to put the property back the way it should be. Mr. Fain said that there was a concern for health and safety but the applicant did want to work with the commission. Ms. Cherichetti noted that the applicant would have to work with the third party as well as the city's engineers for a plan. Mr. Fain said that most of the water was stormwater runoff and only about 5% was natural water flow.

Mr. Fain said that he would be on vacation and would give the commission a written extension of time so that this application would be reviewed again in September.

**b) #S24-641 – 4 Singing Woods Road – William Kenny Associates, LLC -
Corrective Action removal of fill from a wetland and construction of a new SFR adjacent
to a wetland**

Ms. Cherichetti said that the letter that was sent by the applicant to neighbors noticing the meeting was deficient. New notices would be sent out. She also said that the applicant had provided a set of revised plans.

***** MR. KLOCKE MADE A MOTION TO SET THE PUBLIC HEARING FOR AUGUST 13, 2024.**

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

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

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

***** NO ONE ABSTAINED.**

Ms. Breslin said she was not available that date.

**c) #S24-643 – Bonnybrook Trail – Norwalk Dept. of Public Works – Repair
activities on bridges in and adjacent to a watercourse (Holy Ghost Father’s Brook)**

Ms. Cherichetti gave a brief summary of the application and noted that there had been minor changes to the plans. There is a landscape plan so if the commissioners were happy with the plan, she would prepare a resolution for the next meeting.

Paul Sotnik, the senior civil engineer for the city of Norwalk, began the presentation with a brief history. In 2018 the state had said that they would not inspect short span bridges and that it would be the city’s responsibility. The city had 26 bridges inspected and rated to determine how to maintain them. He explained the plan for rehabilitation to bring into compliance with Federal, state and local regulations.

Peter Grandy continued the presentation with a summary of the plan as well as the revisions. Mr. Sotnik noted that the bridge was 61 years old. Mr. Grandy presented the improvements and showed them where the bridges are. He also showed them photos of the bridges. He noted that shrubbery would be trimmed but not removed. He explained what they would be doing to the existing structures. He showed them the landscape plan. They would use timber guide rails that were similar to the Merritt Parkway.

Mr. Klocke said that they would like to see a draft resolution at the next meeting.

VI. BOND RELEASE/REDUCTION REQUESTS

a) #S18-519 – 216 Scribner Avenue – St. Matthews Church – Construction of a new recreation center adjacent to a wetland and watercourse – Reduction of \$1,078 of \$6,208 bond held and b) #S18-519 – 216 Scribner Avenue – St. Matthews Church – Corrective Action restoration within and adjacent to a wetland and watercourse – Reduction of \$6,755 of \$13,105 bond held

Ms. Cherichetti explained that the applicant received these permits in 2018 but that it had taken a long time for them to do the plantings that were required. Some had been done this past spring, so it is not eligible for full release since the plantings must be in for two full growing seasons. Since some of it had been done, some of the bond was eligible for reduction.

***** MR. KLOCKE MADE A MOTION TO REDUCE THE BONDS AS RECOMMENDED BY STAFF.**

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

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

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

***** NO ONE ABSTAINED.**

VII. APPROVAL OF MINUTES

a) July 9, 2024 meeting minutes

***** MS. KNIGHT MADE A MOTION TO APPROVE THE MINUTES OF JULY 9, 2024.**

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

***** STEVE KLOCKE; CHERYL BROWN; KATHRYN KNIGHT; ED HOLOWINKO APPROVED.**

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

***** NO ONE ABSTAINED.**

VIII. CONSERVATION INITIATIVES

Ms. Knight said she had signed up for the Tree Committee but they met on the same night as this committee.

IX. COMMENTS OF STAFF

a) Report of the Senior Environmental Officer

Ms. Cherichetti said she did not have any comments.

X. COMMENTS OF COMMISSIONERS

a) Report of the Commission Chair

Ms. Breslin said that she would like to learn more about the Open Space Fund and the commission's role. Ms. Cherichetti explained that the Conservation Commission was a gatekeeper of the funds. They would determine if the funding would be in alignment with the goals of the funds. There was also a discussion about funds in it. Ms. Cherichetti said that the commission could seek out private property that could be acquired for the fund. Ms. Breslin was concerned that there was not enough open space in the city. Ms. Cherichetti said that the department has the information but not the manpower.

There was a discussion about the Manresa property. Ms. Cherichetti gave a brief history of the property. There was a discussion about what would be done with it. She noted that no application for development of the property had been submitted to date.

XI. ADJOURNMENT

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

Meeting adjourned at 7:24 pm.

Respectfully submitted,

Diana Palmentiero