

CITY OF NORWALK
CONSERVATION COMMISSION/INLAND WETLAND AGENCY
JULY 11, 2023

PRESENT: Steve Klocke, Chair; Cheryl Brown; Ed Holowinko; Matt Pentz; Kathryn Knight

STAFF: Alexis Cherichetti; Amelia Williams

OTHERS: Carlo Vona, Jr.; Brian Carey; Jason Enters; Atty Adam Blank; Matthew Kivijarv;
Matt Popp

I. CALL TO ORDER

Mr. Klocke called the meeting to order at 6:07 p.m. It should be noted that this meeting was held on Zoom.com with all participants calling in, separately.

II. ROLL CALL

Ms. Williams called the roll.

III. PUBLIC COMMENT

Carlo Vona, Jr. who was one of the applicants said he was happy to be on the Zoom meeting with the commissioners.

IV. RECEIPT & DISCUSSION

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

Ms. Williams introduced the application to the commissioners. She explained that the property would be an indoor recreational facility for pickleball and tennis courts. Since there is a small watercourse on the property and the owners would like to re-configure the parking, they were required to obtain a permit from the Conservation Commission.

Brian Carey, a wetlands scientist, began the presentation by orienting the commissioners as to the property on a site plan. He explained the current construction on the site which included a pickleball court. He then said that the facility did not have enough parking so they were adding a few new spaces. They would also need CAM approval. He said that the wetland is in rough shape and showed them a few pictures of it. He explained how they would remove invasives and clean up the area. He said there were no impacts to the wetlands and discussed the planting list. He also noted that a previous loading dock would be replaced with lawn for parties.

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There was a discussion about storm water retention for the parking spaces. Mr. Carey explained that they would be crushed stones so that they would not need a drainage system underneath it. Ms. Cherichetti noted that a drainage report would still be required. There would be seven new parking spaces. There was a discussion about alternatives for the placement of the spaces. There was also a discussion about the function and value of the wetlands, which Mr. Carey said that they had prepared a report on.

V. DISCUSSION &/OR DECISION I

a) #S19-546B – 10 Willard Road- 10 Willard Road LLC – Modification of Permit to include amendment to culvert inverts, fence location, buffer plantings and removal of vegetation in and adjacent to a wetland and watercourse

Ms. Cherichetti began the discussion noting that the commissioners had received a staff report and a draft resolution with some conditions. She then gave a brief recap of the requested modifications to the permit. She noted that the applicant had submitted a revised landscaping plan. She said that she understood the commissioners concerns about the use of bamboo and had written a condition that addressed this.

Jason Enters said that the landscaping plan had been executed but he did not have any pictures of it.

MR. KLOCKE MADE A MOTION TO APPROVE THE RESOLUTION PREPARED BY STAFF IN A MEMORANDUM DATED JUNE 16, 2023 FOR #S19-546B – 10 WILLARD ROAD- 10 WILLARD ROAD LLC.

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

***** STEVE KLOCKE; ED HOLOWINKO; KATHRYN KNIGHT; MATT PENTZ APPROVED.**

***** CHERYL BROWN OPPOSED THE MOTION.**

***** NO ONE ABSTAINED.**

b) #S23-621 – 256 Fillow Street – Gomez - Corrective Action landscaping, filling and grading adjacent to a watercourse

Ms. Cherichetti said she had drafted a resolution since they had seen this at the last meeting. She addressed the commissioner's questions from the last meeting which included adding shade trees. She showed them the revised landscaping plan. She also discussed the drainage system. Mr. Klocke said that the applicant had done a good job addressing their concerns. There was a discussion about the fill and excavation permit.

MR. KLOCKE MADE A MOTION TO APPROVE THE RESOLUTION PREPARED BY STAFF IN A MEMORANDUM DATED JUNE 22, 2023 FOR #S23-621 – 256 FILLow STREET – GOMEZ - CORRECTIVE ACTION LANDSCAPING, FILLING AND GRADING ADJACENT TO A WATERCOURSE

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

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

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

***** NO ONE ABSTAINED.**

c) #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 began the presentation by explaining that the applicant had submitted a revised planting plan which she showed the commissioners. Mr. Carey continued the presentation by discussing the updates to the planting plan. There were trees that would be removed and replaced. He explained that the applicant had obtained zoning permits during the pandemic but had not obtained inland/wetlands permits.

Staff did not provide a draft resolution so that the commissioners could review it at this meeting and discuss any concerns they may still have. Ms. Cherichetti said that she would draft one for the next meeting.

There was a discussion about how close the pool deck and pool were to the watercourse since there had not been any review with the Conservation Commission when they were first built. Ms. Cherichetti noted that the concrete slab had been on the property since 1995 and was not under their purview. It was the shed and pool deck that had recently been added. The lot is relatively flat.

Mr. Klocke asked to see a draft resolution in two weeks.

MR. KLOCKE MADE A MOTION TO MOVE TO BOND RELEASE/REDUCTION REQUESTS ON THE AGENDA

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

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

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

***** NO ONE ABSTAINED.**

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 asked that this item be tabled so that the staff can inspect.

VIII. APPROVAL OF MINUTES

a) June 7, 2023 meeting minutes and June 13, 2023 meeting minutes

***** MR. KLOCKE MADE A MOTION TO APPROVE THE MINUTES OF JUNE 7 AND JUNE 13, 2023.**

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

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

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

***** MATT PENTZ ABSTAINED.**

At this point, Mr. Klocke said that he would move onto the "Comments of Staff" item on the agenda since he thought his comments for "Conservation Initiatives" would be longer than 14 minutes.

IX. COMMENTS OF STAFF

a) Report of the Senior Environmental Officer

Ms. Cherichetti discussed additional funding that the city had received for flood resilience planning. She also hoped to receive a contract from the National Fish and Wildlife Foundation to begin the process which would reach a flood resilience plan. This funding would help with making ground improvements.

X. COMMENTS OF COMMISSIONERS

a) Report of the Commission Chair

There were no comments from the Commission Chair, nor any commissioners.

XI. CONSERVATION INITIATIVES

Mr. Klocke noted that he had sent the commissioners an email on June 27. He said that he had sat in on a roundtable meeting with the Planning & Zoning Commission which was focused on solar panels on buildings. He thought it opened the door for broader discussions including a sustainability agenda and that others had reached out to push it forward as well. He said that Stamford has a Sustainability Scorecard which is used on projects of a certain size, including 10 more housing units, etc. He said it was similar to what he does in his own industry. He noted the different categories. He also said that projects could get LEED certification. Ms. Cherichetti said she would try to contact someone in Stamford. Mr. Klocke believed that now was the time to add more to the proposed zoning regulations as the door was open to those discussions.

There was a discussion about the proposed zoning regulations and where the process was headed. Mr. Klocke asked for help from the commissioners to review what Stamford has done, as well as sending out a statement as to what the commission would like to do for sustainability for the city and getting more stakeholders involved.

XII. PUBLIC HEARINGS (begins at 7:00 p.m.)

a) #S23-620 – 127 Richards Avenue – RVCV, LLC & Vona – Demolition of existing structures and construction of 13 residential units, with associated parking, site grading, landscaping, and drainage systems, adjacent to a wetland and watercourse

Mr. Klocke opened the public hearing. Ms. Cherichetti noted that this was supposed to have been heard at their last meeting but it had been canceled. The public hearing was properly noticed.

Atty Adam Blank, the attorney for the applicant, began the presentation with an introduction of the project team. He then oriented the commissioners as to the location of the property on an aerial map. He discussed the application process including some questions that he responded to. There were 2 trees that would be removed. There was also a discussion about the Sedimentation Erosion Control plan as well as the snow removal plan. The public hearing had been noticed. He showed them the site plan for the units. Each would be handicapped accessible, as well as the parking. He also discussed the grading.

Matthew Kivijarv, the engineer on the project, spoke about the drainage on the site. There would be a conservation area and explained the drainage system.

Matt Popp, the landscape architect, continued the presentation with a description of the current existing conditions. He then described the proposed units which would be further away from the wetlands. He also described the plantings they were proposing. He discussed snow management. He noted that there would be one landscaping company maintaining the

property. He also discussed the lighting. He said they would remove the bamboo on the property. He said that they are also proposing boulders on the property. Ms. Cherichetti asked him to speak to wetland functions which he did.

Ms. Cherichetti noted that her department had received a letter from an abutting neighbor in June which she had forwarded to the applicant and commissioners.

Atty Blank said that since there were no members of the public waiting to speak, they would ask for the Conservation Commission approval so they could move onto the Planning & Zoning Commission.

Mr. Pentz discussed the letter they received from the abutting neighbor which had concerns about the wildlife in the area. Mr. Popp said that the habitat does change from these types of projects. He noted that they were protecting the watercourse especially with the amount of plantings on the site. He did not consider it an adverse impact. Atty Blank reminded the commissioners what could be on the site as of right. There was also concern about the loss of trees. Mr. Popp said they would be adding 9 shade trees, although they were removing 2 trees.

After confirming that there were no commenters, Mr. Klocke moved to close the public hearing. Mr. Holowinko seconded. It was approved unanimously.

XIII. DISCUSSION &/OR DECISION II

a) #S23-620 – 127 Richards Avenue – RVCV, LLC & Vona – Demolition of existing structures and construction of 13 residential units, with associated parking, site grading, landscaping, and drainage systems, adjacent to a wetland and watercourse

Ms. Williams discussed the conditions including buffers. Any changes would have to be approved by the commission. She also noted the conditions that were specific to this application and discussed at previous meetings.

MR. KLOCKE MADE A MOTION TO ADOPT THE RESOLUTION PREPARED BY STAFF IN A MEMORANDUM DATED JULY 7, 2023 FOR #S23-620 – 127 RICHARDS AVENUE – RVCV, LLC & VONA – DEMOLITION OF EXISTING STRUCTURES AND CONSTRUCTION OF 13 RESIDENTIAL UNITS, WITH ASSOCIATED PARKING, SITE GRADING, LANDSCAPING, AND DRAINAGE SYSTEMS, ADJACENT TO A WETLAND AND WATERCOURSE

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

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

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

At this point, Mr. Klocke said they would return to Conservation Initiatives.

Ms. Brown confirmed that the Conservation Commission would be writing a memo to Planning & Zoning in order to rally residents to attend these public meetings. Ms. Cherichetti said she would try to connect with someone in Stamford to find out more about the Scorecard. She also agreed that it would be a good idea to send a memo to the Planning & Zoning Commission in their capacity as the Conservation Commission. She thought it would be a good way to get residents interested and excited about adding sustainability items to the proposed zoning regulations rewrite.

Mr. Pentz asked if they could ask the consultants what other cities had done to add sustainability into other zoning regulations. Ms. Cherichetti said that it had been included in the consultants' RFP. Ms. Brown asked how in-depth they should be. Mr. Klocke said that the roundtable was focused on solar panels. Ms. Cherichetti said that she believed the Planning & Zoning Commission would look to the Conservation Commission's expertise on these topics. Mr. Klocke had taken notes from the special meeting with Mr. Baker which he had sent to the commissioners. He asked how they could find where in the proposed regulations they could add their own revisions. Mr. Klocke said that each of the Conservation members could take a topic to review and draft. Ms. Knight suggested that there are other commissions who may want to weigh in as well. Ms. Cherichetti said that there should be 2 letters, one to the Planning & Zoning Commission and then one which was broader based to get the attention of residents. Ms. Knight said she would speak with people on the Tree Advisory Committee, Tree Alliance and the Norwalk Land Trust.

Mr. Klocke said that he was trying to meet with Nick Kantor from the Planning and Zoning Commission. He then shared his screen with everyone to show them the various topics he would like the commissioners to review including grading/tree removal, solar energy, natural drainage, landscaping, transportation, overlays, etc. They would make recommendations to the Planning & Zoning Commission for the current and proposed regulations. There was a discussion about how long they had to review and recommend these regulations. Ms. Cherichetti gave them the schedule for adoption. She then noted that the Conservation Commission had one meeting in August. Mr. Klocke said they should try to get something done for the next meeting. He would distribute his notes to the other commissioners. He said that Adam Blank had reached out to him that he thought it was important to have more sustainability in the proposed regulations.

XIV. ADJOURNMENT

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

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

***** MOTION PASSED UNANIMOUSLY.**

Meeting adjourned at 7:57 pm.

Respectfully submitted,

Diana Palmentiero