

CITY OF NORWALK
CONSERVATION COMMISSION/INLAND WETLAND AGENCY
June 14, 2022

PRESENT: John Moeling, Chair; Steven Klocke, Vice Chair; Matt Merluzzi; Cheryl Brown; Jennifer Balliett

STAFF: Alexis Cherichetti, Sr. Environmental Officer

OTHERS: Vanessa Valadares; Mario Pizighelli; Jason Enters; Kenneth Goldman; Ricky Mears; Craig Flaherty

I. CALL TO ORDER

Mr. Moeling called the meeting to order at 6:00 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. RECEIPT & DISCUSSION

a) #S22-600 – 22 Shirley Street – City of Norwalk DPW – Removal and replacement of drainage pipe and catch basin in and adjacent to wetlands and watercourses

Vanessa Valadares, from the Department of Public Works (DPW), began the presentation with an explanation of the project of replacing a drainage pipe and catch basin and, since it was in a wetlands area, would need a Wetland Permit. She also showed them the area on an aerial map. She explained how they would get access from the road.

Mario Pizighelli, DPW, explained further how the work would be performed. They discussed the damage the drainage pipe. During heavy storms the water does not stay in the pipe, but rather, floods the wetlands.

Ms. Cherichetti noted that this was the same area that Verizon had received a permit to perform directional drilling to install conduit. She reminded the commissioners that some of them had gone to the site when reviewing that application.

There was a discussion about the locations of the watercourse, drainage outflow and wetlands. Mr. Pizighelli showed them pictures of the existing pipe and where it was broken. Ms. Valadares explained the excavation. There was a discussion about the removal of the

water while the project is being done. There was also a discussion about stabilizing the area after the project was completed.

Mr. Moeling noted that they would review this item again at the next meeting and that the pictures they viewed this evening be added to the city's website.

b) #S19-546A – 10 Willard Road – Willard Road LLC – Modification of Permit to install culvert pipe, replace headwall and install drainage in and adjacent to a wetland and watercourse

Mr. Moeling noted this original application had been reviewed in 2019 and that a couple of the commissioners were not at those meetings. There was a brief discussion about the location of the site.

Ms. Cherichetti noted that the original application was approved in early 2020 and explained the scope of work approved. She then explained what modifications the applicant was proposing.

Jason Enters continued the explanation of the proposed activities. He noted that there are water issues from a nearby condominium. He also noted that there is a drainage ditch that backs up so they wanted to add a land bridge, which would be over the proposed culverts. He stated that he did not think there would not be any changes to the wetlands.

Ms. Cherichetti said that the commissioners should inspect the site as well as the paperwork. She noted that they have to wait 14 days before making a final decision.

There was a discussion of what a land bridge was.

IV. PUBLIC COMMENTS

Mr. Moeling noted that he had skipped the public comments section so he asked if anyone was waiting to speak. Ms. Cherichetti confirmed there were not.

V. DISCUSSION &/OR DECISION I

a) #S22-596 – 75 Witch Lane – FC Engineering LLC – Dredging of existing pond in and adjacent to wetlands and watercourse

Ms. Cherichetti discussed the application thus far. There would be a consultant to do a review of the application. The applicant had given them a check to hire a consultant as well as an extension of the application so that no public hearing was necessary at the next meeting.

b) #S22-597 – 144 Partrick Avenue – Tavello – Construct detached garage, in-ground pool and spa adjacent to wetlands and a watercourse

Ms. Cherichetti summarized the application thus far for the commissioners. She said that she had drafted a memo and noted that there were no conditions in the resolution.

***** MR. MOELING MADE A MOTION TO APPROVE THE APPLICATION WITH THE ADOPTION OF THE RESOLUTION IN THE STAFF MEMO.**

***** MR. KLOCKE SECONDED THE MOTION.**

***** MOTION PASSED 4-0-1. MS. BROWN ABSTAINED.**

Mr. Moeling asked if an application was on hold if the fee had not been paid. Ms. Cherichetti said unless an application received a waiver, it must be accompanied with the filing fee – otherwise it is an incomplete application.

c) #S22-599 – 20 Lancaster Drive – Goldman – Dredge pond in and adjacent to a wetland and watercourse

Mr. Moeling said that there had been many questions on this application, referencing Ms. Cherichetti's letter to the applicant, and asked if the comments and questions had been addressed. Ms. Cherichetti noted that at the last meeting it was tabled since one of the commissioners had to recuse themselves and there was no quorum.

At this point, the applicant, Kenneth Goldman, began his presentation. He noted that he had moved to the property in 1987 and the pond had been dredged in 1993. The pond had filled in again and they would like to dredge it. He would like to clean out the poison ivy. He showed them pictures of when it had been dredged previously. He showed them pictures of the property as it is now. The access to the pond would be from the neighbor's property. He explained where the fill would be placed. He again noted that most of the fill will be behind the house. He said to take it away was expensive. He also noted that wetlands would not be touched.

Mr. Goldman noted that there was a dam on the property which is falling apart. He asked if he could ask the commissioners for a recommendation about what to do with the dam since he had received three differing opinions from contractors.

Mr. Moeling stated they would defer to the state regulations. Ms. Cherichetti said that the state only regulates dams of a certain size. Mr. Goldman would like to reconstruct the dam. There was then a discussion about the purview of the Conservation Commission. Mr. Goldman said he would leave it up to the contractors. Mr. Moeling clarified that the applicant should come back to the commissioners with details of the proposed dam reconstruction so that they could continue to review it. Mr. Goldman discussed the grading on one of his maps. He explained what was being proposed.

At 7 pm, the discussion on this item was stopped so that the commissioners could start a scheduled public hearing. This presentation would then continue after it.

VI. PUBLIC HEARINGS (Begins at 7:00 p.m.)

a) #S22-598 –West Cedar Street Bridge at Five Mile River – Norwalk DPW – Replace existing bridge and abutments at Five Mile River

Mr. Moeling opened the public hearing. Ms. Cherichetti gave a brief summary of the application and explained when the public notice was made. The applicant has provided proof of notice of the public hearing to abutting neighbors. She then explained the procedure of the public hearing. At this point she did another roll call to confirm which commissioners were present. All were still present on the Zoom call.

Vanessa Valadares introduced the other members of the DPW team. She explained the reason that they were before the Conservation Commission. She noted what items had been resolved.

Ricky Mears, of Benesh, continued the presentation by orienting the commissioners as to the location of the property on an aerial map. He gave them existing bridge data. The bridge is eligible to be on the National Registry since it was built in 1910. He explained the structural conditions of the current bridge. He explained the proposed alternatives, and which one had been picked. He noted that the DOT had accepted most of their reports. He showed them the proposed site plan, and the water handling plan. He also noted the wetlands/watercourse impacts.

There was a discussion about the flow through the bridge, which Mr. Mears said was the goal. There was also a discussion about flooding at the Five Mile River. There was also a discussion about the impacts from 50-, 100- and 500-year floods. There was a discussion about the schedule for the project and the applicant hoped construction be completed in 2024.

Ms. Cherichetti said there were no members of the public in attendance. She then explained what the next steps for the application were.

There was a discussion about the stream bed which had all natural materials.

Ms. Valadares noted that they were trying to move this process quickly. Mr. Moeling explained how he thought the evening's agenda should also progress. They would try to get this done this evening.

***** MR. KLOCKE MADE A MOTION TO CLOSE THE PUBLIC HEARING ON THIS APPLICATION.**

***** MR. MOELING SECONDED THE MOTION.**

***** MOTION PASSED UNANIMOUSLY.**

c) #S22-599 – 20 Lancaster Drive – Goldman – Dredge pond in and adjacent to a wetland and watercourse (con't)

Mr. Goldman continued the presentation with the landscaping plan. He said there would be flowers and not anything invasive that would grow into the pond, nor did they want anything high because there was a nice view.

There was a discussion about the grading and deposition of dredge materials. There was a further discussion about the planting plan and what plants are native species. Ms. Brown asked to see an actual planting plan submitted with the application.

There was a further discussion about the grading including where the fill would be placed. There was a discussion about receiving a site plan from the applicant. The commissioners asked for further materials from Mr. Goldman.

VII. DISCUSSION &/OR DECISION II

a) #S22-598 –West Cedar Street Bridge at Five Mile River – Norwalk DPW – Replace existing bridge and abutments at Five Mile River

***** MR. MOELING MADE A MOTION THAT THE APPLICATION BE GRANTED.**

***** MR. KLOCKE SECONDED THE MOTION.**

The commissioners discussed the application and the motion to approve. Ms. Brown asked that there be some native seed mix that meets the conditions of the site. Mr. Merluzzi said that he had seen the site and also made recommendations.

***** MOTION PASSED UNANIMOUSLY.**

VIII. FEE WAIVER/REDUCTION REQUEST

a) #S22-599 – 20 Lancaster Drive – Goldman – Dredge pond, remove sediment and restore pond to its previous depth

Mr. Moeling asked if the fee waiver was in writing. Ms. Cherichetti said it was part of the application. However, she said she would have to look for it in the written documents because it did not seem to have been scanned. She read the request into the record as well as the regulations themselves.

***** MR. MOELING MADE A MOTION TO DENY THE FEE WAIVER ON THIS APPLICATION.**

***** MR. KLOCKE SECONDED THE MOTION.**

***** MOTION PASSED UNANIMOUSLY.**

IX. PRE-APPLICATION REVIEW

a) Westport Avenue/Rezulli Road – Concept review for potential application for residential development

Ms. Cherichetti oriented the commissioners as to the location of the property. Mr. Moeling noted that this is not a formal application. The applicant is looking for guidance from the commission.

Craig Flaherty, the engineer on the project, thanked the commissioners for allowing this informal presentation. He also introduced the owner of the property as well as members of the project team. He noted which departments they had spoken with during the design phase. They would file an application before the end of the summer.

He noted that there is a large watershed that feeds the wetlands that are on the property. There is a pipe that carries stormwater. He noted that the wetlands were developed before there were wetland regulations and put in the back of the site. He then explained the project which was mostly apartments with a few stores. The project would also be in a small part of Westport. There would be 136 units in these buildings. He then described the landscape plan which included bridges on some of the wetlands into an open space. He also noted that the neighbors complained about flooding. They would address it in their drainage plan and how to overcome the problems.

There was a discussion about the natural wetlands end. There was a discussion about whether the applicant would file an application with Westport since the project was in a small part of it.

Mr. Moeling discussed his concerns. There was a discussion about making one of the roads a dead end so that there was no through traffic. Mr. Flaherty noted that the idea came from the neighbors. Ms. Cherichetti noted that there is a boardwalk over the wetlands, across the street from this property. There was a further discussion about the bridges/boardwalks.

Mr. Moeling noted that the commissioners would not do a site visit until a formal application was filed so that they would not be disturbing any neighbors.

X. APPROVAL OF MINUTES

a) May 24, 2022 meeting minutes

***** MR. MOELING MADE A MOTION TO ACCEPT THE MINUTES.**

***** MR. KLOCKE SECONDED THE MOTION.**

Conservation Commission

June 14, 2022
Page 6 of 7

***** MOTION PASSED.**

XI. COMMENTS OF STAFF

a) Report of the Senior Environmental Officer

Ms. Cherichetti said that there was the bridge at Rowayton Avenue over Keelers Brook was being installed, if there were commissioners who wanted to see it.

She reported she has made a grant application to the National Coastal Resilience Fund for a Flood Resilience and Adaptation Plan for the City.

XII. COMMENTS OF COMMISSIONERS

a) Report of the Commission Chair

Mr. Moeling had no comments.

Ms. Balliett asked about the Wells Fargo property in East Norwalk. Ms. Cherichetti explained that an application was filed with Planning & Zoning. Ms. Cherichetti said that the applicant has not confirmed nor disproven the presence of inland wetlands on the property. She explained the various environmental regulations that may have jurisdiction.

Mr. Moeling then noted that the election of officers for the commission would be at the first meeting in July.

XIII ADJOURNMENT

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

***** MS. BALLIETT SECONDED THE MOTION.**

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

Meeting adjourned at 8:14 PM.

Respectfully submitted,

Diana Palmentiero