

**CITY OF NORWALK**  
**CONSERVATION COMMISSION/INLAND WETLAND AGENCY**  
**May 24, 2022**

**PRESENT:** John Moeling; Matt Merluzzi; Kathryn Knight; Ed Holowinko

**STAFF:** Alexis Cherichetti, Amelia Williams

**OTHERS:** Rockne Tavello; Aleksandra Moch; Vanessa Valadares; Ricky Mears

**I. CALL TO ORDER**

Mr. Moeling 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 COMMENTS**

There were no public comments.

**IV. RECEIPT & DISCUSSION**

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

Mr. Moeling noted that there is a staff memo with background as well as information on the city's website about the application.

Rockne Tavello, 144 Partrick Avenue, explained his small parcel that was purchased in 2014 when they built their house. He noted that they did not encroach on the wetlands at that time. He said that the wetlands are small and would like to mitigate it. He would like to build an in-ground pool.

Aleksandra Moch continued the presentation with a presentation of the proposed project. She showed the site plan which included the proposed pool, spa and a detached garage. It also showed the wetlands as well as plantings. She then showed them an aerial view of the property which included evergreens. She discussed the hydrology. She also showed them pictures of the current property and the wetlands area. She gave a history of the wetland investigation. She then discussed the wetland values and functions. She then discussed the

mitigation which would include native plantings. She thought this would be a much better habitat than what was there now.

Mr. Moeling said that trees and shrubs do not replace wetlands. Once they are gone, they are gone forever. He noted that the Conservation Commission's mission was to preserve wetlands but also to have a middle ground. There was a discussion about previous permit to allow construction of the house. There was a discussion about the neighboring properties. There was a concern about the drainage. There was a discussion about the difference between a minor permit and the Agency permit.

Ms. Cherichetti said that they could not make a decision tonight since the application had just been received. They would have to wait a minimum of 14 days. Mr. Moeling asked the commissioners how they felt about this application so that Ms. Cherichetti could write a draft resolution.

Mr. Tavello said that the excavated materials will be used on site.

Ms. Cherichetti asked for confirmation from the Commission that the proposal warranted an Intermediate, not Significant, permit application.

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

Ms. Cherichetti noted this application was a Significant Permit application and would require a public hearing.

Vanessa Valadares, Department of Public Works, gave a brief history of the project. She noted that planning for the project began about three years ago.

Ricky Mears, the project manager on the project, continued the presentation by orienting the commissioners as to the location of the bridge as well as the existing bridge data. He noted that they wanted to keep it looking like the original bridge. It had not been rehabbed since it was built. He showed them pictures of the existing bridge which included signs of deterioration. He also discussed alternatives that had been considered. He showed them the proposed design. They looked at FEMA and DOT flows. He discussed the site plan, water handling plans, etc. He also discussed the 100 year flood impacts as well as watercourse impacts. Ms. Cherichetti asked for a copy of the presentation for the website. There was a discussion about scheduling the public hearing for the next meeting on June 14.

**\*\*\* MR. MOELING MADE A MOTION TO SCHEDULE THIS APPLICATION FOR A PUBLIC HEARING ON JUNE 14, 2022.**

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

**\*\*\* MOTION PASSED UNANIMOUSLY.**

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

Ms. Cherichetti noted that the pond was last dredged in 1993. Mr. Holowinko said that he had to recuse himself because he knew Mr. Goldman. There would then no longer be a quorum. It would be on the next agenda on June 14. Mr. Goldman said that he would speak with Ms. Cherichetti the following day.

## **V. DISCUSSION &/OR DECISION I**

**a) #S22-594 – 9&10 Hollow Spring Road – Hollow Spring Residents – Remove and replace existing drainage pipe in and adjacent to wetlands and a watercourse**

This item was moved to the commission's agenda on June 14 since the applicant was not available. Ms. Cherichetti noted that the deadline to make a decision was June 30.

**b) #S22-595 – 13 Valley Road – The Laurel Rock Co. – Landscaping, tree work and lawn establishment in and adjacent to wetlands and watercourse**

Ms. Cherichetti said that this item was tabled until the next meeting.

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

Ms. Cherichetti noted that at the last meeting the commissioners had required an outside consultant. She would have to charge the applicant which would have to be paid before the consultant's work is completed.

## **VI. FEE WAIVER/REDUCTION REQUEST**

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

This request would be considered at the next meeting.

## **VII. DETERMINATION OF PERMIT NEED**

**a) #S21-570 – 40 Fullin Road – FRAP LLC – Permit Modification to alter grading, remove retaining wall and add basements to proposed units within the upland review area of a wetland and watercourse**

Ms. Cherichetti began the presentation with a brief history of the permit the commissioners had approved in September 2021. She showed them the site plan and which lots would be affected by the modification. She explained the modification. She showed them the previous grading and the proposed grading. There was also a discussion about created wetlands and whether it would be affected by this modification. Ms. Cherichetti read from the applicant's modification letter to the commissioners. She noted that they are compliant with their permit. The drainage pattern would not change. Mr. Moeling said that this could be handled administratively.

There was discussion regarding whether commissioners felt comfortable making the changes since they had worked on this permit. Ms. Cherichetti explained that the permit did say that modifications had to come before the commission again. She also noted that during the original discussions the commissioners had concerns about the retaining wall.

All commissioners present agreed the changes could be covered with an administrative modification.

**b) 13 Valley Road – The Laurel Rock Co. – Landscaping, tree work and lawn establishment in and adjacent to wetlands and watercourse**

Ms. Cherichetti noted there was a request from Laurel Rock to complete some work requested be covered by the declaratory ruling process. She asked the commissioners to make a motion to add this request to the agenda.

**\*\*\* MR. MERLUZZI MADE A MOTION TO ADD THE APPLICATION #S22-595 – 13 VALLEY ROAD TO THIS EVENING'S AGENDA**

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

**\*\*\* MOTION PASSED UNANIMOUSLY.**

Ms. Cherichetti explained the applicant's on-staff landscape architect asked if they could reduce the amount of activity – limited to the removal of 14 trees within the wetland - to fall under a declaratory ruling, instead of a permit application.

Ms. Cherichetti reviewed Chapter 4 of the Inland Wetland Regulations which allows for certain as-of-right activities. She showed them pictures of trees that the property owner would like to remove.

There was some discussion regarding the provisions described in Chapter 4 and the extent and location of the proposed tree removal. The Agency determined the applicant would need a permit.

**\*\*\* MR. MOELING MADE A MOTION THAT THE APPLICANT WOULD NEED A PERMIT.**

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

**\*\*\* MOTION PASSED UNANIMOUSLY.**

#### **VIII. APPROVAL OF MINUTES**

##### **a) May 10, 2022 meeting minutes**

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

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

**\*\*\* MOTION PASSED UNANIMOUSLY.**

#### **IX. COMMENTS OF STAFF**

##### **a) Report of the Senior Environmental Officer**

There were no comments by Ms. Cherichetti.

#### **X. COMMENTS OF COMMISSIONERS**

##### **a) Report of the Commission Chair**

There were no comments by Mr. Moeling.

#### **XI. ADJOURNMENT**

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

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

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

Meeting adjourned at 7:47 PM.

Respectfully submitted,

Diana Palmentiero