

CITY OF NORWALK
CONSERVATION COMMISSION/INLAND WETLAND AGENCY
May 23, 2023

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

STAFF: Alexis Cherichetti

OTHERS: Aleksandra Mock; Wayne D'Avanzo; Mr. Suarez; Larry Stewart; Brian Carey;
David Polanco;

I. CALL TO ORDER

Mr. Klocke called the meeting to order at 6:04 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

No members of the public made any comments.

IV. RECEIPT & DISCUSSION

a) #S23-619 – 37 Geneva Road – Quesited Consulting LLC – Installation of new onsite septic system adjacent to a watercourse associated with construction of 2-story additions to existing residence

Amelia Williams began with an overview of the application which was for the installation of a new septic system within the upland review area. The applicant would also remove invasive species and mitigate landscaping.

Aleksandra Mock continued the presentation with a description and orientation of the location on an aerial map. The Five Mile River crosses the southern portion of the property. She discussed the wetland/watercourse area and floodplain soils. The channel of the river has changed over time. She also discussed the vegetative cover, wildlife habitat and where the invasive species were. She then discussed the proposed site improvements as well as the mitigation measures.

Wayne D'Avanzo discussed the septic system and where it was located. He noted that it was in the required area. He explained that another part of the property contained a ledge so

that would not work for the septic system. He also discussed the fill and the existing topography would be maintained.

Mr. Klocke asked Ms. Cherichetti to draft a resolution for the next meeting.

b) #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 began the presentation by noting that this is an elderly housing project which is similar to one that they had approved in 2021. None of the buildings are in the watercourse or upland review area. The applicant will also do some plantings on the property.

Atty Adam Blank noted that two properties will be merged. He noted that there is a similar project nearby. However, the owners are not the same although the project team is similar to the other development. He oriented the commissioners as to the location of the property on an aerial map. He then showed them the site plans as well as discussed the project in detail. He noted that the site slopes down to the Five Mile River. He also discussed the removal of trees as well as the planting of new ones. He explained the storm water management plan, as well as the erosion control measures. He said the full project team would be available for the public hearing.

There was a discussion about what structures are near the upland review area as well as the plan for snow removal. Atty Blank said there was a wall near the end of the site. Ms. Cherichetti said that she had referred parts of the plans over to the Department of Public Works (DPW). Atty Blank said that the plans had been sent to various city departments for review.

Mr. Klocke asked for clarification on several points about the application including site drainage, tree removal as well as what the new trees would be.

Ms. Cherichetti said that the application would require a public hearing but that the commissioners would review it again on June 13. The public hearing would be scheduled after that meeting.

V. DISCUSSION &/OR DECISION

a) #S23-613 – 18 Eastwood Road – Suarez – Corrective Action landscaping in and adjacent to a wetland and a watercourse

Ms. Cherichetti noted that the applicant has revised the landscaping plan. She said that the replanting schedule had been revised and discussed where the plantings would be located.

Mr. Suarez noted that there would be two shade trees. There was a discussion about the timeline for these projects.

MR. KLOCKE MADE A MOTION TO ADOPT THE RESOLUTION PREPARED BY STAFF DATED MAY 22, 2023 FOR #S23-613 – 18 EASTWOOD ROAD AS WRITTEN.

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

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

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

***** NO ONE ABSTAINED.**

Mr. Klocke reminded Mr. Suarez to obtain a bond.

b) #S23-616 – 761 Main Avenue – iPark Norwalk II, LLC – Corrective Action landscaping in a watercourse

Ms. Cherichetti showed them the site plans with the removal of the pipe. She also discussed the erosion controls and the landscape plan.

Larry Stewart said that they had submitted plans for the corrective action. The riverbank would be put back the way it was.

Ms. Cherichetti said that she had drafted a resolution with conditions.

MR. KLOCKE MADE A MOTION TO ADOPT THE RESOLUTION PREPARED BY STAFF DATED MAY 22, 2023 FOR #S23-616 – 761 MAIN AVENUE AS WRITTEN.

***** KATHRYN KNIGHT SECONDED THE MOTION.**

***** MOTION PASSED UNANIMOUSLY.**

c) #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 presentation by noting that a letter had been submitted from the cell tower owner as well as from the landscape company that had installed the fence. She also discussed the revised landscaping plan. Mr. Enters discussed the six items that they had discussed at the previous meeting.

Mr. Klocke said that he should have been more specific about the letter for the bamboo. The commissioners were not happy with the letter that was presented. Mr. Klocke said that he

was concerned that the city would have to supervise the bamboo. Mr. Holowinko said that he was okay with the bamboo. Ms. Brown was not comfortable with the bamboo. Ms. Cherichetti made some suggestions on how to handle this matter. Mr. Enters suggested that part of the bond could be held for either perpetuity or 10 years. There were concerns that the bamboo could be problematic decades later. It also could create a precedent for other applicants as well as it becoming a burden for the city to monitor.

Mr. Klocke asked Ms. Cherichetti to prepare a resolution for the next meeting. She said she would draft a variety of modifications and conditions for it. There was a discussion about what else the applicant could do for the next meeting as well as what had been done up until this point at the property.

d) #S23-617 – 16 Fireside Court – Giapoutzis – Corrective Action landscaping in and adjacent to a wetland and a watercourse

Mr. Klocke asked why the application numbers started with the number 6. Ms. Cherichetti said it was a long story. She then began the presentation by noting that Mr. Giapoutzis was on the call but had left. She continued with a review of the planting plan and noted that she had received a letter of consent from the neighbor at 14 Fireside Court. She noted that she had not received an updated plan. She hoped to have the updated plan for the next meeting and would prepare a resolution for it, as well.

e) #S23-618 – 27 Bonnybrook Road – LandTech – Construction of a second story addition and small additions with associated B-100A septic reserve area and after-the-fact above ground pool, deck and landscaping adjacent to a wetland and watercourse

Ms. Cherichetti began the presentation with a brief synopsis of the application. She showed them the site plans, discussed current conditions as well as the proposed modifications. She also discussed the Notice of Violation (NOV) that was issued.

Brian Carey, the representative for Mr. Garcia, continued the presentation by noting that they had received the NOV and were working to make the necessary changes. He said that the owners had received a zoning permit for work done but had not received one from the Inland Wetlands Agency which may have occurred during the pandemic. He also discussed the current structures on the property.

There was a discussion about the silt fence and why it was close to the watercourse. Ms. Cherichetti asked if it could be closer to the driveway. She also noted that the applicant would need 2 separate applications.

There was also a discussion about next steps for the application. An application in response to the NOV would be filed by the end of the week.

VI. ENFORCEMENT ACTIONS

a) V23-1051 – 256 Fillow Street – Gomez – *Show-Cause Hearing* - Cease & Restore Order for the failure to follow directives in Notice of Violation #V23-1044

Ms. Cherichetti began by explaining that this was a show cause hearing and then oriented the commissioners as to the location of the property on an aerial map. She described what had caused the order to be issued. She said she had met with the owner's representative to discuss a site plan. A corrective action application should be submitted by June 5.

David Polanco explained why he had made changes to the property and the wetlands. His wife also said that they would be working to correct the property and move this application forward.

MR. KLOCKE MADE A MOTION TO UPHOLD THE VIOLATION FOR #V23-1051 – 256 FILLow STREET AND NOTICE OF VIOLATION #V23-1044

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

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

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

***** NO ONE ABSTAINED.**

Mr. Klocke said that the Polancos should meet with Ms. Cherichetti to get this completed.

VII. APPROVAL OF MINUTES

a) May 9, 2023 meeting minutes

***** MR. KLOCKE MADE A MOTION TO APPROVE THE MINUTES OF MAY 9, 2023.**

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

***** MOTION PASSED, 4-0.**

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

***** NO ONE ABSTAINED.**

VIII. CONSERVATION INITIATIVES

Ms. Cherichetti said that she could ask either the Director of P&Z or the Principal Planner to come talk to the commission. She could also re-send an email with the environmental regulations that would be in the re-write of the zoning regulations. Ms. Brown asked if there could be a special meeting to meet with the Director or the Principal Planner

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which Ms. Cherichetti said she could arrange. One item that Ms. Brown suggested that she would like in the proposed regulations would be shade trees in parking lots. There was also a discussion of the public hearings for the zoning regulations re-write.

IX. COMMENTS OF STAFF

a) Report of the Senior Environmental Officer

Ms. Cherichetti explained why the numbering on applications is the way it is. There was a discussion about the grants that she had applied for.

Ms. Cherichetti said that Heather Breslin would be appointed to the Conservation Commission and was on the Common Council agenda to be sworn in.

X. COMMENTS OF COMMISSIONERS

a) Report of the Commission Chair

Mr. Klocke did not have anything to report.

XI. ADJOURNMENT

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

Meeting adjourned at 7:56 pm.

Respectfully submitted,

Diana Palmentiero