

**CITY OF NORWALK**  
**CONSERVATION COMMISSION/INLAND WETLAND AGENCY**  
**APRIL 9, 2024**

**PRESENT:** Steve Klocke, Chair; Heather Breslin; Kathryn Knight; Ed Holowinko

**STAFF:** Alexis Cherichetti

**OTHERS:** Mike Pasquarella; Andy Soumelidis; Marc DeBerardinis; Brian Carey; Peter Romano

**I. CALL TO ORDER**

Mr. Klocke 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 COMMENT**

There were no members of the public who spoke at this time.

**IV. RECEIPT & DISCUSSION**

There were no items for receipt.

**V. DISCUSSION &/OR DECISION**

**a) #S24-632 – 35 Weatherbell Drive – Pasquarella – Corrective Action filling and grading in and adjacent to a wetland and a watercourse**

Ms. Cherichetti gave a brief overview of what had transpired at the previous meeting. She had included correspondence with the soil scientist, Jay Fein, in the commissioners' packet of information. She read the response from Mr. Fein into the record, which the commissioners discussed further. Mike Pasquarella said that the fill was put onto the ground in 2022. There was also a discussion about hiring a new soil scientist. There was a discussion about the sketches that were sent by Mr. Fein. Ms. Cherichetti explained what was unknown. Mr. Klocke asked for a second opinion and a survey. She showed the commissioners several aerial pictures of the property which eventually led to a green lawn on the property in 2023. She then explained how the staff found this as they were inspecting a deck. Mr. Klocke again asked for a new soil scientist that had to be hired as well as a survey. He also noted that the

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applicant had granted the commission an extension so they should develop a timeline. There was a discussion about what would happen if there was an incomplete application, which Ms. Cherichetti explained to them. Mr. Pasquarella said he would hire a surveyor.

**b) #S24-633 – 189 Perry Avenue – Carter – Corrective Action installation of drainage and expansion of driveway adjacent to a watercourse**

Ms. Cherichetti noted that the applicant requested a continuance. They had hired an engineer but they did not have any materials for this meeting. She would ask for an extension if they were not ready at the next meeting.

**c) #S24-636 – 70 Cranbury Road – LandTech – Three lot subdivision of land containing wetlands and watercourses**

Ms. Cherichetti began a brief overview of the application and said that there was a revised subdivision map.

Andy Soumelidis, the engineer on the application, began with an introduction of the project team and then showed them the site plan. There was a discussion of the setbacks on the rear lots. He then showed them the 50 ft. setbacks, 100 ft. setbacks, and flood plain. There were driveways but no road. He also showed them the two lot and three lot proposals. Mr. Soumelidis said that there could be very large homes on these lots. There was concern about what could be developed on the lots if there were three of them, especially in protecting the wetlands and watercourse. One lot would cause the least amount of disturbance. There was a discussion about the landscape design which Mr. Klocke said he did not want to see at this point. There was also a concern that these would be rear lots which could not be monitored as easily.

**d) #S24-637 – 73 Witch Lane – DeBeradinis – Construction of a new single-family residence adjacent to wetlands and a watercourse**

Ms. Cherichetti began by explaining what the applicant had submitted. It is a vacant lot which had previously had a house on it. The applicant, Marc DeBeradinis, would be constructing a house on the lot which had wetlands and a watercourse on it. She explained that the proposed driveway may not be allowed under the new zoning regulations. She showed them a site plan and discussed the location of the proposed house as well as the wetland line and landscaping plan. There was a discussion about the flood lines, which Ms. Cherichetti said the property was not in a flood zone.

There was a discussion about the trees being removed so Mr. Klocke asked if Mr. DeBeradinis could provide an arborist report on them. There is an upland review area. There was a further discussion about the trees being removed. There was concern about the negative impact of the lawn from the runoff into the wetlands. There was a discussion about the scale on

the site plan. There was also a discussion about the plant selection which included red maple, flowering dogwood, and native shrubs.

## **VI. PRE-APPLICATION REVIEW**

### **a) 284 New Canaan Avenue – Indian Hill RE, LLC (A.J. Penna & Son) – Discussion of concept design for installation of an acoustic earthen berm in and adjacent to a wetland and watercourse**

Ms. Cherichetti explained what a pre-application review is.

Brian Carey, the engineer on the project, began the presentation and noted that he had previously been before the commission on another application for this site. He explained the business of A.J. Penna so the site operates on an emergency basis as well as during normal business hours. He also explained that there have been issues with the neighbors about the truck noise. Mr. Penna has met with the neighbors about this. They had hired an acoustical engineer to assess the operation and develop a plan to mitigate the sound from the site. Mr. Carey explained that they would build a berm with vegetation to screen the noise. It would create a visual barrier as well. They would like to be good neighbors. Mr. Carey said they would return to the commission with an application based upon their comments.

There was a discussion as to the motivation for the application. Ms. Cherichetti asked about the place where the berm would be located. Mr. Carey said there would be some clearing.

Pete Romano discussed the usage of the property and how it became a center for emergency services. Many people had supported the initial application as a contractor's yard. He then explained about the neighbors who have spoken to them. He noted that there are loaders, etc. and they do work on Saturdays and Sundays. They have come up with some solutions but they have not been sufficient. It was decided to construct a berm which would mitigate the sound. He suggested that they could lose some of the wetlands for the berm.

There was a discussion about when the operation came to the site. Mr. Romano said it began in 2016 but was not fully operational at that point. It happened gradually and only after last year did the whole operation run out of this property.

There was a discussion about the construction of the berm and where it would start. Trees would be removed. Mr. Romano said that he would walk the property with the commissioners. There was a discussion of the purview of the commission in this instance. Ms. Knight had concerns about removing trees for the berm. Ms. Breslin had concerns about the disturbance of the wetlands. Mr. Holowinko suggested a smaller berm further away from the wetlands. Mr. Romano said they would make suggestions to the acoustical engineer.

## **VII. APPROVAL OF MINUTES**

### **a) March 26, 2024 meeting minutes**

**\*\*\* MS. BRESLIN MADE A MOTION TO APPROVE THE MINUTES OF MARCH 26, 2024.**

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

**\*\*\* STEVE KLOCKE; HEATHER BRESLIN; KATHRYN KNIGHT APPROVED.**

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

**\*\*\* ED HOLOWINKO ABSTAINED.**

## **VIII. CONSERVATION INITIATIVES**

Ms. Cherichetti said that she had not completed the draft of the regulation. She would also be sending a letter to the Connecticut Department of Energy and Environmental Protection (DEEP) to review it. She suggested a public hearing on June 11 and asked if any of the commissioners would not be there. For the next meeting she would prepare the draft report, as well as the letter to DEEP for review and add that to their agenda as an application. Once it is on the agenda, a public hearing could be scheduled by running the legal notices.

## **IX. COMMENTS OF STAFF**

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

Ms. Cherichetti did not have any other comments.

## **X. COMMENTS OF COMMISSIONERS**

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

Mr. Klocke said that he had nothing to report.

### **b) Discussion of proposed Regulation amendment**

Since they had discussed the regulation amendment earlier in the meeting, there were no further comments.

## **XI. ADJOURNMENT**

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

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

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

Meeting adjourned at 7:39 pm.

Respectfully submitted,

Diana Palmentiero