

**CITY OF NORWALK
CONSERVATION COMMISSION/INLAND WETLAND AGENCY
MARCH 26, 2024**

PRESENT: Steve Klocke, Chair; Cheryl Brown; Heather Breslin; Kathryn Knight; Matt Pentz
(left the meeting at 6:45 pm)

STAFF: Alexis Cherichetti

OTHERS: Marc DeBeradinis; Mike Pasquarella; Andy Soumelidis; Brian Carey;

I. CALL TO ORDER

Mr. Klocke called the meeting to order at 6:01 p.m. It should be noted that this meeting was held on Zoom.com with all participants calling in, separately. Mr. Klocke said that Mr. Pentz would have to leave the meeting early. Ms. Cherichetti said that they would still have a quorum. If a commissioner had not been at a previous meeting, and could not vote, they could abstain.

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

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

Ms. Cherichetti began the presentation by orienting the commissioners as to the location of the property on an aerial map. The property had been subdivided and a house demolished. She showed them the watercourse, pond and wetlands on the property. There is a silt fence on the property as well. She showed them where the proposed house would be constructed. She asked the applicant to send her a pdf of the application prior to the next meeting to which he said he would be able to do that.

Marc DeBeradinis said that they had built the other homes that are already on the other lots. There would be a boulder demarcation. Mr. Klocke noted that they would still need more information. Mr. DeBeradinis said he had received a checklist from Ms. Cherichetti.

V. DISCUSSION &/OR DECISION

a) #S23-631 – 207 West Rocks Road – O'Connor – Corrective Action landscaping in and adjacent to a wetland and a watercourse

Ms. Cherichetti began the presentation by explaining that the applicant had not remitted the filing fee so that they could not render a decision at the previous meeting. This had been completed. The commissioners had received the staff memo, dated March 6, 2024, which included a resolution with conditions. There was a change to one of the conditions.

***** MR. KLOCKE MADE A MOTION TO APPROVE THE RESOLUTION AS SET FORTH IN THE STAFF MEMO DATED MARCH 6, 2024, AS CONDITION #5 IS REVISED FOR APPLICATION #S23-631 – 207 WEST ROCKS ROAD.**

***** MS. BRESLIN SECONDED THE MOTION.**

***** STEVE KLOCKE; CHERYL BROWN; HEATHER BRESLIN; KATHRYN KNIGHT; MATT PENTZ APPROVED.**

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

***** KATHRYN KNIGHT ABSTAINED.**

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

Ms. Cherichetti began the presentation by explaining what they had discussed at the previous meeting. She noted that there is missing information including the delineated line for the wetlands. Mr. Pasquarella explained that the excavator did not think they would succeed in finding the delineated line for the wetlands. He also explained that the area is very rocky and that might be why they may not find it.

Mr. Klocke asked Mr. Pasquarella for an extension since he would need more time to get this matter resolved. He said that since the fill had been put in, there should be a way to dig into it. Ms. Cherichetti said that she would also email Jay Fein, the soil scientist. She also recommended that Mr. Pasquarella hire a surveyor. She would include Mr. Pasquarella on her emails to Mr. Fein.

Mr. Pasquarella granted the commission an extension of 65 days since there are deadlines that they must meet. There was a discussion of the type of survey that the commission would need to review.

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

Ms. Cherichetti said that there are no updates except that the applicant has hired an engineer, who is developing a site plan and doing drainage calculations. This item did not need an extension.

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

Ms. Cherichetti explained that it is a 3 lot subdivision that is planned.

Andy Soumelidis, the engineer on the project, began by introducing other project members. He then showed them the site plan which included the changes to the plan. He showed them an additional access driveway. The lots would convert from septic to sewer and water. He also noted that an alternative would be a private road and create a cul de sac. They updated their plan sheets accordingly.

Ms. Cherichetti noted changes in the updated zoning regulations, including that garages are no longer allowed at the front of the building. There was a discussion about the setbacks which Mr. Soumelidis noted were not based upon the new zoning regulations. All the lots would have sewer connections. He explained how the subdivisions could change.

At this point, Mr. Pentz left the meeting.

Brian Carey continued the presentation by noting that the applicant could build an apartment building but would not be doing so. Mr. Soumelidis explained how the lots could be reconfigured so they would not be near the wetlands and watercourses. Ms. Knight was concerned that after the lot was subdivided each lot would go through a separate application process since there would have to be a buffer zone to protect the wetlands.

There was a review of the proposed subdivision map. Mr. Soumelidis then discussed the building area in lot 3. He noted that the plans showed a larger house but someone could build a smaller one. He also said that the developer would probably build a smaller house. Ms. Knight was concerned about the encroachment on the wetlands, since they are substantive on each lot.

There was a discussion about the landscaping plan which Mr. Soumelidis said that they could make a part of the subdivision application. Mr. Carey said that they minimized the number of trees to be removed as part of the subdivision application. The current site has been disturbed either from past site work or storm damage.

There was a discussion of the next steps for this application. There would be a public hearing for the subdivision application. There was also a discussion about whether this could be a two lot proposal. There was a concern about the buffer zone for future projects. The commissioners asked for the applicant to come back in April with a 2 lot plan, so no public hearing was scheduled at this time.

VI. APPROVAL OF MINUTES

a) March 12, 2024 meeting minutes

***** MS. BRESLIN MADE A MOTION TO APPROVE THE MINUTES OF MARCH 12, 2024.**

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

***** STEVE KLOCKE; HEATHER BRESLIN; CHERYL BROWN APPROVED.**

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

***** KATHRYN KNIGHT ABSTAINED.**

VII. CONSERVATION INITIATIVES

Mr. Klocke suggested discussing the 100 foot upland review area. Ms. Cherichetti said that she had emailed them information. There was a discussion about the upland review area and the impacts to the wetlands and a watercourse. Ms. Cherichetti said that the commission had to decide where they would be comfortable with negligible impact. She then read an email from Amelia Williams to the commissioners. There was a discussion about the zoning regulations to protect watercourses. Ms. Knight thought it would be beneficial to add in more buffers to minimize pollutants getting to the watercourses and was in support of the 100 foot upland review area. There was a further discussion about whether it should be 50 feet or 100. There was also a discussion about the proactive applications vs. the corrective actions brought before the commission. There was no upland review area in Norwalk until 2005. There was a discussion about possible benefits. Ms. Cherichetti reminded them that they are not seeing the minor permits. Ms. Breslin said that she could support the 100 foot upland review area. There was a discussion about forestation numbers in Norwalk.

There was a discussion of the next steps which included the commission making an application for the regulation amendment. A public hearing would have to be scheduled and notices sent to the appropriate agencies.

***** MS. KNIGHT MADE A MOTION TO DIRECT STAFF TO PREPARE A FORMAL TEXT AMENDMENT APPLICATION.**

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

***** STEVE KLOCKE; CHERYL BROWN; HEATHER BRESLIN; KATHRYN KNIGHT; APPROVED.**

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

VIII. COMMENTS OF STAFF

a) Report of the Senior Environmental Officer

There was no report from Ms. Cherichetti.

IX. COMMENTS OF COMMISSIONERS

a) Report of the Commission Chair

Ms. Knight discussed the impacts of fertilizers, etc. going into the wetlands and whether there could be zoning regulations for this. Ms. Cherichetti said that the city had an ordinance on pesticide use on public lands but not on private property. However, the revised zoning regulations have limits on things such as clearing of a property, etc. but the use of pesticides is not addressed.

Mr. Klocke and Ms. Breslin said they would sign up for the basic training webinars. Ms. Cherichetti said that she would send them the link.

X. ADJOURNMENT

***** MS. BRESLIN MADE A MOTION TO ADJOURN.**
***** MS. BROWN SECONDED THE MOTION.**
***** MOTION PASSED UNANIMOUSLY.**

Meeting adjourned at 7:46 pm.

Respectfully submitted,

Diana Palmentiero