

**CITY OF NORWALK
CONSERVATION COMMISSION/INLAND WETLAND AGENCY
MARCH 12, 2024**

PRESENT: Steve Klocke, Chair; Cheryl Brown; Heather Breslin; Ed Holowinko (arrived after roll call); Amy Richardson (left the meeting early)

STAFF: Alexis Cherichetti

OTHERS: Les Carter; Mike Pasquarella; Atty Liz Suchy; Matt Bruton

I. CALL TO ORDER

Mr. Klocke called the meeting to order at 6:02 p.m. It should be noted that this meeting was held on Zoom.com with all participants calling in, separately. Mr. Klocke said that Ms. Richardson may leave the meeting since she was not feeling well.

II. ROLL CALL

Ms. Cherichetti called the roll.

III. PUBLIC COMMENT

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

IV. 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 asked that this be tabled since the applicant was not at the meeting, nor had paid the application fee. It was tabled until the next meeting.

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

Ms. Cherichetti said that the property owner asked if this could be moved to later in the meeting.

***** MR. KLOCKE MADE A MOTION TO AMEND THE AGENDA BY MOVING THIS APPLICATION, #S24-632, TO THE END OF THE DISCUSSION &/OR DECISION PART OF THE AGENDA.**

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

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***** STEVE KLOCKE; CHERYL BROWN; ED HOLOWINKO; HEATHER BRESLIN; AMY RICHARDSON APPROVED.**

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

***** NO ONE ABSTAINED.**

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

Ms. Cherichetti said that the commission had received this at the previous meeting. They are still awaiting a site plan that shows the location of the dry wells and the drainage system. She then showed them a sketch that she had received from Les Carter earlier in the day.

Les Carter said that the drawing had been done by his construction guy. He then noted that when they purchased the property there was one drywell. They put in another drywell and explained why he did it. Ms. Cherichetti noted that she had sent him some base maps. Mr. Carter said that he would have his wife re-do the map. Mr. Klocke said that they would prefer something drawn by a civil engineer and would confirm that there were no problems on the property. Ms. Cherichetti explained to Mr. Carter exactly what the commissioners would need to see on the map. Mr. Klocke confirmed that it would be best for Mr. Carter to hire an engineering firm. Mr. Carter then had questions about runoff from his neighbor's house which Ms. Cherichetti addressed.

Although Mike Pasquarella was on the Zoom call, he said he would still yield to other applicants.

d) #S24-634 – 10 Norden Place – Norwalk Center LLC – Three lot subdivision of land containing a wetland and a watercourse

Ms. Cherichetti said that the commission had received this at the previous meeting and gave a brief overview of the application. None of the commissioners had any questions or comments about this draft resolution.

***** MR. KLOCKE MADE A MOTION TO APPROVE THE STAFF MEMO AS WRITTEN DATED MARCH 7, 2024 FOR APPLICATION #S24-634, – 10 NORDEN PLACE.**

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

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

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

***** AMY RICHARDSON ABSTAINED.**

Atty Liz Suchy thanked the commissioners for their time.

e) #S24-635 – 280 Main Avenue – Main Norwalk LLC – Construction of commercial retail buildings and associated parking adjacent to a watercourse

Ms. Cherichetti said that the commission had received this at the previous meeting and gave a brief overview of the application. She said that the revision of the landscaping plan was submitted. She said that there was a draft resolution in the staff memo. The commissioners reviewed the revised landscaping plan.

Matt Bruton, the engineer on the project, said that any substitutions of plants should be approved by the landscape architect. Ms. Brown said the trees on the landscaping plan were native.

The commissioners reviewed the staff memo, dated March 8, 2024, and had no objections.

***** MR. KLOCKE MADE A MOTION TO APPROVE THE STAFF MEMO AS WRITTEN DATED MARCH 8, 2024 FOR APPLICATION #S24-635 – 280 MAIN AVENUE.**

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

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

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

***** AMY RICHARDSON ABSTAINED.**

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

Ms. Cherichetti said that this had been received at the previous meeting but that it would be tabled to the next one. She gave a brief overview of the application.

At this point, the commissioners began a review of #S24-632 – 35 Weatherbell Drive – Pasquarella – Corrective Action filling and grading in and adjacent to a wetland and a watercourse

Ms. Cherichetti said that it had first been received at a past commission meeting. She described the corrective action application and noted that a survey needed to be done for the site plan. Mr. Pasquarella had located the property deed while reviewing the property lines for the commissioners. He believed the property had been subdivided and said that the house had been built in 1966. He said that he is proposing mountain laurels.

There was a discussion about the soil report from 2023, indicating that wetlands soil was detected. However, there isn't an engineering drawing. The soil scientist had difficulty digging into the ground because of rock and tree roots. Ms. Cherichetti read the letter that she had sent to the soil scientist, Jay Fein. There was a discussion about how to find the edge. A land surveyor would have to verify the location of the flag as well as wetlands under the fill. A third party could also be hired to delineate the wetlands.

There was a discussion about what the corrective action would look like. Ms. Cherichetti said that they would need more information before they could decide. She suggested that the third party soil scientist could be the fastest way to a resolution of this matter. However, she also suggested that Mr. Pasquarella could have Mr. Fein return to the site while also hiring someone with an excavator.

Mr. Pasquarella noted that he understood that there were no wetlands on the deed. However, Ms. Cherichetti reminded him that it didn't mean they weren't there. There was a discussion about whether Mr. Pasquarella had received information about there being wetlands on the property before he bought the house from the Conservation Department. Ms. Cherichetti reminded him that he did know there were wetlands in the back half of the property and then filled them in. Mr. Pasquarella said that he had looked on several maps but could not find anything on them.

At this point, they discussed a timeline since there are deadlines to review the application. Ms. Cherichetti asked that Mr. Pasquarella get in touch with Mr. Fein as quickly as possible. She also said that they could extend timelines with Mr. Pasquarella's permission. She also suggested that Mr. Pasquarella reach out to a surveyor.

V. APPROVAL OF MINUTES

a) February 27, 2024 meeting minutes

***** MR. KLOCKE MADE A MOTION TO APPROVE THE MINUTES OF FEBRUARY 27, 2024.**

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

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

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

***** HEATHER BRESLIN ABSTAINED.**

VI. BOND RELEASE/REDUCTION REQUESTS

a) #S21-580 – 8 Leslie Lane – Kurche – Release of Bond (\$2,662) for the Corrective Action replanting of the wetland

Ms. Cherichetti gave a brief overview of the Corrective Action. She said that they had previously discussed this in November of 2023 but the commissioners did not approve the bond release. Some of the plants had not survived. She also read a letter from the owner into the record requesting the release of the bond. Ms. Cherichetti said that they could re-inspect in the spring. She discussed the options of what could be done with the bond. She also noted that the property owner was at the meeting but that it was up to the commission's discretion to allow her to speak. There was also a discussion about the planting plan.

Mr. Klocke made suggestions as to what could be done with the bond. Ms. Cherichetti recommended that they should table a decision on the release of the bond. Her department would reinspect in mid-May. She said that there was a process for using the bond. The commissioners said they would make further decisions in May. Ms. Cherichetti said that she would call Ms. Kurche the following week.

VII. CONSERVATION INITIATIVES

Ms. Cherichetti said that the commission would like to increase the upland review area to 100 feet. Other municipalities had as well. She said that there is a process for the proposed amendment. She said that she had suggested a few other changes to the regulations as well.

Ms. Cherichetti discussed the history of the regulations for the upland review area. Ms. Breslin asked for a comparison of revising the upland review area to 100 feet since many lots in Norwalk are small. She discussed the process of reviewing these applications in the office. The commissioners requested further information to help their review and propose an amendment.

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

. Mr. Klocke did not have a report.

X. ADJOURNMENT

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

Meeting adjourned at 7:37 pm.

Respectfully submitted,

Diana Palmentiero