

**CONSERVATION COMMISSION &
INLAND WETLAND AGENCY MINUTES
February 22, 2022**

I. CALL TO ORDER

Mr. Moeling called the meeting to order at 6:00 p.m.

II. ROLL CALL

Ms. Cherichetti took the roll call.

PRESENT: John Moeling; Steve Klocke, Vice Chair; Jennifer Balliett; Matt Pentz; Cheryl Brown and Ed Holowinko
Alexis Cherichetti and Amelia Williams, staff

III. PUBLIC COMMENT

There were none.

IV. RECEIPT & DISCUSSION

a) **#S22-589 – 464 West Cedar Street – Savelyeva** – Corrective Action associated with unpermitted installation of a stone wall and associated fill and grading in and adjacent to a wetland

Mr. Moeling stated that he had looked at the application materials submitted and he concluded the application is still quite incomplete.

Ms. Cherichetti noted the applicant did not appear to present. She noted the application is a corrective-action and she had provided to Agency members a copy of the preliminary review letter she had sent to the applicant.

***** MR. MOELING MADE A MOTION TO DENY THE APPLICATION BECAUSE ITS INCOMPLETE.**

***** MR. KLOCKE SECONDED THE MOTION.**

Mr. Klocke asked if there could be additional communication with the applicant regarding the materials needed.

Ms. Cherichetti stated she could reach out to the applicant again. She reviewed timelines for decision.

Ms. Balliett asked if the application filing fee, as referenced in Ms. Cherichetti's letter, had been paid.

Ms. Cherichetti stated the fee had not been paid and she had not received any communication from the applicant in response to the preliminary review letter.

Mr. Klocke asked about the process for resolution if the application was denied.

Mr. Moeling noted the property owner would then have failed to meet the directives of the Order.

Ms. Cherichetti stated that once all administrative means of resolving the violation have been exhausted, she would then seek assistance from the Law Department and they would file for a temporary injunction.

Mr. Moeling reaffirmed his motion and contented there is basically no application to even consider because it is so incomplete.

***** MOTION TO DENY APPLICATION PASSED WITH 4 IN FAVOR AND 2 IN OPPOSITION (KLOCKE AND BROWN).**

- b) **#S22-590 – 467 Connecticut Avenue – Chick-Fil-A** – Reconfiguration of drive-thru and parking area, with associated grading, adjacent to wetlands and watercourse

Mr. Moeling asked the applicant to give a summary of the proposal.

Elizabeth Suchy, attorney with Carmody, Torrance, Sandak & Hennessey LP, stated she represented the applicant. She noted Dan Pederson from Bohler Engineering was present, Chad Baker, of Chick-Fil-A, and Tony DiSanza. She described the property and the existing conditions of the site. She reviewed the permit approvals and the operation of the restaurant. She described the existing circulation of vehicles, the stormwater drainage management, and the wetland/watercourse resources. She provided a brief overview of the proposed site changes.

Dan Pederson, civil engineer, displayed the site plan and described all activities proposed. He described the existing drive-thru circulation. He focused on the proposed landscaping plan, as amended by the comments by Ms. Cherichetti. He described the new proposed rain garden and the activities in the southern portion of the property. He noted the total impervious surface area had been reduced within the upland review area.

Mr. Moeling asked for clarification on a stippled area on the plan. It was explained it represented the impervious area that would be removed.

Mr. Klocke suggested the replacement of the sod proposed adjacent to Keeler's Brook with meadow mix. He asked about the proposed renovation of the southernmost rain garden.

Mr. Pederson stated seed mix could be extended and explained the rain garden is functioning fine currently, but would be disturbed during the proposed activities. There was further discussion of the stormwater management system.

Ms. Brown asked about the proposed plants and asked for a planting schedule.

Mr. Pederson confirmed the plans would be updated prior to the next meeting, the current plans were done as a preliminary design in reaction to Ms. Cherichetti's comments.

Ms. Cherichetti confirmed the items the applicant should provide prior to the next meeting.

- c) **#S22-591 – 14 Appletree Lane – Grumman Engineering** – Construction of a new residence, with associated grading and stormwater management, adjacent to a wetland and watercourse

Dean Martin, Grumman Engineering, was in attendance.

He displayed the site plan, while describing the location of the property, its current condition and the location of wetlands and watercourses. He described the proposed five-bedroom residence, the on-site septic system, and the stormwater management. He noted the location of closest activity to the wetland, which would be 22 feet, associated with installation of the outlet for the footing drains.

Mr. Moeling asked about the extent of the wetland area, including beyond the subject property. Ms. Cherichetti displayed an aerial photo of the property and the surrounding area. She described the wetland system, noting the wetlands would be headwater wetlands that transition to riparian wetlands. To the immediate south of the property there is a red maple swamp. She noted the watercourse was a tributary of the Silvermine River. She noted the proposal was being reviewed currently for compliance with the City's stormwater standards.

Mr. Klocke inquired about the activities shown in grey on the site plan. Ms. Cherichetti noted those are notes from the base map, which was an earlier survey.

Mr. Klocke asked about the removal of two trees beyond the limit of disturbance. Mr. Martin noted one was dead and the other was not healthy. There is no arborist report.

Mr. Pentz asked if the lot was previously developed with a house. Mr. Martin confirmed it was not, but was split from the adjoining lot.

Mr. Klocke confirmed the proposal does not include a pool and noted the 'future pool' depicted on the site plan would not be part of any potential approval of the pending permit.

Ms. Cherichetti asked to have the footing drain moved further from the large tree in the upland review area.

Mr. Martin described previous site designs.

Ms. Balliett suggested the applicant propose a replacement of the trees. Mr. Moeling and Mr. Pentz concurred with the suggestion.

V. DISCUSSION &/OR DECISION

- a) **#S21-587 – One Manresa Island Ave. – Norwalk Power LLC** – Excavation, grading, filling and planting associated with sediment remediation activities in inland wetlands

Ms. Cherichetti noted the public hearing on the application had opened and closed during the previous meeting.

Mr. Moeling noted they could move on to discuss and review the draft resolution Ms. Cherichetti had included in her memorandum.

Mr. Moeling asked about the conclusion of the planting season referenced in the draft conditions. Ms. Cherichetti noted that was for any given calendar year, so it would depend on the start date of the work.

There was discussion regarding the field inspection of the site during activity and after planting.

***** MR. MOELING MADE A MOTION TO APPROVE THE APPLICATION WITH THE ADOPTION OF THE RESOLUTION IN MS. CHERICHETTI'S MEMORANDUM.**

***** MR. KLOCKE SECONDED THE MOTION.**

***** MOTION PASSED UNANIMOUSLY.**

VI. MEETING MINUTES

***** MS. BROWN MADE A MOTION TO ACCEPT THE MINUTES OF THE JANUARY 25, 2022 MEETING.**

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

***** MOTION PASSED UNANIMOUSLY.**

V. ELECTION OF OFFICERS

There was discussion regarding the officers and the timing of the next election in July.

***** MR. KLOCKE NOMINATED MR. MOELING AS CHAIR.**

***** MR. MOELING NOMINATED MR. KLOCKE AS VICE CHAIR.**

Mr. Moeling asked for any other nominations or discussion.

***** THE NOMINATIONS WERE UNANIMOUSLY AFFIRMED.**

VI. COMMENTS OF STAFF

- a) Report of the Senior Environmental Officer

Ms. Cherichetti noted CT DEEP has re-instated their Commissioner training program.

VII. COMMENTS OF COMMISSIONERS

- a) Report of the Commission Chair

Mr. Moeling indicated he had spoken to former Commissioners Keegan and Shanahan about filling Commission vacancies. He noted Matt Merluzzi was on the Council agenda tonight for appointment to the Conservation Commission.

VIII. ADJOURNMENT

***** MS. BALLIETT MADE A MOTION TO ADJOURN.**

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

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

Meeting adjourned at 7:01PM.