

CITY OF NORWALK
CONSERVATION COMMISSION/INLAND WETLAND AGENCY
January 24, 2023

PRESENT: Steve Klocke, Chair; John Moeling; Cheryl Brown; Matt Pentz (left at 7:10 pm); Kathryn Knight arrived after the roll call)

STAFF: Alexis Cherichetti

OTHERS: Mr. Suarez; Brian Carey; Kristen DeLeo; Larry Stewart;

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.

II. ROLL CALL

Ms. Cherichetti called the roll.

III. MISSION STATEMENT

Mr. Klocke said that they were seated to uphold Connecticut State statutes with regards to inlands/wetlands and watercourses. All of the commissioners are volunteers. They try to be as fair as possible.

IV. PUBLIC COMMENT

No members of the public made a comment.

V. RECEIPT & DISCUSSION

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

Ms. Cherichetti noted that she had issued a notice of violation late last year. It was noticed that there had been some landscaping near the watercourse on the property. The respondent has been working on resolving the issues. She then showed them the site plan which showed the watercourse which had been delineated.

Mr. Suarez gave them a quick synopsis of the work proposed as well as a report of it. He said they would remove invasive plants and plant some native ones. He discussed the types of plantings as well.

Conservation Commission

January 24, 2022
Page 1 of 5

Ms. Cherichetti then shared several photos from Google Earth of the property, south of the driveway, which showed what had previously had. She then showed pictures of what it looks like today. There was a discussion about the number and size of the trees that had been removed. Mr. Suarez said it was about 6 trees.

There was a discussion about what would happen at the next meeting. Mr. Klocke said that he would like the applicant to replicate what had previously been there. Ms. Knight said she would also like to see trees planted. Ms. Cherichetti asked Mr. Suarez to call her to discuss the size of the trees.

Mr. Moeling noted that the commission should have been consulted before removing trees, even if they were diseased. He also had concerns about using pesticides on the invasive species. He said that they would read the report and discuss it at their next meeting. Mr. Suarez said that the report had been prepared by a biologist. Ms. Brown said she would like the shrubs to be native and not boxwoods.

b) #S23-614 – 31 Orchard Hill Road – LandTech – Installation of an in-ground pool requiring a reserve septic system (B-100a) adjacent to a wetland and a watercourse

Ms. Cherichetti said that the proposed pool is upland of the wetland and outside of it. She explained the regulations about the septic and the reserve septic system. There was a discussion about whether the 10 year rule would apply if the commissioners did not approve this application. There was a concern that there were no other locations for the septic.

Brian Carey, an environmental scientist at LandTech, continued the presentation. He said that there may be another area on the property for the septic tank, if necessary. The town line goes through the existing house and a notice has gone to the Town of Westport. The only wetlands are off site. He showed them a site plan which showed a small brook. He explained why the septic would not be in a proposed area. The current septic is fairly new and they don't expect it to be replaced.

c) #S23-615 – 9 Princes Pine Road – DeLeo – Corrective Action landscaping in and adjacent to a wetland and a watercourse

Ms. Cherichetti said that the owners had appeared before the commission in October. They had done some landscaping in the backyard. The DeLeos has now submitted an application. She then showed them a report as well as an overview map of the property. She also showed them a landscape plan. They would also like to remove a tree.

Ms. DeLeo said that they had planted some of it already. There were other trees that were not on the plan. She said that a tree service had recommended that one tree be removed because it was hazardous to their home.

There was a discussion about the plantings that had been done. Ms. Cherichetti said that it was different from what was there before. Ms. DeLeo described what the property looked like before which was full of garbage, etc. when they first bought the property. In fact, they had received a notice from the city to remove the blight. To get it out, they had to remove the woodlands. She said they would like to keep the woodlands and noted that it was growing back. There was a discussion about the butterfly bushes which Ms. DeLeo said she had found in the Guide to Native Wetland Planting. She had used it to determine what plantings to plant. She believed she saw nature coming back to her backyard.

There was a discussion about some construction and the removal of a deck since it is within the upland area. Ms. Cherichetti said that it should be mentioned in their application so it would be on their permit. There was also a discussion about a tree that would be removed. Ms. DeLeo said that they had noticed that their neighbor's yards had no trees. However, they were fine with having trees.

There was a discussion about the next steps for the DeLeos.

***** MR. PENTZ LEFT THE MEETING AT 7:10PM.**

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

Ms. Cherichetti began the presentation by noting that there had been a Show Cause Order.

Larry Stewart continued by explaining what had been done which included excavation to reroute the pipe downstream. There were downed trees and vegetation overgrowth along the watercourse. There was a discussion about the plans that were submitted.

There was a discussion about the narrative in the application. There was a discussion about the existing pipe. Ms. Cherichetti said that the commissioners would like to see a more robust planting plan and how the embankment would be stabilized. There was also a discussion about interior flooding, which Mr. Stewart said it was from hurricanes and has been happening for a few years. It has been happening more frequently. The commissioners said that Mr. Stewart would need an engineer to look at the problem and report back to the commission.

VI. ENFORCEMENT ACTIONS

a) #V23-1042 – 16 Fireside Court – Giapoutzis – Show-Cause Hearing - Cease & Restore Order following unpermitted landscaping in and adjacent to a wetland and a watercourse

Ms. Cherichetti explained how a Show Cause Hearing worked. She also explained the timeline and read the order into the record. She then discussed what needed to be done in the Corrective Action. She showed them a map and the two watercourses on the property. She showed them photos of the current situation. Ms. Cherichetti said that the Show-Cause had been issued so that the owner could speak with the commissioners.

Ms. Knight had questions about some of the activities in the photos. Mr. Giapoutzis said that small machinery said that the previous owner had used an area to dump old Christmas trees, and other natural trimmings. He then used a small excavator to remove these trimmings. He also showed them pictures that he had taken earlier in the morning.

***** MR. MOELING MADE A MOTION TO UPHOLD THE CEASE AND RESTORE ORDER, #V23-1042 – 16 Fireside Court.**

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

Mr. Klocke asked for a clarification.

***** MOTION PASSED UNANIMOUSLY.**

There was a discussion about the next steps for the Giapoutzis property. They will have to get a permit after the fact. Ms. Cherichetti said that they would have to speak with their neighbor about a tarp on the property. The soil on the tarp would be used in the spring to help them grow grass. She said that they would need to get the neighbor's permission to have the tarp on his property. They would also have to determine how much wetlands that they have on their property. She said she could meet with them next week.

VII. APPROVAL OF MINUTES

a) January 10, 2023 meeting minutes

***** MR. MOELING MADE A MOTION TO ACCEPT THE MINUTES OF JANUARY 10, 2023.**

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

***** MOTION PASSED, 3-0.**

***** MS. BROWN ABSTAINED.**

VIII. CONSERVATION INITIATIVES

Mr. Klocke said that he would like to send a letter to property owners who have wetlands on their property. Ms. Cherichetti said she could speak with the city's Communication Director. Mr. Klocke said that she could put together the list of people and how to send it out. There was a discussion about the cost of the mailing.

IX. COMMENTS OF STAFF

a) Report of the Senior Environmental Officer

There were no comments from Ms. Cherichetti.

XI. COMMENTS OF COMMISSIONERS

a) Report of the Commission Chair

There were no comments.

XII. ADJOURNMENT

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

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

***** MOTION PASSED UNANIMOUSLY.**

Meeting adjourned at 8:03 PM.

Respectfully submitted,

Diana Palmentiero