

**NORWALK CONSERVATION COMMISSION MINUTES**

**Special Meeting - April 29, 2004**

ATTENDANCE: Karen DeStefanis, Acting Chairwoman; ; Andrew Kydes; Anne Cagnina; Marny Smith; Ed Holowinko; Seeley Hubbard; Jane Corcillo

STAFF: Alexis Cherichetti, Senior Environmental Officer

OTHER: Robert Kovach

Ms. DeStefanis called the meeting to order at 4:05 p.m. Ms. Cherichetti called the roll.

Show-cause Hearing

a) #V04-731 – 10 Peaceful Lane – Removal of vegetation, filling, grading, and installation of drainage pipe in and adjacent to a wetland and watercourse

Ms. Cherichetti explained that she had come across this violation at the end of the preceding week. At the time of initial inspection, it appeared that the nature of the violation was very severe. However, after speaking with the current resident of the property, she believes that while a significant violation certainly occurred, it may not be as severe as she had first thought.

Ms. Cherichetti continued with a description of the area and the site in question. The property abutting to the north has a standing water swamp in the rear yard. Upon inspection of 10 Peaceful Lane, there were contractors with heavy machinery installing a drainage 12" diameter pipe along the eastern property line and there was evidence of recent cutting of trees and deposition of fill. She distributed photographs of the site taken on the day of her initial inspection. She explained that the City's topographic maps from 1978 indicate that there was an open watercourse and adjacent wooded area on the property. However aerial photos from 1995 indicate that some time before 1995 there had been some clearing, deposition and construction of a shed in the area. She also explained that the property was depicted as being underlain by wetland soils on the statewide map of wetland soils.

Mr. Robert Kovach introduced himself as the primary resident of the property. He explained that he was just trying to remedy an erosion problem that he believes has been affecting the property since 1993. Mr. Kovach showed photographs of the rear yard from 1996 that indicate that the rear yard was an established lawn at that point. He stated that there was an open ditch at the rear of the property that conveyed stormwater. He said that he dug up this area in December 2003 and found old corrugated pipe. At that point, he said, he had 20-inch pipe installed in this area. At that time, he said that some trees adjacent to the house were removed and fill was deposited to "bring the yard back to its original level".

There was continued discussion between commissioners and Mr. Kovach regarding the events that precipitated Mr. Kovach's recent actions.

\*\* MR. KYDES MOVED TO CLOSE THE 'SHOW-CAUSE' HEARING.

\*\* MS. CORCILLO SECONDED.

\*\* MOTION PASSED UNANIMOUSLY.

The commissioners discussed the necessity to have the wetland line delineated. There was discussion regarding each of the directives in the Cease and Desist Order.

\*\* MS. CORCILLO MOVED TO UPHOLD THE ORDER WITH THE STATED DIRECTIVES.

\*\* MR. KYDES SECONDED.

\*\* MOTION PASSED UNANIMOUSLY.

#### ADJOURNMENT

\*\* MR. KYDES MOVED TO ADJOURN THE MEETING.

\*\* MR. HOLOWINKO SECONDED.

\*\* MOTION PASSED UNANIMOUSLY.

The meeting adjourned at 5:10 p.m.

Respectfully submitted,

Alexis Cherichetti

