

**A Public Hearing regarding trees posted for removal at 11 Pine Point Road and 1 Roton Avenue in Rowayton, CT.**

**June 21, 2018**

Meeting Official: Chris Torre, Superintendent of Operations, Department of Public Works / Tree Warden

Recording Secretary: Dilene Byrd, Administrative Assistant, Department of Public Works

Also Present: Bruce Chimento , DPW Director; Paul Sotnik, DPW; Richard Whitehead, Chairman of the Norwalk Tree Advisory Committee; Michael Barbis, 6<sup>th</sup> Taxing District; John Igneri, Common Council member

Chris Torre started the meeting at 6:00 p.m. stating that the trees that were posted on 11 Pine Point Road and 1 Roton Avenue are for two separate projects but the trees were all posted on June 4, 2018. He said this hearing is not a debate and is a way for the attendees to speak to him as to why the trees should or shouldn't be removed, and that he has received letters supporting both. He said there are two issues and that one is the pending sidewalk at Bailey Beach (11 Pine Point Road) and the trees will need to be removed to support that project, and the other is the damn project at 1 Roton Avenue. He opened the floor for comments and said that he will take comments regarding the 1 Roton Avenue first and once everyone who wishes to comment has done so he will open the floor to any comments regarding 11 Pine Point Road.

Mr. Chimento said that the DEEP has determined that the damn at 1 Roton Avenue is in need of repair and since then DPW has taken steps to have had a consultant develop a recommendation to for the damn and make it more accessible. He said that in the regulations for the State of Connecticut state that brush and tree growth shall be cleared from the embankment within 25' of the downstream tow and abutment bank and the damn owner shall be required to maintain the structure and adjacent area free of brush and tree growth. The State is requesting that the necessary repairs to the damn as designed and as approved by them and if the work is not done the damn will go away as well as the pond.

Priscilla Feral- 5 McKinley Street

Ms. Feral stated that she does not know if the damn project requires the absence of trees but she would be sorry to see that happen.

Kathryn Sellschop- 5 Yarmouth Road, Rowayton, CT.

Ms. Sellschop stated that she has requested a copy of the report from DPW to try to get more information as to what sparked the interest in the damn because on the DEEP website it is listed as a low hazard damn and she doesn't understand how fixing a low hazard damn and spending public funds fits in with the overall process. She said as the sea levels rise and if the trees are removed she is not sure

how that will impact on the Farm Creek wetlands. She said that she would like to know what the environmental impact is and what studies have been done in terms of how it relates to the coastal wetlands, and for amphibians that is the only section of forest in that pond and they are very reliant of forest for them to be able to survive and thrive and that environmentally this project should not take place and there should not be a damn there.

Richard Sellschop- 5 Yarmouth Road, Rowayton, CT.

Mr. Sellschop said he objects to the removal of the trees and he requested a copy of the report that was done. He said that he would like to see options other than the removal of the trees and he would also like an environmental assessment given the sensitivity of the area. He said there are many trees in the area and removing the trees will have a detrimental effect on a number of things and we need wetlands to be absorbing the floods. He also said by removing the trees it will reduce the average value of our homes, and there is a special sense when you drive into Rowayton and feel the wooded environment and we chose to live in Rowayton and spend more money to buy a house there and more money on taxes because of the beauty.

Rick Pank- 35 Burchard Lane, Rowayton, CT.

Mr. Pank said he is generally in favor of reinforcing the damn and the trees that are posted for removal are pretty far from the so he is confused as to why the small number of trees has been pinpointed. He said there has been a lot of controversy regarding upstream damn far beyond the pond which feed into the pond and he has heard nothing about the impacts of that.

Caryn Bienstock 1 Crockett Street, Rowayton, CT.

Ms. Bienstock stated it is part of an estuary echo system that needs a further research.

Jillian Demmerle -24 Tuthill Avenue, Rowayton, CT.

Ms. Demmerle stated that she would like to see the environmental impact study of the damn.

Mary Finnegan- 10 Farm Creek Road, Rowayton, CT.

Ms. Finnegan stated that she would like to see the environmental impact study and need to see more information.

Susan Hardesty- 24 Tuthill Avenue, Rowayton, CT.

Ms. Hardesty stated that more has to be considered and there are a lot of trees posted for removal.

Jeanette Pertz- 12 Westmere Road, Rowayton, CT.

Ms. Pertz stated that she would like to see the environmental impact study.

Mr. Rob Frazier- 158 Highland Avenue, Rowayton, CT.

Mr. Frazier asked if any efforts will be made to improve the water as a part of the project such as installing irritators. Mr. Chimento said "no". Mr. Frazier said that the pond has gotten very shallow and it may be better not to have a damn at all. Mr. Sotnik said that the downstream impacts would need to be looked at.

Mr. Igneri asked if the trees are removed if any planting will be done. Mr. Torre said "no" and it would have been his preference to plant some shrubbery and that he had spoken to Mr. Chimento and the DEEP had stated to him that could not be done as part of the regulation.

Mr. Torre opened the floor to Mr. Barbis to provide an overview of the project and said that it is at his discretion if the trees are removed but that it is not at his discretion if the project does or doesn't move forward.

Mr. Barbis distributed copies of the survey that was done for the proposed Bayley Beach project and said and that the project was initially discussed at the 6th Taxing District commissions meeting on June 21, 2017. He said that they have spent a lot of time with the Norwalk Police Department and the DOT fighting for traffic enforcement, and speed bumps are not an option and that according to traffic engineers stop signs are not used for a means for traffic calming. He said that the intersection between Pint Point Road and the drive to Roton Point and Bayley Beach is dangerous and cars enter too quickly and the sightlines are poor, and part of the project is to fix the intersection and to provide a place for pedestrians by installing a sidewalk along the Sixth Taxing Districts property on Pine Point Road and carry that sidewalk down the drive to the entrance of Bayley and Roton Point. Ideally the sidewalk would be wide enough for at least one and hopefully two strollers, and to improve the intersection at the entrance to Bayley Beach to better manage traffic and safety. He said that the cost of the sidewalk is approximately \$60,000 and that the trees were identified and that were posted and that 10 of them have a caliper of a diameter of 12" or more and the rest are less than that. He said that a couple of the trees are dead and they had an arborist looked at the trees as well as three different tree companies look at the work and all of the trees are showing signs of weakness and will need work. He said they are finishing the community center and that there was some money left over and thought they would start the beginnings of this project this year, and they have begun the clean up and would like to remove the trees from where the sidewalk would go. He said that he knows that most of the people that attended the meeting have made the effort because they are opposed but that he has received a lot of popular support and would like to see the sidewalk. Mr. Torre asked if the project is funded now because he does have an issue with removing 25 trees for a project that is slated for over a year away. He said that he has spoken with Mr. Sotnik and there is a concept plan that has been submitted to DPW but not a permit or design plan which is required to install the sidewalk, and he thinks a permit should be applied for to install the sidewalks prior to removing the trees. Mr. Barbis said they have not yet filed for the permit because the plan has not yet been finalized and only the initial part of the project is currently funded in this fiscal year. Mr. Igneri asked for the trees that are posted now how soon would the trees need to be removed. Mr. Torre said after three days he will render his decision whether the trees can be

removed and do not ever have to be posted again and the trees can be removed at anytime. Mr. Torre said that he has received letters in support of installing the sidewalk for safety and that the police department has agreed for safety as well as the state DOT and he appreciates their effort in making Rowayton a safer community.

Mr. Torre opened the floor for comments regarding the tree removals at 11 Pine Point Road.

Priscilla Feral- 5 McKinley Street, Rowayton, CT.

Ms. Feral stated that she would have liked to know the cost of the sidewalk project ahead of time and the project does not make sense to her. She has lived in Rowayton for over 40 years and she walks every night and that the roads and sidewalks tend to be problematic, but she does not see the justification for removing the trees for the purpose of creating a sidewalk that she feels is unneeded. She said that trees are important for our health and she has seen too many of them disappear in 40 years and a costly project that eliminates dozens of trees for the purpose of a sidewalk that appears to go nowhere isn't appealing to her and she does not want to absorb the cost of this project.

Jason O'Donnell- 26 Cardinal Lane, Wilton, CT.

Mr. O'Donnell stated that he is in favor of the sidewalk.

Ed Carlson- 23 Bryan Road, Rowayton, CT.

Mr. Carlson stated that he is in favor of the sidewalk.

Angela Fairchild, 5 Yarmouth Rd, Rowayton, CT.

Ms. Fairchild stated that she would like the trees to stay because there is much more value environmentally. She suggested there be a path installed within the trees.

Richard Sellschop, 5 Farm Creek Road, Rowayton, CT,

Mr. Sellschop stated that he is all for increasing traffic management however, he does not want the trees removed and that there are other options that can be looked at and addressing one stretch of road of approximately 100 yards long at the cost 37 trees is not the right thing to do.

Rick Pank, 33 Buchard Lane, Rowayton, CT.

Mr. Pank stated that he is very much in favor of the sidewalk for safety purposes and that he walks that walk everyday and there is a need for safety.

Kathryn Sellschop, 5 Farm Creek Road, Rowayton, CT.

Ms. Sellschop stated that she is opposed to removing the trees and there are other options and other safety considerations to think about. She said that it is a very important forest and is in a coastal environment and if the trees are removed and a section of the forest is clear cut that the trees that will be removed deal with storm runoff and trees that drink 4000 gallons of water a day which will cause a rise in the water table levels and that is significant because we are trying to protect things.

Caryn Bienstock, 1 Crockett Street, Rowayton, CT.

MS. Bienstock stated that the impact of a plan like this is not seen until you see the trees posted to see the visual of what the impact is with the amount of trees. She said that she walks everyday and that it is very unsafe but that is not the only place and the impact finically for a half of a block there is a bigger issue and she is concerned about the environment.

John Veres, 233 Rowayton Avenue, Rowayton, CT.

Mr. Veres stated that he fully supports anything that needs to be done to make the walkway at Bayley Beach safer.

Brian Mitchell, 9 Dibble Street, Rowayton, CT.

Mr. Mitchell stated that he is in support of keeping the trees but would like to think about the priorities regarding general safety.

Jillian Demmerle -24 Tuthill Avenue, Rowayton, CT.

Ms. Demmerle stated that she is in support of the trees and it is more of a traffic problem then a tree problem.

Kelly Ambrose- 7 Rowayton Avenue, Rowayton, CT.

Ms. Ambrose stated that she walks the road everyday and it is terrifying and she loves trees but if that is the right way to do it and there are no other options to give up some safe space and she is in favor of it.

Mary Finnegan, 10 Farm Creek Road, Rowayton, CT.

Ms. Finnegan stated that the small sidewalk will not do it and the issue is that people are driving too fast and suggested looking into installing pedestrian's lines or shifting the center lines because the roads are wide enough to do so.

Susan Hardesty, 24 Tuthill Avenue, Rowayton, CT.,

Ms. Hardesty suggested installing no parking signs and trying different alternatives before removing all of the trees.

Burton Shatz, 8 Hartstrom Place, Rowayton, CT.

Mr. Shatz stated that he has lived here for over 50 years and he is not aware of any accidents involving a pedestrian on that piece of road.

Ethelle Shatz, 8 Hartstrom place, Rowayton, CT.

Ms. Shatz stated when she thinks of all the trees that will be removed and all that is left is stumps and she has such an esthetic sense for trees and that it is important to save the trees. She said that there are many other things that need fixing and she does not think that stretch is a priority.

Michael Diamond- 11 Richmond, Rowayton, CT

Mr. Diamond stated that he is very sensitive to the heartfelt arguments and that he deeply loves trees but that he is in support of the project and safety is paramount and there is nothing beauty detracting by adding a sidewalk and there is enough trees and foliage behind the trees that will be removed. He also requested that the 6<sup>th</sup> Taxing District consider other proposals because there may be alternative options. He asked that if the 6<sup>th</sup> Taxing Districts application to remove the trees is denied if that is the final decision unless there is an appeal that was positive. Mr. Torre said "yes" that is correct. He suggested that the 6<sup>th</sup> Taxing District withdraw the application and re-apply when the project is fully funded.

Victoria Bennett, 4 Farm Creek Road, Rowayton, CT

Ms. Bennett stated that one Oak Tree supports 350 species at least and she is in support of alternative options event the option of taking the sidewalk through the trees so the canopy is not lost. She is not in favor of removing the trees.

Georgette Diamardis, 29 Ensign Road, Rowayton, CT.

Ms. Diamardis stated that she is support of the idea of the sidewalk thought the trees.

Rob Frazier, 158 Highland Avenue, Rowayton , CT.

Mr. Frazier said that he supports Mr. Diamonds comments regarding withdrawing the application and that there needs to be a review of what the priorities are and modify the plan.

Sarah Baisley, 14 Pine Point Road, Rowayton, CT.

Ms. Baisley said that she is also in support of Mr. Diamonds comments and added she is a landscape designer and her husband is a landscape architect and that they live with their five children directly across the street from the entrance to Bayley Beach and have lived there for 10 years and she witness's daily the traffic problem and she wants to communicate that it is profound and there is not a day that goes by between May 28<sup>th</sup> and September 5<sup>th</sup> that she does not hear screeching tires, honking horns and witness very scary near misses with toddlers, bikers, walkers and mothers with strollers. She said that she is in support of the 6<sup>th</sup> Taxing Districts efforts to improve the safety and wonders if there is a way to achieve the safety effect without cutting the trees but absent that she is in support of removing the trees to improve safety.

Mark Laibe, 22 Drum Road, Rowayton, CT.

Mr. Laibe stated that this is a good project and a worthwhile trade off and that he is in support of the project and the removal of trees.

Brad Smith, 35 Pine Point Road, Rowayton, CT.

Mr. Smith stated that he is strongly opposed to the sidewalk project but loves the idea of the pathway though the trees and that he would be happy to help with the labor.

The hearing was closed at 7:45PM.

Respectfully submitted,

Dilene Byrd, Administrative Assistant, Department of Public Works

