

**CONSERVATION COMMISSION &  
INLAND WETLAND AGENCY MINUTES  
October 13, 2020**

**I. CALL TO ORDER**

Ms. Destefanis called the meeting to order at 6:00 p.m. Ms. Destefanis would be acting Chair for this virtual meeting.

**II. ROLL CALL**

Ms. Cherichetti took the roll call.

**PRESENT:** Ed Holowinko, Chair; Karen Destefanis; John Moeling; Steve Klocke; Cheryl Brown; Matt Pentz  
Alexis Cherichetti, staff.

**III. RECEIPT & DISCUSSION**

a) **#S20-552 – 10 Holiday Drive - DeSimone** – Corrective Action restoration of a wetland, watercourse and upland review area

Ms. Cherichetti gave a brief overview of the corrective action proposal and the discussion at the previous meeting. She noted a staff report with a draft resolution was in the Commissioner's packets.

**\*\*\* MR. MOELING MADE A MOTION TO ADOPT THE RESOLUTION IN MS. CHERICHETTI'S MEMORANDUM AND APPROVE THE CORRECTIVE ACTION PROPOSAL WITH CONDITIONS.**

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

**\*\*\* MOTION PASSED UNANIMOUSLY.**

Ms. Destefanis explained the next steps to the applicant.

Mr. Desimone expressed concern regarding the lateness of the season in regard to seeding the area.

Ms. Cherichetti indicated she would call him the next day to discuss everything.

b) **#S20-553 – 12 Holiday Drive - Laughton** – Corrective Action restoration of a wetland, watercourse and upland review area

Ms. Destefanis observed there was not any new submittal from this applicant.

Ms. Cherichetti noted that Mr. Laughton was still working on revisions to his proposal following all of the comments regarding his proposal at the previous meeting. She indicated she had spoken to Mr. Laughton and thought it would be likely he would be prepared to return to the next meeting in late October.

**\*\*\* MS. DESTEFANIS MADE A MOTION TO SHUFFLE THE AGENDA AND SKIP THE PUBLIC HEARING UNTIL 7:00PM.**

**\*\*\* MR. MOELING SECONDED THE MOTION.**

**\*\*\* MOTION PASSED UNANIMOUSLY.**

**IV. DETERMINATION OF PERMIT NEED**

a) **40 Cross Street** – Proposed widening of existing footpath adjacent to the Norwalk River

Ms. Cherichetti noted that since putting the item on the agenda, it appears there will also be a revision of the legal instrument filed on the Land Records that would also need to come before the Commission. She noted there was an agreement drafted and adopted as part of the 1985 approval to construct the building on the site. The modification would allow a six-foot wide, an increase from four feet, paved walkway between the river and the existing parking lot.

## **V. APPROVAL OF MINUTES**

b) September 29, 2020 minutes

Ms. Destefanis and Mr. Moeling suggested some edits and corrections.

**\*\*\* MR. KLOCKE MADE A MOTION TO ACCEPT THE MINUTES WITH THE CORRECTIONS.**

**\*\*\* MR. PENTZ SECONDED THE MOTION.**

**\*\*\* MOTION PASSED UNANIMOUSLY.**

## **VI. PUBLIC COMMENTS**

There were none.

## **VII. COMMENTS OF STAFF**

Ms. Cherichetti gave a quick update on all of the enforcement actions she was currently working on.

## **VIII. COMMENTS OF COMMISSIONERS**

Mr. Klocke congratulated Ms. Cherichetti on the window that could be seen behind her in her office.

There was a discussion regarding filling Brenda Hrtanek's position.

Mr. Moeling asked what Commissioners could do to pitch in. He suggested he could visit and photograph the current conditions at 40 Cross Street.

There was a brief discussion regarding Harvey, Mr. Holowinko's cat.

Ms. Cherichetti suggested the Commission go into recess until the 7:00PM public hearing.

**\*\*\* MR. MOELING MADE A MOTION TO GO INTO RECESS UNTIL 7:00PM.**

**\*\*\* MS. DESTEFANIS SECONDED.**

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

## **IX. PUBLIC HEARINGS**

a) **#S20-554 – 164 West Cedar Street (Colonial Village) – Norwalk Housing Authority –**  
Construction of 69-unit residential complex with associated grading and landscaping adjacent to a wetland and watercourse

**\*\*\* COMMISSIONERS KLOCKE AND HOLOWINKO RECUSED THEMSELVES FROM THIS ITEM AND LEFT THE MEETING.**

Ms. Destefanis opened the public hearing.

Ms. Cherichetti read the roll call. Commissioners Destefanis, Moeling, Pentz, and Brown were present.

Ms. Destefanis briefly went over the purpose of the hearing and the meeting protocols.

Ms. Cherichetti confirmed the hearing had been noticed in the paper and she had received certificates of mailing from the applicant.

Attorney Elizabeth Suchy, representing the applicant, the Housing Authority of the City of Norwalk, began her presentation. She introduced the rest of the applicant's team present for the meeting. She

addressed the ownership of the property, described the property's location, surrounding neighborhood character, current conditions of the subject property, and briefly described the proposed activities.

Kate Throckmorton, Landscape Architect with Environmental Land Solutions LLC, provided a description of the property, including the wetland areas and intermittent watercourse. She described the proposed wetland buffer enhancements, referring to the submitted planting plan. She noted the property's wetlands had been field delineated in 2003 and the delineation was updated recently by Tighe & Bond.

Ms. Throckmorton went over the existing primary functions of the wetland/watercourse system, noting the corridor did provide, for example, storm water conveyance, some wildlife habitat, groundwater discharge, and nutrient uptake.

Ms. Throckmorton added that all proposed buildings were outside of the fifty foot upland review area from the wetlands, and the majority of work within the 100 foot watercourse upland review area was grading, path installation and landscaping. She noted the proposed rain garden adjacent to unit # 11.

Ms. Throckmorton emphasized there were no direct wetland or watercourse impacts. The indirect impacts were minimal and would improve the wetland. She noted there were 9 existing trees to be removed in the upland review area, however they were proposing to plant 55 new trees as well as other native plantings.

Kevin McCutchan, professional engineer with Tighe & Bond, displayed a colored version of the site material plan, to which he also added flow arrows. He described the proposed surfaces for the parking lot and access road and went over every element of the proposed storm water management plan.

Mr. McCutchan added the proposal would treat the water quality volume, mimics flow patterns, and meets all applicable standards.

Mr. Moeling asked about the nature of the watercourse.

Ms. Throckmorton responded with a description of the general geometry of the channel and the frequency of water flow.

Thomas Maistros, architect with Stull & Lee, described the various residential buildings proposed. He described the material boards and the scale and variety of proposed buildings.

Ms. Destefanis asked about the access drive connecting to Colonial Village.

Mr. Pentz asked if there was any proposed fencing proposed. Mr. McCutchan confirmed the existing fence along the rear of the Cedar Crest properties would remain.

Ms. Brown asked about stormwater and wanted confirmation that the proposal would result in a reduction in runoff. Mr. McCutchan confirmed and noted an increase in runoff from the site was prohibited. He added they are managing flow on site with infiltration to hold flow and volume up to the 100 year storm.

Mr. Moeling observed there was a ten foot drop in elevation from one end of the watercourse to the other.

Ms. Throckmorton provided additional description of the swale.

Ms. Destefanis asked about the size of the existing stormwater pipe and whether it had the capacity needed for the project. Mr. McCutchan replied it is a 30-inch RCP, but the proposal would not result in any increase flow to that pipe and on the contrary, flow would be reduced. He added the project was designed to take care of its stormwater generation, but the project could not try to solve existing issues with drainage in the community.

Mr. Pentz inquired about the material proposed for the trail and added there was not much green space remaining. Mr. McCutchan replied the trail would be 8" wide permeable pavement.

Adam Bovilsky, Executive Director of the Housing Authority, spoke regarding why the NHA was proposing the project. He described the state of affordable housing in Fairfield County and the very long

waiting lists for housing assistance. He stated housing need is at a critical level. He noted the NHA had been sitting on this land since 1951 and demand necessitates development of the parcel.

Mr. Bovilsky provided information on the on-going renovations to the existing Colonial Village buildings and units. He noted the extensive project would take place in 18 phases over two years and included interior renovation of all units, new roofs, siding, adding dormers and porches, and upgrading HVAC systems.

Mr. Pentz asked about the parking spot numbers. There was a discussion regarding the Zoning regulation requirements for parking minimums and the information NHA has regarding current car ownership of residents.

Raina Volovski, professional wetland scientist and soil scientist with Tighe & Bond, briefly spoke regarding the wetland delineation. Her observations were discussed.

Ms. Destefanis asked that any members of the public wishing to speak should indicate their desire to speak by using the 'raise hand' feature on Zoom.

Chris Sci, 43 Cedar Crest Place, stated the required parking numbers were a joke and there should be at least 200 parking spots for the number of units proposed. He added the applicant's materials, including the stormwater plan, should be using at least 200 parking spots so there was a more accurate depiction of the development's impacts. He added the seven acres of open space was a great asset and it should be retained as open space. He lamented the proposed units would just be a drop in the bucket as far as housing need, in part because none of the surrounding towns had any affordable housing.

Diane Lauricella, a 34-year resident currently living at Willow Woods in West Norwalk, concurred that it was extremely difficult to find affordable housing. However she stated she would like to see a proposal that was a little less dense. She noted parts of the proposal made her happy, including permeable paving, native plantings, trash/debris removal and educational opportunities. However, she added needing improvement were the density, the loss of open space and only one rain garden. She suggested they consider deleting Building # 11 or other buildings in favor of more rain gardens or a town green. Finally, she noted the roof lines did not appear to be good for passive or active solar installations.

John Kuran, resident on Cedar Crest Place, expressed concern the walkway would become a crime magnet. He asked about the frequency of storms and concern about current flooding issues becoming worse. He questioned the rain fall data used by the engineer to design the system and projected it would be inadequate.

Dan Listowski, resident on Cedar Crest Place, stated that making the buildings solar ready is a missed opportunity. He expressed concern about canopy cover loss and green space loss. He noted storms have become stronger and more frequent and he had to install a sump pump at his own property.

Attorney Suchy provided a final rebuttal. She reviewed parking minimums and noted they would only do calculations and design for the actual number of parking and paving they propose. She observed the parcel was vacant land, not open space and reiterated the land was not owned by the City. She noted the proposal meets all Zoning regulation requirements. She stated that the proposed roof lines and solar potential have been a discussion, though nothing has come to fruition.

Ms. Throckmorton gave a summary of wetland impacts.

Mr. McCutchan went over the stormwater management plan again and displayed a page from the drainage design report. He addressed storm frequency data and the origin of the data he uses in his calculations.

Mr. Pentz asked for what a 'holistic management plan' meant. Ms. Throckmorton responded the plan was multi-faceted and includes trash removal, invasive plant management, and adding native plant stock. She added those cumulative actions would improve the wetland corridor and would help foster future stewardship of the resource.

Attorney Suchy concluded the rebuttal with calling attention to the standards of review and the written executive summary she had submitted.

**\*\*\* MR. MOELING MADE A MOTION TO CLOSE THE PUBLIC HEARING.**

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

**\*\*\* MOTION PASSED UNANIMOUSLY.**

Ms. Destefanis asked if anyone was ready or wanting to discuss the application.

## **V. ADJOURNMENT**

**\*\*\* MR. MOELING MADE A MOTION TO ADJOURN.**

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

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

Meeting adjourned at 9:11PM.