

**CONSERVATION COMMISSION &  
INLAND WETLAND AGENCY MINUTES  
July 13, 2021**

**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, Chair; Matt Pentz; John Levin; Farrah Marin; and Jenn Balliett.  
Alexis Cherichetti, staff.

**III. RECEIPT & DISCUSSION**

- a) **#S21-574 - 8 Sunwich Road – Fletcher Development LLC** – Demolition of existing and construction of a new single family residence adjacent to a wetland and watercourse

Ms. Cherichetti gave a brief introduction of the application and the location of the property.

William Kenny, Professional Wetland Scientist for the applicant, described his recent inspection of the property at the end of June 2021. He noted his determination of tidal wetlands on the property.

Tanner White, architect for the applicant, described the proposed demolition and the proposed new construction. He noted the first floor of the dwelling would be at 16-foot elevation.

Ms. Cherichetti explained tidal wetland regulation versus inland wetland regulation. She described the other inland wetland applications that had previously been before the Agency for work. She described the wetland soils and the elevations of the wetland areas.

Ms. Cherichetti asked if the existing fence at the rear of the property would remain, noting it was the start of the wetland area.

Mr. White stated the area would need to be cleaned up and his clients would either do a fence or low wall in the area.

Mr. Moeling noted neither the inland wetland limit line nor the associated upland review area limit were shown on the map and that information was necessary for their informed review of the project.

There was further discussion regarding the determination of the inland and tidal wetland areas. It was agreed Ms. Cherichetti and Mr. Kenny would come to a consensus and the information would be shown on the site plan.

Ms. Cherichetti encouraged revisions to the S&E control plan that kept all work outside of the wetland area.

**IV. DISCUSSION &/OR DECISION**

- a) **#S21-573 – 40 Princes Pine Road – Kelley** – Corrective Action landscaping adjacent to a wetland and watercourse

Ms. Cherichetti noted the revised plan which showed all of the suggested changes discussed during the prior meeting.

Mr. Levin asked about the replanting utilizing native oak trees. Ms. Cherichetti confirmed the plan included oak plantings in the southeastern corner of the property.

Mr. Moeling noted the corrective action plan seemed sufficient, though he restated he felt the woodchips closest to the wetland should be removed.

**\*\*\* MR. LEVIN MADE A MOTION TO ADOPT THE RESOLUTION IN THE MEMORANDUM BY MS. CHERICHETTI AND APPROVED THE PERMIT APPLICATION FOR CORRECTIVE ACTION.**

**\*\*\* MS. MARIN SECONDED THE MOTION.**

**\*\*\* MOTION CARRIED UNANIMOUSLY.**

b) **#S21-569 – 40 Princes Pine Road – Tate & Associates LLC** – Installation of an in-ground pool and associated retaining walls adjacent to a wetland and watercourse

Ms. Cherichetti stated there was a separate memorandum regarding the pool proposal.

**\*\*\* MR. MOELING MADE A MOTION TO ADOPT THE RESOLUTION IN THE MEMORANDUM BY MS. CHERICHETTI AND APPROVED THE PERMIT APPLICATION FOR THE POOL CONSTRUCTION.**

**\*\*\* MS. BALLIETT SECONDED THE MOTION.**

**\*\*\* MOTION CARRIED UNANIMOUSLY.**

c) **#S21-570 – 40 Fullin Road – FRAP LLC** – Construction of twenty-eight (28) buildings (forty (40) residential units), with associated parking, site grading, wetland crossing and wetland creation, landscaping, utility connections and drainage systems, adjacent to a wetland and watercourse

Ms. Cherichetti recapped previous discussions on the application. She noted the Agency had determined a third party review of the wetland impacts was warranted. Ms. Cherichetti stated Mr. Pawlak, retained as third party wetland scientist, had completed his site inspection and his report, which was posted on the pending application webpage. She reminded the Agency the application was a Significant Activity application and would therefore require a public hearing. She suggested the applicant have an opportunity to comment on the consultant's report and then perhaps the Agency could schedule the public hearing to open at their August 10<sup>th</sup> meeting.

Len D'Andrea, PE for the applicant, stated they were pleased with the report and Mr. Pawlak's assessment of the wetlands. He stated they would be taking a closer look at the report and will be revising their plans. He also noted they received comments from the Town of Westport, which they would also consider.

Ms. Cherichetti asked if they had received comments on the stormwater plan from Norwalk DPW. Mr. D'Andrea stated they had. He confirmed they had completed test pits. He also noted they revisited their grading plan and they would reduce the volume of fill needed by eliminating most basements and would not raise the grade across the site as a whole.

Mr. Moeling noted that the proposed wetland/watercourse crossing remained the most important part of the proposal for the Agency. He added he still preferred an open-bottomed box culvert. He acknowledged that in the corridor's current condition there was not a thriving wildlife habitat, but he was hopeful site improvements would change that and he would want a watercourse crossing that supported that goal.

Mr. Moeling also remarked on the large canopy trees that occurred in the western portion of the property and encouraged the applicant to accommodate and save some of those impressive large trees.

Mr. D'Andrea stated that an open-bottom box culvert is not a problem. He noted that most of the property is parking lot with some trees to the north and west.

Mr. Pentz asked if the applicant had any comments regarding the mitigation plan on page 5 of the report.

Mr. D'Andrea noted the report was still be reviewed, but added there was nothing in the report that the applicant felt they could not address.

**\*\*\* MR. MOELING MADE A MOTION TO SCHEDULE THE PUBLIC HEARING TO BE HELD ON AUGUST 10, 2021.**

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

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

d) **#S21-572 – 20 Granite Drive – Lusardo** – Corrective Action landscaping and rock removal in and adjacent to a wetland and watercourse

Ms. Cherichetti noted the application was received at the previous meeting. She noted receipt, Commissioner Klocke had stated more detail and clarity must be added to the submitted site plan and suggested the applicant consider retaining profession assistance is coming up with a solid, clear plan, particularly for the work within the front and rear wetland area.

Ms. Cherichetti displayed a revised site plan. She noted the notations in wide-tip pen were the original notes and she read aloud the new notations that were written with a fine-tip pen. She had some questions for the applicant regarding some of the notes.

Ms. Cherichetti displayed the photos of the front wetland that the applicant had submitted. She pointed out there were more rocks than vegetation.

Mr. Lusardo stated that at least 50% of the rocks would be removed by hand. Ms. Cherichetti asked if the rocks would be placed somewhere else on the property, and Mr. Lusardo indicated they would probably be move off-site.

Mr. Moeling noted he felt the applicant was responsive and the corrective work could be resolved quickly. He asked if Ms. Cherichetti had a draft resolution for consideration at tonight's meeting. Ms. Cherichetti replied she did not, in part because she did not know how the revised plan would be received.

Ms. Brown asked for more specificity, particularly regarding the proposed planting. For example, she asked for the name of the proposed seed mix and the proposed size of the shrubs.

Mr. Lusardo stated he had already purchased Ilex in 10-gallon pots. He said that he ordered 35 pounds of seed mix.

Ms. Brown asked for the size of the proposed Green Giant arborvitae. Mr. Lusardo replied that those were existing trees. Ms. Cherichetti asked him to clarify whether he was proposing any additional arborvitae, or if he was just depicting existing trees.

Mr. Moeling asked if perhaps the Agency could meet on July 27<sup>th</sup> if there is a quorum and this application could move along.

## **VII. MINUTES**

a) **June 22, 2021 meeting minutes**

Mr. Pentz noted the minutes were impressively well done.

**\*\*\* MR. MOELING MADE A MOTION TO ACCEPT THE MINUTES.**

**\*\*\* MR. LEVIN SECONDED THE MOTION.**

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

## **VIII. PUBLIC COMMENT**

There were none.

## **IX. COMMENTS OF STAFF**

- a) Report of the Senior Environmental Officer

Ms. Cherichetti introduced staff member Amelia Williams, Land Use Technician. She described the Land Use Technician job duties and Amelia's past position in P&Z.

Mr. Moeling asked about municipal meetings and if there was guidance on hybrid meetings. Ms. Cherichetti stated she was reviewing the new state legislature. She did not have further information about how a hybrid meeting would be accommodated.

Ms. Cherichetti gave an updated on the Zoning Regulation rewrite. She noted there was a kick-off meeting planned for July 29<sup>th</sup> and she would email additional information tomorrow morning.

## **X. COMMENTS OF COMMISSIONERS**

- a) Report of the Commission Chair

Mr. Moeling discussed the summer calendar of planned meetings.

## **VII. ADJOURNMENT**

**\*\*\* MS. MARIN MADE A MOTION TO ADJOURN.**

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

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

Meeting adjourned at 7:20PM.