

**CONSERVATION COMMISSION &
INLAND WETLAND AGENCY MINUTES
August 10, 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; Steve Klocke, Vic-Chair; Matt Pentz; John Levin; Farrah Marin; Jenn Balliett; and Cheryl Brown. Alexis Cherichetti, staff.

III. RECEIPT & DISCUSSION

a) **#S21-575 – 12 Knowalot Lane – City of Norwalk BOE** – Demolition of existing structure and construction of a new Cranbury Elementary School adjacent to wetlands

Ms. Cherichetti confirmed the application was for Cranbury School and the parcel is called 12 Knowalot Lane by City records.

Jonathon Gombotz, Project Manager with CSG, introduced the applicant team, including Lisa Yates from Project Architect with Antinozzi Associates, Phil Katz and Kent Gannon from Stantec.

Mr. Gannon shared his screen and displayed the existing conditions survey. He then described an overview of the proposed activities, pointing out the proposed building and parking lot circulation patterns. He pointed to the wetland areas and the areas within the upland review area where there would be proposed work. He displayed various sheets of the submitted plan. He described the proposed stormwater plan and the septic pipe work.

Mr. Moeling asked about the proposed school's stormwater management, energy efficiency and general environmental conservation practices.

Ms. Yates noted it will be a Connecticut High Performance Building and they are meeting with Eversource on performance of materials. Mr. Gannon reviewed the practices included in the stormwater plan. Ms. Yates added the Board of Ed is looking to adding solar panels to the roof.

Mr. Moeling asked about the total impervious cover. Mr. Gannon admitted he did not have those numbers off the top of his head but would provide them as follow up.

Mr. Pentz asked if they could explain exactly what work was proposed within the upland review area.

Mr. Gannon described the three areas of impact within the upland review area, noting in area one was the water quality swale grading, in area two there was grading to meet the height of the building, and in the third area there would be grading associated with the driveway loop installation.

Ms. Cherichetti noted the application was an Intermediate Permit application and asked for confirmation that no Agency members felt it warranted a Significant Permit application.

Mr. Klocke stated he saw no reason to consider it in need of Significant Permit review. There was consensus of the members present.

b) **#S21-576 – 70 Witch Lane – Horvath** – Corrective Action fill removal and landscaping in and adjacent to wetlands and a watercourse

Ms. Cherichetti gave a brief summary of the work that preceded this application and the enforcement action that followed.

Attorney Elizabeth Suchy introduced herself and noted she was joined by Kate Throckmorton, Landscape Architect. Attorney Suchy gave an overview of the property, its location and current condition.

Ms. Throckmorton displayed the landscape plan and discussed the areas of work. She noted roughly 24 inches of fill was deposited along the watercourse, but the grade met existing closer to the house. She noted the applicant was asking for a five to ten foot area that would be planted, but would have the remainder of the wetland be lawn. She pointed out the extent of the upland review areas. She noted there were two inland wetlands lines, the first was completed by Otto Theall but his delineation did not include the filled wetland; Steve Danzer completed the wetland delineation with a powered auger.

Mr. Klocke questioned the top and bottom elevations of the wall on the western and eastern sides of the property and whether they impacted flow of stormwater on the site. Ms. Throckmorton indicated they were retaining walls, but they are not redirecting water on the site.

Ms. Cherichetti would post photos of the site on the pending applications website.

Mr. Moeling asked about the access to the site. Ms. Cherichetti gave directions to the property.

Ms. Brown asked about the prior tree removal. Attorney Suchy stated she did not think any trees were removed. Ms. Throckmorton noted no trees were removed from the wetland that she is aware of. She described the trees that were removed on the western side of the property.

Mr. Levin questioned if the proposed tree replacement was an equivalent replacement.

Ms. Throckmorton described the attributes of the trees removed and the trees proposed.

Mr. Moeling noted a public hearing needed to be scheduled.

*** **MR. MOELING MADE A MOTION TO HOLD THE PUBLIC HEARING AT THE NEXT MEETING ON SEPTEMBER 14, 2021 AT 7:00PM.**

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

*** **MOTION PASSED UNANIMOUSLY.**

c) **#S21-577 – 63 Cranbury Road – Lombardi** – Corrective Action construction of retaining walls, garden and deck with storage underneath in and adjacent to wetlands and a watercourse

Ms. Cherichetti stated the applicant was not able to attend tonight's meeting and recommended tabling the item to the next meeting.

d) **#S21-578 – Dreamy Hollow Neighborhood (15 Margaret Street & 96 Dry Hill Road) – City of Norwalk DPW** – Replacement of stormwater infrastructure and outlets in the vicinity of a watercourse

Ms. Cherichetti provided a very quick summary of the proposal, pointing out the location of the work relative to other projects they have reviewed recently.

Darrin Stairs, Project Manager from Woodward & Curran described the applicant's team. He introduced Reid Heaton and William Medlin from Woodward & Curran, as well as Drew Berndlmaier from Public Works.

Mr. Reid displayed the site plan set. He pointed to the two locations, at Carlin Street and at Dry Hill Road, where there would be work in and adjacent to wetlands or watercourses. He described the proposed stormwater infrastructure upgrades and the box culverts that would replace the existing undersized pipes.

Ms. Brown asked the photos showing lots of invasive plants, and she asked to be sure the contractor took care to not spread the invasive species.

Mr. Moeling noted it was 7:00PM and they would need to begin the public hearings, but they would return to the agenda once the public hearing concluded.

VI. PUBLIC HEARINGS (begins at 7:00PM)

- a) **#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 reviewed the public hearing procedure to attendees.

Ms. Cherichetti took roll call.

PRESENT: John Moeling, Chair; Matt Pentz; John Levin; Farrah Marin; Cheryl Brown; and Jenn Balliett.

Ms. Cherichetti stated notice of the public hearing was published twice in The Hour and she had received proof of mailing from the applicant to the adjacent property owners.

Attorney Adam Blank, representing the applicant, displayed an aerial photograph and described the wetlands and watercourse on the property. He showed a survey of the existing property. He noted they had updated plans to reflect the comments of the third-party reviewer Ed Pawlak. He noted he was in attendance with Matt Popp, Landscape Architect and PWS with Environmental Land Solutions LLC, Len D'Andrea, PE, and developers Clay Fowler and Jerry Effren.

Mr. D'Andrea displayed the topography map of the site and noted the topography is high at Fullin, but drops to the parking lot grade, but then rises again prior to Hills Lane. He noted they utilized a 'driveway' not a road for access to the units so that the pavement and circulation would be narrower. He described the proposed units and their layout. He stated they had revised their grading plan and removed plans for most of the proposed basements. He described the proposed drainage management, acknowledging that the total impervious surface would increase to 43% from existing 30%, but it would all be treated and managed now.

Mr. Popp described the landscape within the 7-acre site. He noted there were four existing habitats on the site – the western wetland near Fullin Road, the parking lot, the deciduous woodland, and the eastern woodland adjacent to Hills Street. He described each of these areas in detail. He noted there were no direct wetland impacts. He described the proposed wetland creation area and noted they would replace wetland at a 2:1 ratio. He described the clean up activities that would occur.

Mr. Moeling questioned the removal of invasive shade trees, such as Norway Maples, from the wetland.

Mr. Popp described the eastern wetland and the barberry and privet currently within that wetland.

Ms. Balliett asked for more information about the proposed wetland and watercourse crossing.

Mr. D'Andrea described the proposed precast 3 x 4 ½ foot open-bottomed box culvert. He pointed to the detail provided on Sheet 5 of the plans.

Mr. Pentz asked if any designated outdoor space would be provided, not including the wetland areas. Mr. Popp pointed to a small yard area proposed in the southwestern portion of the site.

Mr. Klocke asked about the proposed drainage management and asked if there would be at least 80% removal of total suspended solids (TSS). Mr. D'Andrea noted they had proposed more of a treatment train that together would provide effective treatment.

Mr. Moeling turned to invite public comment.

Jim Ash, residing at the Birchwood condominiums at Hills Lane. She asked what kind of buffer would be proposed between the proposal and her condo. She noted the number of units proposed seemed excessive for the size of the parcel. She also brought attention to the stream that flows under her property.

Mark Rubenstein, residing at the 597 Westport Avenue complex to the immediate south of 40 Fullin Road. He noted concern about the development and had questions about the drainage and the impact on 597 Westport Avenue.

Mr. Moeling confirmed that was the only public wishing to comment and invited the applicant to reply to the comments.

Attorney Blank noted most of the comments did not relate to wetland issues.

Mr. D'Andrea explained the drainage plan and stormwater run-off.

Mr. Ed Pawlak, third-party reviewer of the application and Professional Wetland Scientist, Soil Scientist, was invited to speak. He noted the assessment by Mr. Popp of the wetlands was good. He concurred a 3-sided box culvert would be adequate considering the current and likely future habitat the stream supports.

Mr. Pawlak still recommended a plan view detail of the proposed wetland creation and detailed grading shown on it as well as in cross-section. He asked about percolation tests and the distance to ledge to confirm available recharge of the proposed wetland is sufficient to support the wetland.

Mr. Popp noted the created wetland area was eighteen feet wide and 300 feet long, and the plan on sheet LP.1 shows all details.

Mr. Klocke indicated he was good with the information and thought the public hearing could be closed.

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

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

*** **MOTION PASSED UNANIMOUSLY.**

IV. RECEIPT & DISCUSSION (continued)

a) **#S21-579 – Rowayton Avenue Bridge at Keeler's Brook – City of Norwalk DPW – Repair and fortification of bridge and abutments at Keeler's Brook**

Mr. Paul Sotnik, Senior Civil Engineer in DPW, described the bridge and the need for repair following Tropical Storm Elsa.

Mr. Dennis Quinit, PE with Freeman Companies, reviewed the proposed plan for bridge and culvert replacement.

Mr. Moeling noted they would await more detailed plans. Ms. Cherichetti asked the applicant to provide a sedimentation and erosion control plan, culvert bottom design specifics, and water control plan. Ms. Cherichetti described the level of detail in a 'permit set' versus 'construction set'.

V. DISCUSSION &/OR DECISION

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

Mr. Moeling noted the plan made sense and it would be good to get it implemented.

*** **MR. MOELING MADE A MOTION TO APPROVE THE APPLICATION WITH THE ADOPTION OF THE RESOLUTION IN MS. CHERICHETTI'S MEMORANDUM.**

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

*** **MOTION PASSED UNANIMOUSLY.**

- b) **#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

*** **MR. LEVIN MADE A MOTION TO ADOPT THE RESOLUTION IN THE MEMORANDUM BY MS. CHERICHETTI, WITH CLARIFICATION THE ACTION WAS LIMITED TO INLAND WETLANDS, AND APPROVE THE PERMIT APPLICATION FOR CORRECTIVE ACTION.**

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

*** **MOTION CARRIED UNANIMOUSLY.**

II. BOND RELEASE

- a) **#S11-402 – 95 Grumman Avenue – Zakrzewski** – Release of bond (\$1,000) held for Corrective Action fill removal and landscaping

Ms. Cherichetti described the work that occurred prior to the 2011 permit; then she described the corrective action work in the Permit. She discussed the conditions of the permit and the records within her files. She has no record of the property owner installing any of the plantings.

*** **MR. LEVIN MADE A MOTION TO DENY THE REQUESTED BOND RELEASE UNTIL THE DEBRIS DEPOSITED WITHIN THE BUFFER HAS BEEN REMOVED AND THE REQUIRED PLANTING PLAN IMPLEMENTED.**

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

*** **MOTION PASSED UNANIMOUSLY.**

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 WITH ONE ABSTENTION (KLOCKE).**

VIII. PUBLIC COMMENT

There were none.

IX. COMMENTS OF STAFF

- a) Report of the Senior Environmental Officer

There were none.

X. COMMENTS OF COMMISSIONERS

- a) Report of the Commission Chair

Mr. Moeling asked if any Commissioners present would not be attending the next meeting on August 24. All indicated they planned to attend.

Ms. Cherichetti asked for more details on the meeting topics so she could prepare the agenda. The Commissioners confirmed the meeting would be limited to Conservation Commission issues and no Inland Wetland Agency business.

VII. ADJOURNMENT

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

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

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

Meeting adjourned at 9:05PM.