

**NORWALK CONSERVATION COMMISSION MINUTES**

**JANUARY 8, 2002**

ATTENDANCE: Matthew Caputo, Chairman; Karen DeStefanis;

Chris Handrinos; Andrew Kydes; Les Bell; Marny Smith (Altermate); Gerard Sciabbarrasi

STAFF: Michael Greene, Director, Planning & Zoning

Alexis Cherichetti, Environmental Officer

Cheryl Vallerie

The meeting was called to order at 6:10 pm.

1. RECEIPT OF APPLICATION

A. NEGLEY – 218 NEW CANAAN AVENUE – S01-83 – CONSTRUCTION OF NEW SINGLE-FAMILY HOUSE AND DRIVEWAY IN AND ADJACENT TO WETLANDS AND WATERCOURSES.

\*\* MR. BELL MOVED TO ACCEPT APPLICATION AS COMPLETE.

\*\* **MR. Sciabbarrasi SECONDED.**

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

Mr. Mark Negley was acknowledged by the Commission and stated that he owns both properties at 216 and 218 Silvermine Avenue with the intent to live in 216 and develop 218 in the future. He noted that he spent 5 years exploring alternative options to get back to a 1.2 acre lot and the best he could come up with was the application being presented this evening. Mr. Negley also noted that he had hired Mr. Don Strait from Grumman Engineering to develop

the engineering aspects of this application and Judy Slayback for the environmental aspects.

Ms. Smith asked what the surface of the driveway would be. Mr. Strait replied that the grading would be at 12 % grade, and noted that there was sway at the bottom of the hill that would slow run-offs. Mr. Strait also noted that this lot was in a Flood Zone C lot, which will also be serviced by public water. He noted that a 16-foot common driveway would be placed at the property and the house would be 33 ft from the wetland. He also noted that plants would be added as a buffer to keep people off the wetland. Mr. Strait also stated that a separate application for utilities would also be submitted.

B. TAIYANIDES – 363 MAIN AVENUE – S01-85 – "AFTER THE FACT" ADDITION TO THE REAR OF BUILDING AND DEMOLITION OF PORTION OF BUILDING.

**\*\* MR. BELL MOVED TO ACCEPT THE APPLICATION AS COMPLETE.**

**\*\* MR. Sciabbarrasi SECONDED.**

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

Mr. Taiyanides's attorney was acknowledged by the Commission to represent this application. She stated that a portion of this lot was built without a permit

and the purpose of this application was to get approval to remove this addition, and to also get approval for some minor modifications to the parking lot in order to create one more parking space. She also stated that the lot is 9300 sq. ft. The plan is to take down 1329 sq ft. The property would be used for a fabric upholstery store with storage capabilities. Mr. Bill Andreapolis inserted that the portion of the building that is to be removed was unusable and poorly constructed. Mr. Andreapolis also stated that for the safety of the applicants, this portion needed to be removed. He also noted that this unusable portion of this lot was built on Rockledge, a portion of which was protruding inside the building.

Mr. Bell stated that if the portion of the building was built illegally, this Commission should not take any action until it's legal. Mr. Greene replied that Zoning couldn't do anything until this Commission rules on it.

C. KOLESZAR – 20 ELLS STREET – SUBD# 3519 – 3 LOT SUBDIVISION ADJACENT TO WETLANDS AND A POND

**\*\* MR. BELL MOVED TO ACCEPT THE APPLICATION AS COMPLETE.**

**\*\* MR. Sciabbarrasi SECONDED.**

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

Mr. Koleszar's representative was acknowledged by the Commission to represent this application. He stated that this subdivision application was for a one single-family house on a significantly oversized lot located in a Flood Cone C area with all public utilities. He also noted that there was a man made pond built in the late 70's-early 80's on a wetland area.

Mr. Bell asked if the applicant would consider a 2-lot subdivision. Mr. Koleszar's representative replied that would not be feasible because it would more than double the required land for zoning purposes and this would create a financial hardship.

2. RECEIPT OF PERMIT APPLICATON

A. SIU – 292 FILLow STREET – PERMIT #734.S00 – DECK ADDITION AND GARDEN SHED.

**\*\* MR. BELL MOVED TO ACCEPT THE APPLICATION AS COMPLETE.**

**\*\* MR. Sciabbarrasi SECONDED.**

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

Ms. Cherichetti gave an update of this application and stated the applicant was asking for a modification to alter and enlarge a deck and add a

new garden shed that was not as closed to the wetland or brook as the proposed deck was. She also stated that the enlargement of the deck would not affect the wetland lines.

**\*\* MR. Sciabbarrasi MOVED TO APPROVE THE APPLICATION AS PRESENTED WITH THE EXISTING PROVISIONS TO BE MAINTAINED.**

**\*\* MR. BELL SECONDED.**

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

B. STEW LEONARD'S – 100 WESTPORT AVENUE – PERMIT #99101202-P98 – CHANGE IN USE OF PORTION OF THE PARKING STRUCTURE FROM PARKING TO STORAGE SPACE FOR MATERIALS.

**\*\* MR. BELL MOVED TO ACCEPT THE APPLICATION AS COMPLETE.**

**\*\* MR. Sciabbarrasi SECONDED.**

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

Mr. Thomas Flaherty, attorney for Stew Leonard's represented this application and stated Stew Leonard's didn't realize that by moving some of the storage materials onto the parking area that would create a problem with the wetland. Mr. Flaherty also stated that they have not used the top deck for any storage of any kind and noted that the lower area on the northerly/easterly side of the property was being used for storage.

**\*\* MR. Sciabbarrasi MOVED TO APPROVE THE MODIFICATION FOR STORAGE USE ON THE LOWER LEVEL AS INDICATED ON EXHIBIT 9 AND TO ALSO MAKE A NOTE TO THE CONDITIONS THAT THERE WILL BE NO USE OF THE UPPER DECK FOR STORAGE - SEASONAL OR OTHERWISE.**

**\*\* MR. BELL SECONDED.**

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

3. DECISION OF PERMIT MODIFICATION

A. MERRITT RIVER PARTNERS – 10 & 20 GLOVER AVENUE – ALTERATION TO BRIDGE CONSTRUCTION ACCESS IN THE NORWALK RIVER.

The Chairman stated that Item 3A would not be discussed pending Corporation Counsel's review.

4. DECISION

A. FREDERICK – 11 ALGONQUIN ROAD – INSTALL POOL ADJACENT TO WETLAND AND WATERCOURSE.

**\*\* MR. HANDRINOS MOVED TO APPROVE THIS ITEM WITH THE FOLLOWING SPECIAL CONDITIONS:**

**TO ADD ADDITIONAL PLANTS  
BETWEEN THE SAFETY POINTS  
AND THE WETLAND, AND TO  
RESTRICT THE SAFETY POINTS  
FROM THE WESTERN SIDE OF  
THE POOL.**

**\*\* MR. KYDES SECONDED.**

**\*\* MOTION CARRIED WITH 6 VOTES IN  
FAVOR, ONE ABSENTION (MS. SMITH).**

**B. PHILLIPS – 11 BITTERSWEET TRAIL –  
"CORRECTIVE-ACTION" APPLICATION TO  
REMOVE DRAINAGE SYSTEM IN A  
WETLAND.**

**C. CITY OF NORWALK, PARKS &  
RECREATION – FLAX HILL PARK –  
DREDGING AND RESTORATION OF POND,  
ASSOCIATED WETLAND RESTORATION  
LANDSCAPING, AND CONSTRUCTION OF  
PARKING AREA.**

**\*\* MR. HANDRINOS MOVED TO TABLE ITEMS 4B AND 4C**

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

**\*\* MOTION CARRIED WITH 6 VOTES IN  
FAVOR, ONE ABSENTTION (MS. SMITH).**

Ms. DeStefanis left the meeting at 7:30 pm.

5. INFORMAL DISCUSSION

- A. YEW STREET – PARAGON BUILDERS
- B. SOUNDVIEW AVENUE – PARAGON BUILDERS

Mr. George DisCala gave an extensive review of the modifications he has made to both lots and stated that he is looking to make a formal application by the next meeting.

6. ACCEPTANCE OF MINUTES

A. DECEMBER 11, 2001

There was not a quorum to vote on this item.

7. COMMENTS OF STAFF

A. CURRENT VIOLATIONS – SEE ATTACHMENT

Ms. Cherichetti distributed her report.

B. POND AERATORS

Ms. Cherichetti stated that aerators were not typically regulated and suggested that the Commission may want to keep it as such. She also stated if a request was made, the staff would suggest alternatives, and also noted that if a homeowner wished to use an aerator, this would not be a violation.

**\*\* MR. BELL MOVED TO AMEND THE AGENDA TO ADD ITEM 7C – PARK STREET.**

**\*\* MR. Sciabbarrasi SECONDED.**

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

C. PARK STREET



Ms. Cherichetti stated that a permit was issued in 2001 for a 2 family residence, the parking has oil grit separators and in the permit it was specified that it be a Vortex Model 1000 Water Treatment System, the applicant has requested to use the same type of system, but made by a different company. The Department of Engineers has approved this similar model.

**\*\* MR. Sciabbarrasi MOVED TO APPROVE THIS ITEM.**

**\*\* MR. BELL SECONDED.**

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

8. COMMENTS OF COMMISSIONERS

There were no comments from the Commissioners.

UPCOMMING MEETINGS

JANUARY 22

FEBRUARY 12

FEBRUARY 26

**\*\* MR. BELL MOTIONED TO ADJOURN THE MEETING.**

**\*\* MR. SCIABBARRASI SECONDED.**

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

The meeting was adjourned at 8:15 pm.

Respectfully submitted,

Gerda Adonis

Telesco Secretarial Services

