

NORWALK CONSERVATION COMMISSION MINUTES

**CITY OF NORWALK
CONSERVATION COMMISSION
February 12, 2008**

ATTENDANCE: D. Seeley Hubbard, Chair; Anne Cagnina, Elizabeth Ackerman; Emily Wilson; Matt Caputo; Ed Holowinko; Gwen Briggs

STAFF: Alexis Cherichetti, Senior Environmental Officer; Yarifalia Bletsas, Environmental Compliance Officer

CALL TO ORDER

Mr. Hubbard called the meeting to order at 6:05 p.m.

ROLL CALL

Ms. Cherichetti called the roll.

RECEIPT/DISCUSSION

a) #S08-305 – 30 Sheehan Avenue – FM Bonaddio Construction - Corrective Action restoration of watercourse and wetland

Ms. Cherichetti invited the agent for the applicant to present a brief overview of the application. Attorney Ventricelli described the activities that occurred at the contractor's yard, and added that his client only processed dirt and rock at the property. He presented a site map of the property that was approved recently by the Zoning Commission. He pointed the watercourse buffer and noted that it included a row of boulders. He noted that his client had planted all of the plants and added a row of concrete block, but that these plantings had washed away. He added that, following the washing away of the newly planted stock, his client placed boulders in the watercourse to prevent erosion. He stated that it was his opinion that the property had actually been greatly improved by his client.

Ms. Cherichetti clarified that the plan that Mr. Ventricelli displayed was actually based on a 1995 plan that was approved by the Conservation Commission in 1995. She noted that the vegetated watercourse buffer shown on the plan was actually implemented in 1996. She added that she when she saw that applicant was in the process of removing the buffer, though it was a violation, she did not issue a violation at that time because it was clear that he was in the process of replanting. Ms. Cherichetti continued, stating that a subsequent inspection of the property prompted her to issued a Notice of Violation because she found the plantings gone and boulders in the watercourse.

Ms. Cherichetti informed the applicant that the site plan did not show sufficient detail and in particular, a description of the “wetland buffers” of stone and soil needed to be quantified.

Mr. Bonaddio interjected that the plantings were already done.

Mr. Hubbard explained that the plan was not sufficient for the Commission to consider and that the applicant should meet with Conservation Staff to review the information that is required for the site plan.

Ms. Cagnina noted that the 1995 approved plan had many more plants – 50 – in the buffer and requested that the applicant propose more plantings. Ms. Ackerman concurred and asked why the proposed plan was so different than the 1995 plan.

Mr. Caputo added that it was essential that the applicant submit a clear plan that stabilizes the watercourse bank effectively.

b) #S08-306 – 384-404 Westport Ave. & 302 Strawberry Hill Road – 390 Westport Ave, LLC – Construction of a rear addition to existing commercial building, with associated parking lot, adjacent to a watercourse

Andrew Glickson, counsel for the applicant, presented a brief overview of the proposed rear addition to this existing commercial building. He described the addition and the proposed changes to the parking lot and stormwater drainage.

Greg Pidluski, the project engineer, further explained the project and some of the revisions he had made following his inspection of the site with Ms. Cherichetti and considering her suggestions.

Mr. Hubbard inquired if Mr. Pidluski had provided a drainage report to back up his stormwater design. Mr. Pidluski replied that he would submit the calculations to Conservation staff for review.

Ms. Cherichetti was supportive of the revisions, and added that a plan for stabilization of the area where asphalt will be removed on the neighboring property needs to be clear.

Mr. Michael DiScala noted that his tenants were not dumping, but that many children use the property as a cut through. Ms. Cherichetti concurred, but added that it also appeared that a landscaping company was depositing debris from his parking lot and that any offer to clean up the watercourse would be greatly appreciated.

Following questions by Ms. Cherichetti, Attorney Glickson noted that 165 parking places are proposed and 135 space are required by Zoning. He also acknowledged that the larger parcel is already non-conforming as far as site coverage, and that the smaller parcel would have at least 20% green space.

DISCUSSION &/or DECISION

a) #S07-299 – 70 Cranbury Road – Tarzia – Three (3) lot subdivision of land in wetlands and watercourses

Ms. Cherichetti announced that the application had been withdrawn.

b) #S07-302 – 213 West Rocks Road – Lionetti – Corrective Action restoration in and adjacent to a wetland and watercourse

Ms. Cherichetti noted that the applicant had wished to attend, but had called to cancel citing the snowy weather. She indicated that the applicant wished to ask for a reduction in the application fee.

Mr. Caputo and Ms. Ackerman concurrently noted that the Commission denied any fee waiver or reduction at the last meeting. No Commissioners were in favor of a fee reduction.

**** MR. CAPUTO MADE A MOTION TO APPROVE PERMIT APPLICATION #S07-302 WITH THE FOLLOWING RESOLUTION:**

WHEREAS, THE CONSERVATION COMMISSION HAS CAREFULLY CONSIDERED ALL THE INFORMATION SUBMITTED AND THE FACTORS FOR CONSIDERATION OF DECISION, AS DETAILED IN SECTION 60A-8 OF NORWALK'S INLAND WETLAND AND WATERCOURSES REGULATIONS; AND WHEREAS, THE PROPOSED ACTIVITIES, AS CONDITIONED BELOW, WILL LIKELY AMELIORATE THE NEGATIVE IMPACTS ON THE WATERCOURSE THAT RESULTED FROM THE PREVIOUS ACTIVITIES;

NOW THEREFORE BE IT RESOLVED:

THAT CONSERVATION APPLICATION #S07-302, FOR CORRECTIVE ACTION RESTORATION OF A WETLAND AND WETLAND BUFFER, BE GRANTED TO DOMINICK AND REBECCA LIONETTI, FOR PROPERTY AT 213 WEST NORWALK ROAD, NORWALK, CT [5-22B-40], WITH THE FOLLOWING CONDITIONS:

- 1. PRIOR TO COMMENCEMENT OF ANY ON-SITE PERMIT RELATED ACTIVITY, THE APPLICANT SHALL PROVIDE PHOTO DOCUMENTATION OF THE SITE AND CROSS-REFERENCE THE PHOTOGRAPHS ON A SITE PLAN. PHOTOGRAPHS SHOULD REPRESENT WIDE-ANGLE VIEWS.**
- 2. A \$4,800.00 PERFORMANCE BOND IS TO BE POSTED PRIOR TO COMMENCEMENT OF ANY ON-SITE PERMIT RELATED ACTIVITY. THE BOND SHALL BECOME ELIGIBLE FOR RELEASE FOLLOWING AT LEAST TWO (2) FULL GROWING SEASONS, AFTER THE SEASON OF INITIAL PLANTING. A**

GROWING SEASON EXTENDS FROM MAY 15 THROUGH OCTOBER 15 OF ANY GIVEN YEAR. ALL SPECIAL CONDITIONS OF THE PERMIT MUST BE SATISFIED PRIOR TO RELEASE OF THE BOND

3. THE PLANTING PLAN, AS DEPICTED IN THE PLAN ENTITLED, "WETLAND DELINEATION; SEPTEMBER 20, 2007, 213 WEST ROCK [SIC] ROAD, NORWALK", BY ALEKSANDRA MOCH, SHALL INCLUDE, IN ADDITION TO THE PLANTINGS SHOWN, THE ESTABLISHMENT OF A THIRTY (30) FOOT WIDE WETLAND BUFFER AREA. THIS BUFFER AREA SHALL INCLUDE ALL AREAS BETWEEN THE WESTERN REAR PROPERTY LINE AND A PARALLEL LINE THIRTY FEET NORTHEAST OF THE REAR PROPERTY LINE. THE AREA WITHIN THIS THIRTY-FOOT WIDE BUFFER SHALL BE MAINTAINED IN SUCH A MANNER THAT ALLOWS THIS AREA TO ESTABLISH A NATURAL VEGETATED STATE; THIS AREA SHALL NOT BE MAINTAINED AS LAWN OR A LANDSCAPED GARDEN.

4. THE PLANTING PLAN, AS DETAILED ABOVE, SHALL BE FULLY IMPLEMENTED WITHIN SIX (6) MONTHS OF ISSUANCE OF THIS PERMIT.

5. THOUGH THIS PERMIT EXPIRES IN 5 YEARS, ALL ACTIVITY MUST BE COMPLETED WITHIN ONE (1) MONTH OF THE RECONVENING OF ACTIVITY.

** MS. WILSON SECONDED THE MOTION.

** THE MOTION PASSED UNANIMOUSLY.

c) #S07-304 – 770 Connecticut Avenue – Alyssa Holdings LLC – Renovation and expansion of existing building and construction of new parking garage adjacent to a wetland and watercourse

Ms. Cherichetti noted that this applicant had still not submitted a site plan, but that she was meeting with the applicant on Thursday of this week. She explained that the Commission's deadline to commence the public hearing is the March 11, 2008 meeting. She further indicated that if the applicant did not come with complete application materials on Thursday, Ms. Cherichetti would recommend their withdrawal of the application.

MINUTES

- a) July 10, 2007
- b) July 24, 2007
- c) August 14, 2007
- d) August 28, 2007
- e) September 11, 2007
- f) September 18, 2007 Special Meeting

- g) September 25, 2007
- h) October 9, 2007 Special Meeting
- i) October 9, 2007
- j) November 13, 2007
- k) January 22, 2008

**** MR. CAPUTO MADE A MOTION TO APPROVE EACH OF THE MINUTES WITH ANY NOTED CHANGES BY COMMISSIONERS OR STAFF.**

**** MS. WILSON SECONDED EACH MOTION.**

**** EACH MOTION PASSED UNANIMOUSLY WITH ONE ABSTENTION (BRIGGS).**

COMMENTS OF STAFF

Ms. Cherichetti distributed registration forms for the DEP Inland Wetland Commissioner Training Program and strongly encouraged Commissioners to attend.

COMMENTS OF COMMISSIONERS

Responding to other Commissioners request, Mr. Hubbard noted that he would like to review the duties of the Conservation Commission, beyond that of just the Inland Wetland Agency. In particular, he noted interest in Norwalk becoming a 'Green City', providing more education on conservation issues to the public, and finishing the Open Space Plan.

Ms. Cherichetti noted that Mayor Moccia had held a press conference on global warming initiatives earlier in the week and she could alert the Mayor that the Commission was interested in help move any 'green' initiatives along. She also noted she and Yarifalia Bletsus, the Environmental Compliance Officer, would be initiating a City-wide resident Canada Goose population management program. She lastly suggested that she and Mr. Hubbard meet with the Mayor to discuss the finalization of the Open Space Plan.

ADJOURNMENT

**** MR. CAPUTO MOTIONED TO ADJOURN.**

**** MS. WILSON SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 7:39 pm.

