

**NORWALK CONSERVATION COMMISSION MINUTES**

**FEBRUARY 25, 2003**

**ATTENDANCE:** Matthew Caputo, Vice-Chair; Andrew Kydes, Ed Holowinko,  
Lawrence Losio

**STAFF:** Cheryl Vallerie, Alexis Cherichetti, Mike Greene

The Chairman opened the meeting at 6:25 p.m.

**RECEIPT & DISCUSSION**

**110 RICHARDS AVENUE – SUMMIT TL, LLC - #S03-136 – CONSTRUCTION OF A MULTI-FAMILY (54 UNITS) DWELLING WITH ASSOCIATED PARKING LOT, STORMWATER DRAINAGE AND LANDSCAPING ADJACENT TO A WETLAND**

**\*\* MR. LOSIO MOVED ACCEPTANCE OF THE APPLICATION.**

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

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

Ms. Cherichetti stated that one portion of the application was modified and would be discussed.

Attorney Suchy represented the applicant. The property is approximately seven acres with three acres of wetlands. Currently pending before Zoning is a request to allow multi-dwelling to be added by a text amendment to the zoning for this area.

Ms. Slayback, Landscape Architect, described the area that has red maple trees that dominate the site. There is a red maple swamp that has been on the site for many years. All evidence of the wetlands has drained overtime. The tree roots are exposed. The parking and grading will come near the wetlands as close as 20 feet. There will be catch basins with mechanical systems. There will be heavy planting with 140 – 150 shrubs and plants. The study performed provided a way to wet the wetlands and not cause run off to the neighboring properties during heavy rains. An excess of 20,000 square feet of recreation area is planned if the zoning is changed to allow the development of these multi-dwelling units.

Ms. Cherichetti asked whether the recreation area in its passiveness meets Zoning requirements. Attorney Suchy stated the plan was submitted to Ms. Wilson and she is

awaiting a response. Any changes required would be made to the plans to meet Zoning requirements for the recreation area.

Ms. Cherichetti asked whether the Chairman wished to leave this application as a summary or if a public hearing would be required. The Commission agreed that no public hearing would be required.

The Chairman closed the discussion as there were no additional comments or questions.

### **PERMIT MODIFICATION**

#### **402 CONNECTICUT AVENUE – 192 CONNECTICUT AVENUE ASSOCIATES, LLC - #744B.S00 – MODIFY SIZE AND LOCATION OF PROPOSED BUILDING AND ALTER PROPOSED PARKING AREA**

Ms. Cherichetti introduced this item as the ownership and purpose have changed. The landscaping plan shows grading between the building and wetland. The parking will be where the original building was located. The planting plan originally had up to 35 plantings, but the applicant is proposing a reduction to 27 planting.

Attorney Waters represented the applicant. The proposed building is a Webster Bank facility. There is no regarding proposed for the site. The amount of shrubbery would be upgraded to the approved amount of 35, therefore, no change for the planting document will be required. This building will be between Sports Authority and the Shop Rite Shopping Center. There will be fencing between the building and the wetlands. The use near the wetland will be benign as this is a bank and there will be no activity near the wetland. All of the access is from the non-wetland side of the property. Attorney Waters asked that it be approved in that the modifications are minimal.

The Chairman inquired whether the Commissioners had comments or questions. There were none. Ms. Cherichetti referenced the draft approval with two changes (conditions 5 and 6) as follows:

All conditions of the Conservation Permit 3744.S00 shall remain in effect with the following modifications:

A. Condition #5 shall read, "The mitigation planing plan shall be amended to include

thirty-five(35) shrubs to be planted between the proposed retaining wall and the wetland line. The shrubs must be wetland shrubs that are native to Connecticut and must be a minimum of 37 inches in height. The immediate drip-line of the shrubs may be mulched, however all other disturbed areas between the retaining wall and wetland line shall be seeded with a native wetland grass mix. This planting plan must be implemented within six months of the issuance of a Certificate of Occupancy, either temporary or permanent."

B. Condition #6 shall read, "Any change to the approved plan entitled, "Site Grading and Utility Plan (SP-101)", dated December 16, 2002 and last revised 12/31/02 prepared by Barry Hammons, P.E. of Hammons LLC, as approved, will require a return to the Conservation Commission for review."

**\*\* MR. KYDES MOVED TO GRANT THE PERMIT FOR APPLICATION #744B.S00 WITH CONDITIONS FOR ITEMS 5 AND 6 AS NOTED ON THE MEMO FROM MS. CHERICHETTI DATED FEBRUARY 14, 2003 AS FOLLOWS:**

A. Condition #5 shall read, "The mitigation planing plan shall be

**amended to include thirty-five(35) shrubs to be planted between the proposed retaining wall and the wetland line. The shrubs must be wetland shrubs that are native to Connecticut and must be a minimum of 37 inches in height. The immediate drip-line of the shrubs may be mulched, however all other disturbed areas between the retaining wall and wetland line shall be seeded with a native wetland grass mix. This planting plan must be implemented within six months of the issuance of a Certificate of Occupancy, either temporary or permanent."**

A. Condition #6 shall read, "Any change to the approved plan entitled, "Site Grading and Utility Plan (SP-101)", dated December 16, 2002 and last revised 12/31/02 prepared by Barry Hammons, P.E. of Hammons LLC, as approved, will require a return to the Conservation Commission for review."

**\*\* MR. LOSIO SECONDED.**

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

## DECISIONS

15 RENZULLI ROAD – LARACCA - #S03-135 – TWO-LOT SUBDIVISION  
ADJACENT TO A WETLAND AND WATERCOURSE

Ms. Cherichetti stated that this item was discussed at a previous meeting and it would required a full vote by the Commission of four members this evening to complete the request.

The Chairman inquired whether there was further discussion. There was none by the Commissioners.

**\*\* MR. HOLOWINKO MOVED TO APPROVE APPLICATION #S03-135 WITH CONDITIONS NOTED IN THE MEMO DATED FEBRUARY 14, 2003 AS FOLLOWS:**

1. Any site development on Lot 8-B will require the prior approval of a Conservation Permit. This current conservation permit, for subdivision of the property, does not represent an approval to alter any land adjacent to the wetland or watercourse without prior approval of the Conservation Commission.
2. Any additional site development on Lot 8-A may require the prior approval of a Conservation Permit. This current Conservation permit, for subdivision of the property, does not represent an approval to alter any land adjacent to the wetland without prior approval of the Conservation Commission.
3. Any change to the plans presented for this application, entitled "Existing Conditions Map of Property prepared for Paul Laracca", dated October 28, 2002, prepared by Dennis A. Deilus, Land Surveyor, as approved, will require a return to the conservation Commission for review.
4. The proposed driveway, proposed residence, and proposed setback from the wetland limit indicated on the map entitled "Existing conditions Map of Property prepared for Paul Laracca", dated October 28, 2002, are not included as part of this approval.

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

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

**ACCEPTANCE OF MINUTES**

**February 11, 2003**

Change motion wording "accept" to "approve; change Ms. Cherichetti and replace with "the" throughout.

Page 3, 2<sup>nd</sup> to last paragraph, should read backhoe

Page 5, 3<sup>rd</sup> paragraph, change Board to Commission

**\*\* MR. KYDES MOVED TO ACCEPT THE MINUTES OF FEBRUARY 11, 2003 AS AMENDED.**

**\*\* MR. HOLOWINKO SECONDED.**

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

### **REFFERALS**

#### **ZONING – CALF PASTURE BEACH – AMENDMENTS TO ZONING REGULATIONS TO ALLOW FULL-SERVICE, ALL-SEASON RESTAURANT BY SPECIAL PERMIT IN PUBLIC PARKS ADJOINING LONG ISLAND SOUND**

Ms. Cherichetti stated this was just for a change in zoning to allow an all season restaurant. The restaurant will be in the area of the old building. Mr. Holowinko asked whether they would build the facility high enough to prevent flooding. Mr. Greene stated they must meet DEP requirements.

There were no other comments by the Commissioners.

### **COMMENTS OF STAFF**

#### **Designation of Agent**

Ms. Cherichetti received a letter from the State. A member of the staff may represent the Commission after taking a DEP course. She took the course in October of 2002.

**\*\* MR. LOSIO MOVED TO APPROVE MS. CHERICHETTI AS DESIGNATED AGENT FOR THE INLAND/WETLAND COMMISSION OF NORWALK REGARDING ISSUING OF DECLARATORY RULINGS.**

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

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

Ms. Cherichetti commented that the Common Council would be appointing a new Commissioner to Conservation Commission at its next meeting.

### **COMMENTS OF COMMISSIONERS**

Mr. Holowinko inquired about a community garden project. He said that he would like to be a part of the project. He asked whether the Commission would be in favor of sponsoring a community garden. Mr. Losio stated that he was an advocate of community gardens. He inquired of staff what their thinking would be regarding a non-regulatory action such as a community garden. Ms. Cherichetti said she felt the Commission could support a project. Mr. Holowinko stated the group needed an organizer and not a lot of work would be involved. The Chairman suggested discussing the project with Ms. Cherichetti and research if one had been done in the City in previous years. Fodor Farm

or an old landfill at Oak Hills are potential areas. Mr. Greene commented that the support is not always financial, but organizing and overseeing the project by staff or a volunteer commissioner. This item will be added to the agenda for further discussion at the next meeting on March 11, 2003.

Mr. Losio asked when the next non-regulatory meeting would be held. Ms. Cherichetti stated the meeting will be on March 18th.

**\*\* MR. LOSIO MOVED TO ADD CL&P TO THE AGENDA.**

**\*\* MR. HOLOWINKO SECONDED.**

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

**\*\* MR. LOSIO MOVED TO GO INTO EXECUTIVE SESSION TO DISCUSS THE APPEAL OF CL&P TO THE SITEING COUNCIL.**

**\*\* MR. HOLOWINKO SECONDED.**

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

The Chairman closed the Regular Session and moved into Executive session at 7:15 p.m. The Chairman closed the Executive Session at 7:45 p.m. and reconvened the Regular Session at 7:46 p.m.

### **ADJOURNMENT**

The Chairman adjourned the meeting at 7:46 p.m.

Respectfully submitted,

Alvina L. Richardson Decker

Telesco Secretarial Services