

NORWALK CONSERVATION COMMISSION MINUTES

City of Norwalk
Conservation Commission
March 13, 2007

ATTENDANCE: Anne Cagnina, Chair; Beth Ackerman; Ed Holowinko; D. Seeley Hubbard; Andy Kydes; Matt Caputo (6:22)

STAFF: Alexis Cherichetti, Senior Environmental Officer; Sarah Rettger, Conservation Assistant

OTHERS: Harold Alvord, Department of Public Works; Tom Ryder, LandTech; Richard Roina; Greg Lieberman, Stearns & Wheler; Attorney David Waters

CALL TO ORDER

The meeting was called to order at 6:08 PM.

ROLL CALL

Ms. Cherichetti called the roll.

RECEIPT/DISCUSSION

a) #S07-266 – 24 Southwind Drive – Howell – Grading and landscaping in a wetland and watercourse to correct drainage issues

Mr. Ryder explained that the Commission had approved construction of a house on this property in 2003, and the house had been completed in 2004. He described plans to slightly regrade the site to eliminate the ponding, using approximately 6 cubic yards of fill. He also discussed plans to replant shrubs and grasses and construct a small patio.

Ms. Ackerman asked if there was a bond associated with the original application. Ms. Cherichetti said the Commission had recently voted to release the bond. She also recommended the commissioners visit the site.

Ms. Ackerman asked if the Commission should hold a public hearing. Ms. Cagnina said she did not think it was necessary because the application was for a small project in a degraded wetland.

PERMIT MODIFICATION

a) #S03-160A – 310 Ely Avenue – Transfer of permit from 310 Ely Avenue LLC to Cutrone Properties LLC

Ms. Cherichetti said the original permit had been approved in 2003 and modified in 2005, with a bond posted. She said the current request was for a permit transfer, and she saw no problems.

** MR. KYDES MOVED TO APPROVE THE PERMIT TRANSFER.

** MS. CAGNINA SECONDED THE MOTION.

** THE MOTION PASSED UNANIMOUSLY.

b) #S06-262A – 32 Morehouse Lane – Stoner Manor LLC – Modification of permit to allow expanded area of filling and grading associated with river bank stabilization in and adjacent to a wetland and watercourse

Mr. Lieberman said that because of additional erosion during recent storms, the applicant wanted to modify the permit to embed stones in the bank.

Ms. Cagnina asked about the area of modification. Mr. Lieberman said it was approximately 140 linear feet, the size of the two areas covered by the original permit.

Mr. Caputo asked if staff had any concerns. Ms. Cherichetti said the modified application would involve a large amount of invasive work, and said she had not seen evidence of any extraordinary erosion on the site based on surveys and aerial photos. She also noted that the applicant would need to obtain a Programmatic General Permit from the Army Corps of Engineers before beginning work. Mr. Lieberman said he was not aware.

Ms. Cherichetti suggested the applicant investigate the Army Corps requirements and consider withdrawing until they had obtained the necessary permit.

DISCUSSION/DECISION

a) #S06-265 –78 Cranbury Rd./440 Newtown Ave. – Connecticut Friends School – Construction of a school and associated activities in and adjacent to wetlands and watercourses

Ms. Cherichetti briefly reviewed the information submitted by the applicant and noted that the item would be discussed at the March 27 meeting.

SHOW-CAUSE HEARING

a) #V07-784 – Bonnybrook Trail – Department of Public Works – Correct & Restore Order for repairs to culvert

Ms. Cherichetti explained that she had issued a Cease & Restore Order to the Department of Public Works (DPW) based on the fact that immediate work was needed to repair a failed culvert under Bonnybrook Trail that had caused a portion of the road to collapse.

She said the order was necessary because the standard permitting process would not allow the DPW to begin work immediately.

Mr. Caputo asked if staff was satisfied with DPW's plans. Ms. Cherichetti said that she was.

Mr. Alvord explained that the collapsed road segment had been covered with steel plates, but he was concerned that additional erosion would cut off access to a portion of the road.

Ms. Ackerman asked Mr. Alvord to describe the work to be done. Mr. Alvord said that three of the four 24-inch pipes in the culvert had dropped, so DPW employees would lift the pipes and create a solid foundation beneath them, and then reconstruct the headwalls.

Ms. Ackerman asked if any equipment would be placed in the stream. Mr. Alvord said all work could be done from outside the stream, although the flow would be temporarily diverted to the remaining pipe.

** MR. CAPUTO MOVED TO CLOSE THE HEARING.

** MS. CAGNINA SECONDED THE MOTION.

** THE MOTION PASSED UNANIMOUSLY.

** MR. CAPUTO MOVED TO UPHOLD THE CEASE & RESTORE ORDER.

** MR. KYDES SECONDED THE MOTION.

** THE MOTION PASSED UNANIMOUSLY.

** MR. CAPUTO MOVED TO AMEND THE AGENDA TO INCLUDE THE RECEIPT OF APPLICATION #S07-267.

** MS. CAGNINA SECONDED THE MOTION.

** THE MOTION PASSED UNANIMOUSLY.

RECEIPT/DISCUSSION II

a) #S07-267 – Bonnybrook Trail – Department of Public Works - Emergency repair to collapsed culvert and headwall

Ms. Cherichetti said she would draft a resolution for approval for the next meeting, and asked the commissioners for any conditions that should be included. She suggested requiring that sandbags or similar tools be used to divert the flow, and that the work be performed when a storm event was not increasing the flow.

Ms. Ackerman suggested requiring that all equipment be kept out of the stream.

MINUTES

a) February 27, 2007

** MR. CAPUTO MOVED TO APPROVE THE MINUTES AS AMENDED.

** MR. HUBBARD SECONDED THE MOTION.

** THE MOTION PASSED UNANIMOUSLY.

COMMENTS OF STAFF

a) Minor Permits and Enforcement Actions

Ms. Cherichetti asked the commissioners to determine whether a minor or intermediate permit should be issued for work at 34 Morehouse Lane. She described the proposed construction, planned to take place more than 60 feet from the wetland and watercourse. After a brief discussion, the commissioners agreed that a minor permit could be issued.

Ms. Cherichetti described three recent notices of violation she had issued, and time extensions she had granted. She also noted that the Commission had opened a show-cause hearing at their March 8 meeting, and had left the hearing open to the March 27 meeting.

b) Inland Wetlands and Watercourses Regulations notes

Ms. Cherichetti also said that Ms. Destefanis had asked to discuss the possibility of creating a system of fines. The commissioners briefly reviewed the topic and decided to defer discussion until Ms. Destefanis was present.

c) Report of Senior Environmental Officer

It was decided that the meeting scheduled for April 10 would be canceled.

COMMENTS OF COMMISSIONERS

Ms. Ackerman invited the commissioners to promote the Commission's role at the upcoming Norwalk Tree Alliance Festival. She also noted that John Atkin of the Water Pollution Control Authority (WPCA) was willing to attend a future meeting to explain the WPCA's role.

Ms. Cagnina presented a draft letter to the newspaper regarding catchbasins.

Ms. Cherichetti noted that King Industries had asked to meet with the Commission regarding its participation in an EPA outreach program.

ADJOURNMENT

** MR. KYDES MOVED TO ADJOURN THE MEETING.

** MR. CAPUTO SECONDED THE MOTION.

** THE MOTION PASSED UNANIMOUSLY.

The meeting was adjourned at 7:52 PM.

