

**NORWALK CONSERVATION COMMISSION MINUTES**

**TUESDAY, MARCH 23, 2004**

**ATTENDEES:** Marny Smith, Acting Vice Chair; Ed Holowinko; Jane Corcillo; Anne Cagnina; Elizabeth Ackerman; Seeley Hubbard (6:15 p.m.)

**STAFF:** Alexis Cherichetti, Senior Environmental Officer

**OTHER:** Elizabeth Wernquist, Applicant

Ms. Smith called the meeting to order at 6:10 p.m. Roll Call was taken by

Ms. Cherichetti.

**RECEIPT/DISCUSSION**

- a) **46 Hunt Street – Wernquist - #S04-180** – Construction of a two-story addition and new driveway adjacent to a watercourse

Ms. Cherichetti stated that Ms. Wernquist, one of the homeowners is here tonight. She referred the Commissioners to a proposed site plan with an existing asphalt survey. She stated that the applicant is proposing a two-story garage addition and because of drainage concerns a second driveway area is proposed. There is watercourse on the property, which is a stone-lined brook. Ms. Cherichetti stated that if the garage is the only new earth disturbance she does not see any need for a soil report, since it would just be over the asphalt.

Ms. Corcillo asked if the applicant had investigated hooking up from the driveway to any of the storm sewers on the street. Ms. Cherichetti stated that it might be difficult for the applicant to tie into the City storm water system. She said something on-site might possibly be done to collect the drainage such as a yard drain. Ms. Wernquist confirmed that the two drains presently in the driveway are effective. Ms. Smith stated that she feels that a soil test is needed to find out how much wetland is there. Ms. Cherichetti stated that she is concerned with how the stormwater

will be treated and/or directed in relation to the watercourse itself. She asked the Commission to consider if the presence of wetlands, if any, would make an impact on their decision and if it would she would encourage a Soil Scientist to go out. Ms. Smith stated that the Commission is here to protect wetlands and watercourses and that, presently, they do not know if there are any wetlands to protect. She said it should not be difficult to test. She said the Commission would want to know what is there before making any recommendations. Ms. Corcillo stated that she personally would like to see the applicant explore having the entrance of the garage face directly into the street. Ms.

Cherichetti confirmed that it is the consensus of the Commission that the applicants explore drainage options, hire a Civil Engineer to draw up a drainage plan and that because the garage would be entirely located on top of the existing asphalt, a Soil Scientist

Report would not be needed. The Commissioners concurred. Ms. Cherichetti asked if it is the desire of the Commission to have mitigation planting along the watercourse. Ms. Smith stated that the only place it would make sense to have a planting plan is along the existing driveway. Ms. Cagnina stated that there is no need to ask for a plan now. Ms. Corcillo agreed. Ms. Wernquist asked the Commission what would happen if the Civil Engineer says that she cannot hookup to the City storm water system. Ms. Cherichetti stated that other onsite drainage options are possible such as a curtain drain. Ms. Cherichetti stated that she has a listing of Civil Engineers in her office and that the applicant could call her office tomorrow if she has any questions or needed further the information.

## **DISCUSSION/DECISION**

a) **12, 14, and 16 Stephen Mather Road – Post/Pfeil - #S03-179** – Construction of a common driveway adjacent to a wetland

Ms. Cherichetti stated that there are no real issues regarding the proximity of the proposed driveway to the wetlands. There was discussion over the possible future use of the driftway on West Norwalk Road. Ms. Cherichetti referred the Commissioners to the memorandum with the draft resolution dated March 15, 2004.

**MS. CAGNINA MADE A MOTION TO APPROVE THE POST/PFEIL  
APPLICATION #S03-179 – 12, 14 AND 16 STEPHEN MATHER ROAD  
FOR THE CONSTRUCTION OF A COMMON DRIVEWAY ADJACENT  
TO  
A WETLAND WITH THE 4 CONDITIONS ON THE RESOLUTION OF  
APPROVAL DATED MARCH 15, 2004 TO THE NORWALK  
CONSERVATION**

**COMMISSION FROM ALEXIS CHERICHETTI, SENIOR  
ENVIRONMENTAL**

**OFFICER.**

**MR. HUBBARD SECONDED THE MOTION.**

**MOTION PASSED UNANIMOUSLY 5 TO 0, WITH 1 ABSTENSION, MS.**

**SMITH.**

## **MODIFICATION OF PERMIT**

- a) **341 Rowayton Avenue – Martin - #S03-157a** - Modification of permit to allow alteration of sewer lateral location.

Ms. Cherichetti stated that the construction permit was approved last July. She said that during the re-lot line revisions that formed this lot there was discussion as to whether the sewer hookup would be on Rowayton Avenue or drainage easement along the river. It was discovered that the drainage easement holds a sewer that was installed in the early 1980's. There is a sewer line under Rowayton Avenue that is 18 feet below grade, which would require major digging. The applicant is asking for a modification of their permit to allow a trench to be dug down to the existing manhole that is on site to connect to the sewer from their easement. There was discussion with regards to how far the sewer line goes, the location of the riser and approximate location of the proposed trench. Ms. Cherichetti asked the Commission if they cared about the specifics of where each manhole is and exactly what path they take or could a resolution be drafted that modifies the permit allowing the trenching to occur on the back slope in a manner that removes as few trees as possible. Ms. Smith stated that the objective is to disturb as little as possible within the Conservation easement. Ms. Cherichetti stated that the City of Norwalk Conservation Easement is very broad and states that the easement is to remain in its natural state in perpetuity. She stated that it could be interpreted in a less restrictive way to allow this. Ms. Cherichetti pointed out the limit of wetlands on the map and stated that the trench would be just up hill of the actual wetlands. Mr. Hubbard asked how big the pipe would be. Ms. Cherichetti stated that it would be a six-inch cast iron pipe. There was concern with regards to the equipment going down the slope. Ms. Cherichetti stated that a narrow backhoe would be used. Ms. Smith said that whoever does the job needed to be careful because of the large trees in the area. Mr. Hubbard said that he would like to see where the manholes would be and something a little more specific as to how the applicant will get the job done.

Ms. Cherichetti recommended submitting a more detailed engineer plan of the sewer or draft a modification with conditions limiting the activities and require sedimentation/erosion controls but

leaving out the exact location of the trench. Ms. Smith stated that she favors the second option because of the concern with the least possible earth disturbance and erosion controls. Ms. Cherichetti stated that she would anticipate it taking more than 5 days for the trenching and installation of the pipe. Ms. Cherichetti asked the applicant to have the general contractor give her a call to figure out what plans are needed.

## **ACCEPTANCE OF MINUTES**

- a) **January 13, 2004**

The following corrections were made:

Mr. Seeley should be changed to **“Mr. Hubbard” throughout.**

The minutes of January 13, 2004 were accepted at the March 19, 2004 meeting.

**b) March 9, 2004**

The following corrections were made:

Page 1, under Attendance Add Ed Holowinko’s name.

Correct spelling of Mr. Holowinko’s name throughout.

Page 1, Paragraph 1, “...access in a lot were...” should be **“...access in a lot where...”**

Page 1, Paragraph 3, Line 1, She spoke about the paper accessways that go out...” should be **“She spoke about the paper accessways that went out to West Norwalk Road and Brookside Avenue in 1997 and she pointed to the accessways of the proposed area that was to serve as a third lot.” Delete “...but this was denied...” Replace with “She stated that this was denied...”**

Page 1, Paragraph 3, “...they would work with the grades so there is no for fill...” should be **“they would work with the grades so there is no need for fill...”**

Page 2, Paragraph 1, “...because if it as...” should be **“...because if it was...”**

Page 2, Paragraph 4, “...that it’s only and extra spur.” should be **“...that it’s only an extra spur.”**

Page 2, Paragraph 6, Sentence 2, “...owned by what parcel.” should be **“...owned by which person.”**

Page 2, Paragraph 6, Sentence 3, “Ms. Cherichetti pointed out that the railway...” should be **“Ms. Cherichetti pointed out that the driftway...”**

Page 3, Paragraph 1, under the Vote, should be – Motion passed with **four** votes in favor and three abstentions.

Page 3, under Referrals, Last Sentence, “...property with existing and what...” should be **“...property with existing conditions and what...”**

Page 4, Correct spelling of Mr. Holowinko’s name under both votes, should be one “L”.

Page 4, Under Acceptance of Minutes for January 13, 2004 and February 10, 2004, change Seeley to **“Hubbard.”**

Page 5, Under Comments of Staff, Second Sentence, “...submit a correction...” should be **“...submit a corrective...”**

Page 5, Under Comments of Staff, Paragraph 2 and 3, delete hyphen in Seeley-Hubbard.

Page 5, Under Comments of Staff, Paragraph 2, Sentence 2, “Ms. Cherichetti said no but...” Change to **“Ms. Cherichetti said no.** delete remainder of sentence. Add

Sentence: “The contractor had indicated that a Soil Scientist had examined the property but would need a backhoe to perform the delineation of the wetland.

Page 5, Under Comments of Staff, Paragraph 4, “...wanted to set it...” should be **“...wanted to set if...”**

Page 6, Paragraph 2, “...she didn’t think any dumping...” should be **“...she didn’t think any of the dumped material was related to Stafford Higgins Industries.** Delete remainder of sentence.

Page 6, Paragraph 8, under Number 3, “...they should submit a plan or proposal for...” should be **“...they should submit a plan or proposal to the Commission.** Delete remainder of sentence.

Page 8, Paragraph, Third Paragraph from bottom, “...why the steps need to be flushed out...” should be **“...why the steps need to be fleshed out...”**

Page 8, Last Paragraph, “Mr. Caputo further expressed whey...” should be **“Mr. Caputo further expressed why...”**

Ms. Smith asked that the Commissioners try to read the minutes before the meeting in order to spend more time on other matters on the agenda.

**MS. CAGNINA MADE A MOTION TO APPROVE THE MINUTES OF**

**MARCH 9, 2004 AS AMENDED.**

**MS. CORCILLO SECONDED THE MOTION.**

**MOTION PASSED UNANIMOUSLY, WITH 2 ABSTENSIONS (MS.**

**ACKERMAN AND MS. SMITH).**

## **COMMENTS OF STAFF**

**a) Declaratory Permits and Enforcement Actions**

Ms. Cherichetti stated that there were two declaratory permits. One permit at 244 West Rocks Road requires a curtain drain with minor disturbance. The other permit is for 9 Algonquin Road and is for a rear addition over a rear deck. The addition is 53 feet from the watercourse. Ms. Cherichetti stated that there is one enforcement action and that she is trying to contact a Certified Soil Scientist. She stated that as soon as one is contacted, she would contact the owner of record. Ms. Cherichetti stated that there was a dumping violation at 57 Marlin Drive. She said the owner has lived there for 30 years and that the dumping is not on his land. Ms. Cherichetti stated that she needed to find out if the owner is on City trash pickup and that she has a call in to the Health Department.

**COMMENTS OF COMMISSIONERS**

There was discussion regarding open space on Rowayton Avenue that is owned by the City and being used to park cars provisionally by Rowayton United Church. Ms. Smith stated that there would be a Public Hearing in April and that the Commission should go on record as not wanting the open space to be used for parking. Ms. Cagnina stated that she would like to see this discussed with the Sixth District. Mr. Hubbard stated that he could not support turning a field into a parking lot. Mr. Holowinko stated that the Commissioners needed to draw up a statement for the Public Hearing. Ms. Cherichetti said that she would draft a memo to the committee with reference to the historic use of the park and that it should be used for occasional parking as opposed to regular parking and also stating the general terms supporting historic use of the park for recreational purposes.

Ms. Smith asked that the Commissioners discuss/revise the document on Open Space discussed at the March 9, 2004 meeting.

**ADJOURNMENT**

The meeting was adjourned at 8:25 p.m.

Respectfully submitted,

Linda L. Custis

Telesco Secretarial Service