

**NORWALK CONSERVATION COMMISSION MINUTES**

**CITY OF NORWALK  
NORWALK CONSERVATION COMMISSION  
MARCH 25, 2008**

PRESENT: Elizabeth Ackerman; Ed Holowinko; Emily Wilson; Andrew Kydes; Gwen Briggs; Chris Handrinos

STAFF: Alexis Cherichetti; Yari Bletsas

OTHERS: Don Strait; Frank Bonaddio; Joseph Ventricelli; Clement Brancale

**I. CALL TO ORDER**

In Mr. Hubbard's absence, Ms. Ackerman acts as Chair. Ms. Ackerman called the meeting to order at 6:05 pm.

**II. ROLL CALL**

Ms. Cherichetti took the roll call.

**III. RECEIPT & DISCUSSION**

a) #S07-309—469 Newtown Avenue—Puliese, Puliese & Jackson—Construction of a new single-family residence, with associated on-site septic system, adjacent to a wetland and watercourse

Mr. Kydes and Ms. Ackerman recused themselves from the meeting.

Don Strait, Grumman Engineering, LLC, representing the applicant, discussed the site's proximity to the wetland line and the buffering and filtering implemented there. Ms. Cherichetti asked if the site was surveyed and what the site plan was based on. There was a brief discussion regarding trees and tree removal. Ms. Cherichetti added that the site plan should show the stone wall on the site.

Ms. Briggs asked if there was a septic system. Mr. Strait explained its details.

Ms. Cherichetti asked about other possibilities for location of the stockpile area. A brief discussion followed. Ms. Cherichetti asked Mr. Strait to identify the house and driveway on the site map, with relation to the stone wall. Ms. Cherichetti explained that since the site involves a significant wetland area, the proposal would require a public hearing, as well as a biological evaluation of the impact on the wetland.

Mr. Handrinos asked Mr. Strait to confirm whether the property was on Newtown Avenue or Newtown Court. Mr. Strait explained that the property was accessed from Newtown Court. Ms. Cherichetti asked that the corners of the house be flagged by the end of the week; Mr. Strait agreed. Ms. Briggs asked if there was a running stream on the property. A brief discussion followed.

Ms. Cherichetti stated that the applicant should return with revised plans on April 8, at which point a public hearing might be scheduled.

#### IV. DISCUSSION &/OR DECISION

a) #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.

Mr. Kydes and Ms. Ackerman returned to the meeting.

Ms. Ackerman stated that there had been a public hearing regarding the property at the last meeting. Mr. Holowinko discussed the ‘grandfathering clause’ regarding the existing building and stated that he would like to see an alternate proposal for the elevator shaft proposed at the site.

Ms. Cherichetti reiterated that the Commission must make its decision based on projected impacts of the proposal to the wetlands and watercourse.

Mr. Kydes added that the proposal is better than what is currently existing at the site, in terms of treatment of water.

There was a discussion of the notion of putting a parking garage in a flood plain. Ms. Wilson stated that the parking issues were tied to the type of tenant the applicant is looking for. Mr. Kydes stated that the Commission should discuss the matter with the rest of the Board present.

Ms. Cherichetti read aloud from a memo regarding the property, explaining that the proposal would increase the total impervious surface of the property and that it involves some storm water retention and renovation. Ms. Wilson asked where the new impervious surfaces would go, in relation to the water. Ms. Cherichetti showed the areas on the site plan. Ms. Wilson stated that there seemed to be an increase in impervious area on the total property, but more pervious area on the waterfront. Ms. Cherichetti confirmed this.

Ms. Cherichetti suggested that the discussion would continue at the next meeting and that the staff would come up with two draft resolutions for the Commission to consider.

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

Attorney Ventricelli, representing the applicant, showed the site plan and explained that the applicant has removed mounds, and would add shrubs and buffering, remove boulders from the stream bed, replant shrubs and add seed mix to minimize erosion.

There was a brief discussion of the wetland setback. Ms. Ackerman asked the number of shrubs that would be planted; Mr. Ventricelli said at least twenty.

Ms. Ackerman also asked how the square boulders would be removed. Mr. Bonaddio described the process.

Ms. Cherichetti discussed whether the proposal involved an intermediate or a significant activity with regard to the watercourse. The Commission agreed that a public hearing probably will not be necessary, but agreed to vote regarding the hearing on April 8.

c) #S08-307---111 Maywood Road—Brancale—Corrective Action construction of stonewall, grading and expansion of land adjacent to a wetland and watercourse

Ms. Cherichetti passed out memos regarding the property and explained that a violation had been issued.

Mr. Brancale explained that some filling had been done in the corner of the property, outside the wetlands area. He said that no trees were destroyed and that he sought to improve the visual impact of what had once been a “rubble wall.”

Ms. Wilson asked where the stone wall ended and where the proposed new lawn area was. Mr. Brancale explained.

Ms. Cherichetti stated that the proposal will be on the next agenda for the April 8 meeting.

d) #S08-308—1021/2 Gillies Lane—Ledgebrook Condominium Association, Inc.—Pipe relocation and grading adjacent to a wetland and watercourse

Ms. Cherichetti stated that the application had been received at the last meeting and had garnered no negative comments.

**\*\* MR. KYDES MADE A MOTION TO ADOPT 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 WILL NOT LIKELY CAUSE ANY NEGATIVE IMPACTS TO THE WETLAND AND WATERCOURSE SYSTEM;**

NOW THEREFORE BE IT RESOLVED:

THAT CONSERVATION APPLICATION #S08-308, FOR DRAINAGE IMPROVEMENTS ADJACENT TO A WETLAND AND WATERCOURSE, BE GRANTED TO LEDGEBROOK CONDOMINIUM ASSOCIATION, INC., FOR PROPERTY AT 102 ½ GILLIES LANE, NORWALK, CT [5-64-200], 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. SITE GRADING SHALL BE LIMITED TO ONLY AROUND THE IMMEDIATE VICINITY OF AREAS NOTED ON SUBMITTED PLANS TO BE RE-GRADED. OTHER AREAS THE WETLAND UPLAND REVIEW AREA SHALL NOT BE GRADED UNLESS SPECIFICALLY PERMITTED BY THIS PERMIT.

3. THOUGH THIS PERMIT EXPIRES IN FIVE (5) YEARS, ALL REGULATED ACTIVITY MUST BE COMPLETED WITHIN SIX (6) MONTHS OF THE COMMENCEMENT OF ACTIVITY.

4. ANY CHANGE TO THE OVERALL PLAN, AS DEPICTED IN THE SUBMITTED PLANS AND NARRATIVES, INCLUDING THE PLAN ENTITLED, "SITE PLAN – PROPOSED DRAINAGE IMPROVEMENTS", DATED FEBRUARY 20, 2008 AND LAST REVISED FEBRUARY 29, 2008 BY MILONE & MACBROOM®, WILL REQUIRE A RETURN TO THE CONSERVATION COMMISSION FOR REVIEW.

\*\* MS. WILSON SECONDED.

\*\* The motion passed with unanimously with one abstention (MS. ACKERMAN).

## V. MINUTES

Ms. Cherichetti stated that the minutes were not available and would be available at the next meeting.

## VI. BOND RELEASE

a) #s05-222—8 Eastwood Road—Kurbatov—Release of bond for corrective action restoration of wetland buffer

Ms. Cherichetti showed the previously approved site plan. She explained that the Corrective Action application proposed two retaining walls and a small terrace, as well as some clear-cutting.

She said that the applicant had planted evergreens, but that had not met the conditioned requirements for planting. She noted that the applicant has planted some plants that he had apparently dug up from other woodlands, however most of those plants were non-



native, invasive plants. She said that the applicant only completed a fraction of what the Commission asked.

There was a discussion of the bond estimate form. Mr. Handrinos asked whether the Commission should consider a partial release of the bond. A discussion followed regarding the process and time frame of bond release. Ms. Cherichetti said that she would send the applicant a letter of violation for not meeting the requirements.

**\*\* MS. ACKERMAN MOVED TO DENY THE RELEASE OF BOND BECAUSE THE CONDITIONS, INCLUDING IMPLEMENTATION OF THE REQUIRED PLANTING PLAN, HAD NOT BEEN MET.**

**\*\* MS. WILSON SECONDED.**

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

b) #P94-540—380 Main Avenue—HD Main Avenue Associates/Ceruzzi Properties LLC—Release of bond for construction of shopping center (Super Stop&Shop, Bob's, etc.)

The commission agreed to table the proposal until the next meeting.

## VII. COMMENTS OF STAFF

### a) Minor Permits and Enforcement Actions

Ms. Cherichetti described the notices of permit expiration at four properties: 145 West Norwalk Road; 74 Cranbury Road; 351 West Cedar Street; and 7 Rising Road. Each directed the applicant to reapply to continue to perform regulated activities and to complete the conditioned activities associated with the original permit.

### b) Report of Senior Environmental Officer

There was none tonight.

## VIII. COMMENTS OF COMMISSIONERS

### a) Report of Commission Chair

There was none tonight.

## IX. ADJOURNMENT

The meeting was adjourned at 7:52 pm.

Respectfully submitted by Charlene Smith

