

**NORWALK CONSERVATION COMMISSION MINUTES**

**MARCH 26, 2002**

**ATTENDANCE:** Matthew Caputo, Chairman; Gerard Sciabbarrasi; Lester Bell; Chris Handrinos; Andrew Kydes; Marny Smith.

**STAFF:** Alexis Cherichetti, Environmental Officer, Michael Greene, Director of Planning and Zoning; Erin Leonard, Technical Assistant

**OTHERS:** Elizabeth Suchy; Sal Giglio; Don Strait; Stanley Dynia; Diane Laurichella; David Waters

**CALL TO ORDER**

The meeting was called to order at 6:10 pm.

**RECEIPT OF APPLICATION**

**Getty/Leemilts Petroleum – 479 Main Avenue-S02-95-Re-construction of gas station adjacent to wetland and watercourse.**

There was no one at the meeting to represent this application.

**\*\* MR. SCIABBARRASI MOVED TO TABLE THIS APPLICATION FOR A MONTH.**

**\*\* MR. BELL SECONDED.**

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

**Giglio – 425 Newton Avenue – S02-96-Construction of an addition and deck adjacent to wetland and watercourse and in the floodway.**

**\*\* MR. SCIABBARRASI MOVED TO ACCEPT THIS APPLICATION.**

**\*\* MR. BELL SECONDED.**

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

Don Strait from Grumman Engineering represented this application. He referred the members to a floodway study, at the request of staff, prepared by Grumman Engineering, which addressed floodwater elevations. Sal Giglio was also acknowledged by the Commission, and stated that the two-story addition would be closed in and he would work with Ms. Cherichetti on the type of buffer that would be used on the property.

**Silvermine Golf Club-North Seir Hill Road – S02-97-Intallation of sewer line adjacent to wetlands.**

**\*\* MR. BELL MOVED TO ACCEPT THIS APPLICATION.**

**\*\* MR. SCIABBARRASI SECONDED.**

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

Attorney David Waters represented this application. He stated that this application was to extend a sewer line on North Seir Hill Road. He stated that there had been a former Sier Hill Road until Super Seven came through. Mr. Waters illustrated the former Sier Hill Road on a blue print and stated that at the time Super Seven was created, a conduit was installed underneath the roadway. The applicant was proposing to connect to the existing sewer system and this would be a private installation which may end up being dedicated to public use, at some point, for individuals who may experience septic problems assuming that these individuals would contribute to the expense involved in maintaining this system. Mr. Waters also stated that the entire area of construction was within what had previously been Seir Hill Road, an area he noted has already been disturbed several times over and the applicant does not intend to be in the wetland.

Mr. Caputo asked if any of the members knew of any significant issues against this application.

Mr. Kydes asked who owned the conduit that was installed underneath the roadway. Mr. Waters replied the City had installed this as part of the roadway construction.

Ms. Smith asked if there should be a public hearing to see how this would affect people in the neighborhood. Mr. Waters replied that this would not affect the people in the area because they would control the sewer. Mr. Caputo asked what the applicant's timetable for construction was. Mr. Waters replied before fall.

The commission recognized Ms. Diane Laurichella. She stated that some of the citizens in the Silvermine area had asked her to look into this application. Ms. Laurichella stated that there was a high probability that 25 signatures would be collected in favor of a public hearing. She also stated that it was not proper procedure for the Chairman to ask the commissioners if they had any significant problems with this application and whether they were going to pass this application or not. Ms. Laurichella commented that this puts undue pressure on the commissioners and it also discourages the public from coming forth. She stated that at this stage, so early in the process, it was neither the process nor the time for Mr. Caputo to ask such a question. Mr. Caputo replied that his comment was misinterpreted. He stated that he wanted to know the significant issues so the commission could move on with its business.

Mr. Handrinos asked how soon can a public hearing be held after signatures have been received. Ms. Cherichetti replied 14 days from the day of receipt.

Mr. Waters stated that Ms. Laurichella knows his phone number and that he was very disappointed that she saw it fit to show up and said, "well I would have liked to talk to you, but we haven't had a chance..." Mr. Waters also stated that it would have been most helpful if Ms. Laurichella had called him in advance and he would have been very happy to go over these plans with her.

Ms. Laurichella replied that this agenda was not on the website and stated that had she seen the agenda, she would have called Mr. Waters to discuss this. She also stated that she would be calling Mr. Waters tomorrow.

An unidentified member of the public commented that this application would be a financial benefit to the Silvermine community.

**Ledgebrook Condos – Gillies Lane – S02-99- Filing and grading, landscaping, weed management and removal of structures in and adjacent to a wetland and watercourse.**

**\*\* MR. BELL MOVED TO ACCEPT THIS APPLICATION.**

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

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

Attorney Liz Suchy represented this application and stated this property was 25 acres and has approximately 237 units. She stated that the property also includes access ways, parking, 2 paddle tennis courts and the applicant was proposing to remove one and to also remove the retaining wall which is also referred to as the "superstructure". Ms. Suchy gave some background information on Ledgebrook.

She stated that Ledgebrook was built in the 1970s prior to any wetland statutes. By the early 1980s, issues started to emerge around the pond area and along Gillies Brook. She also stated that the Geology report attached to the member's packet indicated that this was a soft organic deposit and shallow rock, and Gillies Brooks was classified as a class A surface watercourse. She also stated that by 1985 encroachment of the stream was visible and in the early 1990s sediment was also visible surrounding the pond area and the channel due to the nature of the soil and they way in which the wetlands were situated. She stated that drainage and geo-technical studies as well as pond and site assessments were taken in the 1990s and a mitigation plan was eventually approved by this commission in 1991 to address many issues that they were back here to address 10 years later. Ms. Suchy stated that the plan presented this evening was almost a replication of the 1991 approval in many areas and what was currently happening was that there was surface water expansion with respect to the pond and this was encroaching in several areas. Ms. Suchy illustrated those areas on the blue print and noted that the significant areas were near building 15, building 16 and along the clubhouse perimeter of the channel. She stated that

this has become a concern and noted that there was a significant amount of invasive vegetation growth, which was detrimental to the pond and aquatic life. She also stated that repairs to the culvert at the edge of the stream were also in the application.

Stanley Dynia from GZA GeoEnvironmental gave an extensive and detailed geo-technical overview of this project followed by extensive discussion among the members concerning a public hearing on this application due to the significant activities being proposed within a watershed area. Ms. Suchy stated that her opposition to a public hearing. Mr. Sciabbarrasi stated that by State's statutes, a public hearing would have to be held.

**\*\* MR. SCIABBARRASI MOVED THIS ITEM TO A PUBLIC HEARING AS SOON AS POSSIBLE.**

**\*\* MS. SMITH SECONDED.**

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

Mr. Caputo stated that the applicant would work with Ms. Cherichetti to see if a public hearing earlier than April 23rd was feasible.

Mr. Bell left the meeting at 7:10 pm.

### **DECISION**

**English – 20 Ells Street – SUBD #3524 – 2 Lot subdivision adjacent to a pond.**

**\*\* MR. SCIABBARRASI MOVED TO APPROVE SUBDIVISION 3524 WITH THE CONDITIONS STATED IN THE MEMORANDUM DATED MARCH 20, 2002.**

**\*\* MS. KYDES SECONDED.**

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

**Riverwalk Association – Riverwalk Lane – Lot 5A – S02-93 – Construction of new single-family house adjacent to Five Mile River and associated wetlands.**

**Riverwalk Association – Riverwalk Lane – Lot 7A – S02-94 – Construction of new single-family house adjacent to Five Mile River and associated wetlands.**

David Waters updated the commission on both application and stated that they have increased the size of the boulders to 18 inches as requested by the commission and they have also increased the planting at the request of the staff. This was submitted to Ms. Cherichetti this evening. Ms. Cherichetti stated that she had requested the shrubs be increased to a minimum height of three feet and the number of shrubs be increased to 40 specimens to limit the wood chip mulch to the based of each shrub and to have a wetland seed mix sown between the mulched shrubs and man-sized or larger boulders.

Mr. Waters stated that man-size boulders would be an extreme expense and difficult to maneuver. Discussion ensued concerning the size of the boulders.

**\*\* MR. SCIABBARRASI MOVED TO APPROVE S02-93 WITH THE SEPCIAL CONDITIONS AS STATED ON THE MEMO DATED MARCH 21, 2002 WITH THE FOLLOWING AMENDMENT TO ITEM NUMBER 5 WHICH STATES MAN-SIZE OR LARGER BOULDERS TO BE CHANGED TO:**

**MINIMUM OF 10 TWO AND ONE-HALF FOOT DIAMETER BOULDERS AT A SPACING OF APPROXIMATELY 8-FOOT ON CENTER.**

**\*\* MS. KYDES SECONDED.**

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

## **INFORMAL DISCUSSION**

**Allen McKissick to discuss setbacks from wetlands.**

Mr. McKissick requested that this item be rescheduled for the next meeting.

## **ACCEPTANCE OF MINUTES**

No action taken.

## **COMMENTS OF STAFF**

There were no comments from the staff. Ms. Cherichetti distributed the current violations to the members.

## **COMMENTS OF COMMISSIONERS**

There were no comments from the Commissioners.

## **UPCOMING MEETINGS**

April 9<sup>th</sup>

April 23<sup>rd</sup>

May 14<sup>th</sup>

**\*\* MS. SMITH MOVED TO ADJOURN THE MEETING**

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

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

The meeting was adjourned at 8:30 pm.

Respectfully submitted,

Gerda Adonis

Telesco Secretarial Services

