

NORWALK CONSERVATION COMMISSION MINUTES

April 12, 2005

ATTENDANCE: Karen Destefanis, Chair (6:18 p.m.); Elizabeth Ackerman; Seeley Hubbard; Andy Kydes; Marny Smith; Anne Cagnina Ed Holowinko; Susan Llorca; Mathew Caputo (6:16 p.m.)

STAFF: Alexis Cherichetti; Senior Environmental Officer

OTHER: Attorney Dave Waters; Judy Slayback; Scott Schlosser and Andy Montelli of FF Realty; William Root, Soil Scientist; Ted Hart, Professional engineer; David Dickson; Peter Castile; Larry Weisman, Attorney Counsel

Commissioner Smith called the meeting to order at 6:07 p.m. Ms. Cherichetti called the roll.

DISCUSSION/DECISION

a) 3 Blue Mountain Road- #SO4-207 – Petrucci Builders, LLC- Construction of a 7- unit Conservation Development with associated common drive, stormwater drainage, retaining walls and landscaping, in and adjacent to a wetland and watercourse.

Alexis Cherichetti mentioned that Telesco Secretarial Services were unable to attend so there was no secretary present to take notes of minutes. They would be making use of just the tape recorder.

Alexis Cherichetti recapped last Conservation meeting of March 22, 2005, she stated that the public hearing was closed upon final presentation of Blue Mountain Road material- once closed the applicant was asked to submit additional documents and details that were missing – this additional information has been given to the commissioners to look at for this meeting. Alexis stated that there were no members of public present for the hearing – hearing closed and commissioners were invited to ask questions to applicant.

Application was opened up for discussion

Commissioner Smith expressed her concern toward the effect on the pond and wetlands by application of pesticides. She expressed her idea of cutting the invasives back to the ground in February before showing any sign of regrowth - letting them regrow through the season and again cutting back in February - thus a slower growth - making the use of pesticides not needed. She stressed the idea of smothering or mulching with black plastic as an unsightly alternative. Commissioner Smith stated that she would like to make this suggestion to Environmental Land Solutions.

Ms. Cherichetti noted that they had already presented their alternatives. She also stated that at this time any other alternatives could not be submitted because the public hearing had been closed.

Commissioner Smith asked why no other alternatives could be submitted.

Alexis Cherichetti answered that because the public hearing had been closed, the applicants could give no other alternative.

Alexis Cherichetti explained that in the future if they made a motion to approve the application, they could make the motion to approve it with modifications addressing this concern.

Commissioner Smith asked if it would be appropriate to contact Judy Slayback concerning her professional opinion about this – Alexis Cherichetti says she could and she would also be willing to contact other people such as UCONN.

Ms. Cherichetti said that she thought that the Environmental Land Solution plans are a good solution and that she recommended them.

Commissioner Smith stated that it was 6:16 and that Matt Caputo had just arrived.

Commissioner Cagnina stated that she would be in favor of six instead of seven homes – three on the east side – one could be backed away further from wetland to increase buffer area– thus there would be less traffic going down into wetland.

Alexis Cherichetti asked what type of traffic Commissioner Cagnina referred to.

Commissioner Cagnina stated “people” traffic

Commissioner Smith stated that Commissioner Destefanis had arrived at 6:18.

Commissioner Ackerman suggested that one alternative would be a classic subdivision – (6 lots in subdivision). She suggested that looking at it more closely she couldn't see how six lots could fit. And with the format that it would take, the concern would be the proximity to the wetland. Plans as submitted would not be acceptable to Commission. Alexis Cherichetti asked Commissioner Ackerman if she was talking about the sketched plans. Commissioner Ackerman responded yes. She continued saying that she was not sure of setbacks of each lot and was not sure you could actually get six lots out of it. She continued to question whether conventional subdivision or conservation development would have a greater impact on wetlands and the need for an additional driveway off East Rocks Road.

Commissioner Caputo stated that he likes the idea of conservation development for this application. He stated that with the size of the homes–the number of homes – the proximity to wetland and the method, to try to enforce protection of wetland if any

problems arise, would be easier to enforce with one group rather than various different owners. Commissioner Caputo suggested that the overall application would be worthy of approval.

Commissioner Kydes stated that he agrees with Commissioner Caputo agreeing that conservation development would be better.

Commissioner Smith agrees that with an association, infractions into wetlands would be more scrutinized and enforced because everyone would always be aware of what was happening and enforcement would be easier because all owners would be involved in the process.

Alexis Cherichetti discussed invasive plants, their habitat etc.

Commissioner Llorca stated that if you don't control invasives you are cultivating them, perpetuating them, you should make sure that they don't become more of a problem.

Commissioner Smith again stated that she believes it would be better to cut down invasive than use pesticides. She said that she hopes that cutting down would be another alternative that could be looked by at Environmental Land Solution and could be added as a condition for acceptance or rejection.

Further comments included Commissioner DeStefanis stating that she still believes that with a traditional subdivision of seven families would still have more of an impact than three families and that she is still not convinced by Commissioner Caputo's argument of conservation development.

Alexis Cherichetti asked if there were any other questions or comment on this item.

None was offered and the meeting was continued.

b) - 12 Allen Road - #S05-212 – Canevari – Two-lot subdivision of land in and adjacent to a wetland and watercourse.

Ms. Cherichetti stated that she had asked for additional information, which has partially been submitted –they have not submitted a T2 survey. The status is not known regarding this additional information. This added information was needed because of concern regarding two different soil reports. The applicant has not been able to be reached. The city has hired a soil scientist who will meet Friday on site with Alexis Cherichetti. Ms. Cherichetti suggested not having any further discussion on this application because the applicant was not present. The commissioners could set a public hearing date. The public hearing would have to commence by the May 10 meeting. The applicant did not meet the deadline of 4/12/05, which was today, for new information - they can have deadline of 4/26/2005 to complete any submissions they want to add to the application.

Commissioner Destefanis asked that if they don't make the deadline what would happen.

Alexis Cherichetti said that the public hearing would be opened and then they would proceed from there as to what would happen.

Commissioner Smith made a motion that a date be set, of May 10th for public hearing on application #S05-212.

Motion was made by Commissioner Smith and seconded by Commissioner Cagnina.

Vote was taken. All were in favor and none were apposed.

c) 216 Scribner Avenue. –Application #S05 213 – St. Mathew Church
Corrective action installation of water quality improvement.

Alexis Cherichetti stated that this is a “corrective” action application to work to remedy an installation of parking lot without a permit.

Alexis Cherichetti stated that this was another case of miscommunication where apparently the applicant’s agent Mr. Letcher believed that Steve McCord had submitted revised drawings as was discussed at last commission meeting of 3/22 /2005. At this meeting Commissioner Smith and other commissioners expressed concern about the potential erodability of the outfall of the proposed catch basin. Alexis Cherichetti stated that she had spoken to Mr. Letcher about amending the plan and it sounded like an amended plan was on its way. Mr. Letcher also expressed his thought that it had been submitted. What was submitted, was a maintenance plan for a catch basin insert.

Mr. Letcher stated there were very minor revisions on the required plans; placement of haybales to back up the silt fence and to seed the area. He estimated that it would only take two days to do the whole job. Alexis Cherichetti said that she appreciated their concern but that she had been waiting for revised site plan that would detail how the area would be stabilized and vegetated. She stated that she did talk to Steve McCord and that they had come to agreement that hydroseeding would not be the best, in or adjacent to wetland, it works well on lawn areas but it certainly is not best practice for this application and he had talked about limiting the plans of specification for a natural fiber blanket which does not look better than natural seeding and Steve McCord was going to have specifications for that.

Alexis Cherichetti states that it is up to the commission to say what is next. She continued by stating that the parking lot has been installed for some months now and that personally she did not think that two weeks would make much difference. She would rather make sure that what is approved is clear, detailed and enforceable. She stated that just the cleaning of the storm water was sufficient; there were no other issues with the proposed plan.

Further discussion was tabled to April 26, 2005 meeting.

d) 118 Murray Street - #S05-214 – Haynie
Construction of a new single-family residence adjacent to a wetland.

Alexis Cherichetti stated that this application was already discussed. There were few comments from the commissioners – information has been passed out with revised April 12, 2005 memo attached, with a revised site plan. There was a large discussion regarding further demarcation of where the wetland entrance begins – the continuation of the stonewall as a demarcation and buffer to wetland. The applicant is proposing the house in line with the storm wall and the commission has asked for some shrubs. The applicant did a planting of 30-inch shrubs along the entire perimeter. They plan to keep everything between the house and the wall and keep the wetland as a meadow environment. The new memo includes the revised resolution with an approval and conditions and no longer includes modifications like the previous memo. The commissioners were asked to refer to plans.

Commissioner Cagnina made a motion to approve application #S05-214 with the seven (7) new conditions that are on the revised memo from Alexis Cherichetti to Conservation Commission, dated April 12, 2005.

Commissioner Smith seconded the motion.

Commissioner Destefanis took a vote, seven in favor - none opposing.

Motion passed with seven in favor, one abstention (Commissioner Ackerman)

e) 74 Cranbury Road – #S05-215 – Tarzia – Construction of new single-family residence adjacent to a wetland and watercourse.

Alexis Cherichetti gave a recap of what had taken place with this application. Commissioners discussed the application; concern was expressed that the flood mitigation area could be filled in later on. Alexis Cherichetti discussed the swale. Commissioner Smith stated that maybe a new owner would be tempted to fill in. Commissioner Smith stated that in the deed a requirement could be added that stated that the flood mitigation area could not be filled.

Two of the commissioners expressed the idea of sending a letter to Common Council, which also meets tonight, regarding the open space fund. The commissioners asked to amend the agenda so they could read aloud the letter to the Commom Council. Alexis Cherichetti read the letter to commissioners.

The motion to amend the agenda was accepted

Commissioner Cagnina motioned to adopt the amendment.

Motioned passed unanimously.

The letter was placed on seats of Council members before their meeting started.

f) 2 & 8 Wilson Avenue - #S03-151a – Sixth Taxing District – Modification of permit to allow house relocation path to be closer to wetland.

This application was tabled to the next Conservation Commission meeting.

PUBLIC HEARING

Commissioner Destefanis called the Public Hearing to order at 7:00 p.m.

Alexis Cherichetti called the roll – Karen Destefanis, Elizabeth Ackerman, Mathew Caputo, Anne Cagnina, Seeley Hubbard. Andy Kydes, Marny Smith, Ed Holowinko, Susan Llorca

a) 595 Westport Avenue (Pepperidge Farm) - #S05-211 – FF Realty, LLC - Construction of three multi-unit residential structures, additional office space, and associated parking lots and garages, stormwater drainage and landscaping in and adjacent to wetlands and watercourses

Alexis Cherichetti read the legal notice noting the public hearing

Attorney David Waters, from the law firm of Lepofsky, Lepofsky and Lang, presented the people that were with him at the meeting. For the record he stated that he sent certified return receipt notices to adjacent Norwalk and Westport property owners and was including the green cards for the record.

Attorney Waters describes the parcel subject of the application. He talked about the existing conditions, the existing structures, exits and entrances, and parking. He described the wetlands along the front and easterly property lines and also north along the westerly property line.

He continued to talk about the CEAC meeting that they had with Westport departments and about a further meeting with the Westport Planning and Zoning and Conservation Commissions, where no application was needed, but met with, just as referral agencies.

Attorney Waters continued to recap what had happened, to this point, on the application.

For the record, David Dickson, licensed with the state of Connecticut, working with Milone & MacBroom. Mr. Dickson talked about the layout of parking patterns, and new parking area – working with contours, using natural grading. He stated that there will be 550 parking spaces located below ground level, which will be hidden. He talked about maintaining some roads and adding new ones. He stated that they would like to retain as much significant vegetation as possible. He continued to talk about the extent of past

flooding and changing wetland lines because of flooding. He explained the two-tier parking and underneath parking, the landscaping plans, existing and new.

Mr. Dickson asked to enter to record their summary of regulated activities planned. Regulated activity #1 would be DPW's request to install new sidewalk along route 1 – There would be a construction of new 5-foot sidewalk along Westport Avenue/Route 1 with construction of 2-inch drive/372,000 sq ft. Earthwork associated with construction of drive, sidewalks, retaining walls.

Regulated activity#2 would be earthwork associated with installation of stormwater management system, including box culvert, riprap, installation of mitigation plantings and boardwalk. Area of disturbance 1806 sq ft.

Activity #3 is earthwork related to stormwater management system proposing to do same thing that exists where the area where water from detention basin at Terrenova flows, into and then underneath, existing garage. The retaining wall and installation of stormwater management system disturbance area would be 344 sq.ft.

Activity #4 involves a small corner of wetland – 200 sq.ft. construction of smaller sidewalk and reconstruction of catch basin.

Activity #5 removal of existing concrete channel, removal of existing concrete buffers, and installation of mitigation planting associated with swale restoration, would involve 2,640 sq.ft.

Alexis Cherichetti made clear that their definition of regulated activity differs from Conservation commission regulated activity where Conservation's definition is a bit broader and defines jurisdiction with any activity within wetland and watercourse.

No further questions or comments were offered; meeting was turned over to Attorney Waters.

Attorney David Waters stated his name for the record.

Attorney Waters continued by describing the current site. He stated that currently there is a 110,000 sq.ft office building and 77,000 sq.ft. bakery building on site. The plan includes 235 residential units, all parking will be located underground. All parking for office will be located on deck and on grade to rear. The two new uses will be separate. He continued by saying that one of the options that he was discussing, which could go on this site, would be 530,000 sq.ft. commercial use, retail restaurant, or some office space. He also stated the other use would be residential development at a much greater intensity than what is being proposed. They are proposing 235 residential units. Under the zoning regulations they would be entitled to apply for 357 units, so they are at 60 percent of the permitted residential density. In addition to that, the way that the Norwalk zoning regulations are employed, we could fit both a 530, 000 sq.ft of commercial use and the 357 residential units on this property. That is what zoning would allow. What is being

proposed is 20% of the allowed for commercial – 60% of the allowed residential density. The use is– three residential buildings, two of them are rather unique because they would have elevators that go to the pod - four units each, in each pod times four floors are sixteen units in a pod. You can go into your elevator and go straight up into your unit. This L building is the more traditional double loaded corridor building and divided roughly among the three of them is the 235 units. The clubhouse building, which is right in the center of the two-story building, includes a pool, the fitness facility and all sorts of amenities as well.

Andy Kydes asked David Waters that when it was being used as Pepperidge Farm did he know how many employees worked there on a daily basis. Dave Waters answered that it ebbed and flowed, but the total number was about 300 in the bakery itself and then in the office building an additional 12.

For the record Ted Hart presented himself as a professional engineer with Millone & McBroom. He continued to present and discuss the details of the design of the stormwater management system and drainage hydrology site plan and the set of erosion and sediment controls plans.

Ted Hart also distributed a handout explaining the hydrology numbers to the commissioners.

He continued by stating that he had a discussion with DPW regarding the sidewalk located on Westport Avenue. They requested a sidewalk along Route 1 – so he gave DPW and Alexis Cherichetti two concepts. One is to pull the sidewalk all the way along Route 1 and the other one was to stop the sidewalk at the second entrance located at the westerly entrance – the reason that was done was to save the trees and also at the end there was nowhere to go – DPW requested the full sidewalk system.

Another item discussed was what to do with the wetland at the outlet at Route 1. The sidewalk will be encroaching. A standard sidewalk and extension of culvert was suggested by DOT.

William Root, certified soil scientist stated his qualifications and continued to discuss in detail the mapped wetlands and his wetland soils report.

Dave Waters stated that he thinks this is a good proposal. As it is now everything goes into the wetlands without any treatments, whereas all off the water will be treated with this project. What is being proposed, a substitute develop, not brand new is something that we are proud of and we think the city should be as well

In conclusion it was noted that DPW did sign off on the drainage plan as of that afternoon

Commissioner Destefanis state that at this point the public can speak.

First to speak – John Fallon an attorney of Fairfield CT – representing TerraNova and Birchwood Townhouse Condominium Association.

Commissioner Caputo asked John Fallon to show where condos are located.

John Fallon continued his discussion. He stated that they are not opposed to residential development on this site nor opposed to mixed used development on this site, but they are extremely concerned about the intensity of this proposed development. He continued to state that these concerns are heightened and exasperated by what he feels is the inadequacy of storm water management design and the soil and sediment erosion control plan. He expressed his thought that there had been a failure to meet the guidelines of the 2004 stormwater quality manual as established by the Connecticut DEP and also there has not been compliance with the 2002 state of CT guidelines for soil and sediment erosion control.

After this discussion, for the record, a petition pursuant to 22-19a was given to Alexis Cherichetti and copies to commissioners.

John Fallon introduced Mr. Logan and stated for the record that Mr. Logan's qualifications and credentials are in his report.

John Fallon continued to say that with any additional information required such as to delineate wetlands, he would like it to be known, that with the 22 -19a intervention, whereas Birchwood and Terre Nova have established party status, –with this status he would like to have the opportunity for Mr. Logan to make a site review and site visit. John Fallon asked that he hope to keep this hearing open and no hearing be held on April 26 because he has conflicts on that date and will out of state.

John Fallon introduced George Logan for the record.

Alexis Cherichetti asked for the intervention to be signed, Attorney Fallon then signed it.

George Logan continued by stating that his qualifications are detailed in the report of Rema Ecological Services, LLC.

After passing out copies of the report to the commissioners Mr. Logan continued to discuss his report in detail regarding stormwater system management. Primary area of concern would be the stormwater management and water quality redevelopment of the site. He referred to 2004 CT DEP stormwater quality manual. He also talked about different storm water treatment devices. He also referred to a letter that Westport Conservation Commission wrote to Norwalk Conservation Commission regarding their concern with this project and the Saugatuck River.

Mr. Logan stated that in his opinion there is not an adequate stormwater treatment system plan. He referred to the William Root report. He said that William Root's explanation regarding his mitigation plan to enhance, based on what he has reviewed, is not adequate.

He would like to go on sight and see to what extent wetland function is now and would like to go and talk to Pepperidge Farm concerning their present stormwater system.

Commissioner Smith asked if using some of the back parking area, as large detention storage area for filtration, would be the final recommendation,

Mr. Logan responded yes, that area would be used or maybe new development.

Mr. Logan again stated that they were not opposed to redevelopment but were concerned and would like to ensure that wetland protection, resource management, and water quality management would be done right. He continued by stating that he hoped that the applicant will come up with a plan that meets standards of water quality 2004, and conforms with the intentions set forth in regulations.

Commissioner Destefanis calls Roxanne Demassa to speak. Ms. Demassa states that she is a resident of Terre Nova. She states that they have 2 detention ponds and she described the area where she lives and how it is maintained.

Commissioner Destefanis calls Robert Zincorf to speak. Mr. Zincorf continued by talking about all the wild animals and fowl that inhabit the wetland area, such as wild turkey, raccoons, deer. He states that he did not hear anything mentioned regarding LEEDS, which he explained were new environmental design standards that architects used to see that standards will be met for all environmental considerations. He hoped that the commission would ask the applicant to look at Leading Environmental and Energy Design standards.

Mr. Zincorf also went on to express his concern about future high density of people associated with this development – that the quality of life could be impacted.

Commissioner Destefanis calls Laurel Lindstrom to speak. Ms. Lindstrom introduced herself as belonging to the East Norwalk Neighborhood Association. She stated that the area she is involved with runs to the Westport Avenue line. She talked about her concerns regarding it being a dense development, how it would have an impact. She said that she did see the presentation given in Westport but that there are still a lot of unanswered questions. She asked to consider leaving the hearing open because there are a lot of uncertainties. She believes that there should be a traffic study and that pollution problems should be addressed. She asked how much of an increase of impact on wetland areas would occur. She also added that LEEDS was not included and mentioned the 2004 stormwater manual.

Commissioner Destefanis called Jill Montesanto to speak. Ms. Montesanto introduced herself as belonging to the group Save Cranbury Neighborhood Assoc. She expressed concern about wildlife in the area. She stated that she is not opposed to development. She said that they have good ideas but continued to be concerned about turning this area into a park, and impacting wetlands. She expressed her concern about more garbage pollution, landscaping, amount of people concentration in the area. She stated that she was

concerned about pesticides coming from landscaping. She also said that she would like to see the amount of units reduced.

Next to speak was Diane Lauricella from Save Cranbury group. Ms. Lauricella recommended that Norwalk Conservation consider Westport Conservation's recommendations. She said that they should consider using their recommendations like a checklist. She thought they should consider Westport's input to either leave the Public Hearing open or use a condition to be referred also to Saugatuck River Association. She talked about asking for a reduction of density, she suggested grass pavers and she asked the commissioners to hire a hydrogeologist for ground water analysis impacts. She inquired about the habitat impact; she likes the flora idea but did not see any fauna discussed. She also mentioned that she would like LEEDS to become a state law. She ended by stating again that she thought that Norwalk Conservation Commission should concur with the Westport Conservation Commission on this matter.

Next to speak was Cynthia Beebe who said that all her questions had been raised and she did not need to speak.

Bob Wagman introduced himself as a Norwalk resident who does not live in this side of town, but who was a little disappointed because he felt that the idea of why this is a good project for this area had not really been explained. He hoped that more could be explained and discussed.

Tom Cincotta introduced himself as a resident of Fullan Road. He questioned the parking plan and how it would look from his side of the street.

At this point all comments from public ended.

David Waters reintroduced Ted Hart for the record.

Ted Hart spoke regarding the 2004 CT stormwater quality manual. He stated that they are guidelines, not law. He said that they are a set of guidelines set forth as guidance not something that you have to adhere to by law.

Mr. Hart continued by speaking about how the parking is going to be reduced, how there are not going to be a lot of cars on surface because most will use underground parking. He states that the pervious cover will also be reduced. Mr. Hart continued to discuss the storm water management plan, he again stated that in the past all water was discharged directly to wetland but with this plan there will be a much better water management system. Mr. Hart gave an overview of the stormwater management system, including culverts, detentions basins, swales, etc. He further explained and talked about the photos that were used in presentation. He explained the existing conditions and planned conditions. He ended his discussion by affirming that the new water quality will be better than existing one.

No further questions were offered for Mr. Hart.

William Root, soil scientist, discussed different aspects of wetland areas, functions and values, urban wetlands, and characteristics of wetlands and habitats, planting mitigations and processes dealing with this application.

David Dickson of Milone & MacBroom introduced himself for the record. He continued by stating that 20 % of open space is required in this zone per Zoning Regulations and that they would have 45% open space area. For the number of building units proposed, they are required to provide 47, 000 sq.ft. of recreational area. They have 208, 200 sq.ft. provided. None of the trees will be cut down unless they are dead or dying

Attorney Waters then continued discussion relating back to Attorney Fallon's first comment about being concerned over the intensity of development.

Attorney Waters continued by stating that Norwalk and Westport have different regulations, traffic pollution, etc.

He also stated that he was contacted by Attorney Fallon who met with people from Terra Nova. Attorney Fallon asked for comments, but he did not hear from Attorney Fallon again. Then Attorney Fallon went on to the Westport Conservation Commission and did not let Attorney Waters have any input. Attorney Waters' consultants asked Attorney Fallon to give an idea as to what they would be talking about and they said no. Now they are asking for more time. Attorney Waters felt that Attorney Fallon had enough time, that they were reviewed by two municipal staffs and that they will ask that the public hearing be closed.

Alexis Cherichetti announced that at this point the discussion is for commissioners.

Further questions were asked regarding the parking and was a hydrologist hired to do any research. Would there be any problems with water along Westport Avenue? What is actually considered wetland along Westport Avenue? Also questioned was the amount of cubic yards of material being moved and in what way would it affect wetland or watercourse during the removal. Other questions asked were regarding the blasting, the exposed rock.

William Root explained about the drainage swales. They drain to Indian Brook on the other side of the Post Road, then come down to Norwalk and then curve back to Westport at Saugatuck. River. Upgrades would be provided on the drainage system.

Commissioner Kydes asked Mr. Logan about the devices for hydrodynamic separators, regarding primary treatment and secondary devices. Discussion continued on the drainage treatment process. Vortech unit was discussed as unit to be used.

Attorney Waters questioned why the Public Hearing would be kept open.

Commissioner Caputo spoke regarding the opportunity everyone had to read all information given. If public hearing is kept open he thinks it should be based solely on

two new documents given as new information, and questions that come up from that. Time should be allowed for staff to talk to corporation counsel, to speak regarding meaning and impact of petition for intervention, and to allow time for commissioners to read the petition and REMA letter to Attorney John Fallon. The hearing should be kept open solely for the purpose of dealing with these documents. Attorney John Fallon could send a representative to answer questions.

Discussion continued regarding whether the public hearing should be closed or not. Whether it could be left open solely for the discussion of the new information that was received tonight.

Commissioner Smith made a motion to keep the public hearing open to discuss the elements previously given which were; the REMA documents to Mr. Fallon, the petition to intervene, the Westport Conservation Commission letter to Norwalk Conservation Commission regarding the project.

Commissioner Smith made a motion to keep the public hearing opened in order to give opportunity to study and digest the material that had been given tonight particularly the three documents; first the REMA Ecological Services report dated 4/12/2005 and addressed to Attorney Fallon, second the petition for intervention under the Connecticut General Statutes submitted by Attorney Fallon, and third the letter from the Westport Conservation Commission to Alexis Cherichetti, Senior Environmental Officer regarding the proposed redevelopment at Pepperidge Farm dated March 17, 2005.

Commissioner DeStefanis mentioned that the motion had been made by Commissioner Smith.

Commissioner Caputo asked Commissioner Smith what date to continue meeting to.

Commissioner Smith answered. April 26, 2005.

Motion was made and was seconded by Commissioner Hubbard.

Vote was taken and motion passed unanimously.

Public Hearing ended.

COMMENTS OF COMMISSIONERS

e) 74 Cranbury Road – #S05-215 – Tarzia – Construction of new single-family residence adjacent to a wetland and watercourse.

Alexis Cherichetti stated that more discussion is needed on the application

Commissioner Holowinko mentioned his interest in possible future flood mitigation problem where someone could possibly fill in the area. He mentioned that the square footage of the house footprint could be made smaller.

Alexis Cherichetti explained that the square footage of the footprint itself increased but the configuration of the house did not.

Alexis Cherichetti said that at the last meeting the applicant stated that it would be impossible to construct a house other than a very small structure and be entirely outside of the flood line and one of the concerns that the commission had stated was that the watercourse and the adjacent wetland would be impacted by the additional filling in the floodplain, because the filling, the loss of flood storage capacity would result, during significant storm events, in an increased water velocity and a rise in base flood elevation. They have mitigated those two factors by making this mitigation area.

Ed Holowinko again expressed his concern about someone filling in the flood area. A smaller footprint would eliminate the mitigation area.

Commissioner Smith expressed her thought that that this will set precedent by allowing anything to be built in a flood zone.

Alexis Cherichetti answered by saying that the commission's job is to assess each application on lot per lot basis.

Discussion continued among the commissioner regarding application. Application was continued.

2 & 8 Wilson Avenue - #S03-151a – Sixth Taxing District – Commissioners looked at new information given and application was continued to next meeting.

Motion was made and passed to table referral to next meeting

Motion was made and passed to table Minutes to next meeting.

COMMENTS OF STAFF

Alexis Cherichetti discussed the status of 4 May drive violation and show cause hearing. This would have to be discussed at next meeting.

Alexis discussed the status of 8 Eastwood Dive – recapped that directives were given and that no completed application has been received and that he has added more wood to the pile. The Cease and Desist order still stands.

ADJOURNMENT

COMMISSIONER CAPUTO MOVED TO ADJOURN.
THE MOTION WAS SECONDED.
MOTION PASSED UNANIMOUSLY.

The meeting was adjourned at 11:35 p.m

Respectfully submitted,

Iliana Navarro

