

NORWALK CONSERVATION COMMISSION MINUTES

**CITY OF NORWALK
NORWALK CONSERVATION COMMISSION
May 27, 2008**

PRESENT: D. Seeley Hubbard, Chair (6:25 pm); Anne Cagnina; Ed Holowinko; Gwen Briggs; Elizabeth Ackerman; Emily Wilson; Andrew Kydes; Chris Handrinos (6:25 pm); Karen Destefanis (6:30 pm)

STAFF: Alexis Cherichetti; Yari Bletsas

OTHERS: Attorney Elizabeth Suchy; Tom Nelson, McChord Engineering Inc.; Leslie Lawrence

I. CALL TO ORDER

In Mr. Hubbard's absence, Ms. Cagnina acted as Chair. She called the meeting to order at 6:02 pm.

II. ROLL CALL

Ms. Cherichetti called the roll.

III. PERMIT MODIFICATION OR EXTENSION

- a) #S07-279A—15 Cranbury Woods Road—McCarthy/Sanchez—Modification of permit to allow installation of drainage pipe in and adjacent to wetland

Ms. Cherichetti described the condition of the rear yard. She stated that during implementation of the previously permitted regulated activities, remnants of a pipe were found on the property. New pipe was then installed at the site without a permit. The Commission discussed details about the pipe.

** MS. WILSON MOVED 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, INCLUDING THE RECONNECTION OF THE SOLID PIPE, WILL NOT LIKELY CAUSE ANY FURTHER NEGATIVE IMPACTS TO THE WETLAND;

NOW THEREFORE BE IT RESOLVED:

THAT CONSERVATION APPLICATION #S07-279A, FOR MODIFICATION OF PERMIT #S07-279 TO ALLOW INSTALLATION OF A DRAINAGE PIPE AND REDUCTION OF REQUIRED PLANTINGS IN AND ADJACENT TO A WETLAND, BE GRANTED TO KATHLEEN MCCARTHY AND MATTHEW SANCHEZ, FOR PROPERTY AT 15 CRANBURY WOODS ROAD, NORWALK, CT [5-32-7], 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. A \$2,000.00 PERFORMANCE BOND IS TO BE POSTED PRIOR TO THE COMMENCEMENT OF ANY ON-SITE ACTIVITY. THE BOND SHALL BECOME ELIGIBLE FOR RELEASE FOLLOWING AT LEAST TWO (2) FULL GROWING SEASONS, AFTER THE SEASON OF INITIAL PLANTING. A GROWING SEASON EXTENDS FROM MAY 15 THROUGH OCTOBER 15 OF ANY GIVEN YEAR.

3. SITE GRADING SHALL BE LIMITED TO ONLY AROUND THE IMMEDIATE VICINITY OF AREAS NOTED ON SUBMITTED PLANS TO BE RE-GRADED. OTHER AREAS IN AND ADJACENT TO THE WETLAND SHALL NOT BE GRADED UNLESS SPECIFICALLY PERMITTED OR CONDITIONED BY THIS PERMIT.

4. A WETLAND BUFFER AREA SHALL BE ESTABLISHED TO THE WEST OF THE PROPOSED DRY STREAM CHANNEL. THE BUFFER AREA SHALL EXTEND ACROSS REAR AND NORTHERN SIDE YARDS, AS DEPICTED ON THE PLAN ENTITLED, "*REVISED PLANTING PLAN, M. SANCHEZ & K. MCCARTHY, 15 CRANBURY WOODS ROAD, NORWALK, CONNECTICUT*", DATED *MAY 1, 2008* BY ENVIRONMENTAL LAND SOLUTIONS, LLC. THE BUFFER AREA SHALL BE PLANTED WITH THE PLANTING PLAN DESCRIBED ON THE ABOVE-MENTIONED PLAN WITHIN SIX (6) MONTHS OF INITIATING GRADING AND DRAINAGE IMPROVEMENTS TO THE PROPERTY. THE AREA WITHIN THE PROPOSED WETLAND BUFFER AREA SHALL BE MAINTAINED IN SUCH A MANNER THAT ALLOWS THIS AREA TO ESTABLISH A NATURAL VEGETATED STATE; THESE AREAS SHALL NOT BE MAINTAINED AS LAWN.

5. THOUGH THIS PERMIT EXPIRES IN TWO (2) YEARS, ALL ACTIVITY MUST BE COMPLETED WITHIN EIGHT (8) MONTHS OF THE COMMENCEMENT OF ACTIVITY.

6. ANY CHANGE TO THE OVERALL PLAN, AS DEPICTED IN THE SUBMITTED PLANS AND NARRATIVES, WILL REQUIRE A RETURN TO THE CONSERVATION COMMISSION FOR REVIEW.

** MS. BRIGGS SECONDED.

** MOTION PASSED UNANIMOUSLY.

b) #S03-148A—Brierwood Road—DePaul & Brierwood Road, LLC—Extension of time to permit continued regulated activities

Ms. Cherichetti explained that the applicant had been granted a permit in June, 2003 and that the applicant was seeking a 5 year permit extension. Ms. Cagnina asked why the applicant needed a five-year, as opposed to a 3-year extension. Attorney Suchy explained that the applicant does not want the permit to expire and is agreeable to modification of the time frame. The Commission asks about the details of the site plan.

** MS. WILSON MOVED TO ADOPT THE FOLLOWING RESOLUTION:

WHEREAS, CLEARING AND GRADING WORK HAS ALREADY COMMENCED ON THE PROPERTY; AND

WHEREAS, THIS WORK IS IMMEDIATELY UPHILL OF TWO WETLANDS;

NOW THEREFORE BE IT RESOLVED:
THAT THE REQUEST FOR EXTENSION AND MODIFICATION OF PERMIT #S03-148 BE GRANTED WITH THE FOLLOWING TERMS:

1) THE PERMIT EXPIRATION DATE SHALL BE EXTENDED THREE (3) ADDITIONAL YEARS (TO JUNE 10, 2011).

2) SPECIAL CONDITION # 9 SHALL BE MODIFIED TO READ, "ONCE WORK ON THE PROJECT COMMENCES, ALL ACTIVITY UNDER

THIS PERMIT IS TO BE COMPLETED WITHIN FOUR AND A HALF (4 1/2) YEARS OR JUNE 10, 2011, WHICHEVER IS EARLIER."

** MR. KYDES SECONDED.

** MOTION PASSED UNANIMOUSLY.

- c) #S07-269A—20 Betmarlea Road—McGettigan—Modification of permit to not be required, as initially proposed, to remove existing shed away from wetland and install buffer plantings

Mr. Hubbard, Mr. Handrinos, and Ms. Destefanis arrived. Mr. Hubbard resumed as Chair.

Ms. Cherichetti described the application, stating that there is a wetland along the eastern side yard of the property and that the applicant did not want to move the existing shed. Ms. Cherichetti explained that in the original permit application, which requested sought the construction of a new garage, the owners had proposed removal of two sheds as a wetland impact mitigation measure. There was a brief discussion about changes to the shed, as well as the applicant's reasons for wanting the shed to remain where it was. Mr. Hubbard stated that the best solution would be to move the shed to another location.

The Commission agreed to table this item until the next meeting and requested that staff contact the applicants and invited them to attend the next meeting.

The Commission agreed to continue along in the agenda, but would suspend the order of the agenda at 7:00 pm to commence the public hearing.

IV. DISCUSSION AND/OR DECISION

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

** MS. CAGNINA MOVED TO APPROVE TO APPLICATION.

** MS. DESTEFANIS SECONDED THE MOTION.

Following discussion of the application and the draft resolution, Ms. Cagnina withdrew her motion.

** MS. DESTEFANIS MOVED 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, AS CONDITIONED BELOW,
WILL LIKELY MITIGATE THE NEGATIVE IMPACTS ON THE WETLAND
OR WATERCOURSE THAT RESULTED FROM THE PREVIOUS NON-
PERMITTED ACTIVITIES;

WHEREAS, THE FULL UPLAND REVIEW AREA OF THE WETLAND
WILL REMAIN IN ITS NATURAL, VEGETATED STATE;

NOW THEREFORE BE IT RESOLVED:

THAT CONSERVATION APPLICATION #S08-307, FOR CORRECTIVE
RESTORATION AND LANDSCAPING IN AND ADJACENT TO A
WETLAND AND WATERCOURSE, BE **GRANTED** TO CLEMENT AND
EILEEN BRANCALE, FOR THE PROPERTY AT 111 MAYWOOD ROAD,
NORWALK, CT [5-62-168], WITH THE FOLLOWING CONDITIONS:

1. A \$700.00 BOND IS TO BE POSTED PRIOR TO RE-COMMENCEMENT OF ANY ON-SITE PERMIT RELATED ACTIVITY. THE BOND SHALL BECOME ELIGIBLE FOR RELEASE FOLLOWING AT LEAST TWO (2) FULL GROWING SEASONS AFTER THE SEASON OF INITIAL PLANTING. A GROWING SEASON EXTENDS FROM MAY 15 THROUGH OCTOBER 15 OF ANY GIVEN YEAR. ALL SPECIAL CONDITIONS OF THE PERMIT MUST BE SATISFIED PRIOR TO RELEASE OF THE BOND.
2. THE PLANTING PLAN, AS DEPICTED IN THE PLAN ATTACHED TO THE NARRATIVE RECEIVED APRIL 18, 2008, BY CLEMENT BRANCALE, SHALL BE FULLY IMPLEMENTED WITHIN ONE (1) MONTH OF THE ISSUANCE OF THIS PERMIT. THE SHRUBS SHALL BE NATIVE TO CONNECTICUT AND BE AT LEAST THIRTY INCHES (30") IN HEIGHT AT THE TIME OF PLANTING. THE WATERCOURSE AND WETLAND UPLAND REVIEW AREA SHALL BE MAINTAINED IN SUCH A MANNER THAT ALLOWS THIS AREA TO ESTABLISH A NATURAL VEGETATED STATE.
3. ANY OTHER REGULATED ACTIVITIES WITHIN THE UPLAND REVIEW AREA SHALL REQUIRE CONSERVATION COMMISSION REVIEW PRIOR TO COMMENCEMENT.

** MS. ACKERMAN SECONDED.

** MOTION PASSED WITH 5 IN FAVOR AND 2 ABSTENTIONS (MS. CAGNINA AND MR. HANDRINOS).

- b) #S08-312—Rowayton Woods Drive—Organic Designs, LLC—Pond rehabilitation and drainage improvements in and adjacent to a wetland and watercourse

Discussion of this item was tabled until following the close of the scheduled public hearing.

- c) #S08-313—25 Noah’s Lane—City of Norwalk DPW—Installation of a drainage pipe and construction of a head wall adjacent to a watercourse

** MS. DESTEFANIS MOVED 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 ARE NOT LIKELY TO RESULT IN NEGATIVE IMPACTS TO ANY WETLAND OR WATERCOURSE;

NOW THEREFORE BE IT RESOLVED:

THAT CONSERVATION APPLICATION #S08-313, FOR INSTALLATION OF A HEADWALL AND DRAINAGE PIPE IN AND ADJACENT TO A WATERCOURSE, BE GRANTED TO THE CITY OF NORWALK DEPARTMENT OF PUBLIC WORKS, FOR WORK IN THE VICINITY OF 25 NOAH’S LANE, NORWALK, CT [5-26-105], WITH THE FOLLOWING CONDITIONS:

1. ACTIVITIES WITHIN THE WATERCOURSE, INCLUDING CONSTRUCTION OF THE HEADWALL AND CLEANING OF THE STONE-LINED CHANNEL, SHALL BE LIMITED TO OCCUR DURING THE GENERALLY LOW FLOW CONDITIONS BETWEEN JULY 1 THROUGH SEPTEMBER 30 OF ANY GIVEN CALENDAR YEAR.
2. ANY OTHER REGULATED ACTIVITIES WITHIN THE UPLAND REVIEW AREA SHALL REQUIRE CONSERVATION COMMISSION REVIEW PRIOR TO COMMENCEMENT.

** MS. CAGNINA SECONDED.

** MOTION PASSED WITH 6 IN FAVOR AND ONE ABSTENTION (MS. ACKERMAN).

- d) #S08-314—7,8 & 9 Meadowbrook Lane; 6,8 & 11 Fullmar Lane; 9 & 18 Appletree Lane—City of Norwalk DPW—Replacement of existing drainage pipes and installation of new drainage pipe in and adjacent to a watercourse and wetlands

Ms. Cherichetti stated that the applicant was in the process of having the wetlands delineated by a soil scientist and that this item should be deferred until next month.

- e) #S08-315-74 Cranbury Road—Tarzia—New permit for construction of a single-family residence adjacent to a wetland and watercourse due to Permit Expiration of #s05-215

Ms. Ackerman and Mr. Hubbard recused themselves and left the room.

Ms. Destefanis asked if this were a new permit. Ms. Cherichetti responded that, technically, yes, this was a new permit. She also noted that the application was effectively the same as it was seeking to finish the exact same work that had been approved under #S05-215, which had expired. The Commission discussed the conditions in the item's draft resolution.

** MR. KYDES MOVED TO APPROVE 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 HAVE PREVIOUSLY BEEN APPROVED UNDER CONSERVATION PERMIT #S05-212 & #S05-202A AND THESE PERMITS HAVE EXPIRED; AND

WHEREAS, PERMIT #S05-202 & #S05-202A WAS APPROVED WITH CONDITIONS AND SOME OF THESE REQUIRED CONDITIONS HAVE NOT YET BEEN IMPLEMENTED;

NOW THEREFORE BE IT RESOLVED:

THAT CONSERVATION APPLICATION #S08-315, FOR CORRECTIVE ACTION ACTIVITIES FOR COMPLETION OF CONSTRUCTION A NEW SINGLE-FAMILY RESIDENCE AND OUTSTANDING MITIGATION WORK ADJACENT TO A WETLAND AND WATERCOURSE BE GRANTED TO JOSEPH TARZIA FOR PROPERTY AT 74 CRANBURY ROAD, NORWALK, CT, [DISTRICT 5, BLOCK 30, TAX LOT 20] WITH THE FOLLOWING MODIFICATIONS:

1. THAT THE FLOOD MITIGATION AREA, AS INDICATED ON PLANS DATED JANUARY 12, 2007 BY MCCHORD ENGINEERING, BE PLANTED WITH TEN (10) NATIVE SHRUBS AND A GROUND COVER, WHICH MUST BE APPROVED BY THE SENIOR ENVIRONMENTAL OFFICER. THE ABOVE-DESCRIBED LANDSCAPING SHALL BE CONSIDERED PART OF THE WETLAND MITIGATION PLANTING PLAN;
2. THAT THE DRIVEWAY, WALKWAY AND PATIO BE CONSTRUCTED WITH "ECOSTONE" PERVIOUS PAVERS OR APPROVED SUBSTITUTE; AND
3. THAT THE PATIO BE REDUCED TO A MAXIMUM DIMENSION OF 10 FEET WIDE BY 25 FEET LONG.

BE IT FURTHER RESOLVED:

THAT THE FOLLOWING SPECIAL AND GENERAL CONDITIONS APPLY:

1. THE PORTION OF THE SUBMITTED BOND HELD FOR PLANTING (\$2,750.00) SHALL BECOME ELIGIBLE FOR RELEASE FOLLOWING TWO (2) FULL GROWING SEASONS, AFTER THE SEASON OF INITIAL PLANTING. A GROWING SEASON EXTENDS FROM MAY 15 THROUGH OCTOBER 15 OF ANY GIVEN YEAR. OTHER PORTIONS OF THE BOND ARE ELIGIBLE FOR RELEASE AS THE WORK IS COMPLETED AND THE SITE IS STABILIZED. ALL SPECIAL CONDITIONS OF THE PERMIT MUST BE SATISFIED PRIOR TO RELEASE OF THE BOND.
2. 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.
3. SILT FENCE OR HAY BALES SHALL BE INSTALLED IN THE LOCATION INDICATED ON THE SITE PLAN ENTITLED "PROPOSED RESIDENCE, REVISED SITE PLAN", DATED 09-28-04 AND LAST REVISED 03-02-05 BY DEAN MARTIN, GRUMMAN ENGINEERING LLC. THE SILT FENCING IS TO BE PROPERLY INSTALLED, AND THEN CHECKED BY THE CONSERVATION STAFF, PRIOR TO THE COMMENCEMENT OF ANY WORK ON SITE.
4. THE SILT FENCE SHALL REMAIN IN THE ORIGINAL APPROVED LOCATION IN SPECIAL CONDITION #3 UNTIL JUST PRIOR TO THE COMMENCEMENT OF GRADING FOR THE FLOOD MITIGATION WORK. PRIOR TO THIS WORK, SILT FENCE SHALL BE INSTALLED IN THE LOCATION INDICATED ON THE PLAN ENTITLED, "REVISED SITE GRADING PLAN, 74 CRANBURY ROAD", DATED JANUARY 12, 2007, AS PREPARED BY MCCHORD ENGINEERING ASSOCIATES, INC.

5. NO CONSTRUCTION-RELATED ACTIVITY, INCLUDING, BUT NOT LIMITED TO, STOCKPILING, CONSTRUCTION ACCESS, GRADING OR VEGETATION REMOVAL MAY OCCUR SOUTH OR EAST OF THE SILT FENCE, WHICH SHALL BE CONSIDERED THE LIMIT OF DISTURBANCE UNLESS SPECIFICALLY EXEMPTED BY CONDITIONS OF THIS PERMIT.

6. ALL SHRUBS THAT ARE PART OF THE WETLAND MITIGATION PLANTING PLAN SHALL BE A MINIMUM OF 36 INCHES IN HEIGHT. ALL TREES THAT ARE PART OF THE WETLAND MITIGATION PLANTING PLAN SHALL HAVE A MINIMUM 2 ½ -INCH CALIPER AT THE TIME OF PLANTING. A DESIGNATED WETLAND & WATERCOURSE BUFFER SHALL BE ESTABLISHED EASTWARD OF THE SILT FENCE LINE SHOWN ON THE PLAN ENTITLED, "PROPOSED RESIDENCE, REVISED SITE PLAN", DATED SEPTEMBER 28, 2004 AND LAST REVISED APRIL 25, 2005 AS PREPARED BY GRUMMAN ENGINEERING LLC. ANY DISTURBED AREAS WITHIN THE DESIGNATED WETLAND BUFFER, SUCH AS GRADING FOR FLOOD MITIGATION, SHALL BE SEEDED WITH A NATIVE SEED MIX WITHIN TWO (2) DAYS OF DISTURBANCE. THE AREA WITHIN THE DESIGNATED WETLAND BUFFER SHALL BE MAINTAINED IN SUCH A MANNER THAT ALLOWS THIS AREA TO ESTABLISH A NATURAL VEGETATED STATE; THESE AREAS SHALL NOT BE MAINTAINED AS LAWN.

7. THE WETLAND MITIGATION PLANTING PLAN AS SHOWN ON THE PLAN ENTITLED "PROPOSED RESIDENCE REVISED SITE PLAN", DATED SEPTEMBER 28, 2004 AND LAST REVISED APRIL 25, 2005 BY GRUMMAN ENGINEERING LLC, SHALL BE FULLY IMPLEMENTED WITHIN THREE (3) MONTHS OF THE ISSUANCE OF THIS CORRECTIVE ACTION PERMIT.

8. THE APPLICANT SHALL CAUSE TO BE PREPARED AN 'AS-BUILT' FOUNDATION SURVEY OF THE PROPERTY. THE 'AS-BUILT' SURVEY SHALL ALSO INCLUDE ALL WETLANDS AND WATERCOURSES, THE 100-YEAR FLOOD ZONE LINE, THE FLOODWAY LINE, THE AREA PREVIOUSLY DESCRIBE IN SPECIAL CONDITION #5 ABOVE NOTED AS THE 'DESIGNATED WETLAND BUFFER AREA', THE LIMIT OF DESIGNATED WETLAND BUFFER AREA NOTED AS THE 'LIMIT OF LAWN', THE FLOOD

MITIGATION AREA NOTED AS 'FLOOD MITIGATION AREA - REQUIRED FOR FLOOD WATER STORAGE' AND A NOTE REFERRING THE READER TO THE CONSERVATION OFFICE FOR FURTHER INFORMATION ASSOCIATED WITH CONSERVATION PERMIT #S05-215, #S05-215A AND #S08-315. THE 'AS-BUILT' PLAN SHALL BE FILED ON THE NORWALK LAND RECORDS BY THE APPLICANT, WITH TWO COPIES OF THE FILED MAP SUBMITTED TO THE CONSERVATION OFFICE.

WHEN THE PROPERTY IS TRANSFERRED FROM THE DEVELOPER TO NEW OWNER, EITHER A REDUCED COPY OF THIS MAP SHALL BE ATTACHED TO THE WARRANTY DEED OR THE WARRANTY DEED SHALL REFER TO THE MAP NUMBER ASSIGNED BY THE TOWN CLERK TO THE ABOVE-DESCRIBED FILED SURVEY MAP.

IN THE EVENT THAT THE PROPERTY IS SOLD PRIOR TO THE 'AS-BUILT' SURVEY BEING AVAILABLE, A REDUCED COPY OF THE APPROVED SITE PLAN, ENTITLED "PROPOSED RESIDENCE REVISED SITE PLAN", DATED 09-28-04 AND LAST REVISED 03-02-05 BY DEAN MARTIN, GRUMMAN ENGINEERING LLC, SHALL BE ATTACHED, AS A REDUCED COPY, TO THE WARRANTY DEED.

NO PORTION OF THE PERFORMANCE BOND SHALL BE RELEASED UNTIL THIS CONDITION IS SATISFIED.

9. THIS CORRECTIVE ACTION PERMIT ALLOWS FOR THE CONTINUANCE OF ACTIVITIES PREVIOUSLY PERMITTED UNDER AN EXPIRED PERMIT. ALL REGULATED ACTIVITIES OF THE PROPOSED PLAN MUST BE COMPLETED WITHIN ONE (1) YEAR OF THE ISSUANCE OF THIS PERMIT.

10. THIS PERMIT DOES NOT COVER ANY SEWER LATERAL CONNECTIONS WITH THE PROPOSED FORCE MAIN TO ANY OTHER RESIDENCE OR DWELLING. THE INSTALLATION OF OTHER SEWER LATERAL CONNECTIONS, INCLUDING EXISTING OR FUTURE DWELLINGS AT 70 CRANBURY ROAD, MAY BE

REGULATED ACTIVITIES AND REQUIRE A SEPARATE CONSERVATION PERMIT.

11. ANY CHANGE TO THE OVERALL PLAN, AS DEPICTED IN PLANS ENTITLED "PROPOSED RESIDENCE, REVISED SITE PLAN", DATED 09-28-04, LAST REVISED 03-02-05, AND "PROPOSED LOW PRESSURE FORCE MAIN PLAN", DATED 09-28-04 AND LAST REVISED 12-29-04 BY GRUMMAN ENGINEERING LLC, WILL REQUIRE A RETURN TO THE CONSERVATION COMMISSION FOR REVIEW.

12. THE SPECIES OR VARIETY OF LAWN GRASS SHALL BE A TYPE THAT IS APPROPRIATE FOR THE SITE, SO THAT LAWN CARE PRACTICES MAY BE MINIMIZED. THE LAWN GRASS VARIETY SHALL BE APPROVED BY THE SENIOR ENVIRONMENTAL OFFICER PRIOR TO IMPLEMENTATION.

** MS. WILSON SECONDED.

** MOTION CARRIED.

V. PUBLIC HEARING

Mr. Hubbard noted that it was 7:00 p.m. and that the public hearings would begin.

- a) #S08-312—Rowayton Woods Drive—Organic Designs, LLC—Pond rehabilitation and drainage improvements in and adjacent to a wetland and watercourse (continuation of Public hearing commenced May 13, 2008.

Mr. Hubbard opened the public hearing and explained the public hearing procedure.

Ms. Cherichetti stated that this public hearing was a continuation of the one begun on May 13, 2008. Mr. Hubbard explained that the public hearing had been held open to allow further examination of statement by a member of the public that an agreement between adjacent property owners and the Condominium prohibited drainage work on the portion of the property. Mr. Hubbard stated that he read the agreement filed on the Norwalk Land Records and saw no impediment to the applicant's proposal. Ms. Cagnina agreed.

** MS. CAGNINA MADE A MOTION TO CLOSE THE PUBLIC HEARING.

** MS. DESTEFANIS SECONDED THE MOTION.

** THE MOTION CARRIED UNANIMOUSLY.

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

Ms. Cherichetti explained that the applicant failed to send notice to the abutting property owners. She added that the applicant's had granted the Commission an extension of time to deliberate the application.

Mr. Hubbard stated that the hearing would be adjourned to the regular meeting of June 10, 2008.

VI. DISCUSSION AND/OR DECISION (continued)

- f) #S08-317—145 West Norwalk Road—Arcamone—New permit for construction of a single-family residence adjacent to a wetland and watercourse due to Permit Expiration of #S05-208

** MR. HANDRINOS MOVED 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 HAVE PREVIOUSLY BEEN APPROVED UNDER CONSERVATION PERMIT #S05-208 AND THIS PERMIT HAS EXPIRED; AND

WHEREAS, PERMIT #S05-208 WAS APPROVED WITH CONDITIONS AND SOME OF THESE REQUIRED CONDITIONS HAVE NOT YET BEEN IMPLEMENTED;

NOW THEREFORE BE IT RESOLVED:

THAT CONSERVATION APPLICATION #S08-317, FOR CORRECTIVE ACTION ACTIVITIES FOR COMPLETION OF CONSTRUCTION A NEW SINGLE-FAMILY RESIDENCE AND OUTSTANDING MITIGATION WORK ADJACENT TO A WETLAND AND WATERCOURSE, BE GRANTED TO RALPH JR. AND CLAIRE ARCAMONE FOR PROPERTY AT 145 WEST NORWALK ROAD, NORWALK, CT, [DISTRICT 5, BLOCK 62, TAX LOT 238] WITH THE FOLLOWING MODIFICATIONS AND CONDITIONS:

1. THE PORTION OF THE PREVIOUSLY SUBMITTED BOND (\$5,600.00) HELD FOR PLANTING (\$2,750.00) SHALL BECOME ELIGIBLE FOR RELEASE FOLLOWING AT LEAST ONE FULL YEAR, INCLUDING ONE (1) FULL GROWING SEASON, AFTER THE SEASON OF INITIAL PLANTING. A GROWING SEASON EXTENDS FROM MAY 15 THROUGH OCTOBER 15 OF ANY GIVEN YEAR. OTHER PORTIONS OF THE BOND ARE ELIGIBLE FOR RELEASE AS THE WORK IS COMPLETED AND THE SITE IS STABILIZED. ALL SPECIAL CONDITIONS OF THE PERMIT MUST BE SATISFIED PRIOR TO RELEASE OF THE BOND.

2. 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.

3. THE SITE PLAN ENTITLED, "SITE PLAN", DATED 11-17-04 AND LAST REVISED 02-02-05 BY DONALD STRAIT, GRUMMAN ENGINEERING LLC, SHALL BE MODIFIED TO MOVE THE LEVEL SPREADER AT THE FOOTING OUTLET TO A LOCATION AT LEAST FORTY (40) FEET FROM THE WETLAND LIMIT LINE. IN THIS LOCATION, THE SILT FENCE SHALL ALSO BE MOVED SO THAT IT IS AT LEAST FORTY (40) FEET FROM THE WETLAND LINE.

4. SILT FENCE OR HAY BALES SHALL BE INSTALLED, WITH THE EXCEPTION NOTED ABOVE, IN THE LOCATION INDICATED ON THE SITE PLAN ENTITLED "SITE PLAN", DATED 11-17-04 AND LAST REVISED 02-02-05 BY DONALD STRAIT, GRUMMAN ENGINEERING LLC. TREE PROTECTION AND SILT FENCING IS TO BE PROPERLY INSTALLED, AND THEN CHECKED BY THE CONSERVATION STAFF, PRIOR TO THE COMMENCEMENT OF ANY WORK ON SITE.

5. NO CONSTRUCTION-RELATED ACTIVITY, INCLUDING, BUT NOT LIMITED TO, STOCKPILING, CONSTRUCTION ACCESS, GRADING OR VEGETATION REMOVAL MAY OCCUR SOUTH OR EAST OF THE SILT FENCE, WHICH SHALL BE CONSIDERED THE LIMIT OF DISTURBANCE UNLESS SPECIFICALLY EXEMPTED BY CONDITIONS OF THIS PERMIT.

6. ALL SHRUBS THAT ARE PART OF THE WETLAND MITIGATION PLANTING PLAN SHALL BE A MINIMUM OF 36 INCHES IN HEIGHT. ADDITIONALLY, FIFTEEN (15) ADDITIONAL SHRUBS, OF ANY HEIGHT, SHALL BE PLANTED BETWEEN THE DRIVEWAY AND WETLAND NEAR WEST NORWALK ROAD. A DESIGNATED WETLAND & WATERCOURSE BUFFER SHALL BE ESTABLISHED NORTH OF THE LIMIT OF DISTURBANCE LINE. THE AREA WITHIN THE DESIGNATED WETLAND BUFFER SHALL BE

MAINTAINED IN SUCH A MANNER THAT ALLOWS THIS AREA TO ESTABLISH A NATURAL VEGETATED STATE; THESE AREAS SHALL NOT BE MAINTAINED AS LAWN.

7. THE WETLAND MITIGATION PLANTING PLAN AS SHOWN ON THE PLAN ENTITLED "SITE PLAN", DATED 11-17-04 AND LAST REVISED 02-02-05 BY GRUMMAN ENGINEERING LLC AND AS AMENDED BY #6 ABOVE, SHALL BE FULLY IMPLEMENTED WITHIN THREE (3) MONTHS OF THE ISSUANCE OF THIS CORRECTIVE ACTION PERMIT.
8. THE APPLICANT SHALL CAUSE TO BE PREPARED AN 'AS-BUILT' FOUNDATION SURVEY OF THE PROPERTY. THE 'AS-BUILT' SURVEY SHALL ALSO INCLUDE ALL WETLANDS AND WATERCOURSES, THE AREA BETWEEN THE LIMIT OF DISTURBANCE AND THE WETLAND NOTED AS THE 'DESIGNATED WETLAND BUFFER AREA', THE LIMIT OF DISTURBANCE LINE NOTED AS THE 'LIMIT OF LAWN AND A NOTE REFERRING THE READER TO THE CONSERVATION OFFICE FOR FURTHER INFORMATION ASSOCIATED WITH CONSERVATION PERMIT #S05-208. THE 'AS-BUILT' PLAN SHALL BE FILED ON THE NORWALK LAND RECORDS BY THE APPLICANT, WITH TWO COPIES OF THE FILED MAP SUBMITTED TO THE CONSERVATION OFFICE.

IF AND WHEN THE PROPERTY IS TRANSFERRED FROM THE APPLICANT TO A NEW OWNER, EITHER A REDUCED COPY OF THIS MAP SHALL BE ATTACHED TO THE WARRANTY DEED OR THE WARRANTY DEED SHALL REFER TO THE MAP NUMBER ASSIGNED BY THE TOWN CLERK TO THE ABOVE-DESCRIBED FILED SURVEY MAP.

NO PORTION OF THE PERFORMANCE BOND SHALL BE RELEASED UNTIL THE FIRST PARAGRAPH OF THIS CONDITION IS SATISFIED.

9. THE DRIVEWAY SHALL NOT HAVE CURBS AND SHALL BE DESIGNED SO THAT STORM WATER DRAINAGE SHEET FLOWS ACROSS THE ADJACENT BUFFER.

10. THIS CORRECTIVE ACTION PERMIT ALLOWS FOR THE CONTINUANCE OF ACTIVITIES PREVIOUSLY PERMITTED UNDER AN EXPIRED PERMIT. ALL REGULATED ACTIVITIES OF THE PROPOSED PLAN MUST BE COMPLETED WITHIN ONE AND A HALF (1 1/2) YEARS OF THE ISSUANCE OF THIS PERMIT.

11. ANY CHANGE TO THE OVERALL PLAN, AS DEPICTED IN PLANS ENTITLED "SITE PLAN", DATED 11-17-04, LAST REVISED 02-02-05, BY GRUMMAN ENGINEERING LLC, WILL REQUIRE A RETURN TO THE CONSERVATION COMMISSION FOR REVIEW.

** MS. DESTEFANIS SECONDED.

** MOTION PASSED UNANIMOUSLY.

g) #S08-318-351 West Cedar Street-James—New permit for construction of a single-family residence adjacent to a wetland and watercourse due to Permit Expiration of #S04-204

The Commission agreed that the property was on Cedar Street, not Cedar Road, as incorrectly listed elsewhere.

** MS. CAGNINA MOVED 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 HAVE PREVIOUSLY BEEN APPROVED UNDER CONSERVATION PERMIT #S04-204 AND THIS PERMIT HAS EXPIRED; AND

WHEREAS, PERMIT #S04-204 WAS APPROVED WITH CONDITIONS AND SOME OF THESE REQUIRED CONDITIONS HAVE NOT YET BEEN IMPLEMENTED;

NOW THEREFORE BE IT RESOLVED:

THAT CONSERVATION APPLICATION #S08-318, FOR CORRECTIVE ACTION ACTIVITIES FOR COMPLETION OF CONSTRUCTION A NEW SINGLE-FAMILY RESIDENCE AND OUTSTANDING MITIGATION WORK ADJACENT TO A WETLAND AND WATERCOURSE, BE GRANTED TO ANDREW JAMES FOR PROPERTY AT 349 WEST CEDAR STREET, NORWALK, CT, [DISTRICT 5, BLOCK 69, TAX LOT 12] WITH THE FOLLOWING MODIFICATIONS AND CONDITIONS:

1. THE PREVIOUSLY POSTED \$3,000.00 BOND SHALL BECOME ELIGIBLE FOR RELEASE FOLLOWING TWO (2) FULL GROWING SEASONS, AFTER THE SEASON OF INITIAL PLANTING. A GROWING SEASON EXTENDS FROM MAY 15 THROUGH OCTOBER 15 OF ANY GIVEN YEAR. ALL CONDITIONS OF THE PERMIT MUST BE SATISFIED PRIOR TO RELEASE OF THE BOND.
2. 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.
3. SILT FENCE OR HAY BALES SHALL BE INSTALLED IN THE LOCATIONS DEPICTED ON THE PLAN ENTITLED, "LOT B SITE PLAN", DATED 8-25-04 AND LAST REVISED 11-16-04 BY GRUMMAN ENGINEERING LLC. THE SILT FENCING IS TO BE

PROPERLY INSTALLED, AND THEN CHECKED BY THE CONSERVATION STAFF, PRIOR TO THE COMMENCEMENT OF ANY WORK ON SITE.

4. NO CONSTRUCTION-RELATED ACTIVITY, INCLUDING, BUT NOT LIMITED TO, STOCKPILING, CONSTRUCTION ACCESS, GRADING OR VEGETATION REMOVAL MAY OCCUR BEYOND THE SILT FENCE, WHICH SHALL BE CONSIDERED THE LIMIT OF DISTURBANCE UNLESS SPECIFICALLY EXEMPTED BY CONDITIONS OF THIS PERMIT.
5. AS PREVIOUSLY DISCUSSED WITH THE PERMITTEE, THE DEPTH OF THE GARAGE SHALL BE REDUCED BY FIVE (5) FEET AND THE ENTIRE HOUSE FOOTPRINT SHALL BE PULLED NORTH (TOWARDS WEST CEDAR STREET AND AWAY FROM THE WETLAND LIMIT LINE) BY FIVE (5) FEET.
6. THE TWENTY- THREE (23) SHRUBS THAT ARE PART OF THE WETLAND MITIGATION PLANTING PLAN SHALL BE A MINIMUM OF 36 INCHES IN HEIGHT. A DESIGNATED WETLAND BUFFER SHALL BE ESTABLISHED WITHIN THE FIRST TWENTY (20) FEET ADJACENT TO THE WETLAND LIMIT LINE. THE AREA WITHIN THE DESIGNATED WETLAND BUFFER SHALL BE MAINTAINED IN SUCH A MANNER THAT ALLOWS THIS AREA TO ESTABLISH A NATURAL VEGETATED STATE; THESE AREAS SHALL NOT BE MAINTAINED AS LAWN.
7. PRIOR TO REMOVAL OF ANY INVASIVE SPECIES WITHIN THE WETLAND OR DESIGNATED WETLAND BUFFER, THE PERMITTEE OR REPRESENTATIVE SHALL MEET WITH CONSERVATION STAFF AT THE SITE TO FURTHER DEFINE THE LIMITS OF THIS ACTIVITY.
8. THE WETLAND MITIGATION PLANTING PLAN, INCLUDING THE PROPOSED MANAGEMENT OF INVASIVE SPECIES, SHALL BE

FULLY IMPLEMENTED WITHIN SIX (6) MONTHS OF THE
ISSUANCE OF THIS CORRECTIVE ACTION PERMIT.

9. THE APPLICANT SHALL CAUSE TO BE PREPARED AN 'AS-BUILT' FOUNDATION SURVEY OF THE PROPERTY. THE 'AS-BUILT' SURVEY SHALL ALSO INCLUDE ALL WETLANDS AND THE AREA BETWEEN THE LIMIT OF DISTURBANCE AND THE WETLAND LIMIT LINE NOTED AS THE 'DESIGNATED WETLAND BUFFER AREA', THE LIMIT OF DISTURBANCE LINE NOTED AS THE 'LIMIT OF LAWN', AND A NOTE REFERRING THE READER TO THE CONSERVATION OFFICE FOR FURTHER INFORMATION ASSOCIATED WITH CONSERVATION PERMIT #S04-204. THE 'AS-BUILT' PLAN SHALL BE FILED ON THE NORWALK LAND RECORDS BY THE APPLICANT, WITH TWO COPIES OF THE FILED MAP SUBMITTED TO THE CONSERVATION OFFICE.

WHEN THE PROPERTY IS TRANSFERRED FROM THE DEVELOPER TO NEW OWNER, EITHER A REDUCED COPY OF THIS MAP SHALL BE ATTACHED TO THE WARRANTY DEED OR THE WARRANTY DEED SHALL REFER TO THE MAP NUMBER ASSIGNED BY THE TOWN CLERK TO THE ABOVE-DESCRIBED FILED SURVEY MAP.

IN THE EVENT THAT THE PROPERTY IS SOLD PRIOR TO THE 'AS-BUILT' SURVEY BEING AVAILABLE, A REDUCED COPY OF THE APPROVED SITE PLAN, ENTITLED "LOT B SITE PLAN", DATED 8-25-04 AND LAST REVISED 11-16-04, BY GRUMMAN ENGINEERING LLC, SHALL BE ATTACHED, AS A REDUCED COPY, TO THE WARRANTY DEED.

NO PORTION OF THE PERFORMANCE BOND SHALL BE RELEASED UNTIL THIS CONDITION IS SATISFIED.

10. THIS CORRECTIVE ACTION PERMIT ALLOWS FOR THE
CONTINUANCE OF ACTIVITIES PREVIOUSLY PERMITTED
UNDER AN EXPIRED PERMIT. ALL REGULATED ACTIVITIES

OF THE PROPOSED PLAN MUST BE COMPLETED WITHIN
ONE (1) YEAR OF THE ISSUANCE OF THIS PERMIT.

11. ANY CHANGE TO THE OVERALL PLAN, EXCLUDING CHANGES TO THE PLAN AS REQUIRED BY SPECIAL CONDITION # 5 ABOVE, AS DEPICTED IN A MAP ENTITLED "LOT B SITE PLAN", DATED 8-25-04 AND LAST REVISED 11-16-04, BY GRUMMAN ENGINEERING LLC, WILL REQUIRE A RETURN TO THE CONSERVATION COMMISSION FOR REVIEW.

** MS. DESTEFANIS SECONDED.

** MOTION PASSED UNANIMOUSLY.

- h) #S08-319—18 Range Road—Lawrence—Addition and renovation to residence adjacent to a wetland and watercourse

Ms. Cherichetti explained that the applicant's activities are planned for distances greater than 50 feet from the pond, except for the planting plan. Ms. Lawrence described the plan for drainage at the property. She added that the applicant would be repairing the stone wall, but not removing it.

Ms. Briggs asked if the driveway was asphalt. Ms. Lawrence said that it was, explaining that it needed to be asphalt due to the steep grade. Mr. Hubbard asked if the applicant would be doing anything to the driveway. Ms. Lawrence said no.

Ms. Cherichetti noted that she would prepare a draft resolution, based on the comments made at tonight's meeting, for the Commission to consider at their next meeting.

- i) #S08-320—Rising Road-Krupa—Corrective Action deposition of material and installation of on-site septic system in and adjacent to a wetland and watercourse

Ms. Cherichetti explained that the applicant needed to install a new septic system in the front yard to accommodate an addition to the residence. She added that the applicant wanted to install a fence adjacent to the wetland line, approximately in the same location where the applicant has deposited cut wood.

She noted that she had, during the previous meeting, expressed concern that the wetland line had not been surveyed.

Ms. Destefanis asked if any work had been done on the site since the last meeting. Ms. Bletsas said that more material had been deposited near the garage. Ms. Cherichetti said that the soil near the garage is spongy, suggesting that the wetland line could be closer to the garage than indicated. The Commission agreed that the applicant must ensure that the wetland line is properly defined.

- j) #S08-321 - 316 Newtown Avenue—Hughes—New permit for construction of a single-family residence adjacent to a wetland and watercourse due to Permit Expiration of #S03-173

** MS. ACKERMAN MOVED 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 HAVE PREVIOUSLY BEEN APPROVED UNDER CONSERVATION PERMIT #S03-173 AND THIS PERMIT HAS EXPIRED; AND

WHEREAS, PERMIT #S03-173 WAS APPROVED WITH CONDITIONS AND SOME OF THESE REQUIRED CONDITIONS HAVE NOT YET BEEN IMPLEMENTED;

NOW THEREFORE BE IT RESOLVED:

THAT CONSERVATION APPLICATION #S08-321, FOR CORRECTIVE ACTION ACTIVITIES FOR COMPLETION OF CONSTRUCTION A NEW SINGLE-FAMILY RESIDENCE AND OUTSTANDING MITIGATION WORK ADJACENT TO A WETLAND AND WATERCOURSE, BE GRANTED TO DANIEL AND VICKI HUGHES FOR PROPERTY AT 316 NEWTOWN AVENUE, NORWALK, CT, [DISTRICT 5, BLOCK 29, TAX LOT 69] WITH THE FOLLOWING CONDITIONS:

1. THE PREVIOUSLY POSTED \$ 4,000.00 BOND SHALL BECOME ELIGIBLE FOR RELEASE FOLLOWING AT TWO (2) FULL GROWING SEASONS, AFTER THE SEASON OF INITIAL PLANTING. A GROWING SEASON EXTENDS FROM MAY 15 THROUGH OCTOBER 15 OF ANY GIVEN YEAR. ALL SPECIAL CONDITIONS OF THE PERMIT MUST BE SATISFIED PRIOR TO RELEASE OF THE BOND.
2. THE STAKED LOCATION OF THE SILT FENCING IS TO BE CLEARLY MARKED, AND CHECKED BY THE CONSERVATION STAFF, PRIOR TO THE COMMENCEMENT OF ANY WORK ON SITE, INCLUDING ANY CUTTING OF VEGETATION ON THE SITE.
3. 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.

4. TWENTY-NINE (29) SHRUBS SHALL BE PLANTED ALONG THE LIMIT OF DISTURBANCE AS INDICATED ON THE PLAN ENTITLED "SITE DEVELOPMENT PLAN; 316 NEWTOWN AVENUE, NORWALK, CT" DATED OCTOBER 15, 2003 AND LAST REVISED 11-14-03. ALL MITIGATION SHRUBS SHALL BE NATIVE TO CONNECTICUT AND MUST BE A MINIMUM OF 36 INCHES IN HEIGHT.

5. THE WETLAND MITIGATION PLANTING PLAN SHALL BE FULLY IMPLEMENTED WITHIN SIX (6) MONTHS OF THE ISSUANCE OF THIS CORRECTIVE ACTION PERMIT.

6. THE APPLICANT SHALL CAUSE TO BE PREPARED AN 'AS-BUILT' FOUNDATION PLAN FOR THE PROPERTY. THE 'AS-BUILT' PLAN SHALL ALSO INCLUDE THE WETLAND, THE LINE INDICATING THE START OF DESIGNATED BUFFER AREAS / END OF LAWN AREAS, AND A NOTE REFERRING THE READER TO THE CONSERVATION OFFICE FOR FURTHER INFORMATION ASSOCIATED WITH CONSERVATION PERMIT #S03-172 AND #S08-321. THE 'AS-BUILT' PLAN SHALL BE FILED ON THE NORWALK LAND RECORDS BY THE APPLICANT, WITH TWO COPIES OF THE FILED MAP SUBMITTED TO THE CONSERVATION OFFICE.

A COPY OF THE FILED DOCUMENT SHALL BE PROVIDED TO THE CONSERVATION OFFICE PRIOR TO THE RELEASE OF ANY BOND MONIES.

7. THIS CORRECTIVE ACTION PERMIT ALLOWS FOR THE CONTINUANCE OF ACTIVITIES PREVIOUSLY PERMITTED UNDER AN EXPIRED PERMIT. ALL REGULATED ACTIVITIES OF THE PROPOSED PLAN MUST BE COMPLETED WITHIN ONE (1) YEAR OF THE ISSUANCE OF THIS PERMIT.

8. ANY CHANGE TO THE OVERALL PLAN, "SITE DEVELOPMENT PLAN; 316 NEWTOWN AVENUE, NORWALK, CT" DATED OCTOBER 15, 2003 AND LAST REVISED 11-14-03, BY MCCHORD

ENGINEERING, ASSOCIATES, INC., AS APPROVED, WILL REQUIRE A RETURN TO THE CONSERVATION COMMISSION FOR REVIEW.

9. THE PROPOSED ACCESSORY BUILDING SHALL BE REDUCED TO A 25' X 30' STRUCTURE BY REMOVING FIVE (5) FEET OF BUILDING LENGTH FROM THE EASTERN SIDE OF THE BUILDING.

10. A DEED RESTRICTION, INDICATING THAT THE DRIVEWAY IS TO REMAIN GRAVEL OR OTHER PERVIOUS SURFACE IN PERPETUITY, SHALL BE FILED WITH AN AMENDED WARRANTY DEED ON THE NORWALK LAND RECORDS.

** MR. HANDRINOS SECONDED.

** MOTION PASSED UNANIMOUSLY.

k) #S08-322—Ledgebrook Condominium Association, Inc.—Removal of vegetation by mechanical hydro-raking in and adjacent to a wetland and watercourse

Ms. Cherichetti explained that the applicant was seeking to remove weeds and deepen an area of the pond. Mr. Gisell explained that this procedure would remove the volume of unconsolidated material from the basin, thereby helping to reduce the maintenance of the whole pond. He answered questions from the Commission about the process of hydro-raking.

Ms. Cherichetti said that a draft resolution would be presented at the June 10, 2208 meeting.

VII. MINUTES

The Commission agreed to table the minutes until the next meeting.

- a) May 6, 2008 minutes
- b) May 13, 2008 minutes

VIII. COMMENTS OF STAFF

- a) Minor Permits and Enforcement Actions

Ms. Cherichetti discussed a violation at 101 Chestnut Hill Road, involving the depositing of material near a wetland/watercourse. She also discussed a violation at 16 Scott Street regarding a case from 1983, in which a permit had expired.

Ms. Bletsas discussed a violation at 115 Maywood Road, where a pile of woodchips had been deposited. She discussed the idea of flagging the wetlands in the area.

Ms. Bletsas also discussed a violation at 139 Wolfpit Avenue, involving failure to maintain sedimentation & erosion controls as part of a previously approved permit to construct a new house near a wetland.

Ms. Cherichetti mentioned minor permits involving properties at 122 West Norwalk Road and 379 Chestnut Hill Road. She added that the applicant at the latter property would need to file for an intermediate permit, not a minor permit.

b) Report of Senior Environmental Officer

IX. COMMENTS OF COMMISSIONERS

There were none tonight.

X. ADJOURNMENT

The meeting was adjourned at 8:02 pm.

Respectfully submitted by Charlene Smith

