

**NORWALK CONSERVATION COMMISSION MINUTES**

**JUNE 24, 2003**

**ATTENDANCE: MATT CAPUTO, VICE CHAIRMAN; ANDREW KYDES;**

**MARNY SMITH; JANE CORCILLO;  
KAREN DESTEFANIS; ANNE  
CAGNINA; ED HOLOWINKO**

**STAFF: ALEXIS CHERICHETTI, SENIOR ENVIRONMENTAL  
OFFICER;**

**ERIN LEONARD, CONSERVATION  
STAFF; MICHAEL WRINN,  
CONSERVATION STAFF**

The Vice Chairman called the meeting to order at 6:09 p.m.

**RECEIPT & DISCUSSION**

a) **194 North Taylor Avenue - Johnston - #S03-153** – Three lot subdivision adjacent to a watercourse

Mr. Contois, with L. Edwards Associates, representing the applicant stated that the applicant proposes to subdivide a parcel into three separate lots creating two lots approximately 8,900 square feet. He said there is a man-made pond and a Conservation Easement along the back of the property. He said the applicant is proposing a site development plan and drainage galleries approved by the Department of Public Works. Mr. Contois said no grading would be done on the existing lot. According to a Memorandum to the Commission from Erin Leonard, Conservation Staff dated June 16, 2003 the applicant has proposed excavating 3000 to 3500 cubic yards of fill from lots 1 & 2.

Ms. Smith said that she had concerns with any blasting being done within a 50ft. radius of the wetlands. Ms. Cagnina said that her concern was the elevation high point and asked if the drop off elevation would be left as is. Mr. Contois said that it would. Mr. Contois said the applicant is thinking of possibly building one house instead of two. Mr. Holowinko said that it made more sense to put one house on the property than two.

b) **179 Perry Avenue – Bergmann - #S03-154** – Construction of in-ground swimming pool

and associated pool equipment adjacent to a wetland watercourse

Mr. Bergmann, representing the owner referring to the site plan said the applicant is putting in a pool close to the river. He said it is not disturbing any trees. Mr. Bergmann introduced photographs of the area in which the pool would go. He said that he included a map with the application delineating the area where the wetlands are. He said that the pool would be well outside of the wetland area. Ms. Smith said she had no problem with the pool. She asked if the applicant would be taking down any trees in the wetland restoration project across the river. Mr. Bergmann said he would not. He said he is proposing native Connecticut plantings across the river in this area. Ms. Cherichetti said that no activities would need a permit. She said she asked that the pool go in with some kind of planting plan. She said that what is being proposed goes beyond that. Ms. Smith said that she has concerns about the plantings across the river and disturbing the soil. Mr. Bergmann replied that the plantings between the rocks should not disturb anything along the riverbank.

c) **Renzulli Road – LaRacca - #S03-155** – Construction of a new single family residence adjacent to a

wetland and watercourse

Ms. Suchy, an attorney with Tierney, Zullo, Flaherty & Murphy representing the applicant said that she has been working with Alexis Cherichetti, Senior Environmental Officer regarding a planting plan. Ms. Suchy said that most of those issues were ironed out on Monday. Ms. Suchy referring the Commissioners to the plan said she hoped the Commission would vote their approval of the proposal tonight. According to a Memorandum dated June 17, 2003 from Ms. Cherichetti to the Commission, the proposed house would be 25 feet from the wetland line and 37 feet from the watercourse. No clear limit of disturbance is indicated on the site plan. The proposed house would be built on slab (instead of a foundation with a crawl space or full basement). The installation of the slab would require very little excavation and it appears that no grading is proposed. Ms. Corcillo asked for the size of the footings for the slab. Ms. Suchy said there was no specific cubic yardage.

d) **369 Chestnut Hill Road – Vey - #S03-156** – Four-lot subdivision adjacent to a wetland

and watercourse

Mr. McAllister, with McChord Engineering Associates, on behalf of the applicant said that the original application for a 5-lot subdivision was denied. He said the applicant is proposing that Lot 1 be served by an on site septic system (See Stormwater Management Report).

Ms. Destafanis asked where the applicant would move the well. She said she would prefer the well to be in the back because it would have less impact on nearby houses. She said she is concerned with the closest neighbors.

Ms. Smith said she went out and walked through the area. She said there are ticks and standing water and wondered if the septic system was going to work. She said she was concerned with the absorptive capacity of the land. Mr. McAllister said it is the worse he has seen regarding groundwater.

Mr. Holowinko asked what kind of driveway there would be. Mr. McAllister replied bituminous. Ms. Smith asked where the soil came from. Mr. McAllister said that it came from another project. Ms. Cherichetti said that she requests the Commission have a public hearing.

There was five-minute recess. The meeting resumed at 6:59 p.m.

Mr. Caputo said that this is a much less intense application than the previous one and that there has been a reduction in the scope of the application. He said that if the Commissioners feel there is a necessity for a public hearing they should vote for it. He said if the Commissioners feel it is not necessary then it is wrong to impose it on the applicant. Ms. Cherichetti said some people have called her office asking to look at the plans.

Mr. Kydes asked what the concerns were for a public hearing. He asked if the public could petition for a public hearing. Ms. Cherichetti said that if there is not a public hearing then the public could not make any comment at all. She said the Commission must hold a public hearing if there is enough public interest or if there is a petition of 25 or more people. She said the petition must be submitted not later than 14 days from today's receipt.

Ms. Cagnina asked that the Commission not request a hearing at this point. Ms. Smith said there has already been one public hearing. Mr. Holowinko said there should be a public hearing even if it is a short one. He said the Commission might learn something by having one. Ms. Corcillo said she hates to close the door on the public. She said they should have the opportunity to be heard. Ms. Destafanis said she agreed with Mr. Holowinko.

Mr. Caputo said it is his opinion that there should be no public hearing. He said the main concern is crossing the wetland. He said at this stage it is a much-improved application. He said he does not see a need for a motion at this point. The consensus was that no public hearing be held.

Ms. Cherichetti said that she and Mr. McAllister have talked about pulling back the limit of disturbance along the wetland and delineating a limited line. Ms. Smith said that she would like to see some way of delineating very clearly the area beyond which people

may not disturb vegetation. Ms. Cherichetti said that she recommends that a line be decided at this time. She said she would work with the applicant to create a line.

e) **341 Rowayton Avenue – Martin - #S03-157** – Construction of a new single family

residence adjacent to a wetland and watercourse

Ms. Leonard said the Conservation Staff had asked the applicant to describe the limit of lawn whether it is the same as the limit of disturbance. She noted in her Memorandum that the applicant proposes a limit of disturbance 40 ft. from this wetland line. She said there is no rear grading proposed. She said there is a 15 ft. easement.

Mr. Bindfield with Bindfield Architecture said the application is for a single-family residence. He said a non-disturbance line was created. He said the applicant is proposing a 2100 square foot print of a house to be fully within the area. He said the only grading would be around the driveway to get access to the garage. He said the applicant is proposing to plant the area. He said the applicant is keeping the grading at a 45 feet minimum in the wetland area. He said the applicant is keeping as many of the existing trees on the site as he can. Ms. Smith asked if there would be a slope. Mr. Bindfield said there is a 3 to 1 slope down from the driveway on either side. He said he received a Drainage Report today indicating no significant runoff from the site

that would cause any retention. Mr. Caputo referring to the Summary Application asked Ms. Cherichetti to verify that it is within 500 feet of the wetland. Ms. Cherichetti said it is.

#### **DISCUSSION &/OR DECISION**

a) **North Taylor Avenue – City of Norwalk, Dept. of Public Works - #S03-143 -**

Installation of drainage system in and adjacent to wetland and watercourse

Ms. Cherichetti said there was no one present for the applicant. She said the reason this item is on the agenda is to consider if the Commission wants to schedule a public hearing in the future. Mr. Caputo asked if the Commission were to vote for a public hearing what would be the earliest date. Ms. Cherichetti responded July 8, 2003. Mr. Caputo said that there is a tremendous amount of interest in this situation. He then called the matter to a vote.

**MS. CORCILLO MADE A MOTION THAT THERE BE A PUBLIC HEARING FOR APPLICATION #S03-143 – NORTH TAYLOR AVENUE CITY OF NORWALK, DEPT. OF PUBLIC WORKS ON JULY 8, 2003.**

**MS. SMITH SECONDED THE MOTION**

**MOTION PASSED UNANIMOUSLY 7 TO 0.**

Mr. Caputo asked Ms. Cherichetti what time the hearing would be scheduled for. Ms. Cherichetti said that normally the hearings are set for 7:00 p.m. Mr. Caputo said that typically, what the Commission has done in the past is when there is more than one public hearing on a particular night they usually go in order of receipt. Ms. Cherichetti confirmed that the hearing would not start prior to 7:00 p.m. Ms. Destafanis asked if the Commission would be making a decision on the night of the hearing. She asked when the latest date was when the Commission had to decide. Ms. Cherichetti said 35 days from the date of the commencement of the public hearing to close the hearing and 45 from the closing of the hearing to make a decision. Mr. Caputo said the Commission could make a decision on July 8, 2003 or well into August. Ms. Destafanis asked if there was any updated information that the Commission needed to know about. Ms. Cherichetti said that nothing had changed. Ms. Smith asked if there was any news on the delinquent letters. Ms. Cherichetti said no, the DPW is waiting on two letters.

b) **5 Mohackemo Drive – Sandalo - #S03-147** –Installation of drainage pipe in a wetland

and watercourse

Mr. Caputo asked if there was anyone present to represent the applicant. Ms. Cherichetti said there was not. She said the application is still incomplete. Ms. Cherichetti said that she has left several messages with the applicant's agent asking that the application be completed by June 24, 2003 and has not heard from him. She said that she recommends that since the information has not been supplied as of this date the application should be denied without prejudice. Mr. Caputo said there was no need to wait.

**MS. SMITH MADE A MOTION TO DENY WITHOUT PREJUDICE APPLICATION #S03-147 – 5 MOHACKEMO DRIVE - SANDALO FOR REASONS 1, 2 AND 3 STATED IN A MEMORANDUM FROM ALEXIS CHERICHETTI, SENIOR ENVIRONMENTAL OFFICER DATED JUNE 16, 2003.**

**MS. CAGNINA SECONDED THE MOTION**

**MOTION PASSED UNANIMOUSLY 7 TO 0 TO DENY WITHOUT PREJUDICE**

**APPLICATION #S03-147.**

c) **39 Lois Street – Roundtree Development, LLC - #S03-149** – Construction of an 18-

unit apartment building and parking lot in and adjacent to a wetland

Ms. Cherichetti said that two members of the public spoke at the last meeting. She said one was a neighbor and the other was an attorney representing many of the surrounding neighbors. She stated that following the applicant's rebuttal the Commission decided to close the public hearing.

**MR. KYDES MADE A MOTION TO APPROVE APPLICATION #S03-149 WITH**

**THE CONDITIONS 1 THROUGH 10 OUTLINED IN A MEMORANDUM FROM ALEXIS CHERICHETTI, SENIOR ENVIRONMENTAL OFFICER DATED JUNE 16, 2003.**

**MS. CAGNINA SECONDED THE MOTION.**

Mr. Caputo said that he thought a lot about this application and that he was leaning toward approving it. He said that everything that he has been able to determine at this point suggests that this is not that much of a wetland at all. He said it is on a scale of being non-existent in terms of viability, wildlife, purification of water, etc.. He said that is what the Commission is supposed to be protecting. He said that he is not impressed with it being a viable wetland. Mr. Caputo said that the last time the application was somewhat grotesque in what it proposed to do. He said the applicant has downsized and made it much less intense making it a much better application.

Ms. Smith said that it does not look like there is much activity in this place. She said that she does not like to see the last piece of open space in any neighborhood clogged up but in this case it is going to be of some good. She said she would like to see a semi-wetland. She said the applicant has done some landscaping well. Ms. Cagnina agreed.

Mr. Kydes said he took a drive and looked at the property and he thinks that there needs to be an enhancement of the property to give it better appeal. Ms. Destafanis said that she is concerned with the gazebo. She said there is no delineation to keep people out of the wetlands. She said she would feel more comfortable if there were more landscaping with some sort of fence or plantings. Ms. Cherichetti referring to the site map pointed out that the applicant does have a defined limit of plantings. Ms. Smith suggested a low stonewall. Mr. Caputo asked if the applicant was present. He asked the Commissioners if there was anything they wished to ask the

applicant. Mr. Caputo said that a motion had been made and seconded. He asked Ms. Destafanis what she would like to add. Ms. Destafanis responded that she would like a

low stonewall or a split rail fence and shrubs along the limit of line. Ms. Smith said that 12 more is more than adequate.

Ms. Cherichetti suggested that there be Special Condition #11 stating that there would be 12 additional shrubs at a minimum of 2 ½ feet in height be planted along the limit of lawn line between the proposed gazebo and the parking area.

**MR. KYDES MADE A MOTION TO AMEND THE 10 SPECIAL CONDITIONS**

**OUTLINED IN THE MEMORANDUM FROM ALEXIS CHERICHETTI DATED**

**JUNE 16, 2003 TO INCORPORATE THE LANGUAGE OF SPECIAL CONDITION #11.**

**MS. DESTAFANIS SECONDED THE MOTION.**

Mr. Caputo asked Ms. Destafanis if this addressed her concerns. Ms. Destafanis said that it did. Mr. Hollowinko said that he had the same concerns as Ms. Destafanis. He said he wanted to address the northwest corner more. He said the watercourse running through the property should protect the area. He said he did not feel the matter was adequately discussed and would have to vote no.

**MOTION PASSED WITH 6 IN FAVOR, 1 IN OPPOSITION, (MR. HOLOWINKO).**

d) **14 Purdy Road – Lazslo - #S03-150** – Repair and replacement of existing curtain drain

adjacent to a wetland and watercourse

Ms. Cherichetti stated that at the last meeting she was concerned about how to address the issue. She said the proposed application involves replacing curtain drains causing some inundation of the property. She said that she expressed some concern for a curtain drain in certain portions of the property. She said that she asked the applicant to replace a section of the pipe with solid pipe. Ms. Cherichetti referred the Commissioners to the Draft Resolutions addressing the permitted activity in her Memorandum dated June 16, 2003. She said that she had one other Special Condition to add regarding the limited disturbance. She said the limit of disturbance should be limited to 2 feet on either side of the pipe and that the drain be no more than 5 feet wide. Mr. Caputo asked Ms. Cherichetti if that addition would be Special Condition #8 on her Memorandum. Ms. Cherichetti said that it would. She said the other issue is the mitigation plan. Ms. Smith said that there has been a lot of planting. She asked the applicant if the plantings were still alive. Mr. Embry responded that they were still alive.

Ms. Destafanis asked Ms. Cherichetti to explain Item #5 of her Memorandum dated June 16, 2003, which states that no foreign material, excluding solid drainage pipe, including but not limited to stone, sand or gravel, may be placed in the trench. Ms. Cherichetti said that no foreign material when the applicant digs the trench could

go there. She said solid pipe could go there but no other material.

**MS. SMITH MADE A MOTION TO APPROVE ITEMS 1 THROUGH 7 OF APPLICATION #S03-150 AS OUTLINED IN A MEMORANDUM FROM ALEXIS CHERICHETTI, SENIOR ENVIRONMENTAL OFFICER DATED JUNE 16, 2003 TO THE NORWALK CONSERVATION COMMISSION TO INCLUDE CONDITION #8, WHICH STATES THAT THE LIMIT OF DISTURBANCE SHALL BE LIMITED TO 2 FEET ON EITHER SIDE OF THE OVERPIPED TRENCH AND SHALL BE NO MORE THAN 5 FEET WIDE.**

**MS. DESTEFANIS SECONDED THE MOTION.**

**MOTION PASSED UNANIMOUSLY 7 TO 0.**

e) **2 Wilson Avenue – Sixth Taxing District - #S03-151** –Grading and construction of a

foundation and driveway for the relocation of a house adjacent to a wetland

Ms. Cherichetti stated that the applicant has had the wetlands restaked and the applicant did submit a grading plan. She said the silt fence and hay bales are 18 to 20 feet from the wetland line. Ms. Cherichetti referred the Commissioners to the site map. She said that one of the Special Conditions outlined in the Staff Report was to address the disturbed slope adjacent to the wetland, which is now slightly steeper than the existing grade.

Ms. Smith said that she has a problem with the site that the applicant wants to build simply because there has been leaves piled up for years and she feels the Commission should ask the applicant to do test borings or something to see what is underneath the leaves. Ms. Cagnina said that elevations were taken from true ground level. Ms. Smith said the land lot is lower than the original real ground level and it could be wetland soil. Ms. Cherichetti said there were soil tests done. She said that wetland soil is determined by the top 2 feet of soil. She said that Staff had no concerns with hidden wetlands. Ms. Cherichetti said that the Building Department must do an inspection before any building is done. Mr. Caputo confirmed that Staff has said that there is no indication of a wetland area and the Building Department would do an inspection prior to any building and moved the item to a vote.



**MS. CAGNINA MOVED TO APPROVE APPLICATION #S03-151 – WILSON**

**AVENUE – SIXTH TAXING DISTRICT WITH THE 6 CONDITIONS AS OUTLINED IN A MEMORANDUM FROM ALEXIS CHERICHETTI, SENIOR ENVIRONMENTAL OFFICER TO THE NORWALK CONSERVATION COMMISSION DATED JUNE 17, 2003.**

**MS. SMITH SECONDED THE MOTION.**

**MOTION PASSED UNANIMOUSLY 7 TO 0.**

- f) **34 North Taylor Avenue – Cordero - #S03-152** – "Corrective action" for the installation of gravel in and adjacent to wetland and watercourse

Ms. Cherichetti said the applicants were required to submit a permit for work that required a permit that was done prior to them receiving a permit. She said the applicants included additional gravel in their rear yard. She said the applicant could not attend the last meeting. She said some of the Commissioners thought that any future work in the rear yard should add in the additional gravel. Ms. Cherichetti said that at present the entire back yard is inundated with water making any discussion difficult.

Mr. Kydes asked how this coincides with what the City wants to do. Ms. Cherichetti said none other than that the City's work would lower the flood level. She said the estimated start date is 3 months away. Mr. Caputo asked to what extent the existing condition of the yard being flooded defeat the Commissions ability to review the application. Ms. Cherichetti said the Commission could have the gravel stay as it is there now.

Ms. Cordero stated that the water in the backyard is like a pool. She said that because of all of the rain in recent weeks the basement is flooding. She said her neighbor has the same problem and that they tried to fix it with granite. She said the land is low and this is a big problem. Ms. Cordero said she spoke with the Department of Public Works about this problem. She stated that she put gravel there to try to block the water coming into her yard from the lake. She said that it does not drain out. Ms. Cordero said that some construction in back of the house blocked the drainage.

Mr. Acounga, Ms. Cordero's nephew said that when it rains everything gets flood and there is a horrible smell in the house from the water. He said it takes awhile to go away. He said that they put gravel in the yard but the water comes up on top. Ms. Cordero said the problem is that there are no storm drains. Ms. Smith asked Ms. Cordero if she was saying that the water comes from the wetland as well as the street. Ms. Cordero responded yes.

Ms. Cherichetti said that there is 50 yards of gravel in the rear yard and the applicants are proposing additional work 10 or so feet from the wetland line. She said the Staff recommends that no additional work be done unless the applicant returns with a full application. She said any future plans would require a full application. Mr. Caputo asked if an engineer was involved. Mr. Acounga responded no. Mr. Caputo asked what Staff is recommending.

Ms. Cherichetti said there is no information adequate enough to have any additional work done. She said that there is still a violation. Ms. Cherichetti said that the Commission needed to decide at some point if the applicant can keep the 50 yards of gravel or remove some or all of it. She said in reference to the inundation problem, the Commission needed to decide whether they wanted a buffer adjacent to the wetland. Ms. Cherichetti said that at this time she is not recommending any additional work. She said any additional work would require an engineer.

Mr. Kydes said the applicant would have to elevate the porch area before the cellar. Ms. Cherichetti said it would require significant activity. Ms. Cagnina suggested that the Commission

take no action tonight on this item. The consensus was to wait on the DPW and not take any action at this time. Ms. Smith said the Commission should not make the applicant remove the gravel. She said that they are already in a position where they can hardly live in the house because of the smell. Ms. Smith said the expense would be too great to remove the gravel as well. Mr. Caputo said that the consensus of the Commission is to wait and have more studies done by Staff and wait to take any action.

Mr. Kydes said that he could not see anything being done without a wall being placed there. Ms. Cherichetti said the buffer being abused in the past has not helped matters. Ms. Leonard said that there should be no more activity without future permits. Ms. Cherichetti said the item would be tabled until the next available meeting probably on July 22, 2003. Mr. Caputo said that Ms. Cordero, along with any other member of the public should attend the public hearing on July 8, 2003 to find out what the City is proposing to do to try to help the people in her neighborhood including herself. He said that Ms. Cordero, along with any other member of the public would have an opportunity speak at the July 8, 2003 hearing.

Mr. Caputo reiterated that the Commission was asking Ms. Cordero not to do anything else in the backyard at this point. He said the matter would probably be down for July 22, 2003. He said that the July 8, 2003 is too full.

There was a 5-minute recess. The meeting began again at 8:35 p.m.

### **SHOW CAUSE HEARING**

a) **3 Driftwood Lane – Tsiranides - #V03-724** – Failure to follow directives of Notice of

## Violation

Ms. Cherichetti gave a brief history of this matter. She referred the Commissioners to her Memorandum dated June 24, 2003 regarding a March 2003 violation of cutting trees in the backyard. She said that the Commissioners might recall that this was the house that an oak tree fell on. She said no one was hurt in the incident. She said the Notice of Violation included directives, with deadlines, to remedy the violation. Ms. Cherichetti said the directives included submitting a mitigation plan and the removal of the large piles of wood chips and logs on the slope adjacent to the watercourse. She said the directives had been extended three times. Ms. Cherichetti also referred to a Cease & Desist Order letter dated June 17, 2003. She said the Commission has 10 days from today to uphold or dismiss the Order. She said the Staff recommended 4 directives in her Memorandum to the Commission dated June 24, 2003. Ms. Cherichetti said the applicant requests that the Cease & Desist Order fine of \$300.00 be dismissed. Ms. Cagnina said that the fine would go up if the fee schedule was amended and passed.

Mr. Roina, representing Ms. Tsiranides said that the home was declared unfit for occupancy. He said that as of Friday the owners were able to move back in to the house. He said that his daughter has 3 children and it has been difficult for the family the last 3 months.

Mr. Roina said it has been very frustrating for his daughter and said that he was startled by the violation to begin with. He said that had he known about the wetland he would have told the applicant that the Commission has a right to come in. He said that although it appears that the applicant is ignoring Staff, they are not. He said that there are gigantic logs that need to be moved and they need a contractor to do the job. Mr. Roina said that the rain has not stopped and the yard is saturated making it impossible for equipment to go back there. He said there is no way to get a machine in there right now. Mr. Roina said there is a wood chip pile 10 to 12 feet high. He said he was asking the Commission to allow them time to hire a landscaper. He said it would be very expensive to cut the logs. He said that because of changes a surveyor would be needed. He said that the applicant just needs more time and asked for an extension and that the Commission waive the \$300.00 fine for the Cease & Desist Order.

Mr. Caputo asked Ms. Cherichetti if there are any dangers or concerns she had at this point. Ms. Cherichetti said that there is no imminent danger with the logs. She said the wood chips are of greater concern because as they decay they release significant amounts of nutrients down the slope. She said the closest part to the wetland line is 40 feet to the wood chip pile. Mr. Caputo asked if there was any direct pollution or if the area needed to be stabilized. Ms. Cherichetti said it should be stabilized.

Mr. Hollowinko suggested that it be tarped over. Ms. Cagnina said the important thing is the planting plan. Ms. Cherichetti said this would be helpful.

Ms. Tsiranides said that this is a level backyard, a play area for her children. Ms. Smith asked Ms. Tsiranides if it was her goal to plant grass and to have wood chips there. Ms. Tsiranides responded no, she would plant flowers.

Ms. Cherichetti said the main concern is that there be no future activities in violation of the Order. Ms. Tsiranides said that her husband has just gotten out of the hospital and is recovering and she would like to take over the responsibility of proposing the planting plan. Ms. Cagnina asked if the Commission could get a plan and put the violation fee on hold until the Commission has had a chance to review the site plan. Mr. Caputo said the tarp is a good solution. Ms. Cherichetti said it is a good idea. She said there would be 10 days to modify the Cease & Desist Order. She suggested that no demand be made to collect the \$300.00 fine at this point. Ms. Cherichetti said that Ms. Tsiranides could make up a sketch map on graph paper. Ms. Cherichetti asked that Ms. Tsiranides submit the plan no later than July 1, 2003, that the tarp be in place by tomorrow to arrest the problem of the chips and the chips and logs eventually be removed. She said the chips are easier to remove out of the buffer. Mr. Roina asked if this could be part of the landscaping plan because the applicant may want to use the chips. Ms. Cherichetti asked that the chips be out of the buffer by August 1, 2003. She said the log directive includes delineation of the buffer and 10 native plants. Ms. Cherichetti said the deadline would be October 1, 2003. Mr. Roina said that would work. Ms. Cherichetti said that if all work is not completed by October 1, 2003 the fine would be increased. Ms. Cagnina said that if all the work is completed by the October deadline the fine would be waived.

#### **BOND RELEASE**

- a) **162 Bouton Street–Affordable Self Storage - #631.S97–**  
Extension of parking area adjacent to a wetland

Ms. Cherichetti said that there is a planting plan with dense vegetation and recommended that the Commission release the bond.

**MS. SMITH MADE A MOTION TO RELEASE BOND #631.S97 – 162  
BOUTON**

**STREET – AFFORDABLE SELF STORAGE.**

**MS. CAGNINA SECONDED THE MOTION.**

**MOTION PASSED UNANIMOUSLY 7 TO 0.**

#### **ACCEPTANCE OF MINUTES**

- a. **June 10, 2003 Minutes**

The following corrections were made:

Page 1, Paragraph 2 and throughout, "Mr. Shast" should be "Mr. Shatz".

Page 2, Paragraph 1, "... demographic regional map" should be topographic regional map".

Page 2, Paragraph 2, line 12, "Ms. Smith said the gravel did not do anything" should read ".... did not do what it was intended to do."

Page 2, Paragraph 2, fourth line from bottom of page, "the DEP was scheduled to hear it" should be "the DPW application was scheduled."

Page 2, Paragraph 2, fourth line from bottom of page, "Ms. Cherichetti said that when she suggested the DEP hear this matter the..." should read "Ms. Cherichetti said the DPW application is still incomplete."

Page 4, Paragraph 1, "...drain was prepared by the Health Department in 1965" should be "drain was required by the Health Department in 1965."

Page 5, Paragraph 1, strike last sentence "...she said she did amend...."

Page 6, Paragraph 2, under the motion, "Ms. Cherichetti explained to the Commission that she..." should read "Ms. Cherichetti explained to the Commission that the applicant..."

Page 11, middle of page and throughout, "Mr. Koogno" should be "Mr. Cugno".

Page 13, Last sentence, "The consensus was to keep it open" should be "The consensus was to close the hearing."

**MS. DESTAFANIS MADE A MOTION TO ACCEPT THE MINUTES OF JUNE 10,**

**2003 AS CORRECTED.**

**MS. SMITH SECONDED THE MOTION.**

**MOTION PASSED UNANIMOUSLY 7 TO 0.**

**COMMENTS OF STAFF**

None.

**COMMENTS OF THE COMMISSIONERS**

**\*\* MS. CAGNINA MADE A MOTION THAT THE MEETING BE ADJOURNED.**

**\*\* MS. DESTAFANIS SECONDED THE MOTION.**

**\*\* MOTION CARRIED UNANIMOUSLY.**

The meeting adjourned at 9:26 p.m.

Respectfully submitted,

Linda Custis

Telesco Secretarial Services

