

NORWALK CONSERVATION COMMISSION MINUTES

**Conservation Commission
June 26, 2007**

ATTENDANCE: Anne Cagnina, Chair; Karen Destefanis, Vice Chair; Beth Ackerman; Matt Caputo; Ed Holowinko; Emily Wilson; Seeley Hubbard (6:38 pm)

STAFF: Alexis Cherichetti, Senior Environmental Officer

OTHER: Kate Throckmorton, Environmental Land Solutions; Aleksandra Moch; Dominick Lionetti

CALL TO ORDER

The meeting was called to order at 6:05 PM.

ROLL CALL

Ms. Cherichetti called the roll.

RECEIPT/ DISCUSSION

Ms. Cherichetti requested that the Commission consider shuffling the order of the agenda.

**** MS. CAGNINA MOVED TO MODIFY THE AGENDA SO THAT ITEM 'D' UNDER RECEIPT/DISCUSSION BE PRESENTED FIRST.**

**** MS. ACKERMAN SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

d) S07-279 – 15 Cranbury Woods Road – McCarthy/Sanchez – Filling, grading, landscaping, and drainage improvements in and adjacent to a wetland

Ms. Cherichetti presented a brief overview of the application and explained that the activities warrant a Significant Regulated Activity Permit application. Ms. Throckmorton then gave a brief description of the proposed work and the history of the property. She noted that she would provide a more in-depth presentation for the anticipated public hearing.

Ms. Cherichetti advised the Commission that they should hold off on scheduling the public hearing until the applicant is sure that all necessary supporting information had

been submitted. On that note, Ms. Throckmorton provided one copy of the Drainage Report from Grumman Engineering, LLC.

a) #S07-276 – 213 West Rocks Road – Lionetti – Corrective Action restoration and landscaping in and adjacent to a wetland and watercourse

Ms. Cherichetti quickly reviewed the application and the preceding Notice of Violation.

Ms. Moch then described the proposed planting plan, noting that the proposed plan would establish plantings in places where there had been some lawn. Ms. Ackerman inquired about the width of the proposed buffer.

Ms. Moch noted that up to approximately twelve inches of woodchips and five to twelve inches of topsoil had been deposited in the rear yard. She explained that the fill had made soil mapping very difficult.

Mr. Caputo interjected that he was concerned that Ms. Moch, as a soil scientist, was only 'pretty sure' about the wetland delineation and continued to explain that he had concerns about acting on an application that had an unclear wetland line.

Ms. Cherichetti confirmed that the applicant was asking them to consider an application for wetland restoration in which the extent of wetland soils might change following the proposed re-flagging of wetland soils following the proposed removal of fill. Ms. Cherichetti briefly explained the Commission's two procedural options, which is to either deny the application without prejudice and then re-issue a Cease & Desist Order that would require removal of all fill, then wetland delineation, then filing for a permit, or continue with this application and try to resolve, with permit conditions, the possibility that there may be a greater extent of wetland soils than currently depicted.

Ms. Cherichetti suggested that the applicant redraw the site plan at a more easily measured scale so that the Commission could better quantify the current proposal for restoration.

b) #S07-277 – 1 Oakwood Court – Guarnieri - Construction of additions adjacent to a wetland and watercourse

Ms. Cherichetti provided an overview of the proposed activities and explained that she did not feel that a delineation of the wetlands was not necessary because the watercourse was rimmed by a low retaining wall.

The property owner, Mr. Guarnieri, explained the proposed construction plans and affirmed that the construction would be within the existing asphalt area and that the foundation could be poured within the limit of disturbance indicated on the submitted plan.

Ms. Ackerman questioned whether a watercourse buffer enhancement planting plan should be required. Ms. Cherichetti stated that she did not feel it was necessary due to the minimal anticipated disturbance and the acceptable buffer that currently exists there.

Commissioners indicated that they had no significant issues with the application and asked that Ms. Cherichetti prepare a draft resolution for approval for them to consider at the next meeting.

c) S07-278 – 152 Witch Lane – Northup – Correction Action restoration and landscaping in and adjacent to a wetland and watercourse

Ms. Cherichetti explained that the applicant had followed all the directives of the Notice of Violation issued to her. The application proposes to replant three trees and to establish a meadow, with native plants, within the disturbed wetland area.

PERMIT MODIFICATION

a) #S03-174A – 332 Chestnut Hill Road – Geignetter – Modification of Corrective Action permit to allow closer limit of disturbance and additional fill adjacent to a wetland and watercourse

Ms. Cherichetti noted that this permit modification sought to alter the conditions imposed in the original permit. She added that the original permit was issued in 2003 following a Cease & Desist Order for filling adjacent to a wetland. Mr. Kenney, acting as a representative of the property owner, explained the new proposed site plan. He noted that some of the remaining fill would be pulled back from the wetland, but not as much as required by the original permit. Mr. Kenney further explained that the modified plan called for significantly more planting on the fill slope.

Several Commissioner noted that it would be nice to finally have this violation resolved and asked Ms. Cherichetti to draft possible conditions for them to consider at the next meeting.

PUBLIC HEARING

a) #S07-275 – 129 East Rocks Avenue – Gulick Associates, Inc. – Two (2) lot subdivision of land in and adjacent to a watercourse and wetland

Ms. Cherichetti informed the Commission that the public hearing was not properly noticed in the newspaper. The Commission adjourned the hearing to the next meeting on July 24, 2007.

DISCUSSION/DECISION

a) #S07-271 – 20 Betmarlea Drive – McGettigan – Construction of addition, and associated on-site septic changes, driveway and landscaping activities, adjacent to wetland and watercourse

This item was again tabled at the request of the applicant. Ms. Cherichetti noted that the applicant had provided a letter granting an extension of time, up to the maximum of 65 days, for the Commission to render a decision or commence a public hearing. Ms. Cherichetti stated that she informed the applicant that any new information must be received by July 31, 2007 to be considered at the August 10, 2007 meeting.

b) #S07-274 – 285 Rowayton Avenue – Cohen – Corrective Action construction of a retaining wall and deposition of fill in the Five Mile River

Following a quick recounting of the discussion at the last meeting, there was agreement that no significant issues regarding the application were apparent.

** MR. CAPUTO MOVED TO APPROVE APPLICATION #S07-274 WITH THE FULL RESOLUTION CONTAINED IN THE MEMORANDUM DATED JUNE 21, 2007 FROM ALEXIS CHERICHETTI.

** MS. DESTEFANIS SECONDED THE MOTION.

** THE MOTION PASSED UNANIMOUSLY.

MINUTES

** MS. ACKERMAN MOVED TO APPROVE THE MINUTES OF THE JUNE 12, 2007 MINUTES WITH THE CORRECTIONS NOTED BY VARIOUS COMMISSIONERS.

** MS. CAGNINA SECONDED THE MOTION.

** THE MOTION PASSED UNANIMOUSLY, WITH ONE ABSTENTION (MR. HUBBARD).

No action was taken on the April 24, 2007 and May 8, 2007 minutes.

COMMENTS OF STAFF

a) Minor Permits and Enforcement Actions

Ms. Cherichetti briefly described Minor Permits issued and noted two violations for which she would issue Notices of Violation within the week.

b) Report of Senior Environmental Officer

Ms. Cherichetti noted that she had met with Personnel staff to discuss the job description for the Environmental Compliance Officer position.

COMMENTS OF COMMISSIONERS

ADJOURNMENT

** MR. CAPUTO MOVED TO ADJOURN THE MEETING.

** SEVERAL SECONDED THE MOTION.

** THE MOTION PASSED UNANIMOUSLY.

The meeting was adjourned at 7:35 PM.

