

NORWALK CONSERVATION COMMISSION MINUTES

**CITY OF NORWALK
CONSERVATION COMMISSION
JULY 23, 2002**

ATTENDANCE: Gerard Sciabbarrasi, Chairman (6:09); Matthew Caputo, Vice-Chairman;; Lawrence Losio; Andrew Kydes; Marny Smith; Lester Bell; Karen Destefanis; Chris Handrinos (6:09)

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

OTHERS: Richard Bobowick

Mr. Sciabbarrasi called the meeting to order at 6:05 p.m.

RECEIPT

- a. Rolling Ridge Condominiums - 50 Aiken Street - S02-101-Dredging, via suctioning, of recent deposits in and adjacent to wetland and a watercourse**

The application was determined to be completed.

- ** MR. BELL MOTIONED TO ACCEPT THE APPLICATION.**
- ** MS. SMITH SECONDED THE MOTION.**
- ** MOTION WAS PASSED UNANIMOUSLY BY VOICE VOTE.**

Mr. Bobowick from the Connecticut Pond Services stated he is in charge of the project. He also stated the extreme surgical nature of this dredging is sucking the loose material out of the pond, which you can see in the pictures of the proposal that have been provided. This is a very non-invasive procedure, which is explained in the proposal. He also stated this procedure is a lot different from the typical excavator type of dredging.

Ms. Smith wanted to make sure the people of the Rolling Ridge Condominiums were aware of the affects of this procedure and the leaking of the damn. Mr. Bobowick says it was discussed with the people of Rolling Ridge Condominiums and there may be money in their budget to seal the leak. Doing the sealing has been talked about. He also stated, it wasn't in the scope of this proposal to fix the leak .

Mr. Caputo and Mr. Handrinos arrived at 6:09 p.m.

Ms. Smith asked how long has it had taken for this type of accumulation and when the last time was that the pond had been dredged. Mr. Bobowick replied that it had been about eight years since the pond was last worked on.

Ms. Cherichetti explained that her concerns were not really the dredging, but the dewatering of the pond. Her concern is the affect it will have on the fish, amphibians and other wild life. Once the water in the pond is drawn down there will be minimal resource for the fish, amphibians and other wild life. Ms. Cherichetti stated her concern of the exposed pond bottom.

Mr. Bobowick stated the valve is to be closed during the suctioning. If there is rain during the excavation (suctioning), usually when the pond bottom gets exposed to the sun the water gets a crust on the top. It becomes somewhat stable. He further stated if it does get subject to the kind of downpour as it appears we are about to experience, then it's still going to be contained inside the pond. The sediments are going to stay inside the pond, there's not much they can do about that. Mr. Bobowick further stated they could try to spread bales of hay along the exposed area, but he's not sure he would recommend that because it's more organic matter.

Mr. Bobowick stated he agrees with the numbers, but the nature of the project is much more surgical. Its impact is on volume, it's not significant in terms of disruption.

Mr. Sciabbarrasi stated the issue must be addressed further.

- ** **MR. CAPUTO MOTIONED FOR A PUBLIC HEARING.**
- ** **MR. BELL SECONDED THE MOTION.**
- ** **THE MOTION WAS PASSED UNANIMOUSLY BY VOICE VOTE.**

CEASE & DESIST HEARING

- a. **Sandolo - 5 Mohackemo Drive - V02-714-Failure to comply with directives of Notice of Violation stemming from unauthorized site work in and adjacent to wetlands and a watercourse.**

Mr. Sciabbarrasi officially opened at 6:27 and recognized that the violator was not present.

Mr. Losio asked if penalties accumulate when there is no response. Ms. Cherichetti replied not to the homeowner and explained there are violation fees. She further stated the notice of violation is \$50 and the cease and desist is \$300.

- ** **MR CAPUTO MOTIONED TO AMEND THE CEAST AND DESIST ORDER TO PREPARE AND SUBMIT A CORRECTIVE ACTION PLENARY PERMIT APPLICATION FOR THE WORK AND REMIT THE NOTICE OF VIOLATION FEE AND THE CEASE AND DESIST FEE ON**

OR BEFORE TUESDAY, JULY 30, 2002 AND TO CEASE ANY AND ALL EXTERIOR ONSITE WORK.

**** MR. BELL SECONDED.**

**** THE MOTION WAS PASSED UNANIMOUSLY BY VOICE VOTE.**

DECISIONS

- a. Canevari - 6 Allen Road - #S02-103 - Construction of a new single family house adjacent to a wetland and watercourse.**

The commission discussed the timeframe for Canevari.

**** MR. KYDES MOTIONED THE APPLICATION BE ACCEPTED PROVIDED THEY SUBMIT THE INFORMATION AS REQUESTED.**

**** MR. CAPUTO SECONDED THE MOTION.**

**** THE MOTION PASSED WITH 5 VOTES IN FAVOR, 1 VOTE IN OPPOSITION (MR. BELL) AND 1 ABSTENTION (MR. HANDRINOS).**

Mr. Losio wanted to know if all the conditions have been met. He asked Ms. Cherichetti if he is reading the letter correctly. It indicated all the conditions have been met. Ms. Cherichetti said yes, Mr. Canevari submitted a map that appears to meet all the additional information.

ACCEPTANCE OF MINUTES

a) Monday, July 8, 2002

b) Tuesday, July 9, 2002

Mr. Losio stated he barely recognizes the meeting based on these minutes.

**** MR. CAPUTO MOVED TO TABLE APPROVAL OF THE MINUTES OF JULY 8, 2002 AND JULY 9, 2002.**

**** MR. KYDES SECONDED THE MOTION.**

**** THE MOTION WAS PASSED UNANIMOUSLY BY VOICE VOTE.**

COMMENTS OF STAFF

a) Current Violations

b) 21 Apple Tree Lane - request to waive application fee.

**** MR. CAPUTO MADE A MOTION TO SKIP THE CURRENT VIOLATIONS LIST AND 21 APPLE TREE LANE.**

- ** MR. KYDES SECONDED THE MOTION.**
- ** THE MOTION WAS ACCEPTED UNANIMOUSLY BY VOICE VOTE.**

COMMENTS OF COMMISSIONERS

a) Discussion regarding Plan of Conservation & Development comments.

Ms. Cherichetti stated the four pages have the black bar to make them clear. She said at the last meeting the Planning Commission was looking for comments on the 1991 document and to strike it entirely. She also stated there is a memorandum from the Planning Commission which goes through the layout of the policies for the 1991 plan. Ms. Cherichetti said she didn't see any comments on the other section of the plan areas such as coastal area. She said we agreed with the policies as stated.

Mr. Losio asked if it was clear from the way it's written that the one particular piece of the old proposal said the fifty foot setbacks we established we were replacing it. Ms. Cherichetti replied she believed. She also stated that under the environment and natural resources and the wetland, she noted on page 106 to see page 2. Page 2 takes all the things that are in the existing 91 and our comments.

Mr. Losio asked if it's clear that it is a replacement rather than in addition to. Ms. Cherichetti replied it may depend on whoever prints the document.

Ms. Cherichetti stated they would be receptive to a physical showing of the commission behind this document. Ms. Smith said and also a description of the number of times we've met. We really put a lot of time, thought and effort into the revisions. Ms. Smith said she thinks these things should be made known at the meeting because it shows someone else is working on this besides them.

Mr. Losio asked if there was an agenda to the meeting tonight. Ms. Cherichetti stated there is a sign up sheet, which is first come first serve.

- ** MR. CAPUTO MOTIONED TO ADJOURN.MR. CAPUTO MOTIONED TO ADJOURN.**
- ** MR. KYDES SECONDED.**
- ** THE MOTION WAS ACCEPTED UNANIMOUSLY BY VOICE VOTE.**

The meeting was adjourned at 6.55 pm

Respectfully submitted,
Anissa Davis
Telesco Secretarial Services