

NORWALK CONSERVATION COMMISSION MINUTES

AUGUST 12, 2003

ATTENDANCE: Matt Caputo, Vice-Chair, Andrew Kydes, Anne Cagnina, Marny Smith, Ed Holowinko, Jane Corcillo, Karen Destefanis (arrived at 6:20 p.m.)

STAFF: Michael Wrinn, Erin Leonard, Conservation Staff

CALL TO ORDER

Mr. Caputo called the meeting to order at 6:10 p.m. Ms. Leonard took the roll.

PERMIT MODIFICATION/EXTENSION

a.) 365 Wilton Lane-Shockley-#S00.37a-Demolish existing house, construct single family house adjacent to wetland and watercourse.

Ms. Leonard stated that this permit was originally issued in September 2000 and that special condition 5 of the original permit required a buffer planting 5 feet wide on both sides of the watercourse from the southern end of the pond extending northward towards the storage shed. Ms. Smith asked what would happen if the deadline is not met. She also asked if there is a liability for fines. Ms. Leonard said that they have a bond for the plantings. She said that she thinks the applicants have every intention of doing the plantings.

Mr. Gerald Caravan said that he was part owner of the property and that the plants were currently on order, though some will not arrive until September. He said that August is not the best time to order the plants.

****MR. KYDES MOVED THAT THE CONSERVATION PERMIT MODIFICATION APPLICATION #S00.37a, FOR MODIFICATION OF A PERMIT TO EXTEND DEADLINE FOR SITE ACTIVITY BE GRANTED TO DIANE SHOCKLEY, FOR PROPERTY AT 365 WILTON ROAD, WESTPORT, CT, WITH THE FOLLOWING CONDITIONS:**

1. All conditions of the Conservation Permit #S00.37a shall remain in effect with the following modification:

a.) Special Condition 8 shall read, "This permit is active for five years. However, once project commences, all activity under this permit shall be completed by October 15, 2003.

****MS. SMITH SECONDED**

****MOTION PASSED UNANIMOUSLY**

DISCUSSION &/or DECISION

a.) 56 Freshwater Lane-Pichotta-S03-158-New terrace, addition, 1-car garage, and 2nd story addition to single-family house adjacent to a wetland and watercourse and landscaping, including removal of vegetation and re-grading, in and adjacent to a wetland and watercourse.

Ms. Leonard stated that the resolution was included in the packet. She said that the applicant was now only looking to do the addition portion of the permit. Ms. Cagnina asked if they have to have the landscaping plans done by a certain time. Ms. Leonard stated that it was up to the commission whether they even want any landscaping to be required for the additions. Mr. Caputo asked if the conditions cover the requirements. Ms. Leonard said yes.

****MS. SMITH MOVED THAT THE CONSERVATION APPLICATION #S03-158, NEW TERRACE, ADDITIONS, 1-CAR GARAGE, AND 2ND STORY ADDITION TO SINGLE-FAMILY HOUSE ADJACENT TO WETLANDS AND WATERCOURSE BE GRANTED TO NICHOLAS PICHOTTA, FOR PROPERTY AT 56 FRESHWATER LANE, NORWALK, CT, WITH THE FOLLOWING SPECIAL CONDITIONS:**

- 1. A \$775.00 Performance Bond is to be posted prior to commencement of any on site permit related activity. All Special Conditions of the permit must be satisfied prior to release of the bond.**
- 2. Prior to commencement of any on site permit released activity, the applicant shall provide photo documentation of the site and cross-references the photographs on a site plan. Photographs should represent wide-angle views.**
- 3. This approval does not include any landscape activities, including driveway removal on site. Any site work proposals require approval by Conservation Commission prior to any work on site.**
- 4. Once work on the project commences, all activity under this permit is to be completed within two years.**
- 5. Any change to the overall plan, "Residential Additions and Alterations, 56 Freshwater Lane, Norwalk, CT-Plot Plan", by Geoffrey Craig Williams, Scale 1"=30', dated May 16, 2003, modified to show no proposed driveway alterations, as approved, will require a return to the Conservation Commission for review.**

****MS. CAGNINA SECONDED**

****MOTION PASSED UNANIMOUSLY**

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

Ms. Leonard said that this application was a result of a Notice of Violation issued on May 15, 2003. She said that at this time, staff recommends that no additional work be done in the rear yard without submission of a new application complete with engineering reports. Mr. Caputo said thank you.

****MS. CAGNINA MOVED THAT CONSERVATION APPLICATION #S03-152, AS MODIFIED, "CORRECTIVE ACTION"-DEPOSITION OF GRAVEL FILL IN AND ADJACENT TO A WETLAND AND WATERCOURSE, BE GRANTED TO RIGOBERTO CORDERO, FOR PROPERTY AT 34 NORTH TAYLOR AVENUE, NORWALK, CT, WITH THE FOLLOWING CONDITIONS:**

- 1. This permit does not allow for any additional fill to be deposited in the rear yard.**
- 2. Any future site work will require review by Conservation Commission to determine permit needs, prior to any activity on site.**

****MS. CORCILLO SECONDED
MOTION PASSED UNANIMOUSLY

Ms. Smith asked how the commission knows the applicants will not decide to do the fillings. Ms. Leonard said that she is pretty sure that the applicants are aware of the guidelines. Ms. Cagnina said that she would think they would say something if they wanted to make any changes. Ms. Leonard replied yes and said that she had sent the applicants a letter in Spanish, which explained all of the guidelines. Ms. Cagnina said that this was a good idea.

Ms. Destefanis arrived at 6:20 p.m.

ACCEPTANCE OF MINUTES

a.) July 8, 2003

The following corrections were made to the minutes:

Page 2: should be "pillows absorbing water" and not "water absorbing pillows."

Page 5: "eminent" should be "imminent." "Lauricella" is the correct spelling.

Page 6: last paragraph, third line down: should be "residents" not "residence."

Page 7: second paragraph, fifth line down: should be "undersized" not "oversized."

Page 7: same paragraph: ".98" should be ".098."

Ms. Leonard said that she was not sure that the number correction was accurate and said that she would look it up.

"McQuaid" should be the proper spelling throughout the minutes as well.

****MS. SMITH MOVED TO ACCEPT THE MINUTES OF JULY 8, 2003 AS AMENDED WITH SPECIAL PROVISIO THAT STAFF IS ALLOWED TO MAKE THE CORRECTIONS.
MOTION PASSED WITH TWO ABSTENTIONS (MR. HOLOWINKO AND MS. DESTEFANIS).

b.) July 22, 2003

The following corrections were made to the minutes:

Page 2: third paragraph: should be "bushes" instead of "brush."

Page 4: last line: should be "exception" instead of "except."

Page 3: in the second motion: should be "no" instead of "do."

Page 4: in the motion: "s" should be added to the end of "condition" "as" should be crossed out as well.

Page 6: line one: whole sentence needs to be deleted because the statement is untrue.

Page 6: fifth line: should be "in" instead of "to."

Page 7: fourth line up: should be "proposing" instead of "opposing."

Page 7: first paragraph, last line: should be "basements" instead of "basis."

Page 8: middle of paragraph: "a" should be added t "re." "It is questioned" needs to be crossed out.

"Wrinn" is the correct spelling and needs to be corrected throughout

Page 9: last sentence, first paragraph: omit "pipe" and add "part of project" to the end of the sentence.

Page 9: end of second paragraph: should be "as per budget of project" instead of " as per budget of staff."

Page 10: Condition #3: should be "landscape" instead of "landscaped."

****MS. CAPUTO MOVED TO ACCEPT THE MINUTES OF JULY 22, 2003 AS AMENDED.**

****MS. SMITH SECONDED**

****MOTION PASSED WITH TWO ABSTENTIONS (MS. CAGNINA AND MS. DESTEFANIS).**

COMMENTS OF STAFF

a.) Declaratory Permits and Enforcements Actions

Ms. Leonard said that a couple of declaratory permits were issued, one of which was Dunkin Donuts. In regards to Enforcement Actions she stated that 5 Ledgewood Drive's action was issued and that the owner has hired ELS to work on the plan. She said they are currently working on submission of an application.

COMMENTS OF COMMISSIONERS

Ms. Smith suggested discussing how they could work better with the DPW and The Health Department on issues such as North Taylor Avenue. She said she received a couple of letter dated July 30, 2001 and suggested inviting someone from The Health Department. She said that the situation needs to be expedited. Ms. Cagnina said she thinks Ms. Smith is suggesting to meet with the DPW prior to the public hearing. Ms. Leonard said the issues cannot be discussed prior to the meeting. Ms. Smith said that there should have been ways for the three departments to work together on the issues. Ms. Leonard said that she had never experiences any miscommunication issues with her office,

Ms. Smith said that she is concerned about the amount of time it takes for the committee to do something about a situation that was a health threat. Mr. Wrinn told Ms. Smith that it was not up to her to fix the problem. Ms. Smith said that when things come up, the commission ought to be team players in trying to do something. Ms. Leonard said that the Conservation Commission can function to make resolutions on an educational basis. She said that she sees difficulty seeing the Conservation Commission recommending actions to be done to the city.

Ms. Corcillo said that she thinks Ms. Smith is trying to say that the commission should be proactive and not reactive. Ms. Smith asked the committee if they would be willing to put this matter on the agenda for the next meeting. She said that if the commission had been a little more all-inclusive, things could have been different.

Ms. Destefanis told Ms. Smith that she should collect her thoughts about what she thinks needs to be done and suggested putting "the role and duties of the Conservation Commission" on the agenda to be discussed at the next meeting.

Ms. Leonard told the commission to be cautious of bringing up specific applications that were already acted upon by the Commission. Mr. Caputo said that there are just some issues that cannot be discussed.

****MS. CAGNINA MOVED TO ADJOURN**

****MR. KYDES SECONDED**

****MOTION PASSED UNANIMOUSLY**

The meeting was adjourned at 7:05 p.m.

Respectfully Submitted,

Michelle Joseph