

NORWALK CONSERVATION COMMISSION MINUTES

August 22, 2006

Present: Anne Cagnina, Chair; Karen Destefanis, Vice Chair (7:00); Beth Ackerman; Andrew Kydes; Ed Holowinko; D. Seeley Hubbard (6:03); Matt Caputo (6:18)

Staff: Erin Leonard, Acting Senior Environmental Officer; Sarah Rettger, Conservation Assistant

Others: Robert Koch, Norwalk Hour; Joe Sequenzia; Attorney Elizabeth Suchy; Attorney David Waters; Peter Marella; Barbara Goodman; Don Strait; Matt Popp

CALL TO ORDER

The meeting was called to order at 6:02 PM.

ROLL CALL

Ms. Leonard called the roll.

Mr. Strait delivered requests for postponement of both public hearings in order to allow drainage reports to be submitted.

REFERRAL

a) Zoning Commission - #11-06R/#6-06SP/#14-06CAM – 381 Connecticut Avenue Corporation – 225 Wilson Avenue – Proposed amendment to Section 118-711 of the Building Zone Regulations to permit artist workspace up to 20% of existing buildings by special permit in Restricted Industrial Zone

Attorney Suchy spoke for the applicant. She explained that the City currently does not have any provision for artist workspace in the zoning regulations, and that this text amendment would allow the use in existing buildings. She said that both the text amendment and the special permit would require public hearings before the Zoning Commission.

There was general agreement that the Commission would support the regulation. Ms. Leonard agreed to draft a statement to the Zoning Commission.

RECEIPT/DISCUSSION

a) #S06-257 – 200 Rowayton Avenue LLC – 200 Rowayton Avenue – Construction of a new single-family residence adjacent to wetland and watercourse

Attorney Suchy, Mr. Popp, and Ms. Garfield spoke on behalf of the applicant. Attorney Suchy explained that the Commission had approved a permit for a subdivision on this site in 2005, and the applicant now planned to construct a house on one of the new lots. She explained the differences between the site plan offered in the subdivision application and the current proposal.

Ms. Ackerman asked how the current application related to the existing house on the property. Attorney Suchy explained that the existing house had been relocated to one of the lots formed by the subdivision.

Mr. Popp explained that most of the existing vegetation was nonnative, and the planting plan submitted as part of the subdivision application had been enhanced with additional shrubs and trees in the current proposal.

Attorney Suchy told the commissioners that the applicant's architect had certified that the project would require 140 cubic yards of excavation, which meant that the application was for an intermediate regulated activity instead of a significant regulated activity. There was a discussion of the foundation proposed for the new residence.

Ms. Goodman explained that the house had been moved as close to the side setback as was aesthetically practical. She showed an alternative layout that the applicant had considered and rejected.

Ms. Cagnina said that it appeared some site work had been done already. Ms. Suchy said she didn't think any work had been done, but agreed to look into it.

Ms. Ackerman asked if extending the stone wall would have any impact on wildlife. Mr. Popp said that it would not, but that it was possible to include gaps in the wall for small animals.

Ms. Leonard reminded the commissioners that it was within their jurisdiction to determine if the application constituted a significant regulated activity. The commissioners agreed that the application would not require a public hearing.

b) #S06-258 – Sequenzia – 60 Crooked Trail – Corrective action and construction in and adjacent to a wetland

Ms. Leonard told the commissioners that this was a corrective action application, filed after the applicant's previous application was denied. She said that she considered the current application incomplete, but had met with the applicant and requested additional information. She also said that the applicant was requesting a waiver of the application fee.

Mr. Sequenzia distributed additional information to the commissioners. He said that he had not previously understood what was required. He went over the new information.

Ms. Leonard said that the information submitted was still not site-specific, and suggested that the applicant hire a professional to draw up site plans. Mr. Sequenzia explained that he had contacted many landscape architects and had found only one willing to take on the project.

The Commission discussed the applicant's request for a fee waiver. Ms. Cagnina said that she did not think this met the criteria listed in the regulations, because the application had already taken a substantial amount of staff time.

Mr. Caputo said that he was not prepared to decide at the moment, because the total amount of staff time necessary to review the current application was not known. He said that it did not appear that the fee was clearly excessive in relation to time spent reviewing the application.

No action was taken on the applicant's request.

c) #S06-259 – DT Development Company LLC – 61, 63 & 73 Strawberry Hill Avenue – Construction of twenty-nine (29) unit residential development adjacent to a wetland and watercourse

Ms. Leonard explained that the application was being submitted to both the Conservation Commission and the Zoning Commission. She said that the Commission would be getting a referral from the Zoning Commission because a text amendment was required for the zoning application. She also said that the application was before the Commission because the activity would occur within the upland review area of a watercourse.

Attorney Waters explained that the proposed development was adjacent to Fitch Park. The applicant planned to construct a Planned Residential Development (PRD) consisting of 29 units. He said the proposed development would substantially reduce the amount of impervious surface and add water quality treatment to the site. He also showed an alternative development of 18 single-family residences.

Ms. Cagnina asked for details on the adjacent pond. Attorney Waters said that he did not have information, because the pond was on City property, but he had spoken to Recreation & Parks Director Mike Mocciaie about the pond.

Ms. Destefanis asked why the applicant was not proposing a Conservation Development. Attorney Waters said that Conservation Developments are not allowed in a B Residence Zone. He explained the City's PRD regulations to the Commission.

Ms. Leonard said that the Department of Public Works (DPW) was looking at the project because there would be drainage onto City property. She suggested that the applicant get a signoff from DPW and contact them for additional information about the pond.

Mr. Strait discussed the planting plan and erosion controls planned for the site.

Ms. Ackerman asked the applicant to consider adding plants at the rear.

** Mr. Kydes moved to hold a public hearing on the application on September 26.

** Mr. Caputo seconded the motion.

** The motion passed unanimously.

PUBLIC HEARINGS

a) #S06-252 – 25 Huckleberry Drive South – Tarala – Construction of a new single-family residence and drainage pipe extension in and adjacent to a wetland and watercourse

This item was postponed at the request of the applicant.

b) #S06-255 – 181 West Norwalk Road – Patchen – Construction of a new single-family residence in and adjacent to wetland and watercourse

This item was postponed at the request of the applicant.

DISCUSSION/DECISION II

a) #S06-252 – 25 Huckleberry Drive South – Tarala – Construction of a new single-family residence and drainage pipe extension in and adjacent to a wetland and watercourse

This item was postponed at the request of the applicant.

b) #S06-255 – 181 West Norwalk Road – Patchen – Construction of a new single-family residence in and adjacent to wetland and watercourse

This item was postponed at the request of the applicant.

MINUTES

a) May 16, 2006

Ms. Leonard said that Attorney Maslan had asked the Commission to delay approval of these minutes until he had an opportunity to review them.

b) June 27, 2006

These minutes were approved at a previous meeting. No action was taken on this item.

c) July 25, 2006

- ** Mr. Caputo moved to approve the minutes.
- ** Mr. Holowinko seconded the motion.
- ** The motion passed with five in favor (Mr. Caputo, Mr. Holowinko, Mr. Hubbard, Mr. Kydes, Ms. Destefanis) and two abstentions (Ms. Ackerman and Ms. Cagnina).

COMMENTS OF STAFF

a) CL&P and UI – New 345 kV transmission line application modification to Siting Council – discussion of changes and comments to Siting Council

Ms. Leonard explained that the Commission had reviewed the original application, and now had the opportunity to review an application to modify the project. She said that the modification involved the removal of two crossings under the Norwalk River, which would be replaced by underground crossings.

There was general agreement that the Commission approved of the modification. Ms. Leonard agreed to draft comments for the Siting Council.

b) Declaratory permits and other enforcement actions

Ms. Leonard said that two minor permits had been issued for 149 Chestnut Hill Road and 20 Holiday Drive. She said that a Notice of Violation had been issued to the property owner at 78 Crooked Trail, and the Cease & Desist Order for 159 Winfield Street had been forwarded to Corporation Counsel.

c) Report of Senior Environmental Officer

Ms. Leonard said that Ms. Cherichetti would be returning to work soon, but her schedule had not been finalized.

COMMENTS OF COMMISSIONERS

There was a discussion of whether to hold a third meeting in September. Ms. Leonard suggested that the Commission wait until Ms. Cherichetti's schedule was settled.

ADJOURNMENT

- ** Mr. Caputo moved to adjourn the meeting.
- ** Mr. Hubbard seconded the motion.
- ** The motion passed unanimously.

The meeting was adjourned at 8:08 PM.