

NORWALK CONSERVATION COMMISSION MINUTES

**City of Norwalk
Conservation Commission
September 18, 2007
Special Meeting**

ATTENDANCE: D. Seeley Hubbard; Andrew Kydes; Matthew Caputo; Anne Cagnina; Elizabeth Ackerman (12:10 p.m.); Karen Destefanis (12:15 P.M.)

STAFF: Alexis Cherichetti, Senior Environmental Officer

CALL TO ORDER

The meeting was called to order at 12:05 PM.

ROLL CALL

Ms. Cherichetti called the roll.

SHOW-CAUSE HEARING

a) a) #V07-790 – 21 Knollwood Road – Cerra - Performing regulated activities, including removal of vegetation, installation of pipe and filling in and adjacent to a wetland and watercourse, without a permit

Ms. Cherichetti began with her summary of events that led to the issuance of the Order. She explained each of the photographs that she had taken and previously distributed to the Commissioners. The photographs included a copy of the 2003 aerial photo of the vicinity and three photographs she had taken during her inspection on September 14, 2007.

She explained that she had been to the property at least four times in the past, most recently at the request of the current owners to discuss the applicability of the Inland Wetland and Watercourses Regulations on their wishes to remove the open watercourse in their rear yard. She stated that she told them that they would need to hire a soil scientist to delineate the extent of wetland soils on the property and then they would need to apply for a Conservation Permit to do the work.

Ms. Cherichetti then explained that the Order contained two directives. She also added that she had requested a couple files from the City's remote storage facility, but had not received them yet. She believes the files are the permits that allowed the construction of the houses at 21 and 19 Knollwood Road and may have additional data regarding the extent of wetland soils.

Mr. Cerra, the property owner, then presented his explanation of the recent work. He stated that the work was started so that the rear yard of the property would be more usable and safe. He explained and submitted various photographs, labeled 'A' through 'E', which were generally of the current state of the rear yard and the previously mentioned work. He indicated that he had discussed the piping with the Department of Public Works, and had gotten the expression that the activity would not be a problem.

Mr. Hubbard noted that he was troubled by the property owner's actions because it was clear that Conservation Office staff had met with the property owners and had explained the jurisdiction of the Inland Wetland and Watercourses Regulations. Mr. Hubbard observed that the property owners chose to commence the piping activities despite the clear advise of the Senior Environmental Officer. Mr. Caputo observed that everyone makes mistakes.

Ms. Destefanis inquired about the pipe and whether it was solid or perforated. Mr. Cerra explained that the thirty feet of installed pipe had a 12-inch diameter and was solid. He added that the pipe is entirely within the City drainage easement, that the pipe was laid on the bottom of the ditch and that no more than six inches of fill were placed above the pipe. Lastly he noted that the ditch (watercourse) did not have continuous flow – only during storm events.

Ms. Cagnina observed that establishing the limit of wetland soils was very important. Mr. Hubbard concurred and noted that a soil scientist's report and sketch map would be necessary.

There was a brief discussion of whether or not to modify the Cease & Restore order.

** MR. CAPUTO MOVED TO CLOSE THE SHOW-CAUSE HEARING.

** MS. ACKERMAN SECONDED THE MOTION.

** THE MOTION PASSED UNANIMOUSLY.

** MR. CAPUTO MOVED TO UPHOLD THE ORDER.

** MS. CAGNINA SECONDED THE MOTION.

** THE MOTION PASSED UNANIMOUSLY.

The meeting was adjourned at 12:45 PM.