

**NORWALK CONSERVATION COMMISSION MINUTES**

**City of Norwalk  
Conservation Commission  
October 9, 2007  
Special Meeting**

ATTENDANCE: Chris Handrinis, Andrew Kydes, Emily Wilson, Matthew Caputo (12:10), Karen Destefanis (12:10)

STAFF: Alexis Cherichetti, Senior Environmental Officer

**CALL TO ORDER**

The meeting was called to order at 12:00 PM.

**ROLL CALL**

Ms. Cherichetti called the roll.

**SHOW-CAUSE HEARING**

a) #V07 -791 - 32 Stonecrop Road - Mecca - - Performing regulated activities, including degradation of a wetland and watercourse through unauthorized landscaping activities 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 photographs she had taken during her inspection on September 24, 2007.

She explained that she had received an anonymous complaint regarding filling in and adjacent to a wetland and watercourse on Stonecrop Road. She continued explain that she met with the Meccas after they had contacted her and her inspection confirmed that material had been placed adjacent to the watercourse and that the area of fill was likely wetlands.

Ms. Cherichetti then explained that the Order contained only one directive - to file for a Corrective Action permit. She finished with stating that she believes the activities were regulated activities and that a permit should be required.

Mrs. Mecca, the property owner, then presented an explanation of the recent work. She stated that the work was started so to address issues with standing water and the problems the standing water could cause. In particular, Mrs. Mecca cited health and safety concerns with mosquito breeding habitat and also with the negative effects of standing water on property value. Mrs. Mecca distributed a brief narrative, with a map and photographs, to

the Commission. She continued with a description of the area throughout the 32 years that she had resided there. She and Mr. Mecca described how there was once a short watercourse channel in the location of the fill, however that over the years, that channel filled in with leaves, many of the larger trees died, and the rear was holding water for months at a time. They stressed to the Commission that they did not know that what they were doing was in violation and that they just wanted to improve their property and attempt to discourage so much standing water in the rear of the property.

Ms. Cherichetti explained that wetlands have many functions and that the water quality renovation previously provided by this wetland was lost with the application of woodchips. She noted that she was sure that there were solutions that could abate the inundation while providing a positive environmental impact. She advised the Meccas that they might benefit by retaining an environmental consultant who could propose a plan that meets both their needs and the Commission's requirements.

Mr. Caputo acknowledged that many residence do not understand what is best for wetlands and watercourses. He added that he understood that the respondents thought that they were doing something 'good', however unfortunately, the activities were indeed in violation of the wetland regulations.

\*\* 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. DESTEFANIS SECONDED THE MOTION.

\*\* THE MOTION PASSED UNANIMOUSLY.

b) #V07-793 – 166 Fallow Street – Ceja - Performing regulated activities, including extensive dredging & excavation in a pond and deposition of material in and adjacent to wetlands and a watercourse without a permit.

Ms. Cherichetti provided her summary of the 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 photographs she had taken during her inspection on October 2, 2007.

She explained that she had received a tip regarding excavation in a pond in the vicinity of 166 Fallow Street. She continued explain that she met with Mr. Ceja upon her inspection

of the property, when she confirmed that he had been digging in the pond and depositing the dredged material adjacent to the pond edge.

Ms. Cherichetti then explained that the Order contained four directives: the first three deal with stabilizing and containing sediment on the site, and the fourth requires that the owner file for a Corrective Action permit. She finished with stating that she believes the activities were regulated activities and that a permit should be required.

Mr. Ceja agreed with the summary that Ms. Cherichetti presented. He told the Commission that he did not know that there were laws governing such activities and that he was only trying to make the pond more free flowing. He explained that the pond had been very muddy and that water did not stay in the pond for very long after it rained.

Ms. Destefanis agreed that she had seen the pond before the subject activities and that it was quite shallow. She agreed that the pond was often stagnant and could understand why the property owner would want to fix it, however she noted, it is still an activity that requires a permit.

Ms. Ackerman stated that she was very concerned about the steep bank slopes that the dredging had made.

\*\* MS. DESTEFANIS MOVED TO CLOSE THE SHOW-CAUSE HEARING.

\*\* MS. WILSON SECONDED THE MOTION.

\*\* THE MOTION PASSED UNANIMOUSLY.

\*\* MS. DESTEFANIS MOVED TO UPHOLD THE ORDER.

\*\* MR. KYDES SECONDED THE MOTION.

There was a brief discussion regarding the type of permit application that would be required.

\*\* MS. DESTEFANIS MOTIONED TO AMEND ORDER TO REQUIRE THE FILING OF A "SIGNIFICANT REGULATED ACTIVITY" PERMIT APPLICATION.

\*\* MS. KYDES SECONDED THE MOTION.

\*\* MOTION PASSED UNANIMOUSLY.

\*\* MR. HANDRINOS MADE A MOTION TO ADJOURN.

\*\* MS. DESTEFANIS SECONDED THE MOTION.

**\*\* MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 12:48 PM.

---

**City of Norwalk  
Conservation Commission  
October 9, 2007**

**ATTENDANCE:** Matt Caputo; Elizabeth Ackerman; Karen Destefanis; Chris Handrinos; Emily Wilson; Ed Holowinko

**STAFF:** Alexis Cherichetti, Senior Environmental Officer

**OTHERS:** Peter Romano, LandTech Consultants; Hal Alvord, DPW; David Partridge, Tighe & Bond; Amy Livolsi, Kerschner Development; Steven Kerschner; Kate Throckmorton, Environmental Land Solutions, LLC; Dean Martin, Grumman Engineering, LLC

**CALL TO ORDER**

The meeting was called to order at 6:12 PM.

**ROLL CALL**

Ms. Cherichetti called the roll.

**RECEIPT/DISCUSSION**

a) #S07-292 – 90 Partrick Road – Land-Tech Consultants – Construction of a new driveway and associated grading adjacent to a wetland and watercourse

Ms. Cherichetti explained that this proposed new residence straddles the Norwalk/Westport line. Stony Brook and associated wetlands and tributary watercourses occur on or about the subject property.

Peter Romano, of LandTech Consultants, described the proposed activities in further detail. He noted that the residence would be constructed into the hill slope and that most of the construction would be within Westport. Pointing to the site plan, he described the activities proposed within Norwalk, such as the installation of the driveway and a portion of the garage/residence. He noted that the residence would have underground infiltration galleries to retain stormwater for up to a 25-year event.

Ms. Cherichetti reminded the applicant of some of the items that she had previously requested. Mr. Romano replied that those revisions would be submitted in advance of the next Commission meeting.

b) #S07-293 – 176 Strawberry Hill Avenue (Olmstead Pond) – City of Norwalk DPW – Filling, grading, alteration of hydrology and landscaping in a pond and wetland

Ms. Cherichetti introduced Hal Alvord, Director of Public Works, who described the proposed project. Mr. Alvord explained that frequent flooding was a problem in the surrounding neighborhood and the fix would be a combination of providing stormwater retention, increasing the pipe size and continued maintenance of existing pipes.

David Partridge, P.E. of Tighe and Bond further described the project. The pond, he explained captured runoff from a 41-acre drainage basin. The 1/3 acre pond is generally wet and at capacity. The proposal seeks to drain the pond, lower the piped outlet and install a channel and floodplain. The new watercourse channel would be enhanced with native plantings. He noted that the concept was to provide flood storage by keeping the former pond area dry. Currently, he noted, the pond backs up about once per year, and the project might allow it to handle close to a 5-year storm event.

Mr. Caputo asked when the best time of year would be to perform the work. Mr. Partridge replied that they hoped to do the work in winter when the area was frozen and in advance of spring rainfall. Mr. Alvord hoped that the project could go to bid in January, do the main work in February, and plant in the early spring.

Ms. Destefanis inquired about the feasibility of designing for retention of a 25-year storm event. Mr. Alvord responded that result is not economically achievable, and estimated that it would cost more than three million dollars.

Mr. Caputo wondered if the applicant could quantify the relief from flooding that the neighbors could expect. Mr. Alvord lamented that he could not, noting that each storm event was different in its intensity, duration, et cetera.

**\*\* MS. DESTEFANIS MOVED TO HOLD A PUBLIC HEARING ON APPLICATION #S07-293 AT THE NEXT MEETING OF OCTOBER 23, 2007.**

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

**\*\* THE MOTION PASSED UNANIMOUSLY.**

#### DISCUSSION/DECISION I

a) #S07-283 – 10 Norden Place – Norwalk Center, LLC – Construction of an office building and associated parking, stormwater drainage, landscaping and restoration work in and adjacent to a wetland and watercourse

Ms. Destefanis announced that she would be recusing herself from discussion on this application and left the room.

There was a brief review of the submitted information and discussion between Commissioners.

**\*\* MS. ACKERMAN MADE A MOTION TO ADOPT THE FOLLOWING RESOLUTION:**

WHEREAS, THE CONSERVATION COMMISSION, UPON PUBLIC HEARING DULY NOTICED AND HELD, HAS CAREFULLY REVIEWED THE RECORD AND CONSIDERED THE FACTORS FOR CONSIDERATION OF DECISION, AS DETAILED IN SECTION 60A-8 OF NORWALK'S INLAND WETLAND AND WATERCOURSES REGULATIONS; AND

WHEREAS, THE CONSERVATION COMMISSION FINDS THAT THE PROPOSED ACTIVITIES ARE LIKELY TO RESULT IN AN OVERALL POSITIVE IMPACT TO THE QUALITY AND FUNCTION OF THE WETLANDS AND WATERCOURSES;

NOW THEREFORE BE IT RESOLVED:

THAT CONSERVATION APPLICATION #S07-283, TO CONSTRUCT AN OFFICE BUILDING AND ASSOCIATED ACTIVITIES IN AND ADJACENT TO A WETLAND AND WATERCOURSE BE GRANTED TO NORWALK CENTER, LLC FOR PROPERTY AT 10 NORDEN PLACE, NORWALK, CT, [DISTRICT 3, BLOCK 17, TAX LOT 40] WITH THE FOLLOWING CONDITIONS:

1. A \$29,300.00 BOND IS TO BE POSTED PRIOR TO COMMENCEMENT OF ANY ON-SITE PERMIT RELATED ACTIVITY. THE BOND SHALL BECOME ELIGIBLE FOR RELEASE FOLLOWING THE COMPLETIONS OF TWO (2) FULL GROWING SEASONS AFTER THE PLANTING PLAN HAS BEEN FULLY IMPLEMENTED. A GROWING SEASON EXTENDS FROM MAY 15 THROUGH OCTOBER 15 OF ANY GIVEN YEAR. ALL SPECIAL CONDITIONS OF THE PERMIT MUST BE SATISFIED PRIOR TO RELEASE OF ANY PORTION OF THE BOND.

2. PRIOR TO COMMENCEMENT OF ANY ON-SITE PERMIT RELATED ACTIVITY, THE APPLICANT SHALL PROVIDE PHOTO DOCUMENTATION OF THE SITE AND CROSS-REFERENCE THE PHOTOGRAPHS ON A SITE PLAN. PHOTOGRAPHS SHOULD REPRESENT WIDE-ANGLE VIEWS AND SHOULD INCLUDE WETLAND AND WATERCOURSE AREAS.

3. UNLESS SPECIFICALLY MODIFIED BY THIS PERMIT, ALL SEDIMENTATION & EROSION CONTROLS SHALL BE INSTALLED IN THE LOCATIONS INDICATED ON THE PLAN ENTITLED "SEDIMENTATION AND EROSION CONTROL PLAN (SHEETS C-06.1-3)", DATED JULY 19, 2007 BY TIGHE & BOND. CONTROLS ARE TO BE PROPERLY INSTALLED, AND THEN CHECKED

BY THE CONSERVATION STAFF, PRIOR TO THE COMMENCEMENT OF LAND DISTURBANCE.

4. PRIOR TO THE COMMENCEMENT OF ON-SITE ACTIVITY, THE APPLICANT SHALL DEVELOP AND SUBMIT A LAWN AND LANDSCAPE MANAGEMENT PLAN TO THE CONSERVATION OFFICE FOR REVIEW AND APPROVAL. THE PLAN MUST INCLUDE A DETAILED PLAN FOR THE MANAGEMENT OF ALL LAWN AREAS, ORNAMENTAL LANDSCAPE AREAS, STORMWATER GRASS & INFILTRATION SWALES, THE WATERCOURSE BUFFER AND WETLAND AREAS. THE PLAN MUST DETAIL PROTOCOLS FOR THE APPLICATION OF FERTILIZERS, APPLICATION OF PESTICIDES, AND BEST MANAGEMENT PRACTICES (BMPS) FOR MINIMUM NEGATIVE ENVIRONMENTAL IMPACTS. ADDITIONALLY, THE LAWN AND LANDSCAPE MANAGEMENT PLAN MUST INCLUDE THE FOLLOWING:

- a) A SOIL TEST MUST BE PERFORMED NO MORE THAN 90 DAYS PRIOR TO THE APPLICATION OF ANY FERTILIZER, WHICH ARE TO BE APPLIED AT A RATE SUITABLE FOR THE TESTED SOIL CONDITIONS.
- b) IN ORDER TO REDUCE NEGATIVE IMPACTS TO THE WETLAND/WATERCOURSE SYSTEM FROM THE APPLICATION OF EXCESSIVE NUTRIENTS AND TOXICANTS, ALL FERTILIZERS APPLIED TO THE SITE MUST BE LISTED BY THE ORGANIC MATERIALS REVIEW INSTITUTE (OMRI). THE ORGANIC NATURE OF THESE FERTILIZERS RESULT IN PRODUCTS THAT HAVE A SLOW-RELEASE FORM OF NITROGEN AND LESS EXCESSIVE PHOSPHORUS CONTENT.
- c) PESTICIDES SHOULD BE USED ONLY WHEN ABSOLUTELY NECESSARY. AN INTEGRATED PEST MANAGEMENT (IPM) METHOD OF CONTROL MUST FIRST BE ATTEMPTED. WHEN A CHEMICAL PESTICIDE IS UNAVOIDABLE, AN APPROPRIATE PESTICIDE THAT IS OMRI-LISTED SHOULD BE USED.
- d) DUMPING OF ANY LAWN OR YARD WASTE, INCLUDING GRASS CLIPPINGS, WITHIN AN UPLAND REVIEW AREA OF A WETLAND OR WATERCOURSE IS PROHIBITED.
- e) DESIGNATION OF THE PARTY OR ENTITY RESPONSIBLE FOR ENSURING CONFORMANCE TO THE PLAN.

5. THE APPLICANT SHALL CAUSE TO HIRE A PROFESSIONAL WETLAND SCIENTIST OR CERTIFIED ECOLOGIST OR BIOLOGIST TO INSPECT THE SITE TWICE PER MONTH AND TO SUBMIT A WRITTEN REPORT TO THE CONSERVATION OFFICE ONCE EVERY MONTH. THE ABOVE INSPECTION AND REPORTING SHALL COMMENCE AT THE START OF SITE WORK AND CONTINUE WHILE THE SITE IS UNDER ACTIVE CONSTRUCTION. THE REPORTS MUST DESCRIBE THE STATE OF CONSTRUCTION AND MITIGATION WORK, THE CURRENT EFFECTIVENESS OF THE SEDIMENTATION AND EROSION CONTROLS, ANY REQUIRED WORK TO KEEP THE ACTIVITIES IN COMPLIANCE WITH THIS PERMIT, AND ANY OBSERVED IMPACTS TO THE WETLAND OR WATERCOURSE.

6. PRIOR TO THE COMMENCEMENT OF ON-SITE ACTIVITY, THE APPLICANT SHALL DEVELOP AND SUBMIT A STORMWATER MAINTENANCE PLAN TO THE CONSERVATION OFFICE FOR REVIEW AND APPROVAL. THE PLAN MUST INCLUDE A DETAILED ACTION PLAN AND SCHEDULE FOR THE INSPECTION, CLEANING, REPLACEMENT AND GENERAL MAINTENANCE OF THE CATCH BASINS, UNDERGROUND RETENTION GALLERIES AND STORMWATER SWALES ON THE PROPERTY. THE ABOVE DETAILED PLAN AND SCHEDULE MUST MEET OR EXCEED THE RECOMMENDED SCHEDULE OF MAINTENANCE RECOMMENDED BY THE MANUFACTURER OF EACH DEVICE OR AS RECOMMENDED WITHIN THE CT DEP'S 2004 CONNECTICUT STORMWATER QUALITY MANUAL. THE PLAN MUST ALSO DESIGNATE THE PARTY OR ENTITY RESPONSIBLE FOR ENSURING CONFORMANCE TO THE PLAN.

7. ALL PROPOSED WETLAND MITIGATION WORK, AS DEPICTED IN PLANS AND DOCUMENTS ENTITLED "PROPOSED WETLAND PLANTING PLAN – WETLAND NO. 10A/B", "PROPOSED RIPARIAN GRADING & PLANTING PLAN – WETLAND 7", "PROPOSED SECTIONS & DETAILS", AND ENVIRONMENTAL EVALUATION AND IMPACT ASSESSMENT", DATED JULY 2007 BY LAND-TECH CONSULTANTS, INC., SHALL BE IMPLEMENTED PRIOR TO RECEIVING CONSERVATION SIGN-OFF FOR CERTIFICATE OF OCCUPANCY, EITHER TEMPORARY OR PERMANENT.

8. ONCE WORK ON THE PROJECT COMMENCES, ALL ACTIVITY UNDER THIS PERMIT IS TO BE COMPLETED WITHIN TWO (2) YEARS.

9. UNLESS SO MODIFIED BY ANY OF THE ABOVE CONDITIONS, ANY CHANGE TO THE OVERALL PLAN, AS DEPICTED IN A PLANS ENTITLED "10 NORDEN PLACE, NORWALK, CT, PROPOSED OFFICE BUILDING, PERMITTING DOCUMENTS: SHEETS S-1, C-01.1, C-02.1-2, C-03.1-2, C-04.1-2, C-05.1-2, C-06.1-3, C-07.1-2, C-08.1-3, L1.1.1-2, AND L2-1-1," DATED JULY 19, 2007 AND LAST REVISED SEPTEMBER 14, 2007, WILL REQUIRE A RETURN TO THE CONSERVATION COMMISSION FOR REVIEW AND APPROVAL.

\*\* MS. WILSON SECONDED THE MOTION.

\*\* THE MOTION PASSED UNANIMOUSLY.

b) #S07-289 – 8 Keeler Avenue – Ceja – Corrective Action landscaping and construction of an accessory building adjacent to a wetland and watercourse

Ms. Cherichetti observed that the applicant was not present and discussion on the item was tabled to the next meeting.



## PUBLIC HEARING

- a) #S07-285 – 33 Witch Lane (Lot 1) – Kerschner Development – Construction of a new single family residence adjacent to at wetland and watercourse
- b) #S07-286 – 33 Witch Lane (Lot 2) – Kerschner Development – Construction of a new single family residence adjacent to at wetland and watercourse

At 7:00 p.m., Mr. Caputo explained that the scheduled public hearing would begin. Mr. Caputo reminded the audience of the general rules of conduct during a public hearing. Ms. Cherichetti called the roll and read the notice of the hearing that ran in the local newspaper.

Amy Livolsi, of Kerschner Development, explained that the applicant was a contract purchaser of the property. She again noted that the applicant has filed for a ‘free-cut’ split of the property, but that the split would not be official until the existing house was demolished.

She explained that there is a wetland and watercourse system in the rear portion of the property, of which she provided photographs. Her photographs included one of the rear rubble stone wall, which she noted, would be the same location of the proposed retaining wall. Lastly, she noted the new materials that had been submitted in advance of the hearing – a alternate plan that does not include the removal of the 36” tree, but does include the filling of the wetland pocket, and a revised drainage report.

Dean Martin of Grumman Engineering explained that the proposed stormwater retention would retain runoff on the site for up to a 25-year storm event. Underground galleries with overflow pipes discharging at the proposed retaining wall would be utilized, he noted. He also discussed the proposed retaining wall, which he noted would be a dry-laid wall with maximum of six feet in height and would taper to grade.

Kate Throckmorton, Environmental Land Solutions, spoke about the wetland system in the rear of the property. She noted that the rear yard slopes towards the rear. She described a small wetland remnant pocket on the slope. She described the larger wetland and watercourse in the far rear as having higher functions and values.

She observed that the proposed development would be kept within the existing lawn area and that the applicant was proposing an opportunity to enhance the wetland areas with the removal of invasive plant species, the installation of native plants, and the establishment of a buffer adjacent to the large rear wetland area.

She also noted that the proposed retaining wall would be good because it would stabilize the slope and reduce current erosion of the slope. She stated that she did not believe the new alternative that retained the 36” tree was environmentally beneficial, noting that the

wetland pocket would be lost and the tree would be stressed with the disturbance of its root system.

Mr. Caputo opened the floor to the public. Ernest Albin, Jr. noted that he had grown up across the street. He observed that portions the watercourse had been piped over time and inquired if those portions of the brook could ever be reopened.

Gail Meyer questioned the methods for analyzing the impacts to the wetland and whether outside evaluations were required.

Jan Morename resides on Steepletop and has experienced flooding of the brook and questioned the impacts of all the development in the area.

Marie Dobe also resides on Steepletop Road and had also seen the brook flood. She inquired about the proposed stormwater drainage system and the net loss of trees.

Martin Yallop, of 31 Witch Lane, expressed concerns regarding the amount of grading and the height of the retaining wall.

Barbara Yallop took issues with the number and location of trees to be removed and noted concerns with cumulative impacts development would have on the wetland.

William Robinson, of 37 Witch Lane, explained that he had resided here for 23 years and had noted changes to the wetland over years of encroachments. He presented a survey of his property and wished to compare his surveyed wetland line with the applicant's map. Lastly, he noted the wetland area had long been a valuable habitat for local deer and turkey populations.

David Clark, who identified himself as the current owner of the subject property, stated that he was in favor of the proposal and further noted that he believed the construction of the rear retaining wall would provide a needed barrier that would isolate and protect the wetland.

Ms. Throckmorton began rebuttal statements by noting that her analysis of the wetland and watercourse are based on a known methodology. She again reviewed the short term and long term impacts that she anticipates.

Ms. Livolsi requested that Mr. Martin further explain the proposed stormwater drainage system. Mr. Martin noted that the proposed detention structures would reduce the runoff volume by more than half.

Regarding the loss of trees, Ms. Livolsi indicated that the applicant would have no problem planting additional trees at the top of the proposed retaining wall.

**\*\* MR. HANDRINOS MADE A MOTION TO CLOSE THE PUBLIC HEARING FOR #S07-285 AND #S07-286.**

\*\* MS. DESTEFANIS SECONDED THE MOTION.

\*\* THE MOTION PASSED UNANIMOUSLY.

## DISCUSSION/DECISION II

a) #S07-285 – 33 Witch Lane (Lot 1) – Kerschner Development – Construction of a new single family residence adjacent to at wetland and watercourse

b) #S07-286 – 33 Witch Lane (Lot 2) – Kerschner Development – Construction of a new single family residence adjacent to at wetland and watercourse

Ms. Ackerman stated that she would like to see three additional shade trees required at the top of the proposed retaining wall. She also lamented that there was no other alternative plan presented.

Mr. Caputo stated that he believed that the addition plantings, invasive plant management and the retaining wall would be a positive for the protection of the wetland. Mr. Holowinko disagreed noting that dumping over the wall was likely, though conceded that the enhancement in and adjacent to the wetland would be a positive.

Mr. Handrinos left the meeting at 8:30 p.m.

## SHOW-CAUSE HEARING

a) #V07-794 – 213 West Rocks Road – Lionetti – Performing regulated activities, including filling, grading and removal of vegetation, in and adjacent to a wetland and watercourse without a permit

Several Commissioners recommended the continuation of the hearing to ensure that the respondent, who was not present, would have an opportunity to speak.

## REFERRALS

a) Zoning Commission - #10-07R – Proposed amendments to Zoning Regulations Sec. 118-711 Restricted Industrial Zone to allow increased office use

Following a brief discussion, there was consensus among Commissioners that the currently approved uses and the proposed increased office use were equally appropriate uses for the zone.

Ms. Ackerman left the meeting at 9:00 pm.

## EXECUTIVE SESSION discussion of potential land acquisitions

\*\* MS. DESTEFANIS MADE A MOTION TO ENTER EXECUTIVE SESSION

\*\* MS. WILSON SECONDED THE MOTION.

\*\* THE MOTION PASSED WITH FOUR IN FAVOR.

\*\* MS. WILSON MADE A MOTION TO CLOSE EXECUTIVE SESSION

\*\* MS. DESTEFANIS SECONDED THE MOTION.

\*\* THE MOTION PASSED WITH FOUR IN FAVOR.

#### OPEN SPACE FUND

a) 78 Cranbury Road/440 Newtown Avenue – “White Barn Property” – Request use of funds for purchase of Conservation Restriction granted to the City of Norwalk and the Norwalk Land Trust

\*\* MR. CAPUTO MADE A MOTION TO RECOMMEND THE COMMITMENT OF \$250,000 OF THE OPEN SPACE FUND TO CONTRIBUTE TO THE PURCHASE OF A CONSERVATION EASEMENT OVER A PORTION OF THE PROPERTY KNOWN AS “THE WHITE BARN THEATRE’ PROPERTY.

\*\* MS. WILSON SECONDED THE MOTION.

\*\* THE MOTION PASSED UNANIMOUSLY.

b) 34 Sammis Street – “Farm Creek Preserve”/”Hart Property” - Request use of funds for City contribution to Norwalk Land Trust purchase

\*\* MR. CAPUTO MADE A MOTION TO RECOMMEND THE COMMITMENT OF \$30,000 OF THE OPEN SPACE FUND TO CONTRIBUTE TO THE PURCHASE OF A CONSERVATION EASEMENT OVER A PORTION OF THE PROPERTY KNOWN AS “THE HART PROPERTY AT SAMMIS STREET”.

\*\* MS. WILSON SECONDED THE MOTION.

\*\* THE MOTION PASSED UNANIMOUSLY.

#### MINUTES

\*\* MR. CAPUTO MADE A MOTION TO APPROVE THE MINUTES OF THE SEPTEMBER 18, 2007 SPECIAL MEETING MINUTES.

\*\* MS. DESTEFANIS SECONDED THE MOTION.

\*\* THE MOTION PASSED WITH THREE IN FAVOR AND ONE ABSTENTION  
(MS. WILSON)

COMMENTS OF STAFF

COMMENTS OF COMMISSIONERS

ADJOURNMENT

\*\* MS. CAGNINA MOVED TO ADJOURN THE MEETING.

\*\* MR. CAPUTO SECONDED THE MOTION.

\*\* THE MOTION PASSED UNANIMOUSLY.

The meeting was adjourned at 10:10 PM.

