

NORWALK CONSERVATION COMMISSION MINUTES

October 24, 2006

Attendance: Anne Cagnina, Chair; Andy Kydes; Ed Holowinko; Marny Smith; Karen Destefanis; Susan Llorca (6:11 PM); Matt Caputo (6:13 PM)

Staff: Alexis Cherichetti, Senior Environmental Officer; Sarah Rettger, Conservation Assistant

Others: William Tarala; Denise Halstead, Stearns & Wheler; Greg Lieberman, Stearns & Wheler

CALL TO ORDER

The meeting was called to order at 6:10 PM.

ROLL CALL

Ms. Cherichetti called the roll.

PERMIT MODIFICATION

a) #S05-215A – 74 Cranbury Road – Tarzia – Modification of permit to provide flood water storage with an underground tank system instead of the approved swale

Ms. Cherichetti said that the applicant had again requested that the Commission table discussion on this item. She reminded the commissioners that their decision deadline was the November meeting.

b) #S06-252A – 25 Huckleberry Drive South – Tarala – Modification of permit to alter conditions of approval

Mr. Caputo recused himself from discussion of this item.

Ms. Cherichetti explained that the Commission had recently approved a permit for the applicant to construct a house and relocate a watercourse. She said the applicant had proposed reversing the footprint of the house, and she had informed him that it required a permit. Since the applicant was unhappy with the permit conditions, she suggested he explain his concerns to the Commission.

Ms. Cherichetti discussed several items from the applicant's letter, including the amount and duration of the bond and removal of the rain garden. The commissioners discussed possible changes to the permit condition requiring environmental inspection.

Ms. Smith said a rain garden would be more effective than a drywell in the long run.

Ms. Cherichetti said the permit required a percolation test be completed before construction of a rain garden to ensure it would be sized appropriately. She said that the condition could be modified to require such a test for a drywell.

There was a discussion of the relative merits of drywells and rain gardens.

Ms. Cherichetti suggested reducing the environmental inspection from quarterly to biennially, but keeping the duration at three years. The commissioners agreed that this might be appropriate.

There was a discussion of the bond amount.

Ms. Cagnina asked if the reduction in frequency of environmental inspections was acceptable to the applicant. The applicant explained why he preferred a drywell.

** MS. LLORCA MOVED TO MODIFY CONDITION 10 TO READ “BIANNUALLY” INSTEAD OF “QUARTERLY.”

** MS. SMITH SECONDED THE MOTION.

** THE MOTION PASSED UNANIMOUSLY.

c) #S05-233A – 4 May Drive – Davidson – Modification of permit to alter conditions of approval

Mr. Caputo returned to the meeting at 6:42 PM.

Ms. Cherichetti explained that the Commission had required the restoration of a wetland as part of a corrective action permit. She said that due to staff error, the applicant had never received a copy of her permit, and as a result had not complied with the condition requiring wetland restoration plantings be completed within six months of the issuance of the permit. She suggested that the Commission modify condition 4 to allow the applicant to complete the required plantings.

** MS. DESTEFANIS MOVED TO MODIFY CONDITION 4 TO READ “TWO YEARS” INSTEAD OF “SIX MONTHS.”

** MS. LLORCA SECONDED THE MOTION.

** THE MOTION PASSED UNANIMOUSLY.

** MS. SMITH MOVED TO AMEND THE AGENDA TO CONSIDER BOND RELEASES.

** MS. DESTEFANIS SECONDED THE MOTION.

** THE MOTION PASSED UNANIMOUSLY.

BOND RELEASE

a) #S03-136 – 100 Richards Avenue – Summit TL LLC – Construction of a multi-unit condominium development adjacent to wetland and watercourse

Ms. Cherichetti said that this permit had required a \$31,000 performance bond, and that \$7,000 was retained until the end of two full growing seasons. She said more than 80% of the required plantings had survived, and recommended releasing the remainder of the bond.

** MS. DESTEFANIS MOVED TO RELEASE THE BOND.

** MS. SMITH SECONDED THE MOTION.

** THE MOTION PASSED UNANIMOUSLY.

b) #S03-136v – 100 Richards Avenue – Summit TL LLC – Corrective action restoration

Ms. Cherichetti explained that the applicant had cleared a wetland beyond the scope of the permit, and had been required to submit a corrective action application. She said approximately 79-80% of the plantings had survived.

Ms. Smith asked about the surface of the walking path. Ms. Cherichetti said it was wood chips.

Ms. Cherichetti recommended releasing the bond.

** MS. SMITH MOVED TO RELEASE THE BOND.

** MS. CAGNINA SECONDED THE MOTION.

** THE MOTION PASSED UNANIMOUSLY.

c) #S04-205 – 22 Granite Drive – Blair – Construction of an addition adjacent to wetland and watercourse

Ms. Cherichetti described the application. She said the shrubs were healthy, but non-native.

** MR. CAPUTO MOVED TO RELEASE THE BOND.

** MS. SMITH SECONDED THE MOTION.

** THE MOTION PASSED UNANIMOUSLY.

** MR. CAPUTO MOVED TO AMEND THE AGENDA TO CONSIDER RELEASE OF BOND FOR APPLICATION #S02-111.

** MS. DESTEFANIS SECONDED THE MOTION

** THE MOTION PASSED UNANIMOUSLY.

d) #S02-111 – 62 West Norwalk Road – Maidique – Construction of a new single-family residence adjacent to wetland and watercourse

Ms. Cherichetti explained that the applicant had recently applied for a complete release, and the Commission had retained a portion of the bond to be released after the remaining shrubs were planted.

** MR. CAPUTO MOVE TO RELEASE THE BOND.

** MS. SMITH SECONDED THE MOTION.

** THE MOTION PASSED UNANIMOUSLY.

PUBLIC HEARING

a) #S06-262 – 32 Morehouse Lane – Stoner Manor, Inc. – Deposition of material along riverbank for slope stabilization in and adjacent to wetland and watercourse

The public hearing was opened at 7:01 PM. Ms. Cherichetti took the roll.

Ms. Halstead said the applicant had submitted a biological summary and a detailed diagram with additional clarification. She explained that more specific detail had been presented regarding the fiber mats and slope stabilization.

Mr. Lieberman referred to the explanatory notes and described the proposed slope stabilization dimensions, sedimentation and erosion controls, and wildlife.

Ms. Smith asked how far the construction on the north bank would reach into the river. Mr. Lieberman said the toe of the bank would be ten feet from the top.

Ms. Smith described a situation in which a temporary coffer dam had substantially altered a stream bank. Ms. Cherichetti said the permit could require the placement of a coffer dam during construction and the removal after construction.

Ms. Cagnina asked about the width of the river at the areas of encroachment. Mr. Lieberman said the river was approximately 40 feet at the widest point and 18 feet at the narrowest point.

Ms. Cagnina asked how many such stabilization plans Mr. Lieberman had worked on. Mr. Lieberman said he had designed or monitored approximately 1000 feet of stabilization.

There were no comments from the public.

** MS. SMITH MOVED TO CLOSE THE PUBLIC HEARING.

** MR. CAPUTO SECONDED THE MOTION.

** THE MOTION PASSED UNANIMOUSLY.

The public hearing was closed at 7:18 PM.

DISCUSSION/DECISION

a) #S06-262 – 32 Morehouse Lane – Stoner Manor, Inc. – Deposition of material along riverbank for slope stabilization in and adjacent to wetland and watercourse

Ms. Cherichetti suggested that a condition be written to require construction to occur during periods of low flow and removal and monitoring of the coffer dam.

There was a discussion of the possible scheduling and timeline of the project. Ms. Cherichetti said that low flow is difficult to predict, but that she could write a condition to require the applicant to meet with staff to confirm that the construction would occur during a period of low flow.

There was a discussion of construction methods and conditions. There was also a discussion of the timing of cuttings and root growth.

Ms. Llorca asked about the lack of a buffer near the core matting. Ms. Cherichetti said the Commission could require a buffer as a condition of the permit.

No action was taken on this item.

MINUTES

a) May 16, 2006 (regulatory meeting)

** MR. HOLOWINKO MOVED TO APPROVE THE MINUTES.

** MR. KYDES SECONDED THE MOTION.

** THE MOTION PASSED WITH SIX IN FAVOR AND ONE ABSTENTION (MS. DESTEFANIS).

b) October 10, 2006

** MS. CAGNINA MOVED TO APPROVE THE MINUTES.

** MS. SMITH SECONDED THE MOTION.

** THE MOTION PASSED WITH FIVE IN FAVOR AND TWO ABSTENTIONS (MS. DESTEFANIS AND MR. CAPUTO).

c) October 17, 2006

No action was taken on this item.

COMMENTS OF STAFF

a) Minor Permits and Enforcement Actions

Ms. Cherichetti said she had issued a Notice of Violation for a permit violation at 46 Carter Street. The required plantings are not planted, and there is a dispute between the developer and homeowner.

b) Report of Senior Environmental Officer

Ms. Cherichetti invited the commissioners to attend a City government reception and public outreach event.

COMMENTS OF COMMISSIONERS

a) Public education projects

Ms. Cagnina said she had been contacted by Diane Lauricella, who wanted to promote general conservation topics.

Ms. Cherichetti said the commissioners could add an item to the agenda at each meeting or the last meeting of each month to offer privilege of the floor at the discretion of the chair.

Mr. Caputo suggested that the League of Women Voters submit their request in writing.

Ms. Smith suggested scheduling an additional meeting during one of the first months of 2007 to discuss general conservation topics. Ms. Cherichetti reminded the commissioners that attendance problems had led to the cancellation of scheduled meetings in previous years. There was discussion of the use of special meetings to comply with Freedom of Information requirements and commissioner availability.

b) Fodor Farm

Ms. Cherichetti said she did not have any additional information for the Commission.

There was a discussion of the retention and maintenance of the open space portion of the parcel.

ADJOURNMENT

** MR. KYDES MOVED TO ADJOURN.

** MR. CAPUTO SECONDED THE MOTION.

** THE MOTION PASSED UNANIMOUSLY.

The meeting was adjourned at 7:58 PM.

