

NORWALK CONSERVATION COMMISSION MINUTES

NOVEMBER 8, 2005

ATTENDANCE: Anne Cagnina, Vice Chair; Hubbard Seeley, Marny Smith, Edward Hollowinko, Elizabeth Ackerman (6:15 p.m.), Matthew Caputo (6:17 p.m.)

STAFF: Alexis Cherichetti, Senior Environmental Officer

OTHERS: Douglas Bassett, Heritage Builders Group; Mr. and Mrs. Henry Lisowski, applicants, Attorney Amy LiVolsi, Kerschner Development Company, LLC; Don Straight, Grumman Engineering LLC, Landscape Architect; Mr. and Mrs. Edward Skeen, Lou Farkas, Lem Lecourt, Robert Bradley, Dean Wendell, Lisa Larusso.

CALL TO ORDER

Vice Chairman Cagnina called the meeting to order at 6:05 p.m.

ROLL CALL

Ms. Cherichetti called roll. There was a quorum present.

RECEIPT/DISCUSSIONS

a) #S05-299 - 7 Burlington Court - Heritage Builders LLC - Demolition of existing and construction of new residence adjacent to a wetland and watercourse.

Ms. Cherichetti reviewed the application for the Commission and introduced Douglas Bassett from the Heritage Builders Group. He reiterated how they have redesigned the house to avoid the wetland area. He also stated that the house will be constructed from modular units which will eliminate the framers. It will however, require a crane on site, but for a shorter period of time than the framing crews would require. He also assured the Commission that the shed will be removed by hand to lessen the impact on the wetland area.

Ms. Ackerman arrived at 6:15 p.m.

There was also a brief discussion about the Dreamy Hollow easement, which is indicated on the plot map. Some concern was expressed about the length of the staircase for the deck. Mr. Bassett stated that the new construction was going to be a two story colonial and the plan may not reflect the appropriate length for the staircase.

Mr. Caputo arrived at 6:17 p.m.

Ms. Smith also expressed concerns about the landscaping plan. Mr. Bassett explained that the plot map usually shows trees that are 6" in diameter and larger, but this one shows the smaller trees also. Ms. Smith explained that she wanted to be sure that native plants were used in the landscaping plan so that the new owners would not remove scruffy vegetation illegally. It was suggested at this point that the Commission should view the site first.

DISCUSSION/DECISIONS I

a) #S05-231- Strathmore Lane, Strathmore Lane Condominium Association - Installation of drainage system, with associated grading and discharge, adjacent to a wetland and watercourse.

Ms. Cherichetti reviewed the plan and explained that the neighbors on Renzulli Road were concerned about an increase in flooding on their street. She exhibited a cross section of the berm for the Commission and stated that during a normal storm event, no additional surface water would be shed towards the Renzulli Road area. Ms. Cherichetti stated that she does not believe that this plan will negatively affect the neighbors.

Ms. Smith was interested in knowing the details of the rain garden detention basin and suggested that Ms. Cherichetti prepare a lesson on the various types of drains for the Commission. Ms. Cherichetti agreed.

**** MR. CAPUTO MOVED TO APPROVE THE APPLICATION #S05-229 FOR INSTALLATION OF A DRAINAGE SYSTEM, WITH ASSOCIATED GRADING AND DISCHARGE, IN AND ADJACENT TO A WETLAND AND WATERCOURSE WITH THE CONDITIONS LISTED IN THE MEMO DATED NOVEMBER 3, 2005 TO THE NORWALK CONSERVATION COMMISSION FROM ALEXIS CHERICHETTI, SENIOR ENVIRONMENTAL OFFICER.**

**** MS. SMITH SECONDED.**

Mr. Hollowinko pointed out that there was no dollar amount listed under Item One for the amount held in bond for the plantings. Ms. Cherichetti calculated the appropriate amount to be \$1,815.00.

**** MR. CAPUTO MOVED TO AMEND HIS MOTION TO APPROVE APPLICATION #S05-229 WITH ALL THE PREVIOUSLY REQUIRED CONDITIONS AND THE FOLLOWING CHANGE:**

1. A \$3,200.00 PERFORMANCE BOND IS TO BE POSTED PRIOR TO COMMENCEMENT OF ANY ON-SITE PERMIT RELATED ACTIVITY. THE PORTION OF THE BOND HELD FOR PLANTING (\$1,815.00) SHALL BECOME ELIGIBLE FOR RELEASE FOLLOWING AT LEAST TWO (2) FULL GROWING SEASON, AFTER THE SEASON OF INITIAL PLANTING. A GROWING SEASON EXTENDS FROM MAY 15 THROUGH OCTOBER 15 OF ANY GIVEN YEAR. OTHER PORTIONS OF THE BOND ARE ELIGIBLE FOR RELEASE AS THE WORK IS COMPLETED AND THE SITE IS STABILIZED. ALL SPECIAL

CONDITIONS OF THE PERMIT MUST BE SATISFIED PRIOR TO RELEASE OF THE BOND.

** MS. SMITH SECONDED.

** THE MOTION PASSED UNANIMOUSLY.

b) #S05-231 -34B BAYNE STREET - LOVELL. - Construction of a side garage addition, side addition and decks adjacent to a wetland and watercourse.

Ms. Cherichetti explained that Mr. Lovell has called earlier, he was quite ill and not able to attend the meeting. She reviewed the concerns of the Commission in regard to the dog pen location and impact on the intermittent watercourse. Ms. Cherichetti explained that the proposed pen would not go past the top of the slope and that all woodchips that were on the downward slope would be removed by the owner. The applicant would like to use the stockade fencing already on the property, but would use chain link fencing with 2X6s along the bottom as a buffer. Ms. Cherichetti explained that she did not feel the woodchips or dog droppings were a potential problem as the area was kept clean and tidy.

** MS. SMITH MOVED TO APPROVE THE APPLICATION #S05-231 - 34B BAYNE STREET - LOVELL - CONSTRUCTION OF A SIDE GARAGE ADDITION, SIDE ADDITION AND DECKS ADJACENT TO A WETLAND AND WATERCOURSE WITH THE FOLLOWING CONDITIONS:

1. A \$1,000.00 PERFORMANCE BOND IS TO BE POSTED PRIOR TO COMMENCEMENT OF ANY ON-SITE PERMIT RELATED ACTIVITY. THE PORTION OF THE BOND HELD FOR PLANTING (\$200.00) SHALL BECOME ELIGIBLE FOR RELEASE FOLLOWING AT LEAST TWO (2) FULL GROWING SEASON, AFTER THE SEASON OF INITIAL PLANTING. A GROWING SEASON EXTENDS FROM MAY 15 THROUGH OCTOBER 15 OF ANY GIVEN YEAR. OTHER PORTIONS OF THE BOND ARE ELIGIBLE FOR RELEASE AS THE WORK IS COMPLETED AND THE SITE IS STABILIZED. ALL SPECIAL CONDITIONS OF THE PERMIT MUST BE SATISFIED PRIOR TO RELEASE 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.
3. STAKED HAY BALES OR SILT FENCE SHALL BE INSTALLED IMMEDIATELY DOWNHILL OF THE PROPOSED GARAGE ADDITION, DRIVEWAY EXPANSION AND DOG PEN. THE SEDIMENTATION AND EROSION CONTROL MUST BE PROPERLY INSTALLED, AND THEN CHECKED BY THE CONSERVATION STAFF, PRIOR TO THE COMMENCEMENT OF ANY WORK ON SITE.

4. ALL WOODCHIPS SHALL BE REMOVED AND THREE (3) NATIVE TO CT SHRUBS PLANTED IN THE AREA BETWEEN THE INTERMITTENT WATER COURSE AND THE DOG PEN. THIS WORK MUST BE FULLY IMPLEMENTED WITHIN SIX MONTHS OF THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY, EITHER PERMANENT OR TEMPORARY.

5. THOUGH THIS PERMIT EXPIRES IN 5 YEARS TIME, ALL CONSTRUCTION PORTIONS OF THE PROPOSED PLAN MUST BE COMPLETED WITHIN ONE AND A HALF (1 1/2) YEARS OF COMMENCEMENT OF SITE WORK.

6. ANY CHANGE TO THE OVERALL PLAN, AS DEPICTED IN THE SUBMITTED PLANS AND NARRATIVES, INCLUDING THE PLAN ENTITLED "PROJECT MAP", DATED 9-10-05 AND LAST REVISED 11/2/2005 BY MIKE LOVELL, WILL REQUIRE A RETURN TO THE CONSERVATION COMMISSION FOR REVIEW.

** MR. HUBBARD SECONDED.

** THE MOTION PASSED WITH FIVE IN FAVOR AND ONE ABSTENTION (MS. ACKERMAN).

c) #S05-234 - 41 Deerwood Manor - Lisowski - Demolition of existing residence and construction of a new residence in and adjacent to a wetland and watercourse.

Ms. Cherichetti reviewed the plans with the Commission and indicated that their previous concerns were addressed in her memo of October 17, 2005. Mr. Lisowski was present and would answer any questions. Ms. Smith was quite concerned about what type of plant would be placed on the site. Mr. Lisowski said it would be winterberry and pepper bush, Ms. Smith stated that it must be a "sweet pepper bush" because there was another variety that was invasive. Following some discussion about whether a public hearing was necessary, the Commission decided that one would be necessary because of the demolition.

** MR. CAPUTO MOVED TO SCHEDULE A PUBLIC HEARING ON #S05-234 - 41 DEERWOOD MANOR - LISOWSKI - DEMOLITION OF EXISTING RESIDENCE AND CONSTRUCTION OF A NEW RESIDENCE IN AND ADJACENT TO A WETLAND AND WATERCOURSE FOR DECEMBER 13, 2005.

** MS. ACKERMAN SECONDED.

** THE MOTION PASSED WITH FIVE IN FAVOR AND ONE ABSTENTION (MR. CAPUTO).

PUBLIC HEARING

a) #S05-232 -129 -131 East Rocks Road - Stone Ridge Builders, LLC, - Three (3) lot subdivision of land adjacent to a wetland and watercourse.

Vice Chairman Cagnina called the public meeting to order at 7:05 p.m. Ms. Cherichetti called the roll. Following this, Ms. Cherichetti stated that the announcement for this public hearing had been published in the local newspapers on 10/23 and 10/27. Vice Chairman Cagnina explained that the applicants, Stone Ridge Builders, LLC, would make a presentation first. She encouraged those who were in attendance to sign up on the list if they wished to ask questions. She also explained that once they had asked their questions, the public portion of the hearing would close and the applicants, Stone Ridge Builders, LLC would reply to the questions asked by the public. Following that, the Commission would ask any questions they might have for the applicants to answer.

Attorney LiVolsi from Kerschner Development Company introduced herself to the Commission and explained that Stone Ridge Builders, LLC was a part of Kerschner. She also quickly reviewed the 1 1/2 acres original plan which is located in a AA zone. After hearing the concerns of the Commission about having the sewer cross a wetland and watercourse, the new site plans have been developed, which brings the sewer line up East Rocks Road along the shoulder and also will have hook ups for the neighbors if they decide to tie into the sewer line in the future. She also indicated that there would be a retaining wall 20 feet from the wetlands. This would be the first item constructed on the site. The Commission wanted to know how they would get the equipment down the grade and she replied the contractor will be doing it very carefully because of the slope.

Attorney LiVolsi introduced Mr. Straight, a landscape architect, who addressed a number of issues. He explained that the sewers had already been approved by the Department of Public Works. He also indicated on the sketches that the various buildings would have various types of drainage. When asked if the drainage calculations had included not only the buildings but the asphalt driveways also, Mr. Straight replied that they did. Concerns about the number of trees being removed was expressed. Mr. Straight pointed out that all the trees that were near the watercourse would remain. The retaining wall would be constructed first to prevent as much impact on the wetlands as possible. He was asked how they would get the machinery down the steep slope and he replied that it would be done with great care. Questions arose about whether or not percolation tests were done, and Mr. Straight indicated that the 1 in 20 percolation rate was stated in the paperwork for Lots 1 & 3, which indicated to him that they had in fact been done. Ms. Cherichetti agreed that it did appear that the percolation tests had been done.

Vice Chairman Cagnina opened the floor for public comment.

Mrs. Skeen who lives at 12 Brookhill Road, expressed concerns about the amount of fill that might be used on the site. Five or ten years ago, the parcel next to Site #3 was filled in and construction took place. The Skeen's property abuts the site on the opposite bank of the water course. Shortly after the completion of the construction, with the change in the topography, the Skeens had a "river running through [their] house" from the runoff. She was very concerned about the possible impact that this new construction would have on their property.

Mr. Farkas spoke next and asked what would happen to the stonewall at the south end of the property and wanted to know how the drainage issues would be handled.

Mr. Lem LeCourt, who resides at 126 East Rocks Road had questions about the footprints of the proposed buildings and the sewer hook-ups. His concerns with the sewers centered around the fact that he would have to pay for excavation down his driveway and across the roadway, so the location of the hook-up would be important to calculating the cost of the job. He also expressed frustration in the public hearing process as it was hard for him to formulate questions when there was no response from the applicants.

Mr. Caputo reviewed the ground rules for public hearings and explained that the purpose was for the Commission to hear the public's concerns and the applicant's response to them. However, he pointed out that the various residents were free to contact the applicants and discuss matters at length outside of the meeting. To deviate from the proscribed procedure would render the hearing null and void.

Mr. Bradley, who resides at 130 East Rocks Road spoke next. He referred back to the construction that Mrs. Skeen had mentioned and stated that their road was ruined because of the number of dump trucks that were used in the process. He also had concerns about the sewer hook up.

Mr. Skeen spoke and stated that when the house was built on the adjoining lot, the builders brought in 18 wheelers to dump the fill on a 1 in 3 incline. He stated that when the house was built and he ended up with four inches of water in their house because of the changes, he should have hired a lawyer instead of putting in more drainage on his property. He stated that he was extremely concerned about the incline and the effect it would have on his property.

Dean Wendell asked what type of retaining wall would be used and whether or not there would be plantings to slow the flow of water down the incline.

At this point, the public portion of the hearing ended and Attorney LiVolsi thanked everyone for expressing their concerns. She laid a pile of her business cards on the table and encouraged everyone who had questions to take one and contact her with their questions and concerns. She also said that she would be willing to speak with the various people about the issues following her presentation and the close of the hearing. She also stated that she could answer most of the questions that had been asked.

In regard to the run off that Mr. and Mrs. Skeen were concerned about, she indicated the retaining walls and explained that the houses were being designed with the drainage problems in mind. She also indicated that the Lot #3, which abuts the Skeen's property is fairly level and did not seem to present a problem in terms of run off. The 20 foot setback of the retaining wall is designed to prevent excess run off onto other areas. Mr. Straight spoke briefly about the sewer line and explained that East Rocks had just been paved and there is a one year moratorium on excavating on newly paved roads. Because of that, the sewer line will run up along the shoulder. When that is done, there will be a door to door

canvass to establish where the sewer hook ups will be located for each resident on the street. Mr. Straight also pointed out that Lot #3, which abuts Mr. and Mrs. Skeen's property is fairly level and no additional fill will be required at that site. The retaining walls will be made of stone, he explained and reminded everyone that the site beyond the retaining walls will be untouched as much as possible. He concluded his remarks by saying that he would also be happy to answer any questions following the end of the hearing.

Mr. Caputo stated that he was happy with the new plan and urged the Norwalk residents in attendance to contact Attorney LiVolsi with their questions and concerns. Ms. Ackerman commented that it was a very difficult site to build on. Ms. Smith expressed concerns about the neighbors whose property abuts Lot #1 and their reaction. Vice Chairman Cagnina reminded everyone that the actual site plans would be drawn up at a later date and it was the Commission's job to focus on the wetlands.

** MR. CAPUTO MOVED TO CLOSE THE PUBLIC HEARING ON) #S05-232 -
129 -131 EAST ROCKS ROAD - STONE RIDGE BUILDERS, LLC
** MS. SMITH SECONDED.
** THE MOTION PASSED UNANIMOUSLY.

The public hearing was closed at 7:55 p.m.

** MS. ACKERMAN MOVED TO AMEND THE AGENDA TO ALLOW THE
SHOW-CAUSE HEARING TO PROCEED.
** MS. SMITH SECONDED.
** THE MOTION PASSED UNANIMOUSLY.

#V0-750 - 10 Birchside Drive - Larusso - Performing regulated activities, including clearing, deposition and filling in adjacent to a wetland and watercourse.

Vice Chairman Cagnina opened the Show-Cause hearing at 7:57 p.m.

Ms. Cherichetti explained that she had become aware of the violation at 10 Birchside Drive and sent out two notices of violation, one via regular mail and a second one via certified mail. Neither one ever reached the Larusso residence. The certified letter was returned to Ms. Cherichetti's office with the notice that it was never picked up. Following this, a cease and desist order was issued. A Show-Cause hearing was scheduled for November 3rd, but the Larussos were unable to attend. The Commission has ten days to rule on this issue.

Ms. Larusso introduced herself to the Commission and explained that when they had purchased the property, they were aware that there was a wetland on the parcel. Unfortunately, that section of the property is near the road and subject to illegal dumping. Items such as 2X4's, car parts, mattresses, dead wood and other items were left there by unknown people. Since the couple have children, they decided to remove the debris and filled up two dumpsters with the discards. They also cut up several fallen trees that were

down in the area to make it safer for their children. After this was done, Mrs. Larusso was concerned about Lyme's Disease, since she already has it and her daughter has been exposed to it. Therefore, she called the Health Department and asked them how to reduce the chances of having the deer ticks in the grass. The Health Department personnel she spoke with suggested spreading woodchips around where the children play. She and her husband were able to get several truckloads of untreated woodchips and spread them along the area adjacent to the driveway.

Ms. Cherchetti explained that the woodchips were a problem as they decompose faster than regular deadfall and send larger amounts of nutrients into the groundwater and wetlands. After some lengthy discussion about the use of the wood chips and how to correct the problem, Ms. Larusso was presented with two options. She could file for a Corrective Action Permit for the work already done which would be voted on by the Commission or initiate a Restoration Plan. After due consideration, it was decided that perhaps the Restoration Plan would be the best way to settle the problem.

**** MR. CAPUTO MOVED TO AMEND THE CEASE AND DESIST ORDER ISSUED ON NOVEMBER 1, 2005 IN THE FOLLOWING MANNER:**

A CEASE AND DESIST ORDER HAS BEEN PLACED ON THE PROPERTY AT 10 BIRCHSIDE DRIVE.

YOU ARE DIRECTED TO STOP ALL WORK ON THE PROPERTY. FURTHER, YOU ARE DIRECTED TO:

1. SUBMIT AND OBTAIN APPROVAL OF A CORRECTIVE ACTION PERMIT APPLICATION OR INITIAL THE RESTORATION PLAN DESCRIBED BELOW ON OR BEFORE TUESDAY, DECEMBER 13, 2005. THE CORRECTIVE ACTION PERMIT APPLICATION MUST INCLUDE A SITE PLAN THAT ACCURATELY ILLUSTRATES EXISTING CONDITIONS AND DEPICTS DETAILS REGARDING YOUR FINAL PLANS FOR THESE AREAS; THE SITE PLAN MUST ALSO ACCURATELY ILLUSTRATE ALL OTHER INFORMATION REQUIRED ON THE MAP CHECKLIST ATTACHED TO THE APPLICATION FORM. AN INCOMPLETE APPLICATION WILL BE CONSIDERED A NON-FILING AND DOES NOT MEET THIS DIRECTIVE. NO SITE WORK MAY BE PERFORMED AT THIS SITE UNTIL THE ABOVE DESCRIBED CORRECTIVE ACTION PERMIT APPLICATION OR RESTORATION PLAN HAS BEEN APPROVED BY EITHER THE CONSERVATION COMMISSION OR ITS STAFF.

2. IF YOU ELECT TO SUBMIT A RESTORATION PLAN TO RESTORE THE DISTURBED WETLAND AREA, THE FOLLOWING DIRECTIVES APPLY:

(a) SUBMIT, ON PAPER, A RESTORATION PLAN THAT INCLUDES THE FOLLOWING: FOR ALL DISTURBED AREAS: REMOVAL OF WOOD CHIPS FROM THE WETLAND AND AREAS WITHIN FIFTY (50) FEET OF THE WETLAND LIMIT OTHER THAN A TWO AND A HALF (2 1/2) FOOT WIDE STRIP ADJACENT TO THE DRIVEWAY; AND APPLICATION OF A NATIVE WETLAND RESTORATION SEE MIX IN THE AREA OF CHIP REMOVAL. THIS ABOVE PLAN MUST BE SUBMITTED TO THE CONSERVATION OFFICE ON OR BEFORE TUESDAY, DECEMBER 13, 2005. NO SITE WORK MAY BE PERFORMED AT THIS SITE UNTIL THE ABOVE DESCRIBED RESTORATION PLAN HAS BEEN APPROVED BY EITHER THE CONSERVATION COMMISSION OR ITS STAFF.

(b) THE ABOVE RESTORATION PLAN MUST BE FULLY IMPLEMENTED ON OR BEFORE MONDAY, APRIL 15, 2006.

** MR. HUBBARD SECONDED.

** THE MOTION PASSED UNANIMOUSLY.

d) #S05- 235 - 12 Allen Road - Canevari - Construction of a new single family residence in and adjacent to a wetland and watercourse.

Ms. Cherichetti informed the Commission that a letter had arrived from Mr. Canevari asking that the hearing be moved back to January. It was decided to table this item until the next meeting, because three members recused themselves and did not leave a quorum to discuss the matter.

e) Regulation Amendment #IWWR1-05 - Revision and reorganization of the City of Norwalk Inland Wetlands and Watercourse Regulations to render the Regulations more similar to the language and organization of the State's Model Municipal Regulations, to conform with sections 22a-36 to 22a-45, inclusive, of the Connecticut State General Statutes, to designate upland review areas, and to add a provision to the fee schedule; effective date November 15, 2005.

Ms. Cherichetti gave a very brief overview of her memorandum dated November 3, 2005 for the Commission.

** MR. CAPUTO MOVED THAT, AFTER DULY CONSIDERING ALL RELEVANT FACTORS, INCLUDING THE NEED TO RENDER THE REGULATIONS MORE SIMILAR TO THE LANGUAGE AND ORGANIZATION OF THE STATE'S MODEL MUNICIPAL REGULATIONS, TO CONFORM WITH SECTIONS 22A-36 TO 22A-45, INCLUSIVE, OF THE CONNECTICUT STATE GENERAL STATUTES. AS WELL AS THE NEED TO SPECIFICALLY DEFINE THE AGENCY'S

REGULATORY JURISDICTION OF UPLAND AREAS AND THE NEED TO HAVE THE APPLICATION FEE REFLECT A MORE ACCURATE COST OF REVIEWING AND EVALUATING AN APPLICATION,

BE IT RESOLVED THAT THE PROPOSED REVISIONS TO AND REORGANIZATION OF THE NORWALK INLAND WETLAND AND WATERCOURSE REGULATIONS BE APPROVED AND ADOPTED, AND

BE IT FURTHER RESOLVED THAT THESE REVISIONS SHALL BE EFFECTIVE NOVEMBER 15, 2005 UPON FILING IN THE OFFICE OF CITY CLERK AND PUBLICATION OF NOTICE.

** VICE CHAIRMAN CAGNINA SECONDED.

** THE MOTION CARRIED UNANIMOUSLY.

DISCUSSION/DECISION II

a) #S05-232 -129 -131 East Rocks Road - Stone Ridge Builders, LLC, - Three (3) lot subdivision of land adjacent to a wetland and watercourse.

After a brief discussion, it was decided to table the discussion of the hearing until the next meeting.

RELEASE OF BOND

a) #S02-126 - Cottonwood Chase/Newtown Avenue - Kerschner Development Co. - Release of bond for construction of Conservation Development and associated landscaping, storm water drainage, and sedimentation & erosion controls in and adjacent to a wetland and watercourse.

Ms. Cherichetti asked that this item be tabled until the next meeting. The Commission agreed.

b) #S02-124 - 103 Keeler Avenue - Spagnuolo - Release of bond for construction of a new residence and associated landscaping adjacent to a wetland and watercourse.

** MR. CAPUTO MOVED TO APPROVE THE RELEASE OF #S02-124 - 103 KEELER AVENUE - SPAGNUOLO - RELEASE OF BOND FOR CONSTRUCTION OF A NEW RESIDENCE AND ASSOCIATED LANDSCAPING ADJACENT TO A WETLAND AND WATERCOURSE.

** MR. HUBBARD SECONDED.

** THE MOTION PASSED UNANIMOUSLY.

c) #S02-118 - 40 Old Rock Lane - Ornstein - Release of bond for construction of a new residence and associated landscaping adjacent to a wetland and watercourse.

** MR. CAPUTO MOVED TO APPROVE THE RELEASE OF #S02-118 - 40 OLD ROCK LANE - ORNSTEIN - RELEASE OF BOND FOR CONSTRUCTION OF A NEW RESIDENCE AND ASSOCIATED LANDSCAPING ADJACENT TO A WETLAND AND WATERCOURSE
** MR. HUBBARD SECONDED.
** THE MOTION PASSED UNANIMOUSLY.

d) #710-S99 - 102 Perry Avenue - Dimm - Construction of a garage adjacent to a wetland and watercourse.

** MR. CAPUTO MOVED TO APPROVE THE RELEASE OF #710-S99 - 102 PERRY AVENUE - DIMM - CONSTRUCTION OF A GARAGE ADJACENT TO A WETLAND AND WATERCOURSE.
** MS. SMITH SECONDED.
** THE MOTION PASSED UNANIMOUSLY.

MINUTES

a) September 27, 2005 Minutes

The Commission members passed copies of their corrected minutes to Ms. Cherichetti.

** MR. CAPUTO MOVED TO ACCEPT THE SEPTEMBER 27, 2005 MINUTES AS AMENDED.
** VICE CHAIRMAN CAGNINA SECONDED.
** THE MOTION PASSED UNANIMOUSLY.

b) October 11, 2005 Minutes

The Commission members passed copies of their corrected minutes to Ms. Cherichetti.

** MR. CAPUTO MOVED TO ACCEPT THE OCTOBER 11, 2005 MINUTES AS AMENDED.
** VICE CHAIRMAN CAGNINO SECONDED.
** THE MOTION PASSED UNANIMOUSLY.

c) October 25, 2005 Minutes.

Ms. Cherichetti reported that she had not received the minutes for the October 25, 2005 meeting. The Commission agreed to table this item until the next meeting.

COMMENTS OF THE STAFF

a) Declarator Permits and other Enforcement Actions.

Ms. Cherichetti informed the Commission that a notice of violation has been sent to 5 Blue Mountain Road.

b) Report of the Senior Environmental Officer.

The Operating Budget has been submitted to the Finance Department and is similar to last year's request. Ms. Cherichetti requested that a Grade 15 Inspection Officer be hired.

COMMENTS OF THE COMMISSIONERS

Ms. Smith gave Ms. Cherichetti an old news clipping from a newspaper about the Silvermine Falls. Ms. Cherichetti thanked Ms. Smith.

Ms. Ackerman announced that Ms. Smith was now the president of the Norwalk Land Trust. The Commission congratulated Ms. Smith on her new position.

There was a brief discussion about the meeting scheduled for November 22nd. Ms. Cherichetti suggested that the Commission consider setting up a subcommittee at that meeting. The Commission seemed agreeable to this idea. Ms. Cherichetti also reminded the Commissioners that their last scheduled meeting for the calendar year is December 13th.

ADJOURNMENT

** MR. CAPUTO MOVED TO ADJOURN THE MEETING.

** MS. SMITH SECONDED.

** THE MOTION PASSED UANIMOUSLY.

The meeting adjourned at 9:10 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services

