

NORWALK CONSERVATION COMMISSION MINUTES

DECEMBER 10, 2002

ATTENDANCE: Matthew Caputo, Vice Chairman (6:15 PM); Marny Smith; Ed Holowinko; Andrew Kydes; Karen DeStefanis (6:15 PM); Larry Losio (6:10 PM).

STAFF: Alexis Cherichetti, Sr. Environmental Officer; Cheryl Vallerie.

The meeting was called to order at 6:15 PM by Mr. Caputo.

RECEIPT

A. 371 CHESTNUT HILL ROAD – VEY #S02-125 – FIVE (5) LOT SUBDIVISION WITH ASSOCIATED SEPTIC SYSTEMS, ON-SITE WELLS, AND STORMWATER DRAINAGE IN AND ADJACENT TO A WETLAND AND WATERCOURSE

Ms. Cherichetti referred to her December 3rd memorandum which stated the application was incomplete and that additional information needed to be supplied. However, she noted, that as of tonight, the information had been submitted.

**** MS. SMITH MOVED TO ACCEPT APPLICATION #S02-125**

**** MS. DESTEFANIS SECONDED THE MOTION**

**** MOTION PASSED UNANIMOUSLY**

Mr. Robert Genuario of Genuario and Conover, representing Ms. Vey, stated the location of the site was the northerly section of Norwalk, opposite Admiral Lane. He stated the property consisted of 5.9 acres to be subdivided into five lots and the proposal is to build four single-family homes. He stated that there is over one acre of wetland on the property in the southwestern and western portion of the property.

Ms. Cherichetti stated she believed that other feasible alternative plans may exist and she had asked the applicant to explore a Conservation Development and a shared septic system that would leave the wetland intact. Mr. Genuario stated he was not discounting the possibility of a shared septic system and he would look at the alternatives and present his findings at the next meeting.

Mr. McAllister of McChord Engineering reported that driveway drainage, collected by 5 drains or catch basins, as well as a roof drainage from lots 6,7, & 8, will be directed into

underground retention galleries and that a rip-rapped level spreader is proposed 35 feet from the wetland line to discharge overflow.

Ms. Throckmorton, landscape architect, with Environmental Land Solutions, reported that the wetlands had been flagged by a soil scientist and have been delineated as Ridgebury, Liecester and Whitman extremely stony fine sandy loams. She reported the vegetative cover is a mix of ash and red maple to the north that transitions to a maple-tulip canopy at the southern end. She noted that under the Site Plan by McChord Engineering, the proposed force main will be installed with a rubber tire track machine that will be able to work around the existing large trees and would require the clearing of understory shrubs from the trench area. She noted the length of the disturbance through the wetland is 70'. She continued that once completed, the trench will be filled with existing materials and that mitigation will include proper sedimentation and erosion control, tree protection and replanting the disturbed area with shrubs and seeding. She stated that once the area is replanted, the functions or habitat of the wetland area would not be interrupted. She reported that ELS has prepared a mitigation plan for the disturbed area in the wetland and buffer with native shrubs and flowering trees.

She also reported that construction of the septic system would require a temporary road to be constructed to bring the material to the septic system site, however, disturbance would be limited and temporary and ELS has prepared a mitigation plan for the disturbed are in the wetland and buffer with native shrubs and flowering trees.

The Board requested that Mr. Genuario address the issues, including any wetlands that have not been flagged, at their next meeting on January 14th. Ms. Cherichetti stated she would provide him with a summary list of discussion items. At that time, it will be decided if a public hearing will be held on January 28th.

B. KERSCHNER DEVELOPMENT –FIVE UNIT CONSERVATION DEVELOPMENT WITH ASSOCIATED DRIVEWAY, STORMWATER DRAINAGE AND LANDSCAPING ADJACENT TO A WETLAND AND WATERCOURSE

Ms. Cherichetti reported that she received the additional information she had requested in the application: a hammerhead turnaround and a soil scientist sketch. She stated that the application was now complete.

**** MR. KYDES MOVED TO ACCEPT APPLICATION # S#02-126**

295 NEWTOWN AVENUE AS COMPLETE

**** MR. LOSIO SECONDED THE MOTION**

**** MOTION PASSED UNANIMOUSLY**

Mr. Genuario noted the property is located on Newtown Avenue and the proposal is for a five unit Conservation Development. He stated the existing house is not part of the development. He reported that the property is 5.34 acres and is only 1.9 acres of wetland and that all residences would be served by City water and sewer. He continued that the original plan proposed a cul de sac to provide access for fire trucks, however Ms. Cherichetti suggested that he go to the Fire Department with a hammerhead approach and see if that was acceptable to them. He thanked Ms. Cherichetti because it was accepted by the Fire Department.

Mr. Strait, landscape architect with Grumman Engineering, stated the proposed project includes the construction of a paved driveway, site utilities and a stormwater drain system. He noted that only the northerly half of the site will be disturbed, leaving over 60% of the site preserved in its natural state. He continued that the residences will be located 50 feet minimum from the wetland area and retaining walls, fences and driveways will be a minimum of 40 feet from the wetland. He noted that all driveways will be a minimum of 25 feet from the property lines as required by the regulations. He stated the storm runoff from the driveway areas will be treated by Vortech's stormwater treatment system to remove road and silt and oil deposits and that on-site stormwater retention will be performed by a series of 4'x4' precast concrete galleries. He stated that the site design includes enhancement of the wetland buffer area with native shrub plantings.

Ms. Throckmorton of Environmental Land Solutions reported that the proposed development of five new homes will be developed in the upland area of the property. She stated that the potential impact to the wetlands as a result of the development include short term impacts from sedimentation and erosion from reaching the wetland, while long term concerns include stormwater discharge, vegetation clearing and impervious coverage. She noted that these concerns will be addressed and mitigated.

**** MS. SMITH MOVED TO SCHEDULE A PUBLIC HEARING TO BE HELD ON JANUARY 14, 2003 REGARDING APPLICATION #S02-126 295 NEWTOWN AVENUE**

**** MR. KYDES SECONDED THE MOTION**

**** MOTION PASSED UNANIMOUSLY**

C. 39 LOIS STREET – ROUNDTREE DEVELOPMENT LLC –# S02-128

CONSTRUCTION OF A 29-UNIT APARTMENT BUILDING AND PARKING LOT IN AND ADJACENT TO A WETLAND

Ms. Cherichetti reported that the application was complete, however item #1 in her memorandum dated November 27, 2002 was not submitted to date.

**** MS. SMITH MOVED TO ACCEPT APPLICATION #S02-128**

**** MR. LOSIO SECONDED THE MOTION**

**** MOTION PASSED UNANIMOUSLY**

Mr. Genuario reported that Roundtree Development was proposing a 29 unit apartment building and parking lot at 39 Lois Street. He stated the soil scientist could not be present for the meeting, however his report would be reviewed. He stated that they are seeking a zoning variance to reduce the lot width at the street and reduce the required buffer between the proposed driveway and property line.

Mr. Genuario continued that the quality of the wetland was a factor and that he was sensitive to the residential neighbors to the north.

Mr. Strait then addressed the treatment of stormwater generated on the property. He stated that the proposal calls for a significant increase in impervious area on the site. He also stated that under the proposal, net runoff from the site will increase to 5.62 c.f.s. which includes a reduction achieved by passing the roof drainage through underground retention galleries. He continued that the remainder of the site drainage, mostly off the parking lot, is collected by three catch basins. This stormwater then passes through a oil/grit separator before being discharged into the City's stormwater system.

Mr. Caputo requested a recess at 7:50 p.m. Ms. DeStefanis departed the meeting at 7:50 p.m.

The meeting reconvened at 8:00 p.m.

**** MR. KYDES MOVED TO SCHEDULE A PUBLIC HEARING TO BE HELD ON JANUARY 14, 2003 REGARDING APPLICATION #S02-128**

39 LOIS STREET

**** MS. SMITH SECONDED THE MOTION**

**** MOTION PASSED UNANIMOUSLY WITH FIVE IN FAVOR. MR. CAPUTO NOTED THAT MS. DESTEFANO WAS NOT IN ATTENDANCE TO VOTE.**

D. 24 BELDEN AVENUE – AVALONBAY COMMUNITIES, INC. - #S01-129

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CONSTRUCTION OF TWO NEW MULTI-USE BUILDINGS AND ASSOCIATED PARKING, STORMWATER DRAINAGE AND LANDSCAPING ADJACENT TO THE NORWALK RIVER

Ms. Cherichetti stated that she was not able to do a full review of the application.

**** MR. KYDES MOVED TO ACCEPT APPLICATION #S01-129**

**** MR. LOSIO SECONDED THE MOTION**

**** MOTION PASSED UNANIMOUSLY WITH FIVE IN FAVOR**

Mr. David Waters, representing AvalonBay, stated he was not prepared to make a presentation, however he would provide a very brief overview of the project. He stated the proposal calls for the construction of two new buildings that will house 312 residential units, parking garages and retail space. The site location is currently developed with buildings and a parking lot and the new proposal will have a three-tier riverwalk from Cross Street to include benches, landscaping and public access to the Norwalk River. He stated the benefits would be not only to residents but all of Norwalk.

**** MS. SMITH MOVED TO SCHEDULE A PUBLIC HEARING WILL BE HELD ON JANUARY 28, 2003 REGARDING APPLICATION #S02-130**

29 BELDEN AVENUE

**** MR. KYDES SECONDED THE MOTION**

**** MOTION PASSED UNANIMOUSLY, FIVE IN FAVOR**

Mr. Caputo stated that because no one was present for the next agenda item – Connecticut Light & Power, the agenda should be amended to skip to item "Decisions B Kosinski – 94 Maywood Road, #SO2-127."

**** MS. SMITH MOVED TO AMEND THE AGENDA TO SKIP TO ITEM "DECISIONS B) 94 MAYWOOD ROAD - #S02-127"**

**** MR. KYDES SECONDED THE MOTION**

**** MOTION PASSED UNANIMOUSLY WITH FIVE IN FAVOR**

DECISIONS

B. KOSINSKI - 94 MAYWOOD ROAD - #S02-127 - TWO LOT SUBDIVISION ADJACENT TO A WETLAND AND WATERCOURSE

Ms. Cherichetti noted that in her memorandum dated December 3, 2002 she stated three conditions for the approval of this application. They were: 1) any site development on Lot 12 A-1 will require the prior approval of a Conservation Summary Permit, 2) any site

development on lot 12 A-2 will require the approval of a Conservation Declaratory Permit, and 3) any change to the plans will require a return to the Conservation Commission for review.

**** MS. SMITH MOVED TO APPROVE THE APPLICATION #S02-127, WITH THE CONDITIONS 1-3 STATED IN THE MEMORANDUM DATED DECEMBER 3, 2002**

**** MR. HOLOWINKO SECONDED THE MOTION**

**** MOTION PASSED UNANIMOUSLY WITH FIVE IN FAVOR**

E. NEW CANAAN AVENUE – CONNECTICUT LIGHT & POWER - #S02-130 – EXPANSION OF THE SUBSTATION IN AND ADJACENT TO A WETLAND AND WATERCOURSE

There was no representation from Connecticut Light and Power present.

Ms. Cherichetti reviewed the application for New Canaan Avenue – Connecticut Light & Power - #S02-130 and stated it was very complex. She stated she has been working with Corporation Counsel for its applicability.

**** MS. SMITH MOVED TO ACCEPT APPLICATION #S02-130**

**** MR. HOLOWINKO SECONDED THE MOTION**

**** MOTION PASSED UNANIMOUSLY WITH FIVE IN FAVOR**

DECISIONS

A. SPAGNULO - 103 KEELER AVENUE - #S02-124 - CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE ADJACENT TO A WATERCOURSE AND WETLAND

Ms. Cherichetti stated that as of the last the meeting the applicant had not submitted any of the requested planting plans, however, they did supply the location along the 25' wetland buffer. She noted in her memorandum dated November 26, 2002 six special conditions of the permit.

**** MR. KYDES MOVED TO APPROVE APPLICATION - #S02-124 WITH CONDITIONS 1-6 STATED IN THE MEMORANDUM DATED NOVEMBER 26, 2002**

**** MS. SMITH SECONDED THE MOTION**

**** MOTION PASSED WITH FOUR IN FAVOR, ONE
ABSTENTION (LOSIO)**

BOND RELEASE

**A. 81 RIVERSIDE AVENUE – GAYNOR – 675.S98 AND 676.S98 –
CONSTRUCTION OF TWO MULTI-FAMILY HOUSES ADJACENT TO A
WETLAND AND WATERCOURSE**

Ms. Cherichetti stated that all conditions had been complied with. She recommended that the bond be released.

**** MS. SMITH MOVED TO RELEASE THE BOND ON
PERMIT #675.S98 AND #676.S98 – 81 RIVERSIDE AVENUE -
GAYNOR**

**** MR. LOSIO SECONDED THE MOTION**

**** MOTION PASSED UNANIMOUSLY WITH FIVE IN FAVOR**

**B. FARMHOUSE LANE – VITTI - #554.S95 – CONSTRUCTION OF A
SINGLE-FAMILY HOUSE ADJACENT TO A WETLAND AND
WATERCOURSE**

Ms. Cherichetti stated that the permit required a planting plan and that her inspection confirmed that 79.8% of the total plants survived. She recommended that the bond be released.

**** MS. SMITH MOVED TO RELEASE THE BOND ON
#554.S95 FARMHOUSE LANE – VITTI**

**** MR. HOLOWINKO SECONDED THE MOTION**

**** MOTION PASSED UNANIMOUSLY WITH FIVE IN FAVOR**

ACCEPTANCE OF MINUTES

Correction to November , 2002 minutes:

Page 1- first sentence- change the name to Mr.Handrinos.

**** MS. SMITH MOVED TO ACCEPT THE MINUTES AS AMENDED**

**** MR. HOLOWINKO SECONDED THE MOTION**

**** MOTION PASSED UNANIMOUSLY WITH FIVE IN FAVOR**

COMMENTS OF STAFF

Ms. Cherichetti stated that she did not have any comments.

COMMENTS OF COMMISSIONERS

There were no comments by the Commissioners.

**** MS. SMITH MOVED TO ADJOURN THE MEETING**

**** MR. KYDES SECONDED THE MOTION**

**** MOTION CARRIED UNANIMOUSLY**

The meeting was adjourned at 9:10PM.

Respectfully submitted,

Donna DeVito

Telesco Secretarial Services

