

**CITY OF NORWALK  
INLAND WETLAND AGENCY  
FEBRUARY 23, 2010**

**PRESENT:** Karen Destefanis, Chair; Matthew Caputo; Emily Wilson; Anne Cagnina;  
Lou Bonsangue

**STAFF:** Alexis Cherichetti, Senior Environmental Officer; Yarifalia Bletsas,  
Environmental Compliance Officer

**OTHERS:** Candid Valadares

**I. CALL TO ORDER**

Ms. Destefanis called the meeting to order at 6:20 pm.

**II. ROLL CALL**

Ms. Cherichetti took the roll call.

**III. DISCUSSION &/OR DECISION**

**a) #S09-360 – 4 Little Fox Lane - Giapoutzis** – Corrective Action removal of vegetation, deposition of fill and construction of a wall and other stone structures in and adjacent to a wetland and watercourse

Ms. Cherichetti explained that the public hearing had been closed at the January 26<sup>th</sup> meeting and that the Commission had discussed the item briefly at the February 9<sup>th</sup> meeting. She pointed out the draft resolution with regard to the removal of the patio surface or the surrounding wall.

The Commission discussed options for removing the wall or the patio.

Ms. Cherichetti pointed out that the applicant's consultant had agreed to address sedimentation issues at the public hearing, but had failed to do so.

Ms. Cagnina suggested that the bump-out be returned to the way it originally was.

Ms. Destefanis asked whether flooding would be likely if the wall were to be removed. Ms. Cherichetti noted that the dam predated the wall and also that the west side of the pond did not have a wall.

**\*\* MS. CAGNINA MADE A MOTION TO ADOPT THE RESOLUTION WITHIN THE MEMORANDUM DATED FEBRUARY 3, 2010 FROM MS. CHERICHETTI, WITH REVISION TO SPECIAL CONDITION #6, TO NOTE THAT THE PATIO SURFACE AND THREE OF THE WALLS**

**AROUND IT, EXCLUDING THE WALL ADJACENT TO THE POND, BE REMOVED AND REPLANTED AS A BUFFER AREA WITH ONE ADDITIONAL TREE AND FIVE ADDITIONAL SHRUBS.**

**\*\* MS. WILSON SECONDED.**

**\*\* MOTION CARRIED, 4-0-1 (BONSANGUE ABSTAINING).**

**b) #S10-364 – 6 Styles Lane – Valadares** – Corrective Action landscaping, filling and piping in and adjacent to a wetland and watercourse

Ms. Cherichetti distributed a memo from Ms. Bletsas and explained that the application had been received at the January 26<sup>th</sup> meeting. She described the limited work proposed, including retaining the compost stockpile and berm, seeding the areas with a native seed mix, and removing 18 feet of pipe.

Ms. Cherichetti asked if the watercourse on the property ran all the time. Mr. Candid Valadares said no, explaining the conditions on the site. He added that the pipe could be removed easily without heavy equipment.

Ms. Cherichetti commented that the plantings did not look permanent. Mr. Valadares explained that this was because they were put in during late fall and were still in pots.

Ms. Cagnina asked about the purpose of the berm. Mr. Valadares stated that he had covered the area with fill, because the prior owner had left stumps and other material in the area. He added that he had not intended for it to become a berm.

Ms. Cherichetti distributed photographs and pointed out the area between the footbridge and the property line. She asked if the applicant knew what the slope of the compost pile was. Mr. Valadares described how the compost pile in the area would be smoothed. He confirmed that it was about 50 feet from the watercourse. Ms. Cherichetti questioned the amount of lateral spreading that would occur with the described smoothing of the pile. Mr. Valadares offered no comment.

Ms. Cagnina asked how long it would take before the seed would be effective in stabilizing the slope. Mr. Valadares explained that it would depend on weather conditions, but it could be in as little as a week after the seeding. Ms. Cherichetti discussed standards for slope stabilization.

Ms. Cagnina asked if the height of the pile could be reduced. Mr. Valadares stated that this would require the use of heavy equipment.

Ms. Cherichetti asked if the applicant planned to keep or remove the lilies in the pots that are being stockpiled on the berm. Mr. Valadares said that they could be removed, but added that he wanted to maintain a garden. Ms. Cherichetti noted that there was stockpiled plant material in the area. Ms. Cagnina stated that she was concerned about the size of stockpile area C.

Ms. Cherichetti asked how many cubic yards of compost were on the site. Mr. Valadares said that he estimated it to be about 200-250 cubic yards. Ms. Cherichetti reiterated the definition of a significant regulated activity and pointed out that the two factors which made it so were the quantity of soil and the fact that work had been done in the watercourse.

- \*\* **MR. CAPUTO MADE A MOTION TO HOLD A PUBLIC HEARING ON MARCH 23, 2010 AT 7:00 PM, BECAUSE THE ITEM INVOLVED A SIGNIFICANT REGULATED ACTIVITY.**
- \*\* **MS. WILSON SECONDED.**
- \*\* **MOTION PASSED UNANIMOUSLY.**

**c) #S10-366 – 105 Richards Avenue – The Carriage House Association, Inc. –**  
Corrective action landscaping in and adjacent to a wetland and watercourse

Ms. Cherichetti stated that the item had been received at the February 9<sup>th</sup> meeting. She said that the Commission had agreed that the proposed mitigation plan had been inadequate.

Ms. Cherichetti noted that the applicant was not present, however she noted that she had conversed over the phone with Mr. Marquart regarding the application.

- \*\* **MR. CAPUTO MADE A MOTION TO HOLD A PUBLIC HEARING ON MARCH 23, 2010 AT 7:00 PM, BECAUSE THE ITEM INVOLVED A SIGNIFICANT REGULATED ACTIVITY.**
- \*\* **MS. WILSON SECONDED.**
- \*\* **MOTION CARRIED, 4-0-1 (BONSANGUE ABSTAINING).**

#### **IV. PUBLIC HEARINGS (continuation to begin at 7:00 pm)**

**a) #S09-362 – 241 & 249 Silvermine Ave. – Silvermine Homes, LLC –** Construction of an 11-unit Conservation Development adjacent to a wetland and watercourse

Ms. Destefanis called to order the continuation of the public hearing.

Ms. Cherichetti took the roll call. She explained to members of the public the procedure regarding public hearings and voting actions.

Mr. Caputo stated that he was glad to have two weeks to review all the information and that he felt there was sufficient information in the record and personally did not have any further requests for the applicant.

- \*\* **MR. CAPUTO MADE A MOTION TO CLOSE THE PUBLIC HEARING.**
- \*\* **MS. WILSON SECONDED.**
- \*\* **MOTION CARRIED, 4-0-1 (BONSANGUE ABSTAINING).**

## **V. BOND RELEASE/REDUCTION**

**a) #S09-339 – 9 Crossbrook Lane – Singh** – Request for reduction of bond held for correction action filling and grading in and adjacent to a wetland and watercourse.

Ms. Destefanis asked if staff had received any new information from the applicant. Ms. Cherichetti said no, explaining that Mr. Singh believed that the prior meeting had been canceled, although signs had indicated that it had been relocated to another room.

Ms. Cherichetti described an error in correspondence with regard to the applicant's fee. After discussing possible remedies to the problem, the Commission agreed that the applicant still owed a fee of \$550.

Ms. Cherichetti described other concerns about the application. She said that the Commission had originally denied a release or reduction of the bond, at which point the applicant had asked to be put on the next meeting's agenda to revisit the item.

Mr. Caputo recalled that the applicant's verbal testimony had been puzzling and that he had requested that the permittee submit all of his concerns in writing.

Mr. Caputo inquired if anything in writing had since been received by the staff. Ms. Cherichetti stated that there had not be a submission of any written testimony.

- \*\* MS. DESTEFANIS MADE A MOTION DENY RELEASE OR REDUCTION THE BOND AT THIS TIME AND TO COLLECT THE REMAINING \$550.00 APPLICATION FEE.**
- \*\* MS. CAGNINA SECONDED.**
- \*\* MOTION CARRIED, 4-0-1 (BONSANGUE ABSTAINING).**

**b) #S06-257A – 25 Huckleberry Drive South - Tarala** – Release of bond held for the construction of a new single-family residence and watercourse relocation in and adjacent to wetland and watercourse.

This item was tabled to the next meeting.

**c) #S06-250 – 12 Willard Road – VCJ Development, LLC** – Release of bond held for the construction of two (2) multi-unit (14) residences in and adjacent to a wetland and watercourse.

Ms. Bletsas indicated that a recent site inspection revealed that certain elements of the approved plan, including elements meant to provide mitigation of some wetland impacts, were not completed. She also noted that she was unable to field locate a majority of the plants to be planted within the wetland area.

- \*\* MR. CAPUTO MADE A MOTION DENY RELEASE THE BOND AT THIS TIME DUE TO THE INCOMPLETE IMPLEMENTATION OF THE**



- MITIGATION ACTIVITIES.**  
\*\* **MS. WILSON SECONDED.**  
\*\* **MOTION CARRIED, 4-0-1 (BONSANGUE ABSTAINING).**

**VI. APPROVAL OF MINUTES**

- a) February 9, 2010

**VII. COMMENTS OF STAFF**

- a) Compliance Summary

There were none.

- b) Report of Senior Environmental Officer

**VIII. COMMENTS OF COMMISSIONERS**

- a) Report of Commission Chair

There were none.

**IX. ADJOURNMENT**

