

**CITY OF NORWALK
INLAND WETLAND AGENCY**

**Regular Meeting
January 26, 2010**

PRESENT: Karen Destefanis, Chair; D. Seeley Hubbard; Emily Wilson; Ed Holowinko;
Gwen Briggs; Matthew Caputo; Anne Cagnina (7:03 pm)

STAFF: Alexis Cherichetti, Senior Environmental Officer

CALL TO ORDER

Ms. Destefanis called the meeting to order at 6:01 pm

ROLL CALL

Ms. Cherichetti took the roll.

DISCUSSION &/OR DECISION

- a) **#S10-363 – 253 Chestnut Hill Road – Bartolo** – On-site septic system repair/replacement adjacent to a wetland and watercourse

Ms. Cherichetti described the proposed septic repair and explained the current condition of the existing leaching fields. She described the location of the wetlands and watercourses.

Jim Weisiet, septic installer, further described the design of the repair. He noted that the project had received Health Department approval already.

Mr. Hubbard asked for clarification of the highlighted lines on the plan. Mr. Weisiet described the various markings on the plan.

Ms. Destefanis inquired if silt fencing should extend along the proposed construction access route. Mr. Weisiet explained that only small equipment would be used between the driveway and the work area. He also noted that he would plan to do the work while the ground was frozen, to further avoid muddy conditions.

There was further brief discussion and then a consensus that the application could be decided at the next meeting.

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

Ms. Cherichetti explained that staff had not completed a full review of the proposal, however in preliminary review it was noted that the general approach was to seek to keep the fill and graded material in place and overseed it with a native seed mix. She also noted that a portion of the pipe between the two ponds is proposed to be removed.

No further details regarding the pipe removal were proposed, however, the disturbed areas would also be seeded with a native seed mix.

Ms. Cherichetti noted that the applicant, Mr. Valadares, was present and invited him to add any information. Mr. Valadares agreed that the brief description was accurate.

- c) **#S10-365 – 8 Singing Woods Court – Berglund** – On-site septic system repair/replacement adjacent to a wetland

Ms. Cherichetti noted that the applicant nor representative were present. She explained that this is an application to repair an existing failing septic system. The repair would require the installation of a new pump chamber and new leaching fields behind the existing shed in the rear yard.

Ms. Cherichetti described the attached soil report and sketch map, which verified that the property did contain wetland soils, but that the proposed leaching fields would be within an upland area.

- d) **#S04-207A – 3 Blue Mountain Road – Petrucci** – Request for permit extension for an additional five (5) year period

Mr. Andriopoulos of Andriopoulos Design Associates LLC reviewed the approved plans for this project to construct a Conservation Development with seven units. He explained that 4 of the 7 approved residences had been constructed and that they were very optimistic that the remaining would be constructed within the requested timeframe.

Following questions from the Commission, Mr. Andriopoulos displayed a rendering of the site plan depicting the units remaining to be constructed.

Ms. Cherichetti noted that the applicant had been completely compliant with the terms and conditions of the permit for the last five years.

BOND RELEASE/REDUCTION

- a) **#S05-220 – 3 Watson Court - Miller** – Bond release for work associated with the construction of additions to an existing single family residence

Ms. Cherichetti explained that the property owner had completed all of the work and conditions of the permit. She noted that staff recommended release.

**** MR. CAPUTO MADE A MOTION TO APPROVE RELEASE OF THE BOND ASSOCIATED WITH PERMIT #S05-220.**
**** MS. WILSON SECONDED THE MOTION.**
**** MOTION PASSED UNANIMOUSLY.**

Ms. Cherichetti noted that Mr. Pardeep Singh was in the audience and she believed he wished to speak to the Agency about the bond held under the terms of Permit #S09-399. Ms. Cherichetti reminded the members that they had considered, and denied, release of any of the bond monies at their last meeting on January 12, 2010.

**** MR. CAPUTO MADE A MOTION TO AMEND THE AGENDA TO ADD ITEM B)
FOR REDUCTION OF THE BOND ASSOCIATED WITH PERMIT #S09-339.
** MS. DESTEFANIS SECONDED THE MOTION.
** MOTION PASSED UNANIMOUSLY.**

- b) **#S09-336– 9 Crossbrook Lane - Singh – Bond reduction for work associated with corrective action landscaping in and adjacent to a wetland and watercourse**

Mr. Singh requested a reduction of the bond. Mr. Caputo inquired if Mr. Singh had an exact figure for his request. After some discussion, Ms. Cherichetti explained that the portions of the bond, excluding the portions held for planting or monitoring, would be eligible for release if the work is complete.

Mr. Singh described the work that he had done. He noted that the Town of Westport had no issues with the work and that they indicated that the boulders could remain.

Ms. Cherichetti reviewed the permit and its conditions. Ms. Cherichetti noted that large boulders within the wetland and watercourse, adjacent to the driveway, remained. She reviewed the proposed plans for a retaining wall between the driveway and watercourse, which indicated that the boulders would extend into the wetland no more than three feet from the edge of the driveway. She noted that only three reports had been received by the monitor.

Mr. Singh argued that the plan had been followed and that he had bent over backwards to comply with all of the requirements. He added that he had paid more than the required application fee, but had been denied a refund. Ms. Cherichetti noted that this was the first she had heard of the matter. She suggested that he should have requested a refund from the office, where the amount paid could be verified.

Mr. Caputo suggested that Mr. Singh put his information in writing and that the Agency would be glad to review it at an upcoming meeting.

PUBIC HEARINGS (to begin at 7:00 pm)

- 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. Cagnina arrived at the meeting.

Ms. Destefanis described the public hearing process to the audience and then opened the hearing.

Ms. Cherichetti called the roll, read the legal notice of the hearing, and confirmed that she had received receipts of mailing by the applicant.

Attorney Randall Avery introduced himself as counsel for the applicant and he noted that Kate Throckmorton, of Environmental Land Solutions, LLC, was present to provide technical information regarding the application.

Mr. Avery gave an overview of the work performed on the property and recognized that this current application is a corrective action application. He briefly described the proposed mitigation activities and then invited Ms. Throckmorton to make a more detailed presentation.

Ms. Throckmorton displayed a rendering of the proposed site plan and aerial photographs from various years. She further described the work previously performed without a permit, and then discussed the proposed mitigation work.

Ms. Destefanis invited members of the public to speak.

Marie Sacco, of 252 Fillow Street, stated that she wanted to know more about the activities proposed by her neighbor. She asked about other activities that she had observed occurring at the property over the last few years. Ms. Sacco distributed various photographs of the property, which she noted illustrated the other grading activities.

Thomas Sacco, also of 252 Fillow Street, expressed concern regarding the past and proposed activities and the cumulative impacts that the activities have on flooding, water flow direction, and erosion.

There were additional questions from the Commissioners regarding the application and the extent of the mitigation proposed.

Theodore Giapoutzis, property owner, spoke on behalf of his application.

**** MR. CAPUTO MADE A MOTION TO CLOSE THE PUBLIC HEARING ASSOCIATED WITH APPLICATION #S09-360.**
**** MR. HUBBARD SECONDED THE MOTION.**
**** MOTION PASSED UNANIMOUSLY.**

APPROVAL OF MINUTES

a) December 8, 2009

Corrections to the minutes were noted by Ms. Briggs.

**** MS. DESTEFANIS MADE A MOTION TO ACCEPT THE MINUTES OF DECEMBER 8, 2009 AS CORRECTED.**
**** MR. CAPUTO SECONDED THE MOTION.**
**** MOTION PASSED WITH 5 IN FAVOR AND 2 ABSTAINING (BRIGGS & HUBBARD).**

b) January 12, 2010

Various corrections to the minutes were discussed.

- ** MR. CAPUTO MADE A MOTION TO ACCEPT THE MINUTES OF DECEMBER 8, 2009 AS CORRECTED.
- ** MS. WILSON SECONDED THE MOTION.
- ** MOTION PASSED WITH 6 IN FAVOR AND 1 ABSTAINING (HOLLOWINKO).

COMMENTS OF STAFF

- a) Compliance Summary

- b) Report of Senior Environmental Officer

There was a brief discussion regarding the proposed ordinance for “Storm water, Illicit Discharge and Connection”. It was agreed that the addition of language similar to “*subject to requirements of the Norwalk Inland Wetlands & Watercourses Regulations (Chapter 60A Norwalk City Code)*” in the Chapter entitled “Watercourse Protection” should be noted in a memorandum to the Director of Public Works.

COMMENTS OF COMMISSIONERS

- a) Report of Commission Chair

ADJOURNMENT

- *** Mr. Caputo made a motion to adjourn.
- *** Motion passed unanimously.

The meeting ended at 8:28 p.m.

