

**CITY OF NORWALK
INLAND WETLAND AGENCY
October 12, 2010**

PRESENT: Karen Destefanis, Chair; D. Seeley Hubbard; Anne Cagnina; Matthew Caputo(6:11); Ed Holowinko; Robert Mercurio; MaryBeth Sullivan

STAFF: Alexis Cherichetti, Senior Environmental Officer

I. CALL TO ORDER

Ms. Destefanis called the meeting to order at 6:05 pm.

II. ROLL CALL

Ms. Cherichetti took the roll call.

III. RECEIPT & DISCUSSION

There were no new items to be received.

V. DISCUSSION &/OR DECISION

a) #S05-223B - 215 Dr. Martin Luther King, Jr. Drive - Kurylko - Request for a five year extension of Permit #S05-223A for construction of a warehouse and associated parking lot, stormwater drainage and wetland mitigation in and adjacent to a wetland and watercourse.

Ms. Cherichetti noted that the applicant's agent, Ms. Moch, had stopped by the Conservation Office. Ms. Cherichetti reiterated that she told Ms. Moch that a detailed description of the work that had been fully completed as per the plan, work that had been completed but not per the approved plan, and work that had not yet been started needed to be submitted in order for the agency to make a decision.

Ms. Cherichetti noted that she had not received any additional information to date.

b) #S10-371 - 4 Klim Lane - Vallejo - Corrective action clear-cutting, removal of vegetation, filling, grading and construction in and adjacent to a wetland and watercourse

Ms. Cherichetti recalled that the public hearing on this application had closed at the previous meeting on September 28, 2010 and that the Commission discussed the item at their last meeting.

There was discussion regarding possible conditions of approval. Ms. Cherichetti read portions of the possible resolution.

Ms. Destafanis suggested that a revised mitigation plan might be a good idea.

Mr. Hubbard noted that all of the conditions that mention the mitigation plan should reference the modifications.

** MR. HUBBARD MADE A MOTION TO APPROVE THE APPLICATION WITH THE ADOPTION OF THE RESOLUTION IN THE MEMORANDUM BY ALEXIS CHERICHETTI DATED OCTOBER 5, 2010, AND WITH THE TEXT MODIFICATIONS DISCUSSED FOR SPECIAL CONDITIONS #7 AND #10.

** MS. CAGNINA SECONDED THE MOTION.

** MOTION CARRIED UNANIMOUSLY WITH TWO (2) ABSTENTIONS [MERCURIO, SULLIVAN]

c) #S01-380 - 214 Silvermine Avenue - Schaffer/Mills - New septic system to replace the existing failed system adjacent to a watercourse.

Ms. Cherichetti said that she would talk to the septic installer again and ask for an 'as-built' plan showing the new and old systems.

d) #S01-381 - 7 Hunters Lane - Luniewski - Construction of a low retaining-wall and deposition of fill in rear yard in and adjacent to a wetland and watercourse

Ms. Cherichetti updated the Agency on the information that she had gathered since the last meeting. She noted that DPW would review the application once there was an adequate site plan depicting the location of the proposed wall. She added that Public Works indicated that they would not get involved as long as all work was outside of the drainage easement area.

She noted that she had provided a new base map, at 1"=20' to the applicant so that he could better illustrate the location of the wall.

Ms. Cagnina indicated that she had visited the site and asked about the purpose of the various pipes that she saw on the site.

Mr. Lunieski replied that those were there when he purchased the house and that the pipes convey roof leader drainage.

Ms. Destafanis stated that she had also visited the site, though was unsure she was at the correct property, since there appeared to be construction of a stone wall and patio on-going at the site.

Ms. Cherichetti indicated that she would go out to the site again. She noted that she would continue to attempt to assist the applicant in developing a more complete application.

VI. BOND RELEASE/REDUCTION REQUESTS

- a) **#S09-352 - 310 Ely Avenue - Cutrone Properties LLC** - Reduction of bond held for the construction of a multi-family residence and associated wetland/watercourse mitigation and creation.

Ms. Cherichetti indicated that the work had been satisfactorily completed. She concurred that, with the exception of the amount held for planting, all other portions of the bond were eligible for release.

- ** MR. CAPUTO MADE A MOTION TO APPROVE THE RELEASE OF THE BOND.**
**** MR. HUBBARD SECONDED.**
**** MOTION PASSED UNANIMOUSLY, WITH ONE (1) ABSENTION [SULLIVAN].**

VII. ENFORCEMENT ACTIONS

- a) **Show-Cause Hearing - Permit Violation Order #V10-866 - 147 ½ East Rocks Road - G & G Construction & Painting LLC** - Failure to meet conditions of Corrective Action Permit #S09-341

Ms. Cherichetti stated that while the property was under previous ownership, the previous owner had received an Order and had obtained a corrective action permit. She noted that soon after the permit was issued, the property was foreclosed on by a lending institution.

No corrective work, as required by the permit, has been initiated to date.

Following a shuffling of ownership through various banks, a company, G&G Construction & Painting LLC, purchased the property. She noted that this LLC is not a registered entity with the CT Secretary of State. It was noted that no one was present at the meeting representing the respondent.

Ms. Destafanis noted that the Order provides a long time to comply. Ms. Cherichetti agreed and explained that, from an administrative process end, the main purpose of the Order is to give the new property owner notice of the wetland violation and to make sure that the violation is noted on the Norwalk Land Records so that any future purchaser is also aware of the violation.

- ** MS. CAGNINA MADE A MOTION TO CLOSE THE SHOW-CAUSE HEARING.**
**** MR. CAPUTO SECONDED THE MOTION.**

Ms. Destafanis confirmed that neither the respondent nor any representative of the respondent was present.

**** MOTION CARRIED UNANIMOUSLY.**

**** MS. DESTEFANIS MADE A MOTION TO UPHOLD ORDER #V10-866.**

**** MR. CAPUTO SECONDED THE MOTION.**

**** MOTION CARRIED UNANIMOUSLY.**

IX. APPROVAL OF MINUTES

a) September 28, 2010

Ms. Destefanis pointed out some typographic errors.

**** MR. CAPUTO MADE A MOTION TO APPROVE THE MINUTES WITH THE NOTED CORRECTIONS.**

**** MR. MERCURIO SECONDED THE MOTION.**

**** MOTION PASSED UNANIMOUSLY WITH TWO (2) ABSTENTIONS [SULLIVAN, MERCURIO]**

X. COMMENTS OF STAFF

a) Compliance Summary

Ms. Cherichetti stated that she had none. Mr. Caputo was relieved.

b) Review of by-laws

XI. COMMENTS OF COMMISSIONERS

a) Report of Commission Chair

XII. ADJOURNMENT

**** THERE WAS A MOTION TO ADJOURN.**

**** MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 7:07 pm.