



MEETING MINUTES
HYBRID MEETING
December 9, 2021

PRESENT: Rick Stow, Vice Chair, Penelope Koechl, Jeremi Bigosinski, Miriam Sayegh

ALSO PRESENT: Mike Conklin, Director of Environmental Affairs; Zen Herter, Environmental Analyst; Larry Stewart, Property Manager iPark Norwalk; Jim Murphy, Gregory & Adams; Tom Ryder, LandTech; Tom Nelson, McChord Engineering; Kate Throckmorton, Environmental Land Solutions; Kathleen Royle, Gregory & Adams; Jay Fain, Jay Fain & Associates; Sean & Sara Roy, Property Owners; Michael Harkin, Harkin Engineers

ABSENT: Theodora Pinou (notified of intended absence)

I. CALL TO ORDER

Mr. Stow called the meeting to order at 7:30 pm and welcomed new Commissioner, Ms. Sayegh.

II. ELECTION OF OFFICERS

Mr. Bigosinski MOVED to NOMINATE Mr. Stow for Chair, Ms. Sayegh as Vice Chair, and Ms. Koechl as Secretary for the Commission, Ms. Sayegh SECONDED and CARRIED 4-0-0 with all in favor.

III. 2022 MEETING SCHEDULE

Ms. Koechl MOVED to APPROVE the 2022 Meeting Schedule as drafted, SECONDED by Ms. Sayegh and CARRIED 4-0-0 with all in favor.

IV. SHOW CAUSE HEARING

A. iPARK NORWALK, LLC – 1 Cannondale Way – unauthorized removal of twelve (12) trees

Mr. Herter provided an overview of the Cease & Desist placed on the site. He confirmed trees were removed along the Norwalk River.

Mr. Stewart noted the removals were done post Hurricane Ida due to flooding. He confirmed Southbury Tree Service recommended iPark remove the dead trees.

Ms. Koechl MOVED to UPHOLD the Cease & Desist Order and require a Minor Inland Wetlands Application be submitted by January 11, 2021, SECONDED by Ms. Sayegh and CARRIED 4-0-0 with all in favor.

V. PUBLIC HEARING

A. WET#2736(S) ROY – 55 Hickory Hill Road – proposed single-family residence and associated site improvements (cont.)

Mr. Murphy re-introduced the project noting that the original Soil Scientist flagging was incomplete. The proposed design has been re-drawn for this purpose but was not submitted in time for discussion. He noted the Public Hearing is running out of statutory time so they will present the new plan at their last opportunity on January 13, 2022.

Mr. Ryder summarized the existing conditions and wetland functions.

Mr. Nelson explained the site plan, drainage, septic location, and vegetated water quality swale. He noted the driveway was reconfigured to protect the newly flagged wetland. The septic tanks were also relocated to the side for the new driveway location.

Ms. Throckmorton reviewed her buffer planting plan noting the lawn area has been reduced from the original plan.

Mr. Fain explained the borrow pit depressional area and his study for the wetland soils. He confirmed there were no vernal pools found on site.

Mr. Conklin asked if the proposed swale is within the parameters of the drainage easement. Mr. Murphy confirmed he will look into this for the next meeting.

B. WET#2747(S) PADILLA – 44 Berch Court – proposed in-ground swimming pool and associated site improvements

Mr. Harkin explained the 16 ft. x 36 ft. pool with 138 cubic yards of disturbance. He showed alternatives and explained the location of the pool and underground detention system.

Mr. Stow closed the Public Hearing.

Ms. Koechl MOVED to APPROVE WET#2747 with normal Special Conditions, SECONDED by Ms. Sayegh and CARRIED 4-0-0 with all in favor.

C. WET#2748(S) GIANNOUTSOS – 19 Lee Allen Lane – proposed 20 ft. x 45 ft. in-ground swimming pool 63 ft. from a wetland

Ms. Throckmorton reviewed the plans and noted the pool was previously approved in 2014 with the construction of the new house. She noted the existing boulder demarcation and buffer plantings will be maintained.

Mr. Stow closed the Public Hearing.

Ms. Sayegh MOVED to APPROVE WET#2748 with normal Special Conditions, SECONDED by Ms. Koechl and CARRIED 4-0-0 with all in favor.

V. APPLICATIONS READY TO BE REVIEWED

- A. WET#2751(I) MITRIONE – 49 Rivergate Drive** – “corrective action” to address unauthorized removal of trees and understory, and dumping of debris

Ms. Throckmorton explained that trees and brush were removed by these new owners that were not aware of the need for a permit. She reviewed her mitigation planting plan. An underground propane tank is also being requested by the owners.

Ms. Koechl MOVED to LIFT the Cease & Desist Order and APPROVE WET#2751, with normal Special Conditions and a planting deadline of April 15, 2022, SECONDED by Ms. Sayegh and CARRIED 4-0-0 with all in favor.

VI. APPLICATIONS READY TO BE ACCEPTED

- A. WET#2759(S) MORENO – 269 Millstone Road** – proposed addition, pool, patio, outdoor kitchen and shower, pervious pavement and plantings within an upland review area

Ms. Koechl MOVED to ACCEPT WET#2759, SECONDED by Ms. Sayegh and CARRIED 4-0-0 with all in favor.

VII. APPROVED MINOR ACTIVITIES

- A. WET#2750(M) BOZZUTI/HIGGINS – 44 Collinswood Road** – proposed new deck 24 ft. from a wetland
- B. WET#2752(M) ODYNIEC – 150 Cannon Road** – proposed restoration of natural habitat by removing invasives and planting natives in a regulated area
- C. WET#2754(M) WILTON CREST CONDO ASSOCIATION – 77 Wilton Crest** – “after-the-fact” removal of debris blocking pond and causing flooding
- D. WET#2758(M) ASML – 77 Danbury Road** – emergency bridge repair

Mr. Conklin provided a brief review of the Minor Applications that have been approved by Staff.

VIII. CORRESPONDENCE - None

IX. NEW BUSINESS – None

X. VIOLATIONS

- A. FALTA – 20 Cheese Spring Road** – removal of eight trees and understory (Cease & Desist

Issued 9/29/21 – Owner Waived Show Cause Hearing – Corrective Action Application due 11/9/21)

Mr. Conklin stated a Cease & Desist was issued in September and the owner waived the Show Cause Hearing. Mr. Falta has since sent a message to staff that he was sick with COVID so he was not able to complete the application by the deadline.

Ms. Sayegh confirmed a fine should be issued if he is not responsive. Ms. Koechl noted that he was a member of this board and should understand the process. The Commission agreed that a deadline should be set to January 27th or he will be subject to a \$500 Municipal Citation.

XI. APPROVAL OF MINUTES

A. Meeting Minutes November 11, 2021

Dr. Pinou asked that she be cited as “Dr.” instead of “Ms.” for all Commission correspondence.

Mr. Bigosinski MOVED to APPROVE the Meeting Minutes of November 11, 2021 as amended, SECONDED by Ms. Koechl and CARRIED 3-0-1 with Ms. Sayegh abstained as she was not present.

XII. PUBLIC COMMENT - None

XIII. ADJOURN

Ms. Sayegh MOVED to ADJOURN at 9:55 pm, SECONDED by Ms. Koechl and CARRIED 4-0-0 with all in favor.

Respectfully Submitted,
Liz Larkin
Recording Secretary, Environmental Affairs