



Silvermine Community Association
115 New Canaan Avenue
PMB # 704
Norwalk, CT 06850

Copy as Submitted for Record

January 11, 2010

The Inland Wetlands Agency of the City of Norwalk
C/O Alexis Cherichetti, Senior Environmental Officer
The City of Norwalk Conservation Office
Norwalk City Hall - Room 215
125 East Avenue, Norwalk, CT

Re: Silvermine Homes Proposed Conservation Development, Silvermine Ave. Norwalk CT,
Application Number S09-362

Dear Members of the Inland Wetlands Agency:

The Silvermine Community Association (SCA) has reviewed plans for the proposed conservation development by Silvermine Homes LLC. These plans, last revised January 6, 2010, were posted for municipal review. SCA requests that the Inland Wetlands Agency deny this application for permission to conduct regulated activities for reasons that follow.

First, we feel that the application does not adequately achieve the purpose and intent of Article 41: Conservation Developments. Rather, it utilizes proposed conservation areas as extensions of the private individual home landscape, allowing more structures than would otherwise be acceptable under the zoning regulations. 2.33 acres of the 4.55 - acre site are defined as a conservation area. Overall construction will negatively impact this “conservation area.”

Second, use of the conservation area for utilities is not compatible with conservation and preservation of the natural environment or natural resources. For example, loss of vegetative cover and degradation of soils in the conservation area has not been addressed, nor do we see rehabilitation of other natural systems. Third, in addition to the lack of attention to the physical impacts to the site, we do not believe that the 40 - foot property perimeter satisfies Article 41 118-410 section A (“to conserve and preserve land to assure that its development will best maintain and enhance the appearance and natural beauty of the area”).

The following is a list of items we feel require further consideration:

Site Layout Plan:

- Site disturbance temporary construction fencing is limited, located to the northwest corner of the site and protecting plus or minus one acre of the 4.55 acre project site and less than half of the proposed 2.33 - acre conservation easement area. There is no other protection in place for trees, vegetation, or soils in areas designated for conservation during construction. Protection measures for the proposed conservation area need to be put in place during construction, as well as methods for rehabilitation of natural planting, including soils required under the construction contracts.
- There are no presented means and methods for de-compaction and remedial procedures or testing requirement for soils in the conservation development area that are adversely affected by construction operations, including trenching and installation of utility, sanitary and stormwater drainage. Methods for rehabilitation of the natural systems needs to be included as part of the constructed work.
- Proposed pervious pavers are not detailed. Pavers for support of fire trucks and emergency vehicles often require a gravel base below the supporting paving units. Paving units and gravel will affect the ability of maintaining a healthy meadow cover throughout the year.
- The proposed asphalt paving at the terminus of the emergency access lane will invite temporary parking and may become an impediment during an emergency. No paving or chain should be used in this location.
- Location of a 12-inch water line is noted as approximate and the actual water line location may vary. Shifting of structures 4, 5 and 10 to maintain the required 5 - foot set back will affect the conservation development, potentially lessening the proposed conservation area square footage. The water line should be located by a surveyor.

Site Grading and Soil Erosion Plan:

- Final grading is not indicated for construction of the proposed concrete headwall and rip rap apron to achieve an invert elevation of 110.00 feet. This level of impact should be indicated.
- Grade alteration for construction of the headwall, rip rap and drainage piping will adversely impact the adjacent 18" and 12" MPL trees by severing root systems.
- The existing site topography drops 20 feet in elevation from west to east, with areas of 10% and 12% slopes. Proposed finish floor elevations are set at 2.5 to 6 feet above the proposed exterior grade. Access to finished floor elevations is not clear, as there are no steps or site retaining structures provided. Plans need to address accessibility and grade retention.
- Use of the term "patio" implies an on grade paved area. Grading indicates that these will be above grade deck areas. Plans should indicate elevations of exterior spaces.
- Plans show surface water drainage directed toward the building walls, in particular structures 4, 5, 6, 7 & 8. Accepted construction practice is for surface water to move away from proposed structures via swales or curtain drains, neither is indicated. Drawings that indicated final grading for the diversion of surface water from proposed structures are needed.

Site Utility Plan:

- Use of the conservation area for septic systems is not in keeping with the intended purpose of a conservation area.

Vegetation Plan:

- Tree removals as shown on the tree removals plan include approximately
 - 19 trees of 8" or less in caliper size
 - 49 trees of 8" to 11" in caliper size
 - 84 trees of 12" to 19" in caliper size
 - 3 tree of over 24 inches in caliper size

Construction activities that include heavy machinery for excavation of structures foundations, utility installation and grading, will adversely affect trees within a minimum of 18 to 20 feet from proposed structures that are indicated as to remain post construction.

Construction activity within this distance of the tree canopy will result in the additional loss of up to 20 trees. A plan for tree protection that includes construction equipment mobility and operations on site is needed to ensure protection of trees intended to remain.

Master Landscape Plan:

- The proposal for decorative stone wall, architectural lighting and ornamental planting at the entry is not in keeping with the intent of the conservation area. The entry landscape should be removed from the calculated area of the conservation acreage.
- Proposed Units #1, 4, 5, 7, 8, 9, and 11 have less than 5 feet of turf area between the structures and the proposed conservation area. Maintenance of the structures requires regular access within the conservation area. A larger separation of space is required for ongoing home maintenance to avoid negatively impacting the conservation area. A wider area of separation is needed to protect the conservation area. Alternatively the conservation area can be fenced.
- Treatment of the existing stone wall is not indicated.
- Linear planting of the 9 *Picea glauca* along the property boundary is not in keeping with the naturalized planting representative of a naturalized conservation area. Informal arrangements should be used.
- Regular cutting of the proposed meadow turf three times yearly to a 4 - inch height is not in keeping with the intended purpose of the conservation area. Regular mowing disrupts breeding cycles and promotes active use of the turf areas, discouraging wildlife habitat. We propose that the conservation area be seeded with taller wildflowers and native grasses that are cut on an annual or bi-annual basis to limit growth of woody materials.
- There is no inventory of vegetation types and species on the survey or subsequent plan that identifies the collection of natural and invasive materials within conservation development

that are contributing to the natural character and species variety of the area. No work scope is outlined that addresses improving the natural systems. This would include removal of invasive woody materials, vines species, selective tree removal for the purpose of enhanced native cover and implementation of meadow seeding within the proposed conservation development that is not otherwise disturbed by construction operations. A landscape plan for the treatment of the proposed conservation area needs to be provided. It should address these issues in addition to the planting of the 14 trees (*6 to 8 feet high*), 11 woody ornamentals, (*3 to 5 feet high*), and 25 ornamental shrubs (*2 to 3 feet high*).

- The proposed Declaration of Restrictive Covenants is non-specific regarding the maintenance and preservation of the conservation easement area other than the encroachment of the lawn into the wetland/watercourse buffer and maintenance of catch basins, oil/grit separators and infiltrators on the property. No description for maintenance and preservation of the natural systems within the conservation area is provided. The Declaration needs to identify the intended character of the conservation area flora and fauna and the condition to which they are to be stewarded.
- There is no provision for replacing trees that are lost post - construction in the conservation area due to construction impacts. We suggest a required replacement rate of 1 caliper inch to every 8 caliper inches lost on trees that are documented as 'to remain' .

We appreciate your consideration of our concerns for the proposed development on Silvermine Avenue as you further review the application before you. SCA looks forward to a conservation plan that that positively impacts and protects Silvermine's natural environment. Please contact us for clarification or if we can be of further assistance.

Warm regards,

Susan B. Cruikshank
President
Silvermine Community Association

Peter F. Viteretto
Landscape Committee Chair
Silvermine Community Association