MINUTES
GREENWICH INLAND WETLANDS AND WATERCOURSES AGENCY
May 20, 2019

Members present: Chairman Brain Harris, Secretary Stephan Skoufalos, Jo Rogers, Jay Schondorf, Norma Kerlin, and Bill Galvin

Alternates present: Peter Linderoth and Klaus Jander

Staff present: Patricia Sesto, Director, Robert Clausi, Senior Wetlands Analyst, and Doreen Carroll-Andrews, Compliance Officer

Others present: Bryan Muller, Sound View Engineers & Land Surveyors; Larry Liebman, S.E. Minor & Co., Inc.; Rob Frangione, Frangione Engineering, LLC; Bill Kenny, William Kenny Associates, LLC; Tony D’Andrea, Rocco V. D’Andrea, Inc.; Jeff Embree, Glen Gate Company; John Heagney, Heagney, Lennon & Slane, LLP; David Ginter, Redniss & Mead, Inc.; Debbie Schwartzberg, Kevin Sheinberg, Michelle Matice, Melissa Levine, Bart Goodwin, Carol Gilbride, Peter Berg

1. Call to Order

Chairman Harris called the meeting to order at 7:06 p.m.

2. Seating of Alternates

Klaus Jander was seated.

3. Approval of draft minutes of April 22, 2019

Jo Rogers made a motion to approve the minutes of April 22, 2019, seconded by Jay Schondorf and carried 7-0-0.

4. Director’s Report

Patricia Sesto reported the agency’s budget was passed. The paid intern will be ending her work with the agency by the end of May. Two high school interns are on board, working with IWWA and the Conservation Commission staff. The combination will provide the two with good exposure and will be of help to the department, as well. The two new staff members have been doing well in their first few weeks as senior staff undertake training.

5. Other Business

None
I. **Public Hearing Applications**

1. **#2019-024 – 3 & 7 Hillside Road and 505 East Putnam Avenue – Rocco V. D’Andrea, Inc. for Milbrook Crossing, LLC for renovation and construction of additions to residences to create 16 dwelling units in three buildings, construction of driveways with watercourse crossing, and installation of utilities, drainage, and landscaping. Tax #07-1266, #07-2136, #07-1388 (first 35 days 7/3/19)**

   At the applicant’s request, the application was postponed to the June 24th meeting.

2. **#2019-037- 47 Fairfield Avenue – Milone & MacBroom for Greenwich Country Day School for athletic fields, accessory buildings and landscaping, retaining walls, and parking areas 5’ from wetlands. Tax #11-4013 (first 35 days 5/27/19)**

   The applicant requested a 65 day extension be granted and review of the proposal postponed.

   Brain Harris made a motion to extend the application for the additional 65 days, seconded Bill Galvin, and carried 7-0-0.

3. **#2019-050 – 7 Fairway Lane – Sound View Engineers and Land Surveyors for CLT Fairway, LLC for two lot subdivision 28’ from wetlands. Tax #11-1026 (first 65 days 6/26/19)**

   Bob Clausi read the documents of the application into the record and described the proposed 2-lot subdivision. The oversized parcel presently has one house on it. This house would be razed and two homes built. Lot 2 is within the upland review area of the watercourses to the west; East Brothers Brook and Rock Lake Creek.

   Grading for lot 2 will come within 15 feet of the wetland and the level spreader is 20 feet away. Alternate development proposals were submitted; three with sloped grading into the open space and a fourth with retaining walls.

   The new development will include 7,700 s.f. of additional impervious surface. To compensate, porous asphalt is proposed, as well as infiltrators. These features will control water quality and volume through the 100-year storm. DPW has approved the plan, with the acknowledgement the final driveway plans will be reviewed at the time of construction.

   Mr. Clausi called attention to the abrupt termination of the floodplain and floodway. Bryan Mueller explained this is a function of FEMA mapping. If the area beyond the limit was subject to flooding, it would have been labeled Zone A, rather than Zone X.

   Mr. Clausi described the four alternatives. The alternate with retaining walls along the open space boundary has a limit of disturbance 28 feet from the portion of the wetland that bumps out. Overall, the separating distance is farther. The sketch labeled “Alternate 1” shows the driveway accessing the house from the west side, 20 feet from the wetland. “Alternate 2” replaces the retaining wall with a slope, 25 feet from the wetlands and includes
fill around the trees on the southern property line. The fourth plan shows fill 15 feet from
the wetland and a retaining wall on the southern property line. Mr. Clausi noted, should any
of the alternatives with a fill slope be approved, additional erosion and sedimentation
controls will be needed.

A planting plan is proposed and is limited to the open space parcel. Mr. Clausi questioned
why it didn’t extend into lot 2 to better protect the wetland and watercourse. A
demarcation feature is also needed. The proposed mitigation plan includes plants that
complement the existing vegetation and a plan to cut the invasive species. Mr. Clausi
suggested the invasive mitigation plan also include spot herbicide treatment.

Bryan Muller described the proposed retaining wall as dry laid, intended to enhance habitat.
The grade plane regulations of P&Z drive the proposed grading plan and limit the slope to no
steeper than 21%. Discussion ensued regarding various grading scenarios. Ms. Sesto spoke
to the values of a mature soil as it relates to water quality affecting the wetland and
groundwater recharge. She urged Mr. Muller to consider grading designs that did not bury
the existing soil. Mr. Muller described limiting conditions associated with the soil and
leaching fields, suggesting the soil was not good quality. Ms. Sesto refuted this conclusion,
stating there is a diversity of biologic activity in soil, regardless of its hydrology. Mr. Harris
suggested the basement floor elevation be raised and reduce the ceiling height to reduce the
needed fill. Mr. Muller countered the plantings in the open space will leave the wetland in
better condition than it is now. This concept was challenged, conveying more can be done to
protect and enhance the wetland. Just as the residential improvements will be state of the
art, so should wetland protection.

Kevin Scheinberg, 14 Fairway Lane, expressed concerns related and unrelated to wetlands.
The wetland concerns focused on past flooding of Greenwich Creek, overtopping the road.
Consequently, he takes issue with Mr. Muller’s assessment regarding how often and to what
extent the creek floods. Mr. Scheinberg spoke to his lake management company, who
warned of impacts to the stream from the development as sedimentation will be inevitable.
Lastly, the street has a vegetated median, making the proposed driveway unworkable. The
driveway will have to move west towards the wetland and stream to work.

Michelle Matice of 31 Fairway Lane spoke to the private ownership of the road and how the
proposed driveway configuration cannot work. She too, concluded the driveway on lot 2
would have to be located near the stream to work.

Melissa Levine, 36 Fairway Lane, described the sharp curve in the road and persistent icing
and washouts in the vicinity of Greenwich Creek, affirming the more routine patterns of
flooding.

Bart Goodwin, 29 Fairway Lane, co-owns the subject streams. When Greenwich Country
Club rebuilt the 10th hole, a good deal of drainage was installed. He is concerned this
drainage, plus that of the development will exacerbate the current flooding.
Carol Gilbride, 160 Stanwich Road, described the area as having a high water table due to extensive ledge. She opposes having two houses on the parcel and its associated tree removal.

Bryan Muller, Soundview Engineering responded, stating the planned homes will be much smaller than the FAR allows. It was his hope to cut through the vegetated median for the driveway. This statement was met with rejection by the neighbors in attendance. He explained the drainage system proposed will result in a decrease in runoff and will not add to any flooding problems.

With no further comments from the agency or public, Brian Harris continued the public hearing to the next meeting.

II. **Consent Approval**

1. #2019-045 – 25 Jeffrey Road – S.E. Minor & Co., Inc. for Eva Barrio for addition of porch 5’ from wetlands. Tax #08-3905 (first 65 days 6/26/19)

2. #2019-048 – 45 Glenville Road – Rocco V. D’Andrea, Inc. for Eagle Hill Foundation, Inc. for replacing an existing stormdrain adjacent to wetlands. Tax #10-4060/s (first 65 days 6/26/19)

3. #2019-058 – 1 Whitney Drive – Sound View Engineers and Land Surveyors for Toma and Rose Skreljia for demolition and construction of single family residence, driveway, and septic system, 56’ from wetlands. Tax #10-2512 (first 65 days 6/26/19)

4. #2019-061 – 6 Oakwood Lane - Sound View Engineers and Land Surveyors for Anthony and Michelle Fagella for removal of silt and sand from wetlands. Tax #11-1628 (first 65 days 6/26/19)

Stephan Skoufalos made a motion to approve applications listed on the consent agenda, seconded by Jay Schondorf, and carried, 7-0-0.

III. **Pending Application**

1. #2019-017 – 16 Lakeview Drive – Heagney, Lennon & Slane, LLP for Mariano Lozano for maintaining existing walkway and stairs to a dock located in the Mianus Pond. Tax #12-2054/s, #12-9019 (second 65 days 7/5/19)

This application was postponed to the June meeting at the applicant’s request.
IV. **New Applications for Review**

The applications were taken out of order.

1. **#2019-047 – 33 Grossett Road – Frangione Engineering, LLC for 33 Grossett, LLC for construction of single family residence, driveway, patio, and pool 20’ from wetlands. Tax #05-2132/s (first 65 days 6/26/19)**

Bob Clausi introduced the application, stating it is a straight forward redevelopment of the site, with the closest activity being 20 feet from the wetland. The submission was complete, except for a planting plan, which has now been submitted. The plan calls for a 15-foot planted buffer. With this plan, Mr. Clausi recommends the application be approved. Rob Frangione, agent, agreed with staff recommendations.

Rob Frangione, Frangione Engineering, LLC appeared before the agency and stated his agreement with the comments and recommendation of the staff report.

Special condition 1 in the staff report should be eliminated and the list of documents will include the May 10, 2019 planting plan.

Stephan Skoufalos made a motion to approve IWWA #2019-047 with the General and staff specified special conditions, seconded by Bill Galvin, and carried, 7-0-0.

2. **#2019-049 – 249 Valley Road – Rocco V. D’Andrea, Inc. for Timothy Saunders, Jr. for two lot subdivision and construction of single family residence 11’ from wetlands. Tax #08-2018/s (first 65 days 6/26/19)**

This application was continued to the June meeting at the applicant’s request.

5. **#2019-051 – 20 Alpine Road – Debsting, LLC for Debbie Schwartzberg for restoration of wetland and buffer. Tax #11-2044 (first 65 days 6/26/19)**

Doreen Carroll-Andrews described the violation as clearing scrubs from a 45X100 area of a wetland. A planting plan was proposed, although it is too light. Six additional planting stations are proposed, consisting of 3-5 shrubs, shade trees or understory trees. At least three of the stations need to be shade trees and deer-browse protection installed.

Debbie Schwartzberg, owner, addressed the agency. She discussed work done and added the site was this way when she bought it. Discussion ensued. Ms. Schwartzberg indicated she has already purchased the plants shown on the plan and will purchase more per Ms. Carroll-Andrews’ recommendation. Additionally, since this violation was not done intentionally, she would like relief from the punitive portion of the application fee.
Brian Harris made a motion to issue an Order to Correct for IWWA #2019-051 as proposed by staff and to reduce the filing fee by $3,000, seconded by Bill Galvin, and carried, 7-0-0.

6. **#2019-053 – 371 Stanwich Road – Glen Gate Company for Joel and Nancy Altobello for patio, water feature, driveway modifications, and wetland enhancement. Tax #08-3448 (first 65 days 6/26/19)**

   Bob Clausi described the project as a patio over existing lawn and the removal of a portion of driveway to compensate for the new impervious surface. For mitigation, the applicant is proposing to restore a section of lawned wetland and those plants should be revised to be native wetland species. Given the site is flat, construction should be easy to control. Mr. Clausi supported an approval.

   Jeff Embree, Glen Gate Company, requested the plan be amended to include a generator adjacent to the driveway.

   Norma Kerlin made a motion to approve IWWA #2019-053 with the General and staff specified special conditions and the inclusion of the generator, seconded by Bill Galvin, and carried, 7-0-0.

7. **#2019-054 – 306 Taconic Road – S.E. Minor & Co., Inc. for Patricia Gallardo for construction of pool house, porch, and septic reserve 95’ from wetlands. Tax #11-1252 (first 65 days 6/26/19)**

   The application for 306 Taconic Road was postponed at the applicant’s request.

8. **#2019-055 – 571 Round Hill Road – S.E. Minor & Co., Inc. for Scott Ganeles for construction of residential additions and patio 49’ from wetlands. Tax #10-2804 (first 65 days 6/26/19)**

   Bob Clausi introduced the project as improvements to the house, largely over the existing deck and driveway. This lot is flat and should be easy to control the disturbed site. An approval should have been easily recommended; however, there are compliance issues.

   A split rail fence was a limit of lawn demarcation from a past permit. The area beyond the fence is being wrongfully maintained. Further, there is a notable area of yard debris piled just past this fence. Once removed, a restoration plan for this area may be warranted. The 1986 permit issued for pond dredging did not include buffer plantings. Given all of the other residential improvements, this situation should also be corrected.

   Larry Liebman, S.E. Minor & Co., inc., addressed the agency. The current owner is new as of 1-15-19. Regardless, the owner will pursue correcting the violations and will install a 10-foot wide buffer along the pond edge. The pile of debris will be removed and the fence extended to close this area off.
Peter Linderoth questioned the depth of the buffer, asking if it could be more than 10 feet. After a brief discussion, consensus was to accept the buffer plantings as proposed.

Stephan Skoufalos made a motion to approve IWWA #2019-055 with the General and staff specified special conditions, seconded by Norma Kerlin, and carried, 7-0-0.

9. #2019-056 – 1177 King Street – Redniss & Mead for Convent of the Sacred Heart for sidewalks and parking modifications 70’ from wetlands. Tax #10-4021, #10-1993 (first 65 days 6/26/19)

Patricia Sesto described the project to add a sidewalk and stairs to access the athletic fields. The sidewalk would be on the steep, grassed slope adjacent to the parking area and above a large, 13-acre wetland. The steps would replace a gravel path that heads straight down the hill. The steep slopes cause a larger area of disturbance to “catch” the grade. Trees will be removed due to grading, although there is one 48-inch maple proposed to be protected with a tree well. Ms. Sesto noted the tree was stressed and questioned the value of the effort. Replacement trees do not need to be restricted to the project area. They should be located to address concerns related to thermal pollution and shading.

The filing fee for the work was $10,000 for the base fee and extensive disturbance. There is an additional $26,000 to account for the 13-acre wetland. Ms. Sesto expressed her position that the wetland fee was excessive and recommended the fee be reduced to $10,000.

David Ginter, Redniss and Mead, indicated the 48-inch maple is being further evaluated to see if it is worth the effort to save. The grading at the south end is also being reconsidered to hopefully tighten it up and reduce the tree loss. Mr. Ginter questioned the application of the tree replacement formula to three evergreen and the 48-inch maple. Ms. Sesto responded she felt the evergreens could be replaced with other evergreens, but should be accounted for in the planting plan. The maple, if it is cut, can be replaced with one shade tree for each 8 inches of diameter.

Brian Harris made a motion to approve IWWA #2019-056 with the General and staff specified special conditions and reduce the fee by $26,000, seconded by Jo Rogers, and carried, 7-0-0.

10. #2019-057 – 3 Knollwood Drive East – Heagney, Lennon & Slane, LLP for 3 Knollwood, LLC for buffer restoration 14’ from wetlands. Tax #11-2990/s (first 65 days 6/26/19)

Patricia Sesto described the past permits to construct the house and another recently denied in association with a proposal to relocate the pool. It was during this review a permit violation was identified. The applicant subsequently submitted a planting plan that combines mitigation plantings associated with the house permit and restoration plantings to address the violation. She asked the applicant to bifurcate the planting plans to allow for a
proper assessment. New plans and a letter from the landscape architect were submitted late in the day. While she was not able to fully review the submission, it appears the planting lists have not been separated.

John Heagney of Heagney, Lennon & Slane, LLP spoke to the agency to provide additional detail. The plan covers 27,000 s.f. of wetland buffer and it was determined only two trees were removed. The history on this violation has been lengthy and Mr. Heagney requested the agency act on it, leaving the details of the planting plan for staff to approve.

Stephan Skoufalos questioned Mr. Heagney regarding the separation of the two planting plans, as requested by staff. Mr. Heagney responded this was not done. Ms. Sesto supported her request, stating deciphering the plan is not as easy as “subtracting” the previously approved mitigation plan from the current list. The numbers, distribution, and species have changed and she cannot inform the agency if the restoration plan is adequate or not. Further, this project is of a magnitude that the agency should act on it. If there is no compelling reason to turn it over to staff, it should come back next month.

Brian Harris made a motion to delay action until the June meeting for IWWA #2019-057, seconded by Bill Galvin, and carried, 7-0-0.

11. #2019-059 – 36 West Brother Drive – Sound View Engineers and Land Surveyors for David and Janine Braun for construction of pool, patios, spa, and stormwater management system 35’ from wetlands. Tax #01-1352/s (first 65 days 6/26/19)

Bob Clausi described the proposal to construct a smaller-than-average pool, close to the house and disturbance 30 feet from Millbrook Pond. An existing spa will be removed and replace with a patio. The removal of the spa and its associated fill compensates for the small amount of fill being added to the floodplain for the pool. A 30-foot section of embankment is weakly vegetated and showing signs of erosion. A solid planting plan to address this has been provided.

Bryan Muller of Sound View Engineers & Land Surveyors appeared before the agency, offering to answer any questions.

Jo Rogers made a motion to approve IWWA #2019-059 with the General and staff specified special conditions, seconded by Bill Galvin, and carried, 7-0-0.

12. #2019-042 – 123 Dingletown Road – Tolulope Goldie for residential addition 33’ from wetlands. Tax # 11-2900 (first 65 days 6/26/19)

Bob Clausi described the small addition, that is close to the wetland when measured horizontally, but is much farther removed when one takes into account the distance gained by a retaining wall. This project would have received an agent approval except for the discovery of wrongfully cut trees. Fourteen stumps, sized 6” diameter and greater were counted.
William Kenny, William Kenny Associates, LLC addressed the agency and recounted the purpose behind the tree removal. The house effectively sits in a clearing of an otherwise wooded lot. The trees grow towards the opening in the canopy, which causes them to lean towards the house. The trees removed were close to the house and were not along the pond’s edge. The presence of the wall and pond create an area where shrubs could likely survive as deer are unlikely to enter this confined area. In the areas where other individual trees were removed, appropriate shrubs and ground cover is proposed. The cut trees did not cause holes in the canopy.

Bob Clausi stated shrub stumps were evident across the bridge the small island and suggested the planting plan be extended to this area. Mr. Kenny agreed.

Staff suggested an approval be granted with applicable normal special conditions and the additional special conditions that the restoration plan be revised to extend shrub and herbaceous plants to the area across the bridge and the plan be fully implemented by October 31, 2019.

Brian Harris made a motion to approve IWWA #2019-042 with the General and staff specified special conditions, seconded by Bill Galvin, and carried, 7-0-0.

13. #2019-060 – 73 Sawmill Lane – Sound View Engineers and Land Surveyors for Charles Felder for construction of pool and patio 34’ from wetlands. Tax #11-3129 (first 65 days 6/26/19)

Bob Clausi explained this lot was before the agency in 2017, when a permit to construct a house was issued. In that approval, the agency specifically denied a pool within the landing created above the two retaining walls. The current proposal locates the pool to the southeast corner of the house and outside the protected buffer, 35 feet from the wetland. Steep slopes, ledge, and retaining wall make this project difficult to implement. Assuming machinery will access the rear yard over the porous asphalt driveway, a P.E. will need to certify the stormwater feature was not compromised.

Mr. Clausi recommends the agency delay action as the site is out of compliance with the 2017 permit. The retaining wall above the rain garden is collapsing, steeply graded slopes are bare and eroding, and the rain garden area is being silted in.

Bryan Muller, Sound View Engineers & Land Surveyors LLC, responded to Mr. Clausi. He stated access would be from the front yard, not the driveway, and the machinery to be used would be a small Bobcat or small excavator. Concrete will need to be pumped up and over the house. Beyond what is planned, Mr. Muller agreed the site needs to be cleaned up and he will be looking into the condition of the retaining wall.

Brian Harris asked if the problems on-site rose to the level of a permit violation. Mr. Clausi responded not at this time.
Stephan Skoufalos made a motion to delay IWWA #2019-059, seconded by Bill Galvin, and carried, 7-0-0.

14. #2019-062 – 93 Clapboard Ridge Road – Rocco V. D’Andrea, Inc. for Steven Russo for construction of pool, spa, retaining walls, and drainage 28’ from wetlands. Tax #11-2139 (first 65 days 6/26/19)

Bob Clausi described the 1997 permit to construct the house and the limit of lawn established by a line of boulders. The applicant is looking to add a pool within the lawned areas and have boardwalks, paths, and a platform to launch kayaks in the wetland and next to the pond. The proposal also includes a robust planting plan. The only thing outstanding are details of the platform. Mr. Clausi recommended approval of the application with special conditions he provided.

Tony D’Andrea of Rocco V. D’Andrea, Inc. appeared before the agency and stated his agreement with Mr. Clausi’s reporting.

Jo Rogers made a motion to approve IWWA #2019-062 with the General and staff specified special conditions, seconded by Jay Schondorf, and carried, 7-0-0.

15. #2019-063 – 35 Hidden Brook Road – Rocco V. D’Andrea, Inc. for Thomas and Mary Stein for construction of pool and patio 25’ from wetlands. Tax #05-1630/s (first 65 days 6/26/19)

Bob Clausi described the proposal to build a pool in an existing area of lawn. The site received a permit in 2018 and the site is in compliance. The pool will be served by a “Biofilm” filter, with no need for chemicals. A good mitigation plan was submitted to the benefit of the wetland and watercourse.

Tony D’Andrea of Rocco V. D’Andrea, Inc. appeared before the agency and stated his agreement with Mr. Clausi’s reporting.

Jo Rogers made a motion to approve IWWA #2019-063 with the General and staff specified special conditions, seconded by Jay Schondorf, and carried, 7-0-0.

16. #2019-064 – 7 Dempsey Lane – Rocco V. D’Andrea, Inc. for Estate of Marie Schwartz for two lot subdivision with open space adjacent to wetlands. Tax # 11-1711 (first 65 days 6/26/19)

Review of the application for 7 Dempsey Lane was postponed at the applicant’s request.

VI. Agent Approvals
The Agency was provided three legal notices for projects approved by Authorized Agents. The projects are as follows:

1. #2019-046 – 9 Gerald Court – Claudia Bainton for removal of swimming pool, fill and grade 35’ from wetlands. Tax # 12-1428/s (first 65 days 6/26/19)

2. #2019-066 – 37 Breezemont Avenue – Richard and Joan Popper for construction of residential addition 90’ from wetlands. Tax #05-1945/s

3. #2019-067 – 216 John Street – John Street Farm, LLC for installing a pool fence 30’ from wetlands. Tax #10-1075

There were no questions or comments.

V. Applications to be Received

Chairman Harris made a motion to receive twelve applications listed on the agenda. The motion was seconded by Jo Rogers, and carried 7-0-0.

1. #2019-065 – 34 Khakum Wood Road – S.E. Minor for David and Sheryl Sorbaro for construction of patio, pathway, terrace, grading and landscaping 14’ from wetlands. Tax #10-1089 (first 65 days 7/24/19)

2. #2019-068 – 29 Montgomery Lane – Landtech for Priscilla and Charles Cornel for residential addition and reserve septic system within upland review area. Tax # 08-3740 (first 65 days 7/24/19)

3. #2019-069 – 45 Midwood Road – Ahneman Kirby, LLC for Scott Anderson for construction of garage and replacement of driveway 18’ from wetlands. Tax #07-1370/s (first 65 days 7/24/19)

4. #2019-070 – 540 Stanwich Road – Rocco V. D’Andrea, Inc. for Class V 1911, LLC for dredging of pond. Tax # 11-2091 (first 65 days 7/24/19)

5. 2019-071 – 30 Winding Lane – Michael Boardman and Kathry Tabner for construction of deck. Tax # 10-2532 (first 65 days 7/24/19)

6. #2019-072 – 195 Clapboard Ridge Road – Sound View Engineering & Land Surveyors Lauren Holden for construction of addition, driveway, and deck. Tax 3 10-1771 (first 65 days 7/24/19)

7. #2019-073 – 8 Dublin Hill Road/255 Stanwich Road – William Kenny Associates, LLC for Fred and David Hochberg for correction action to remove fill and restore planting. Tax #08-2568, 08-2696 (first 65 days 7/24/19)
8. #2019-074 – 11 Pin Oak Lane – Conte and Conte, LLC for Richard and Sandra Marr for installation of pool, terrace, retaining wall and stormwater infrastructure 5’ from wetlands. Tax #08-3452 (first 65 days 7/24/19)

9. #2019-075 – 62 Hillside Road – S.E. Minor & Co., Inc. for John Diamontopulos for correction of a violation 42’ from wetlands. Tax #07-2006 (first 65 days 7/24/19)

10. #2019-076 – 101 Bowman Drive North – Michael Finkbeiner for Eric Reinken for corrective action to remove a of deck, install patio, maintain spa, and landscaping. Tax #10-2691 (first 65 days 7/24/19)

11. #2019-077 – 17 Jones Park Drive – Joseph F. Risoli, P.E., LLC for Thomas and Adriana Riles for construction of a residential addition 50 feet from a wetland. Tax #05-1327/s (first 65 days 7/24/19)

12. #2019-078 – 45 Lismore Lane – Rocco V. D’Andrea, Inc. for Matthew and Courtney Arpano for redevelopment of a single family residence, with patios, septic system, drainage, and site grading 60 feet from a wetland. Tax #10-2934 (first 65 days 7/24/19)

VII. Violations

1. Cease and Correct Order #2019-007 – 67 Caroline Place – JP Greenwich Holdings LLC for unauthorized fill adjacent to wetlands and watercourses. Tax #09-2672/s

Doreen Carroll-Andrews reviewed the cease and correct order for unauthorized fill adjacent to wetlands and watercourses at 67 Caroline Place.

Staff was alerted by a neighbor that fill material was being stockpiled at 67 Caroline Place along the slope leading to the Byram River. On site, staff observed the dirt pile. There were no erosion controls present.

The matter was referred to the Agency in November 2018 under Cease & Correct Order #2018-015. The C&C was upheld and an application was required to address the violation. At a later date, prior to the application submission date, the owner stated that rather than submit an application, he would fully remove the fill and restore the area. Staff visited the site on multiple occasions and found that some of the fill material had been removed but that it was never fully pulled out. During this past site inspection resulting again from a report from concerned neighbors, a substantial amount of fill was still clearly present.

A Notice of Violation was issued to the homeowner, Eric Salinas, on May 6, 2019 by certified and regular mail.

Cease and Correct #2019-007 was sent to the property owner via certified and regular mail on May 13, 2019.
Staff recommends that the Agency maintain Cease & Correct Order #2019-007. Staff further recommends that a Certificate of Violation be filed on the Land Records if an application to address the subject violation is not submitted by the deadline of June 21, 2019.

Brain Harris made a motion to uphold the cease and correct order, seconded by Bill Galvin, and carried 7-0-0.

**VIII. Other Business**

**IX. Adjourn**

With no further business, the meeting adjourned at 9:44 p.m.

Patricia Sesto
Director