

**DRAFT**

**MINUTES**

**GREENWICH INLAND WETLANDS AND WATERCOURSES AGENCY**

**January 27, 2020**

Members present: Vice Chairman Elliot Benton, Secretary Stephan Skoufalos (7:06), Jo Rogers, Jay Schondorf, Bill Galvin, and Norma Kerlin

Alternates present: Alan Rossi, Peter Linderoth and Klaus Jander

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

Others present: Tom and John Heagney, Heagney, Lennon, & Slane, LLP; Bill Kenny, William Kenny Associates; Len D'Andrea, Rocco V. D'Andrea, Inc.; Tom Ryder and Robert Pryor, Land-Tech Consultants; Larry Liebman, S.E. Minor & Company, Inc.; Dean Martin, Grumman Engineering, LLC; Casey O'Donnell and Shannon Vallerie, O'Donnell Law, LLC; Bryan Muller, Sound View Engineers & Land Surveyors, LLC; Rob Natale, Deputy Fire Marshal Town of Greenwich; Bryan Muller, Sound View Engineers & Land Surveyors, LLC; Bryan Smith, Mark Strazza, Matt Popp, Environmental Land Solutions, LLC; Doran Sabage, Dalia and Warren Raum, Andrew Cohen, Jay Fain, Jay Fain & Associates; Derek Daunous, and Frank Santanna

**1. Call to Order**

Elliot Benton called the meeting to order at 7:03 p.m.

**2. Seating of Alternates**

Klaus Jander was seated.

**3. Approval of draft minutes of December 16 and December 27, 2019**

Norma Kerlin made a motion to approve the minutes of December 16, 2019 and December 27, 2019, seconded by Jo Rogers, and carried 7-0-0.

**4. Director's Report**

None

**5. Other Business**

None

**I. Public Hearing Applications**

In the absence of the applicant's consultants, the agency reordered the agenda.

- 1. #2019-153 – 42 Dublin Hill Drive – Rocco V. D'Andrea, Inc. for LMB Dublin Hill, LLC for construction of single family residence, driveway with wetland crossing, pool, septic system, and drainage within and adjacent to wetlands. Tax #08-2590 (first 35 days 3/2/2020)**

Messrs. Rossi, Rogers, and Schondorf indicated they visited the site.

Robert Clausi read the list of documents into the record and reviewed his staff report. He described the project to construct a single-family home on a wooded parcel. The lot has two wetland areas stretching across the parcel northwest to southeast. The northwest corner of the house is closest to the wetland at 43 feet. Overall, 75% of the interior upland review area will be impacted by the development.

The house construction calls for a 10-foot deep excavation in some areas and filling to the north and west of the house. The Health Department has issued a "Ledge Letter," stating the area of the proposed septic is shallow to ledge and fill will need to be brought in and tested prior to receiving any approvals.

The application is incomplete due to an incomplete tree survey. Trees 12 inches and greater are shown, but not the six inches and greater as required by regulation. Once this survey is complete, Mr. Clausi expects the number of trees proposed for removal to increase.

In addition to an incomplete survey, the application was incomplete as no biological evaluation, no mitigation, and no soil information was provided. The applicant could consider the northern end as open space to compliment the open space on the adjoining Greenwich Country Day School property.

The development includes 19,000 s.f. of impervious surface. The drainage plan has been conceptually approved by the Engineering Division of DPW and outstanding issues do not appear germane to IWWA jurisdiction. Mr. Clausi expressed concern the westerly wetland was at risk of hydrologic alterations due to aspects of the stormwater management plan. Further, details of the wetland crossing are needed to assess potential impacts.

Mr. Clausi concluded by stating the application is all deficient in meeting section 7.11 of the regulations, which call for alternatives to be submitted.

Rob Natale of D'Andrea Surveying & Engineering, P.C., followed by further describing the project on behalf of the applicant. He noted 68% of the site will remain in its natural state and the impacts to the wetland are minimal. In response to the staff report, Mr. Natalie

displayed a driveway cross section showing the reservoir under the porous pavement was moved south to avert potential wetland drainage issues. The proposed box culvert will have footings in the wetland and these can be formed in place or precast.

In response to Mr. Clausi's suggested driveway alternative, Mr. Natalie stated it was not feasible to locate the driveway on the adjacent parcel, Parcel 1 of the recently approved subdivision, as the properties are under different ownership and the old driveway has been largely removed. Ms. Sesto questioned the ownership. Doran Sabage, Sound Beach Partners, addressed the agency. He explained the lots are owned by different LLCs and do not have the same group of investors. The LLC owning Lot 1 would not agree to a driveway easement. Additionally, a stormwater feature has already been constructed on the adjacent lot where Mr. Clausi was suggesting the driveway could go.

William Kenny, William Kenny Associates LLC, stepped up and provided current pictures of the old driveway area and new stormwater feature. He indicated a restoration plan is being submitted. Mr. Kenny clarified an error in depicting the wetland around flags 57 & 58. The wetland closes at this point and does not extend off-site as shown. This area is an old wood road that was constructed in the wetland. Mr. Kenny stated this area could be restored as mitigation.

Ms. Sesto, noting no biological assessment has been completed, confirmed Mr. Kenny was not part of the design team.

Elliot Benton questioned possible alternatives. He suggested the applicant set a goal of 10,000 s.f. of impervious coverage and rotate the house to reduce the footprint of development.

Mr. Kenny was directed to contact GCDS for permission to evaluate the adjoining pond. He indicated he has studies of these from a prior GCDS application and will submit them. Robert Clausi requested a copy of the cross-section for the record. He sought clarification on Mr. Kenny's statement regarding limiting future site disturbance. Doran Sabage responded a deed restriction is possible for the western part of the lot.

Mr. Benton called for public comment. Andrew Cohen, 122 Cat Rock Road, spoke to his concerns this development would increase runoff to his property. He is already experiencing this with the development next to the subject parcel.

With no further comments, Stephan Skoufalos made a motion to continue the hearing to the IWWA February meeting, seconded by Bill Galvin, and carried 7-0-0.

The Agency returned to the published order on the agenda.

- 2. #2019-109 – 249 Valley Road – Rocco V. D'Andrea, Inc. for Timothy Saunders, Jr. for two-lot subdivision and construction of a single family residence 11 feet from wetlands. Tax #08-2018/s (65 day extension 2/5/20) PS**

Ms. Sesto read the list of new documents into the record.

Tom Heagney, Heagney, Lennon, & Slane, LLP, provided an overview of the various reports and revisions. He expressed confidence the revisions address the concerns of the Agency's consultant, Land-Tech Consultants.

William Kenny, William Kenny Associates LLC, addressed the Agency. He stated the site needs careful attention with regards to phasing. The 11-step phasing plan is now in plan form, with cross sections and written sequencing. The trenches for foundation walls will act as sediment basins as they move through the phases. The buffer planting will be done when all work west of the silt fence is completed.

He reviewed the plan modifications made over the course of the review. The system has been expanded, the western foundation wall shortened to reduce impediments to groundwater flow, weep holes in the eastern foundation wall have been repositioned, and soil imported to support infiltration will be septic grade. Land-Tech confirmed the sun-shade evaluation was good.

Ms. Sesto asked Mr. Kenny about the other ecological services of the buffer to support a healthy pond. She referenced two documents submitted into the record this evening that speak to the benefits of large woody debris, organic nutrient recycling, and sustaining macroinvertebrate populations. Her conclusion that there is no impact is based solely on replicating the buffer functions of controlling non-point source pollution and not on these other features. She quoted from a correspondence from CT DEEP fisheries biologist, Steve Gephart, who advocated for larger buffers and noted the absence of large woody debris in suburban-dominated Fairfield County. What alternatives are there that could increase the buffer.

Ms. Sesto referred to section 7.10.e of the regulations, which requires alternative be submitted, and noted this has not been done despite multiple requests. Mr. Heagney responded no alternatives were submitted because there is no impact. Discussion ensued. Tom Ryder, Land-Tech Consultants on behalf of the Agency, addressed them. When asked about the possible impacts expressed by Ms. Sesto, Mr. Ryder loosely concluded there would be no impacts to Mianus Pond.

Mr. Benton called for public comment. There was none.

Mr. Heagney submitted a photo of woody debris off the shore of the property and reiterated the number of changes the project has undergone, noting these should be considered alternatives.

Bill Galvin questioned how much of the planting plan is proposed on town property. Roughly ½ of the buffer width is off-site. Discussion ensued regarding the role of the tree warden in approving the plan, the ability to protect it going forward, and the inability to encumber the town land with an easement to protect it.

Norma Kerlin sought clarification on the easement area suggested by Land-Tech. Mr. Heagney indicated his client would accept this could be a condition of approval.

Stephan Skoufalos made a motion to close the hearing, seconded by Peter Linderoth, and carried, 7-0-0.

**3. #2019-156 – 120 Tomac Avenue – Heagney, Lennon & Slane, LLP for Innis Arden Golf Club, Inc. for demolition and reconstruction of a clubhouse, parking area, and site improvements within and adjacent to wetlands. Tax #06-1674/s (first 35 days 3/2/2020)**

Bob Clausi listed the application documents and indicated Messrs. Rossi, Rogers, Skoufalos, and Schondorf visited the site. He continued to describe the project. The existing club house is to be razed after a new club house is constructed just to the north. The paddle tennis courts and warming hut will be removed, as will the cart barn. The new club house will intrude on 8,800 s.f. of a lawned wetland adjacent to a man-made watercourse. When the courts are removed, a section of stream will be restored. The plan also includes areas of wetland restoration and creation. The club and alteration of the wetlands predates the 1926 aerial photograph in the Agency office.

Len D’Andrea of Rocco V. D’Andrea, Inc. appeared before the agency. Mr. D’Andrea provided history of modern improvements to the club and club house. The club house underwent major renovation in 1980. In more recent years, other renovations have taken place as part of a master plan that culminates with replacing the club house.

Alternate layouts considered were reviewed. The alternative to renovate the existing club house in its current footprint was dismissed due to excessive deficiencies that could not be overcome. Alternatives were considered that included additions to the club house, but these impinged on the stream. The final alternative presented was to build the proposed club house on the location of the existing structure. This was dismissed as it too impacted the stream as a function of the desired parking on the east side of Tomac. The preferred alternative allows the outdoor dining to move to the east side of the building, the building is set back to facilitate 23 parking spaces, and fairway 1 and 18 are reconfigured.

Matt Popp of Environmental Land Solutions, LLC addressed the agency. He stated the site is 110 acres, split between Greenwich and Stamford. The acreage is small for a golf course, thus there is not much space to fit all the club’s needs. He articulated several site deficiencies, including safety issues generated by having the parking on the west side of Tomac Ave. The wetland are highly maintained grass and have been bisected by a man-made stream that has nine bridges. He reviewed photos of the site.

The wetland functions are limited due to impacts sustained by the development of the golf course. Their primary function is ground water discharge, and have some function for flood storage, fish habitat, and sediment trapping. The proposal includes long term impacts of 8,800 s.f. of wetland that will be filled to accommodate the building. Another 1,150 s.f. of wetland will be filled for a cart path. To offset this, one bridge will be removed, the section

of watercourse under the paddle tennis courts will be restored, 5,000 s.f. of wetlands will be created and vegetated with meadow grasses and shrubs, and 11,000 s.f. of wetland will be restored. Indirect impacts are being avoided through extensive erosion and sedimentation control and the use of sod. The footing drains of the building are above the elevation of the wetland, so there will be no hydrologic impacts.

In response to Mr. Popp's conclusion that the three alternatives available of do nothing, renovate the existing building, or rebuild in place do not meet the club needs, Mr. Skoufalos inquired why the third alternative couldn't work. Mr. Popp stated the new building, set further back from the road, would present safety conflicts from the first and eighteenth fairways.

Elliot Benton challenged the assumptions of the building location as a function of providing handicapped parking adjacent to the building. The three spaces should allow the building to be closer to the road. Mr. D'Andrea explained there are 23 spaces to replace some parking lost to the relocated paddle tennis courts and a desire to provide some parking on the east side of Tomac for safety reasons. He also explained the reasoning for the cart path immediately east of the proposed building and the inability to move it to the west side due to grade changes.

Peter Linderoth questioned the conclusion the watercourse supported finfish. He requested the applicant pursue further restoration of the watercourse, specifically providing shade and buffer. Mr. Popp agreed to follow up.

Mr. Benton further questioned the extent of fill in the wetland and options to run the cart path under the proposed outdoor dining deck. Chris McCagg, golf course designer, spoke to Mr. Benton's questions, stating the area under the outdoor dining pavilion is fully utilized and allows for golf carts to be washed inside.

At the conclusion of the discussion, Ms. Sesto listed deficiencies in the record which included, alternatives to the building configuration and placement and mitigation that addressed the statutory hierarchy of restore, enhance, then create wetlands. She noted the property has a long history of impacted wetlands and restoration of these should be explored prior to proposing mitigation via created wetlands.

Tom Heagney requested the \$62,000 application fee be reduced. Discussion ensued regarding the fee schedule, the fairness of consistency, and normal relief accommodated to golf courses, i.e. charging for only the wetlands in the area of the proposed work, not for the property overall. Staff will verify the fee was based on wetlands in proximity to the work area.

No public comment was made.

Stephan Skoufalos made a motion to continue application #2019-156, to the February 24, 2020 IWWA meeting, seconded by Bill Galvin, and carried 7-0-0.

**II. Consent Approval**

- 1. #2019-151 – 27 Angus Lane – Gregory Stacey for repair of water service line in wetlands. Tax #07-2267/s (first 65 days 2/19/2020)**

Jo Rogers made a motion to approve the application listed on the consent agenda, with the general conditions and special conditions proposed by staff, seconded by Norma Kerlin, and carried 7-0-0.

**III. Pending Applications**

- 1. #2019-098 – 26 Cary Road – Sound View Engineers and Land Surveyors, LLC for Jeannette Ogilvy for redevelopment of a dwelling 35 feet from Mianus Pond. Tax #12-1484/**

Ms. Sesto reviewed her summary of the public hearing record. The record supported the value of the oak grove to the health of Mianus Pond. There were differing opinions from arborists regarding the risk of the development to the trees. Repeated testimony was provided to substantiate work should be kept out of the trees' critical root zone. Requests for alternative to see if this was achievable were not addressed; thus, the application was incomplete. There were too many proposed conditions of approval by the applicant. The summary provided the agency with reasons for denial and conditions of approval.

Elliot Benton agreed the application is incomplete. The wooded buffer is not being adequately protected and the applicant was unresponsive to requests to move the house eastward.

Norma Kerlin supported denial based on reasons 1-6 of the staff summary report.

Peter Linderoth concurred the applicant's team wanted too many revisions to be incorporated as conditions of approval. This was inappropriate.

In accordance with section 10.3, Elliot Benton directed the applicant to investigate alternatives that included smaller footprints or other means to move the western limit of the house eastward.

Joseph Rogers made a motion to deny IWWA#2019-098 without prejudice for reasons articulated in the staff summary report, seconded by Norma Kerlin, and carried 7-0-0.

- 2. #2019-135 – 34 Concord Street – William Kenny Associates, LLC for Debbie Palmer and Sergio Biagioni for maintenance of stone wall 5 feet from a wetland. Tax #09-2843 (second 65 days 3/6/20)**

Doreen Carroll-Andrews reviewed the violation and her staff report. This application was last heard at the November 2019 IWWA meeting. The violation focusses on a mortared

stonewall build a few feet from a stream on the northern boundary and continuing along the western and eastern boundaries. Engineering reports demonstrate the stormwater management is acceptable. If the wall were requested prior to construction, dry laid construction would have been recommended. If the wall is permitted to stay as constructed, weep holes are recommended to ensure flow patterns are not interrupted.

Ms. Carrol Andrews stated the purpose of increasing the height of the eastern wall is unclear. A report from a structural engineer indicates the wall is fine and will not be used as a retaining wall.

Bill Kenny of William Kenny Associates, LLC agent for the applicant, appeared before the agency and agreed with staff conditions regarding special condition #3. He requested the wall remain as constructed with weep holes. The applicant willing not pursue the wall proposed in the northeast corner.

Bill Galvin made a motion to issue an order to correct on IWWA application #2019-135, with the general conditions and special conditions proposed by staff, seconded by Jay Schondorf, and carried 7-0-0.

**3. #2019-147 – 279 Taconic Road – S. E. Minor & Co., Inc. for Valerie and Tatiana Goldburt for construction of a gate house, retaining wall and permeable drive 11.7' from wetlands. Tax #11-2852 (first 65 days 1/29/20)**

Bob Clausi reviewed his staff report and the changes requested of the applicant at the last meeting this was discussed. The Agency had directed alternatives be submitted that do not include a driveway to the lower level of the garage and the garage be shifted north onto the bumped-out portion of the driveway. The new submission places the garage in different location altogether, south of the house to be served by a long drive. This alternative imposes a bigger impact on the wooded buffer than the previous submission. Further, the impacted buffer is an area that was restricted from disturbance as a condition of a previous permit. The proposal has not been developed to include measures to comply with the drainage manual. The previously directed alternatives were not submitted.

Larry Liebman of S.E. Minor & Co., Inc. appeared before the agency. He provided an extension of time for review by the Agency.

Mr. Liebman conceded the new alternative has more impacts. He discussed a possible location in the northwest corner of the property and noted a zoning variance would be needed for building setbacks. Also, this area was previously designated as the reserve leaching field and testing will be needed to replace this.

After some discussion, it was determined the northwest location for the garage may be far enough from the wetland that an agent approval could be issued. The Agency will await future submission of materials.

Stephan Skoufalos made a motion to delay action on IWWA application #2019-147, with the general conditions and special conditions proposed by staff, seconded by Bill Galvin, and carried 7-0-0.

#### **IV. New Applications for Review**

- 2. #2019-157 – 105 Dingtletown Road – Grumman Engineering, LLC for Warren and Dalia Raum for relocation of common driveway 35 feet from wetlands. Tax #11-1331 (first 65 days 2/19/2020)**

Bob Clausi reviewed his staff report for this application. He noted that updated consent forms were received from the owners of 103 and 107 Dingtletown Road. An expanded version of this project was previously reviewed by the Agency and withdrawn prior to action. This application includes a smaller scope of work – just the driveway relocation.

Dean Martin of Grumman Engineering, LLC appeared before the agency. He provided a brief overview of the project, noting there is 87 s.f. less impervious coverage than existing conditions. Trees are being removed and a mitigation plan has been submitted. He is in agreement with staff recommendations.

Stephan Skoufalos made a motion to approve action on IWWA application #2019-157, with the general conditions and special conditions proposed by staff, seconded by Bill Galvin, and carried 7-0-0.

- 3. #2019-158 – 25 Bailiwick Road – O’Donnell Law, LLC for Frank Santanna for corrective action for removal of trees 60 feet from a pond and maintenance of parking areas. Tax #10-2816 (first 65 days 2/19/2020)**

Bob Clausi reviewed this corrective action application. The violation stems from the removal of 12 trees, sized six inches or greater, from an area 60 feet from a pond across the street from the subject parcel. The restoration plan proposes six new trees and 19 shrubs. As the trees removed just broke the canopy, the mixture of trees and shrubs as mitigation is appropriate. Mr. Clausi recommended an order be issued with the submitted conditions.

Shannon Vallerie and Casey O’Donnell of O’Donnell Law, LLC appeared before the agency. There was agreement with the staff report and a further request to reduce the punitive filing fee as the owners were unaware the off-site pond impacted their property.

Bill Galvin made a motion to waive \$3,000 of the \$4,500 fee, seconded by Jay Schondorf, and carried 7-0-0.

Stephan Skoufalos made a motion to issue an order to correct for IWWA #2019-158, with the general conditions and special conditions proposed by staff, seconded by Elliot Benton, and carried 7-0-0.

- 4. #2019-159 – 6 & 10 Glenville Street/328 & 340 Pemberwick Road – Jay Fain & Associates for Mill Management, Inc. for dredging Mill Pond in the Byram River. Tax #09-3808/s, 09-3809/s, 09-3810/s, 09-1040/s, 09-1025/s (first 65 days 2/19/2020)**

Bob Clausi reviewed this application and his staff report. The pond is impacted by accumulation of sediment, such that the depth is zero in portions of the subject area. The intent is to hydrodredge a targeted portion of the pond to reach a depth of 6.5 feet. Mr. Clausi recommended and approval with conditions he provided.

Jay Fain, Jay Fain & Associates appeared before the agency. He was in agreement with Mr. Clausi's recommendations.

Jo Rogers made a motion to approve IWWA application #2019-159 with the general conditions and special conditions proposed by staff, seconded by Bill Galvin, and carried 7-0-0.

**V. Applications to be Received**

Stephan Skoufalos made a motion to receive the fourteen applications listed on the agenda, seconded by Bill Galvin, and carried 7-0-0.

- 1. #2020-001 – 279 Stanwich Road – Sound View Engineers & Land Surveyors for Joseph Calagna for septic repair 57 feet from wetlands. Tax #08-1498 (first 65 days 4/1/20)**
- 2. #2020-002 – Vista Drive – S.E. Minor & Co., Inc. for Indian Harbor Homeowners Association for pipe replacement abutting a wetland. Tax #02-1329, #02-1415 (first 65 days 4/1/20)**
- 3. #2020-003 – 5 Ridgeview Avenue – Ocean North Pools, LLC for Lynne B. Auch for removal of pool and replacing with new pool in same location 78' from wetlands. Tax #11-1716 (first 65 days 4/1/20)**
- 4. #2020-004 – 212 Cognewaugh Road – Frangione Engineering, LLC for Daniel Stein for construction of a residential addition, pool, spa and patio, and reconfiguration of a driveway 28' from wetlands. Tax #08-3009 (first 65 days 4/1/20)**
- 5. #2020-005 – 52 John Street – The Pond and Lake Connection for Robert and Elizabeth Berner for treatment and removal of Phragmites within wetlands. Tax #10-3072 (first 65 days 4/1/20)**

6. **#2020-006 – 29 Meadowcroft Lane – Rocco V. D’Andrea, Inc. for Aprazival, LLC for construction of a single family residence, driveway, septic system drainage and landscaping 10’ from wetlands. Tax #11-1767 (first 65 days 4/1/20)**
7. **#2020-007 – 43 Lockwood Lane – Michael DeVito for Theresa Coddair for maintenance of a culvert. Tax #05-2668/s (first 65 days 4/1/20)**
8. **#2020-008 – 12 Hillcrest Lane – Ahneman Kirby, LLC for Derron and Marion Slonecker for modification of a driveway 15 feet from wetlands. Tax #12-1532 (first 65 days 4/1/20)**
9. **#2020-009 – 571 Round Hill Road – S.E. Minor & Co., Inc. for Scott Ganales for construction of tennis court, retaining wall, drainage, and plantings 37 feet from wetlands. Tax #10-2804 (first 65 days 4/1/20)**
10. **#2020-010 – 306 Round Hill Road - S.E. Minor & Co., Inc. for Christopher Pollack for maintenance of dam, dry hydrant, and installation of restoration plantings within wetland and watercourse. Tax #10-1018 (first 65 days 4/1/20)**
11. **#2020-011 – 27 Pecksland Road – Sound View Engineers & Land Surveyors, LLC for Benjamin P. Welsh for construction of a single family residence, septic, and drainage 59 feet from wetlands. Tax #10-3659 (first 65 days 4/1/20)**
12. **#2020-012 – 22 Angus Lane – Sound View Engineers & Land Surveyors, LLC for Gustavo Leitenberger for construction of a stone wall and grading 50’ from wetlands. Tax #07-2122/s (first 65 days 4/1/20)**
13. **#2020-013 – 8 Hickory Drive – Sound View Engineers & Land Surveyors, LLC for Yury Sofman for construction a driveway, drainage, and wetland enhancement features within wetlands. Tax #09-2473/s (first 65 days 4/1/20)**
14. **#2020-014 – 0 Hickory Drive - Sound View Engineers & Land Surveyors, LLC for Yury Sofman for construction of a single family residence, drainage 15 feet from wetlands. Tax #09-2472/s, (first 65 days 4/1/20)**

## **VI. Agent Approvals**

The Agency was provided six legal notices for projects approved by Authorized Agents. The projects are as follows:

1. **#2019-150 – 21 Calhoun Drive – S.E. Minor & Co., Inc. for 21 Calhoun Drive, LLC for construction of new carriage house, driveway, drainage, grading, landscaping, and septic reserve area within 42 feet of wetlands. Tax #07-2043**
2. **#2019-154 – 230 Round Hill Road – S.E. Minor & Co., Inc. for 2002 Alice H. Hanley Green for emergency septic repair 80 feet from wetlands. Tax #10-3229**

3. **#2019-155 – 30 Morningside Drive – Putnam Landscape Associates for Tushar Virmani for construction of patio 5 feet from wetlands. Tax #01-2369**
4. **#2019-160 – 35 Midbrook Lane – Earth Image, LLC for Michael and Michelle O’Donnell for residential addition 59 feet from a watercourse. Tax #06-3645**
5. **#2019-161 – 70 Lower Cross Road – Redniss & Mead, Inc. for SBP Lower Cross, LLC for demolition of existing dwelling, pool, spa, retaining walls, and associated equipment approximately 30 feet from the nearest wetland on-site. Tax #11-1842 (first 65 days 4/1/20).**
6. **#2019-162 – 26 St. Claire Avenue – Augustus Sciulla for construction of a residential addition and minor regrading 5 feet from a wetland on a neighboring property. Tax #06-1562/s**
7. **#2019-163 – 2 Riversville Road – Eric V.P. Brower, AICP for Scalisi Real Estate, LLC for replacement of existing underground fuel tanks and related equipment 5 feet from Byram River. Tax #09-2557 (first 65 days 4/1/20)**

There were no questions or comments.

## **VII. Violations**

## **VIII. Other Business**

The Agency took up the discussion of the closed public hearing:

1. **#2019-109 – 249 Valley Road – Rocco V. D’Andrea, Inc. for Timothy Saunders, Jr. for two-lot subdivision and construction of a single family residence 11 feet from wetlands. Tax #08-2018/s (65 day extension 2/5/20) PS**

Mr. Benton briefly reviewed his thoughts, concluding he is inclined to approve the proposal.

Mr. Linderoth expressed concern the applicant did not satisfy their obligation to present alternatives. The applicant was repeatedly asked for these and they were not responsive.

Mr. Skoufalos agreed alternatives were not presented. However, he concurred with the applicant’s conclusion there were no impacts to the resource. Consequently, the point of requiring alternatives is moot.

Ms. Sesto stated she agreed the engineering took care of the duplicating the stormwater renovation features of the buffer but was not satisfied the applicant addressed the loss of other watercourse buffer services. Discussion ensued.

It was the consensus of the agency that given their own consultant stated the development would not impact the resources, there was a general inclination to approve the proposal. Ms. Sesto asked the Agency to hold off on making a motion to allow her to look through the details of the application documents to be sure all is in order.

Ms. Sesto will present an application summary for the next meeting.

**IX. Adjourn**

With no further business, the meeting adjourned at 11:40 p.m.

Patricia Sesto  
Director