MINUTES
GREENWICH INLAND WETLANDS AND WATERCOURSES AGENCY
APRIL 27, 2015

Members present: Chairman Brian Harris, Vice Chairman Elliot Benton, Secretary Stephan Skoufalos, Jim Carr, Bill Galvin, Norma Kerlin, Joe Rogers

Alternates present: Scott Salisbury, Jay Schondorf

Staff present: Robert Clausi, Senior Wetlands Analyst & Acting Director
Doreen Carroll-Andrews, Wetlands Compliance Officer

Others present: Patricia Sesto, Joel Villaluz, Jay Fain, Larry Liebman, Bruce Cohen, Lauren Lockwood, Louis DiMarzo, Dinyar Wadia, Sandra and Ronald Romaniello, Joe Pagliarulo, Bill Kenny, Tony D’Andrea, Robert Natale, Bryan Muller, Seth Greenwald, Steven Gerson, Jesika Estaphanain, Nick Macri, Steven Trinkaus, Elaina Cantavero, James Gorman

PUBLIC MEETING

Chairman Brian Harris called meeting to order at 7:04 p.m. in the Town Hall Meeting Room on the first floor of Greenwich Town Hall.

Agency Session

Seating of alternates

No alternates were seated.

Review and approval of draft minutes of March 23, 2015

A motion to accept the draft minutes of March 23, 2015 without correction was made by Bill Galvin, second by Jim Carr. The motion carried 7-0.

Director’s Report

Following is the monthly summary report that Bob Clausi distributed to the Agency via email at the end of last week. Additional comments made during the meeting are also noted below:

Staff Training
Doreen Carroll-Andrews, Compliance Officer
   April 1 – Invasive Plant Identification – Aton Forest, Norfolk, CT

Daniel Berheide, Assistant Compliance Officer, and Lindsay Tomaszewski, SHU Intern
   April 2 – Westchester County Invasive Plant Workshop – White Plains, NY

Bob Clausi, Senior Wetlands Analyst
   April 25 – Vernal Pool Identification & Ecology – Aton Forest, Norfolk, CT
Regulation Revisions
Staff finished compiling suggested changes to the Regulations in mid-April and distributed the materials to the Agency’s regulation revision subcommittee, which consists of Brian Harris, Norma Kerlin, and Jay Schondorf. Mr. Clausi noted that Ms. Kerlin has responded with comments on the draft revision. Once the other subcommittee members provide their input a final draft of the regulation amendments will be prepared for review by the Law Department prior to sending a copy to the Connecticut Department of Energy and Environmental Protection and scheduling a public hearing so the full Agency can consider adopting the revised regulations.

Agency Archives
The 4,600 miscellaneous field investigations that comprise the Agency’s “streetfile” collection and which were recently scanned by DataBank have been loaded into the OnBase archive that is accessible from Town Hall and remote computers. Staff, led by Jenny Colucci, continues to work with DataBank, IT Department, and the Town's current document management vendor, ImageSoft to resolve some bugs that remain in the OnBase system.

Staff, through the Law Department, has confirmed with the Connecticut State Library that it is acceptable to send paper application files that are less than ten years old off site to be scanned. The 2006 files that have either expired or that have been closed with the completion of the permitted activity are currently being prepared for shipment to DataBank.

Public Outreach and Education
On April 9, Doreen Carroll-Andrews and Daniel Berheide met with Greenwich High School teachers Sarah Goldin and Brian Walach, who are part of a team of five teachers developing GHS' Innovation Lab. As described by Mr. Walach, the Innovation Lab is designed to be “an academic program within the high school with a philosophy of learning through hands-on projects that answer real-world questions. Curriculum is covered through these projects instead of through a more common textbook approach. More specifically, subject areas are divided into two categories - the Humanities (arts, English, Social Studies) and STEM (science, technology, engineering, math).” Dr. Goldin, Mr. Walach, and staff discussed how the Agency might assist with an Environmental Chemistry course the GHS team is developing. Staff continues to explore this opportunity with the GHS team.

The Agency will host a Greenwich High School senior intern from mid-May through mid-June. The intern will be encouraged to participate in a range of Agency activities so that they that will get a good overview of the environmental regulatory process.

Agency Consultancies
The study of potential vernal pools in Greenwich conducted on behalf of the Agency by wetland scientist Ed Pawlak of Connecticut Ecosystems, LLC was completed and the summary report was submitted in early April. Along with the report, the locations of the 194 potential vernal pools were digitized onto a GIS layer by wetland scientist Eric Davison of Davison Environmental, LLC. Staff plans to visit the potential pools on sites where field investigations have not previously been performed in order to ground truth the data in the report.

Appointment of Authorized Agent
The Agency was informed that Assistant Wetland Compliance Officer Daniel Berheide completed the Connecticut Department of Energy & Environmental Protection Municipal Inland Wetland Training
Program in June 2014. A motion to appoint Mr. Beheide as a duly authorized agent of the Agency was made by Elliot Benton, second by Bill Galvin. The motion carried 7-0.

The following table represents operation figures for the period following the last regularly scheduled meeting:

<table>
<thead>
<tr>
<th>IWWA REPORT</th>
<th>Current Month</th>
<th>Previous Month</th>
<th>Year to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Start Date</td>
<td>17-Mar-15</td>
<td>17-Feb-15</td>
<td>01-Jul-14</td>
</tr>
<tr>
<td>End Date</td>
<td>20-Apr-15</td>
<td>16-Mar-15</td>
<td>30-Jun-15</td>
</tr>
</tbody>
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| GREEN SHEET SUMMARY  |               |               |             |
| Total Submitted      | 59            | 41            | 665         |
| No Permit Required   | 57            | 37            | 638         |
| Permit Required      | 2             | 4             | 23          |
| Soils Reports        | 1             | 0             | 13          |
| Active Permits       | 0             | 0             | 4           |
| No Permit Required but Wetlands Present | 12 | 13 | 203 |
| Office Review        | 55            | 38            | 607         |
| Field Review         | 4             | 2             | 59          |

| INSPECTION LOG SUMMARY | | | |
| Total Submitted       | 58            | 21            | 974         |
| Total Number of Inspections | 59 | 21 | 1003 |
| Compliance            | 28            | 11            | 650         |
| Final Inspection      | 6             | 0             | 9           |
| Extensions            | 5             | 4             | 12          |
| Violations            | 0             | 0             | 30          |
| Staff Drive-by        | 5             | 4             | 91          |
| Public Inquiry        | 7             | 0             | 91          |
| Other                 | 8             | 2             | 120         |

| INCOMING APPLICATION SUMMARY | | |
| TOTAL SUBMITTED            | 14            |
| NEW                         | 11            |
Agent Approvals

The Agency was provided three legal notices for the period following the last regularly scheduled meeting. No Agency questions were presented. No questions or public comments were received. No action was required.

Compliance Report

Doreen Carroll-Andrews referred to the Compliance Summary sheet that was distributed in the meeting packets, which included a breakdown of bond releases (2 requested, 5 initiated by Staff, 5 released), and deadlines set by the Agency that are upcoming or have passed. 0 Durkin Place was issued a Stop Work Order and was discussed under the Violation section of the Agenda. 2 Apple Tree Lane and 11 Apple Tree Lane were also issued Stop Work Orders, but the consensus of the Agency was to delay consideration of the compliance issues on these sites until the May meeting, based on a request by the attorney representing the property owner.

Ms. Carroll-Andrews also described the Community Invasive Plant Management (CIPM) that took place on Saturday, April 11, 2015 at 393 North Street, Greenwich under IWWA Permit #2015-003. Staff and volunteers cut Chinese wisteria (*Wisteria sinensis*), a climbing vine and one of the top five priority invasive species at the site. Wisteria was cut systematically (every identified vine) throughout the site. In addition, other invasive plants that could be identified, including multiflora rose (*Rosa multiflora*) and burning bush (*Euonymus alatus*), were cut as well. On a second date, April 24, 2015, staff worked to pull Japanese knotweed stalks (*Fallopia japonica*) at the site. Staff is working to finalize an agreement to have a new intern from Sacred Heart University help continue the CIPM program for the coming year.

Finally, staff reported on the CT DEEPs Riffle Bioassessment by Volunteers (RBV) 2014 Annual Program Summary (the full report can be found on the Town of Greenwich Inland Wetland and Watercourses Agency website). Greenwich IWWA staff monitored a portion of the East Branch of the Byram River in November 20, 2014 and found four pollution sensitive or 'most wanted' macro invertebrates, data that the CT DEEP can use to "assess that the stream fully supports water quality standards for aquatic life use - documenting it as one of CT's healthiest streams!" The project will continue in the fall of 2015.

Appointment of Director, Inland Wetlands & Watercourses Agency

Chairman Harris described the process that has taken place over the past two months to advertise, interview, and select a new Director of the Agency. Mr. Harris stated that it is the unanimous recommendation of the selection subcommittee of himself, Elliot Benton, Stephan Skoufalos, and Bill Galvin that the Agency appoint Patricia Sesto to fill this position. After some further discussion, a motion to approve was made by Brian Harris, second by Stephan Skoufalos. The motion carried 7-0.

Public Discussion Session

Consent Approvals
The staff report prepared by Bob Clausi recommended the issuance of a Permit for construction of residential additions. No one appeared before the Agency on behalf of the applicant. No public comment was received. A motion to approve was made by Joe Rogers, second by Bill Galvin. The motion carried 7-0.
The staff report prepared Bob Clausi recommended the issuance of a Permit for construction of a residential addition. No one appeared before the Agency on behalf of the applicant. No public comment was received. A motion to approve was made by Joe Rogers, second by Bill Galvin. The motion carried 7-0.

#2015-036 – 564 North Street – Gregory and Elise Green – Tax #11-1130

The staff report prepared Bob Clausi recommended the issuance of a Conceptual Approval for a two-lot subdivision. No one appeared before the Agency on behalf of the applicant. No public comment was received. A motion to approve was made by Joe Rogers, second by Bill Galvin. The motion carried 7-0.

#2015-042 – 474 North Street – Mordechai and Michelle Bashan – Tax #11-2033

The staff report prepared Bob Clausi recommended the issuance of a Permit to repair a failing septic system. No one appeared before the Agency on behalf of the applicant. No public comment was received. A motion to approve was made by Joe Rogers, second by Bill Galvin. The motion carried 7-0.

Pending Applications

#2015-008 – 323 Cognewaugh Road – Estate of Phyllis R. Herman – Tax #08-2040

The staff report prepared by Bob Clausi recommended the issuance of a Permit for construction of a new single-family residence. Mr. Clausi noted that since the staff report was prepared on April 20th, the applicant has revised the development plan per instructions from the Greenwich Health Department by removing the retaining wall and bentonite trench that had been shown to the east of the septic mounds on the March 5, 2015 version of the proposed site plan and had also submitted a planting plan to enhance the buffer to the east of the septic fields. Staff reiterated the recommendation that the Agency issue a permit based on the revised site plan and supplemental planting plan. Joel Villaluz of Atlantic Consulting & Engineering, LLC and Jay Fain of Jay Fain & Associates, LLC appeared before the Agency on behalf of the applicant. Neither Mr. Villaluz nor Mr. Fain offered any objection to the staff comments. No public comment was received. A motion to approve based on the revised and supplemental plans was made by Elliot Benton, second by Stephan Skoufalos. The motion carried 7-0.

#2015-015 – 0 North Street – Brian and Nisha Hurst – Tax #11-3247

The staff report prepared by Bob Clausi recommended the issuance of a Permit for construction of a new single-family residence. Louis DiMarzo of Redniss & Mead, Inc. appeared before the Agency on behalf of the applicant. Mr. DiMarzo offered no objection to the staff comments. No public comment was received. A motion to approve was made by Joe Rogers, second by Elliot Benton. The motion carried 7-0.

New Applications

#2015-028 – 269 Palmer Hill Road – 269 Palmer Hill Road, LLC – Tax #12-1360/s
The staff report prepared by Bob Clausi recommended the issuance of a Conceptual Approval for a six-lot subdivision. Tony D’Andrea of Rocco V. D’Andrea, Inc. appeared before the Agency on behalf of the applicant and offered no objection to the staff comments. Mr. D’Andrea fielded a number of questions from the members of the Agency. Regarding the stormwater management system and the amount of runoff this site will generate once it is developed, Mr. D’Andrea explained that the system of infiltrators, bioretention basin, and dry basin will yield a reduction in peak runoff rates through the 50-year storm. Regarding the fill and retaining walls required to develop these lots, Mr. D’Andrea noted that the sloping topography and grade plane regulations are driving this aspect of the conceptual development plan but that the final designs may not utilize as much in the way of fill or retaining walls as what is currently shown. In answer to a question posed by Mr. Benton, Mr. D’Andrea stated that none of the six development lots can be further subdivided due to zoning restrictions and the location of the stormwater management system.

Neighbors Ron Romaniello and Elaina Cantavero described the flooding problems they experience on their properties, which are downslope from the subject property, and they expressed concerns that this development might exacerbate the situation. Mr. D’Andrea responded to the concerns they raised. Bryan Muller, P.E., stated that he is familiar with this site after having grown up in this neighborhood. Mr. Muller felt the main issue to be concerned about is site control during the development of these sloping lots. Mr. Muller stated he is not concerned about the post-construction stormwater impacts given the drainage system that has been designed. After consideration of the foregoing discussion, a motion to approve was made by Joe Rogers, second by Stephan Skoufalos. The motion carried 7-0.

#2015-030 – 4 Apple Tree Lane – Ronald Romaniello for Kelly Romaniello a/k/a The Estate of Kelly Romaniello – Tax #12-1444/s - DELAY

The staff report prepared by Doreen Carroll-Andrews recommended that the Agency delay making a decision on this application to legitimize the dredging of a watercourse. Ronald Romaniello, Estate Administrator, and Sandra Romaniello appeared before the Agency on behalf of the applicant. Mr. Romaniello summarized his understanding of the additional information that has been requested by staff and stated his interest to gather this material in time for the Agency’s next meeting. Ms. Romaniello questioned the practicality of staff’s suggestion that plantings be installed along the watercourse, but otherwise raised no objection to the staff comments. Neighbor Elaina Cantavero expressed her concern with the flooding in area, her observation that this flooding has gotten worse over the years due to developments upstream, and her belief that the culvert under Palmer Hill Road is inadequate to pass the existing volume of water. After some further discussion, a motion to delay was made by Stephan Skoufalos, second by Joe Rogers. The motion carried 7-0.

#2015-033 – 21 Dempsey Lane – Jill Woolworth – Tax #11-2154

The staff report prepared by Doreen Carroll-Andrews recommended the issuance of a Permit for chemical treatment of a pond. James Gorman of The Pond and Lake Connection appeared before the Agency on behalf of the applicant. Mr. Gorman stated that the property owner does not fertilize or otherwise treat their lawn, so questioned the need for the proposed condition of approval requiring the establishment of a 3-5 foot wide planted strip around the eastern bank of the pond. Mr. Harris replied that it is the Agency’s general policy to encourage the establishment and maintenance of naturally vegetated buffers around waterbodies, to which Mr. Gorman offered no further comment. No public comment was received. A motion to approve with the conditions in the staff report was made by Joe Rogers, second by Stephan Skoufalos. The motion carried 6-1. Jim Carr voted against the motion.
#2015-035 – 12 Hedgerow Lane – Jennifer A. Callhill – Tax #10-3050

The staff report prepared by Doreen Carroll-Andrews recommended the issuance of a Permit for construction of a residential addition. Larry Liebman of S.E. Minor and Co., Inc. appeared before the Agency on behalf of the applicant and offered no objection to the staff comments. No public comment was received. A motion to approve, with the added condition that construction access to the rear of the site be achieved around the west side of the house only, was made by Jim Carr, second by Stephan Skoufalos. The motion carried 7-0.

#2015-037 – 50 Zaccheus Mead Lane – John C. Harvey – Tax #10-2914

The staff report prepared by Bob Clausi recommended the issuance of a Permit for tree removal and renovation of a terrace. Mr. Clausi recommended that an additional condition of approval be added to those in the April 20, 2015 staff report to reflect the Zoning Enforcement Officer opinion that the terrace and retaining wall located in the FEMA-designated Floodway should be removed if this portion of the structure is found to be unsuitable for renovation without replacement. Mr. Clausi also reported that earlier in the day staff found that the proposed work on the terrace and related walkways has already begun and Mr. Clausi, therefore, recommended that the Agency require the payment of additional filing fees per Section 19.3 of the Regulations. Larry Liebman of S.E. Minor and Co., Inc. appeared before the Agency on behalf of the applicant. Mr. Liebman offered no objection to the staff comments. No public comment was received. A motion to approve with the additional conditions recommended above was made by Stephan Skoufalos, second by Bill Galvin. The motion carried 7-0.

#2015-038 – 14 Cutler Road – J. Alastair & Mary Elizabeth Duncan – Tax #10-1097

The staff report prepared by Bob Clausi recommended the issuance of a Permit for construction of an in-ground pool, patio and septic system. Larry Liebman of S.E. Minor and Co., Inc. appeared before the Agency on behalf of the applicant and offered no objection to the staff comments. A motion to approve was made by Brian Harris, second by Joe Rogers. The motion carried 7-0.

#2015-039 – Lot 6 Langhorne Lane – Landmark Greenwich, LLC – Tax #10-2919

The staff report prepared by Bob Clausi recommended the issuance of a Permit for construction of a new single-family residence. Mr. Clausi summarized the changes that the applicant has made to their development plan in response to the input provided by the Agency during its recent review of an application to build a house on this lot. Steven Trinkaus of Trinkaus Engineering, LLC appeared before the Agency on behalf of the applicant. Mr. Trinkaus offered no objection to the staff comments. No public comment was received. A motion to approve was made by Joe Rogers, second by Jim Carr. The motion carried 7-0.

#2015-040 – 16 Hurlingham Drive – 16 Hurlingham, LLC – Tax #11-3093

The staff report prepared by Bob Clausi recommended the issuance of a Permit for construction of residential additions, driveway, in-ground pool, patios, gazebo, retaining walls, and drainage system. Bryan Muller of Sound View Engineers and Land Surveyors appeared before the Agency on behalf of the applicant. Mr. Muller offered no objection to the staff comments. No public comment was received. A motion to approve, with the added condition that the permittee control the invasive mile-a-minute vine
that is present near the garden shed, was made by Joe Rogers, second by Bill Galvin. The motion carried 7-0.

#2015-043 – 75 Dingletown Road – Stephen Gerson and Susan Shea-Gerson – Tax #11-2588

The staff report prepared by Bob Clausi recommended the issuance of a Permit for construction of a new single-family residence. Mr. Clausi summarized the changes that the applicant has made to their development plan in response to the input provided by the Agency during the recent denial of an application to build a house on this lot. Notably, the house and associated structures have been shifted to the east so that there is a 25’ separating distance between the driveway retaining wall and the wetland, a planting plan has been developed to enhance the western edge of the lawned wetland, and impervious coverage has been reduced. Tony D’Andrea of Rocco V. D’Andrea, Inc. appeared before the Agency on behalf of the applicant and offered no objection to the staff comments. No public comment was received. After some discussion about the stormwater management system and hydration of the wetland, a motion to approve was made by Elliot Benton, second by Brian Harris. The motion carried 7-0.

New Modifications

#2010-069 – 5 Conyers Farm Drive – 5 Conyers Farm Drive, LLC – Tax #11-3064

The staff report prepared by Bob Clausi recommended the issuance of a Permit Modification for invasive species removal and enhancement planting. Jay Fain of Jay Fain & Associates, LLC appeared before the Agency on behalf of the applicant and offered no objection to the staff comments. No public comment was received. A motion to approve was made by Brian Harris, second by Bill Galvin. The motion carried 7-0.

Violations

Cease & Correct Order #2015-06 – (0) Durkin Place – Steve Metalios, Joy Metalios and Thomas Carroll – Tax #05-2932/s

Doreen Carroll-Andrews reviewed the Violation Summary, which describes the failure to install enhancement plantings, construction of a mortared wall and unauthorized removal of vegetation and deposition of material within wetland and buffer areas. Staff recommended that the Agency maintain Cease & Correct Order #2015-06 and that a Certificate of Violation be filed on the Land Records if an application to address the subject violation is not received by May 27, 2015. No one appeared before the Agency on behalf of the applicant. A motion to accept the staff recommendations was made by Elliot Benton, second by Joe Rogers. The motion carried 7-0.

Cease & Correct Order #2015-07 – 2 Apple Tree Lane – Agostino P. Cantavero – Tax #12-1440/s

Bob Clausi handed the members of the Agency copies of a letter from the property owner’s attorney, Mark Katz, in which Mr. Katz requested that the Agency postpone consideration of this matter due to a serious family emergency that precluded his attendance this meeting. A motion to delay until the May meeting was made by Brian Harris, second by Bill Galvin. The motion carried 7-0.
Cease & Correct Order #2015-08 – 11 Apple Tree Lane – Gus Cantavero – Tax #12-1461/s

Bob Clausi handed the members of the Agency copies of a letter from the property owner’s attorney, Mark Katz, in which Mr. Katz requested that the Agency postpone consideration of this matter due to a serious family emergency that precluded his attendance this meeting. A motion to delay until the May meeting was made by Brian Harris, second by Bill Galvin. The motion carried 7-0.

**Bond Releases**

Application #2011-147 – Permit #2012-08 & Order #2012-24 for JiaMang Ten at 63 Winthrop Drive. The $6,000 bond is to be returned to JiaMang Ten and Andelka Radman.

Application #2012-128 – Order #2013-04 for Tanja Ellis at 1 Butternut Hollow Road. The $3,000 bond is to be returned to B. Butternut, LLC.

Application #2001-54 – Permit #2002-44 for Susan Alisberg at 12 Dewart Road. The $3,000 bond is to be returned to Susan Alisberg.

Application #2012-99 – Permit #2012-73 for John W. Harrison, etal Trust at 195 Bedford Road. The $3,000 bond is to be returned to Sally Maloney.

Application #2013-165 – Permit #2014-02 for Mark and Lauren Wenitzky at 39 Hearthstone Drive. The $2,000 bond is to be returned to Mark and Lauren Wenitzky.

A motion to release the bonds was made by Elliot Benton, second by Brian Harris. The motion carried 7-0.

The meeting adjourned at 9:28 p.m.

Robert E. Clausi
Acting Wetlands Director