



# TOWN OF GREENWICH

Inland Wetlands  
& Watercourses Agency  
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Town Hall ~ 101 Field Point Road ~ Greenwich, CT 06830

## MINUTES

April 27, 2020

In attendance: Brian Harris, Elliot Benton, Stephan Skoufalos, Bill Galvin, Norma Kerlin, Jay Schondorf, Joseph Rogers, Klaus Jander, Peter Linderoth, Alan Rossi

Also in attendance: Patricia Sesto, Director; Robert Clausi, Senior Wetlands Analyst; Doreen Carroll-Andrews, Wetland Compliance Officer; Jenny Larkin, IT Project Manager, Craig Jones, Eric Brower, Jeffery Robbins, Keri Breed, Larry Liebman, S.E. Minor & Co.; Vincent Hynes, William Kenny, William Kenny Associates LLC; Kristian Fontanilla, Tom Ahneman, Ahneman Kirby, LLC; Alan Small, Ben Welsh, Bret Holzwarth, Redniss & Mead; Carolyn Petersen, Cheryl Brown, Joseph Pajonas, Tom Heagney, Heagney, Lennon & Slane, LLC., and Diane Devore.

1. Call to Order

Brian Harris called the meeting to order at 7:00 and called the role.

2. Seating of alternates

No alternates were seated.

Patricia Sesto provided an overview of meeting logistics to facilitate the virtual meeting.

3. Review and approval of draft minutes of February 24, 2020 meeting.

Joseph Rogers made a motion to approve the minutes of February 24, 2020 as written, seconded by Bill Galvin, and carried 6-0-1, with Stephan Skoufalos abstaining. Mr. Skoufalos was not in attendance at the February meeting.

4. Director's Report

a. Monthly Summary

Mrs. Sesto provided an overview of the workings of the office during the lockdown. She praised the staff, calling specific attention to the impressive job

Robert Clausi and Doreen Carroll-Andrews in keeping the permits and inspections functioning well.

Mrs. Sesto conveyed the directive she received to cut the proposed FY20-21 budget back to a 0% increase. This will be challenging given the overwhelming majority of the department's costs are staff related, with few program or discretionary expenses.

5. Quarterly Compliance Report

Doreen Carroll-Andrews provided an overview of the department's activities for the first quarter. She indicated the workload is fairly close to normal, despite the offices being closed.

6. Other business

Mrs. Sesto stated Assistant Compliance Officer, Jennifer Urena, has passed the CT DEEP training program and is now eligible to serve as an authorized agent.

Elliot Benton made a motion to authorized Assistant Compliance Officer, Jennifer Urena act as an agent for the Agency, seconded by Joseph Rogers, and carried 7-0-0.

### **Public Hearings**

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 (second 65 days 5/6/2020) BC

Via email, the applicant requested the hearing be continued. There were no Agency or public questions.

At the request of the applicant, Brian Harris made a motion to extend the public hearing by up to 90 days as allowed by executive order, seconded by Joseph Rogers, and carried 7-0-0.

2. #2020-010 – 306 Round Hill Road - S.E. Minor & Co., Inc. and Eric Brower, AICP for Christopher Pollack for maintenance of dam, dry hydrant, and installation of restoration plantings within wetland and watercourse. Tax #10-1018 (second days 6/3/20) BC

Eric Brower and Larry Liebman, of S.E. Minor & Co., appeared on behalf of the applicant. Mr. Brower indicated the COVID-19 pandemic has hampered their ability to move the application forward but expect to submit the missing information by May 12<sup>th</sup>. They have been in contact with the State for guidance on a fish ladder and are working on those plans.

Robert Clausi requested the documents be submitted as they become available, rather than waiting to submit everything on the 12<sup>th</sup>.

Brian Harris reminded the applicant's agent removal of the dam appears to be a feasible and prudent alternative and this information should be made part of the application.

The public was invited to speak. No one addressed the Agency.

3. #2020-013 – 8 Hickory Drive – Sound View Engineers & Land Surveyors, LLC for Yury Sofman for construction of a single-family residence, driveway, drainage, and relocation of a watercourse. Tax #09-2473/s (first 35 days 3/30/20) BC

Chairman Harris introduced the application and noted the discussion will also pertain to 2020-014.

Robert Clausi stated a request to extend the public hearing, effective retroactively, was requested by the applicant.

Joseph Rogers made a motion to approve the requested 65-day extension of the public hearing of 2020-013 and 2020-014, seconded by Bill Galvin, and carried 7-0-0.

4. #2020-014 – 0 Hickory Drive - Sound View Engineers & Land Surveyors, LLC for Yury Sofman for construction of a single-family residence, driveway, and drainage 15 feet from wetlands. Tax #09-2472/s (first 35 days 3/30/20) BC

*See text of 2020-013*

### **Consent Approval**

1. #2020-006 – 29 Meadowcroft Lane – Rocco V. D'Andrea, Inc. for Aprazival, LLC for construction of a single-family residence, driveway, septic system, and drainage 10 feet from wetlands. Tax #11-1767 (second 65 days 6/5/20) Robert Clausi
2. #2020-016 – 25 Owenoke Way – Zachariah and Jennifer Pratt for maintenance of deer fence within wetlands. Tax #05-1561 (first 65 days 4/29/20) BC
3. #2020-020 – 40 Hearthstone Drive – Fowler and Jillian Storms for installation of deer fence within wetlands. Tax #05-2637/s (first 65 days 4/29/20) BC
4. #2020-038 – 100 North Old Stone Bridge Road – Murphy Bros. Landscaping LLC for Brandon Richter for construction of septic system 12' from wetlands. Tax #08A-1546 (first 65 days 5/27/20) BC

5. #2020-040 – Turner and Hobart Drives – Spath-Bjorklund Associates for Hobart/Turner Residents c/o Consolidated Management Group, Inc. for reconstruction of 2,200 square feet of roadway with drainage adjacent to wetlands. Tax #07-1140/s, 07-1936/s, #07-2169, & 07-1323/s (first 65 days 5/27/20) BC
6. #2020-045 – 215 Valley Road – Hector Arzeno for Paula Picco for construction of a floating dock. Tax #08-3227/s (first 65 days 5/27/20) Robert Clausi

Norma Kerlin questioned the functionality of the deer fence for 40 Hearthstone Drive, 2020-020, noting the required gap at the bottom of the fence will not contain the family's dog. Discussion ensued. It was determined if the fence is also intended to contain the dog, Mr. Clausi can withdraw the requirement to leave a 6-inch gap at the bottom of the fence.

Joseph Rogers made a motion to approve the applications listed on the consent agenda, seconded by Bill Galvin, and carried 7-0-0.

### **Pending Applications**

1. #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) JU  
Doreen Carroll-Andrews described the work to replace a culvert under a driveway that is known to flood. The homeowner authorized the work without a permit. The new culvert is larger than the original, however, D'Andrea Surveying & Engineering, P.C. has confirmed a highpoint downstream is controlling the elevation of water upstream from the culvert. The applicant is requested approval to maintain the culvert as installed.

Ms. Carroll-Andrews noted the suggested order calls for 4-6 shrubs to be planted by May 30, 2020. Maintenance issues needed in the stream by this and other property owners will be handled outside of this order. Lastly, the owner is requesting the punitive portion of the application fee be waived.

Robert Clausi described his long history of knowledge of this neighborhood's wetland. The subject driveway is often flooded over. Further, the invert elevation is the same as the culvert that was replaced. It is known the maintenance of the watercourse contributes to flooding, however, there has not been consistent success in keeping it clear.

Brian Harris made a motion to issue the order as proposed by staff and approve a 90-day extension, effective retroactively, seconded by Bill Galvin. Discussion ensued, and Brian Harris withdrew the motion.

Brian Harris made a motion to approve a 90-day extension, effective retroactively, seconded by Elliot Benton, and carried 7-0-0.

Brian Harris made a motion to grant relief on the application fee as requested, and to issue the order as proposed by staff, seconded by Stephan Skoufalos, and carried 7-0-0.

2. #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) Doreen Carroll-Andrews

Ms. Carroll-Andrews described the changes in the proposed driveway expansion. The revisions call for a lesser volume of fill, although the same area is being disturbed. A revised planting plan was submitted, with Ms. Carroll-Andrews noting a 20-25-foot buffer should be provided. Alternate layouts, including using the existing entrance, shifting the entrance north, a smaller courtyard, and using the existing driveway were identified as alternative to be explored. The applicant's record stated the requirement to move the driveway to the proposed location was a DPW directive. It is not.

An email response was sent by the applicant stating the driveway location addresses safety, slope, and water issues.

Kristian Fontanilla sought clarification on Ms. Carroll-Andrews assertion that the disturbance comes to within one foot of the wetland boundary. It was confirmed the grading plan show disturbance as described.

Tom Ahneman, Ahneman Kirby, LLC, address the agency. He stated the existing driveway has a 15% grade and is unsafe as it cannot accommodate emergency vehicles. Conversely, the proposed driveway captures and treats road runoff and meets desired design criteria. The proposed planting plan will be an improvement over the current extent of lawn up to the wetland.

Ms. Sesto asked to have the plans for the alternative driveways submitted so they may be evaluated with DPW.

Bill Galvin expressed concern over a driveway located 15 feet from the wetland and watercourse.

Brian Harris furthered the discussion on alternatives, asking if the driveway entrance can move north and questioned if the recti-linear design is driving the dimensions.

Diane Devore addressed the Agency. The original driveway does not conform to current Town standards of design. To offset the larger driveway, a mitigation plan is being proposed and will bring big improvements to the wetland and watercourse buffer. Ms. Devore provided additional considerations to explain the driveway configuration.

Robert Clausi suggested a construction sequence be submitted to provide necessary details on working in the constrained area.

Elliot Benton requested a schematic to substantiate Mr. Ahneman's statements regarding the impacts of having less pervious coverage.

Brian Harris made a motion to delay action on the application, seconded by Joseph Rogers, and carried 7-0-0.

## **New Applications for Review**

1. #2020-019 – 15 Orchard Hill Lane – Keri Breed for WAMS LLC to maintain stone wall and portion of driveway within wetlands. Tax #10-1647 (first 65 days 4/29/20) DCA

Doreen Carroll-Andrews provided a history of past applications and how the implementation of the last one resulted in violations. A stonewall was built four feet into a wetland on the adjacent property of the Round Hill Club. The wetland was previously a meadow, and this will continue, along with an additional 3,000 s.f. of lawn to be converted to meadow. The front courtyard was previously approved to consume 5-10 s.f. of wetland. As built, 50-60 s.f. of wetland was directly impacted. To compensate, the proposed planting plan needs to be revised to include 20 planting stations.

Keri Breed, owner, addressed the Agency. She sought clarification of the planting station recommendation and requested the punitive aspect of the application fee be waived. Ms. Breed explained the request by noting she paid triple the filing fee for the last corrective action application to restore the property due to violations committed before she owned the property.

Elliot Benton made a motion to approve the order as presented and reduce the filing fee to the non-violation rate, seconded by Bill Galvin, and carried 7-0-0.

2. #2020-021 – 27 Pecksland Road – Sound View Engineers & Land Surveyors, LLC for Benjamin Welsh for construction of a pool, patio, and retaining walls 9 feet from wetlands. Tax #10-3659 (first 65 days 4/29/20) BC

Robert Clausi described the proposal. The application is to modify a project previously approved in 2008 and recently re-permitted. The site work has largely been completed and the applicant is seeking approval to expand the rear yard. A lack of yard was called out with the two previous approvals and not addressed by the applicants at that time. Mr. Clausi agreed some accommodation for a larger rear yard is appropriate, but not as proposed. The plan shows the retaining wall 10 feet from the wetland boundary. Buffer plantings are proposed.

Ben Welsh, owner, and Joseph Pajonas addressed the Agency. Mr. Pajonas stated this plan is a reimagined version of the 2008 proposal. They are asking for a 50 foot by 50 foot play area and will be using two dry stacked stone walls to retain the fill.

Discussion ensued regarding various alternatives to move the play area away from the wetlands. These included having less lawn around the pool, having a smaller play area, and keeping the play area grade equal to that of the pool to eliminate the step-down area. Mr. Welsh noted there is a desire to keep a large oak tree and to accommodate view concerns of his neighbor. The consensus of the Agency members was that alternatives exist and need to be submitted.

Brian Harris made a motion to delay taking action on the application, seconded by Jay Schondorf and carried 7-0-0.

3. #2020-024 – 9 Dialstone Lane – R.I. Pools, Inc. for Anthony and Joanna Antonucci for construction of pool, patio, and retaining wall 8 feet from wetlands. Tax #05-2255 (first 65 days 4/29/20) BC

Robert Clausi described the project and how drainage requirements are driving the footprint of disturbance. When the site was before the Agency for a permit to redevelop, the teardown exemption allowed the construction to go forward with no stormwater management plan. The exemption does not cover the proposed pool. A drainage plan has not yet been submitted and Mr. Clausi recommends the Agency sees the whole plan.

Brian Harris made a motion to extend the review period by 90 days per executive order and the Agency delay taking action on the application, seconded by Stephan Skoufalos, and carried 7-0-0.

4. #2020-025 – 70 Lower Cross Road – Redniss & Mead, Inc. for SBP Lower Cross, LLC for construction of single-family residence, driveway, guest house, pool, pool house, patio, septic system, and drainage within and adjacent to wetlands. Tax # 11-1842 (first 65 days 4/29/20) BC

Robert Clausi stated a permit to develop the property was issued in 2011. Most of the site work was completed under that permit. The new application is to build the house and its appurtenances. The new proposal mostly maintains the previously approved limit of disturbance. Mr. Clausi identified the following issues.

- There is an area west of the house proposed to be cleared and leveled without a clear need. This area is within 100 feet of a vernal pool.
- Likewise, clearing and grading to the east is proposed without reason. The wetland to the east is robust and its buffer is needed for protection. Mr. Clausi noted wood frogs were calling when he was at the site.
- The note associated with the walking path calls for clearing dead and downed debris. This callout is too broad and needs clarification.
- No details for the pavilion are provided.
- There are insufficient details regarding the existing and proposed conditions of the pond.

Bret Holzwarth, Redniss and Mead, spoke to the application. He stated the scope of work is similar to the 2011 application. The pavilion is new and will be 20 feet by 20 feet with a slotted roof – like a pergola. The floor will be decking. Mr. Holzwarth indicated he would like to work with staff on the remaining comments.

William Kenny, William Kenny Associates LLC, spoke to the Agency and stated he, too, will address the staff report.

Joseph Rogers asked if the pond was a vernal pool and if yes, should more effort be put into tightening up the development envelope. Robert Clausi responded, yes, the pond was documented to support amphibian breeding in 2011. Tightening up the development envelope will be difficult as that part of the project was completed some time ago under the old permit.

Stephan Skoufalos made a motion to delay taking action, seconded by Bill Galvin, and carried 7-0-0.

The applicant's agent authorized an extension of time to review the application.

5. #2020-031 – 82 Buckfield Lane – Matthew McCullough for Michael Grunberg for corrective action for fence construction within wetlands. Tax #10-1741 (first 65 days 5/27/20) DCA

Doreen Carroll-Andrews stated the applicant has requested the Agency delay taking action.

Brian Harris made a motion to delay taking action, seconded by Bill Galvin, and carried 7-0-0.

6. #2020-032 – 11 Mayfair Lane – S.E. Minor & Co., Inc. for Stratton Properties, LLC for solar array 52 feet from wetlands. Tax #10-1059 (first 65 days 5/27/20) BC

Robert Clausi reviewed his staff report and noted the changes the applicant made to address previously expressed concerns regarding excessive tree loss adjacent to a wetland. Mr. Clausi recommended the Agency approve the application.

Bill Galvin made a motion to approve the application with the general conditions and special conditions suggested by staff, seconded by Joseph Rogers, and carried 7-0-0.

7. #2020-043 – 2 Vista Drive – S.E. Minor & Co. Inc. for Shirley and Michael Wen for demolition and construction of single-family residence, driveway, septic system, drainage system, and watercourse modification. Tax #02-1329 (first 65 days 5/27/20) BC

Robert Clausi reviewed his staff report, describing the proposal to redevelop the parcel. The new structures will largely be in the footprint of the existing house, with a similar use of the rest of the property. The wetland in the front of the site is eroding and there is a proposal to correct this and add plantings. A 50-foot section of watercourse to the rear of the property is proposed to be relocated to provide adequate separating distance from the new septic. On-site soil conditions are driving the location of the leaching fields. The reach of watercourse is of lower function and the relocated stream will be enhanced to increase its functionality. Given these considerations, it is reasonable to relocate 50 feet of stream.

Larry Liebman, S.E. Minor & Co., addressed the Agency. He reiterated the plan and reasoning behind the stream relocation.

Joseph Rogers made a motion to approve the application with the general conditions and special conditions suggested by staff, seconded by Bill Galvin, and carried 7-0-0.

### **Applications to Be Received**

1. #2020-047 – 34 Concord Street - Sergio Biagioni and Debbie Palmer for Construction of garage additions and residential additions with associated site improvements 10 feet from wetlands. Tax #09-2843/s
2. #2020-048 – 33 John Street – S.E. Minor & Co., Inc. for Greenwich Runaway LLC for correction of unauthorized deer fence and shed within wetlands. Tax #10-1673
3. #2020-051 – 40 Locust Road – Sound View Engineers & Land Surveyors, LLC for Sanle Zhang and Yangping Li for construction of shed 6 feet from wetlands. Tax #10-1594
4. #2020-052 – 11 Round Hill Club Road – Joseph F. Risoli, P.E. for Caliza 11, LLC for construction of tennis court, pool house, spa, and terrace 29 feet from wetlands. Tax #10-1401
5. #2020-053 – 510 Valley Road – Rocco V. D’Andrea, Inc. for Scott and Kristen Studwell for pool, patio, and drainage, and fence in wetlands. Tax #08-2320/s

Brian Harris made a motion to accept the listed applications, seconded by Jay Schondorf, and carried 7-0-0.

### **Agent Approval Permits**

1. #2020-018 – 15 Cat Rock Road – Edward G. Davis, AIA for Daniel Munrow and Nicole Matuszewski for construction of a walk-out bay and patio 25 feet from wetlands. Tax #08A-1324/s
2. #2020-022 – 124 Pecksland Road – Sound View Engineers & Land Surveyors, LLC for Erin Swanson for construction of a pool, patio, septic system, and drainage 38’ from wetlands. Tax #10-2208
3. #2020-023 – 11 Angus Lane – Sound View Engineers & Land Surveyors, LLC for Hannah Granade for construction of residential addition, septic modifications, and drainage 43 feet from wetlands. Tax #07-2118
4. #2020-026 – 27 Vineyard Lane – S.E. Minor & Co., Inc. for James E. Walker for designation of 100% septic replacement area 65 feet from wetlands. Tax #10-1663

5. #2020-027 – 34 Baldwin Farms North – S.E. Minor & Co., Inc. for Michael Rolla for designation of 100% septic replacement area 80 feet from wetlands. Tax #10-2664
6. #2020-028 – 6 Meadowcroft Lane – S.E. Minor & Co., Inc. for 5 Boys LLC for designation of 100% septic replacement area 77 feet from wetlands Tax #11-1515
7. #2020-029 – 27 Tomac Avenue – S.E. Minor & Co., Inc. for Papone Aldo Trust for construction of pool, patio, and drainage 18 feet from wetlands. Tax #06-2375/s
8. #2020-030 – 17 Ridge Brook Road – Rocco V. D’Andrea, Inc. for Gino and Jessica Marie Tieppo for removal and reconstruction of one-story residential addition with patio 38 feet from watercourse. Tax #11-1455/s
9. #2020-033 – 36 North Old Stone Bridge Road – To Isabel Dunay for designation of 100% septic replacement area 85’ from wetlands. Tax #08A-1531
10. #2020-035 – 780 West Putnam Avenue – To Alliance Energy Corp. for installation of a leak detection alarm system 15’ from wetlands. Tax #09-1634
11. #2020-036 – 11 Steep Hollow Lane – To Kyle and Laura Daniel for construction of residential addition and septic reserve area 58 feet from wetlands. Tax #08-3382
12. #2020-037 – 36 Lismore Lane – Kellen Freeman for Richard Zannino for maintenance of pool cabana and retaining wall 50 feet from wetlands. Tax #10-2942
13. #2020-039 – 17 Fort Hills Lane – M&G Antolino Masonry, Inc. for Chester Woodfield LLC for demolition of single-family residence 72 feet from wetlands. Tax #10-1576
14. #2020-041 – 30 Sumner Road – Joseph F. Risoli, P.E. for Marc & Margot Pinto for installation of deer fence adjacent to wetlands. Tax #10-2689
15. #2020-042 – 28 French Road – S.E. Minor & Co. Inc. for Acadia Investment Properties, LLC for modification of driveway and installation of utilities 18 feet from wetlands. Tax #10-1816
16. #2020-044 – 422 Riversville Road – S.E. Minor & Co. Inc. for Pamela M. Fontana & John M. Sconzo for installation of septic system 60 feet from wetlands. Tax #10-1821
17. #2020-046 – 29 Lindsay Drive – Frangione Engineering, LLC for Rob & Kathryn Shaw for construction of residential additions, pool patio, septic system, and drainage system 30 feet from wetlands. Tax #11-2718
18. #2020-049 – 30 Field Point Drive – Redniss & Mead Inc. for Sachiko T. Goodman for demolition of greenhouse and vegetable beds 60’ from wetlands. Tax #02-1360/s

19. #2020-050 – 1364 King Street – J. Bond Septic Service for Mimi Sternlicht for installation of septic system 110 feet from wetlands. Tax #10-1135

**Violations**

none

**Other Business**

IWWA 2019-157 – Request for application fee refund

Robert Clausi explained this application was recently approved and the request to waive the filing fee was overlooked. The applicant, Warren Raum, had requested the fee be waived for this application because it was a refiling of a previous application that had to be withdrawn due to time having run out. The first application was held up as a result of drainage complications. Mr. Clausi supported the request, noting he only needed to reissue his staff report with minimal modifications.

Brian Harris made a motion to waive the fee as requested, seconded by Elliot Benton, and carried, 7-0-0.

**Adjourn**

With no further business, the meeting adjourned at 9:58 p.m.



Patricia Sesto

Director