



TOWN OF GREENWICH

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Inland Wetlands
and
Watercourses Agency
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Patricia M.P. Sesto
Director of Environmental Affairs

MINUTES

May 23, 2022

In attendance: Brian Harris, Chairman, Jay Schondorf, Secretary, Bill Galvin, Elliot Benton, Jacob Schondorf, Norma Kerlin, Peter Linderoth and Bob Rimmer.

Also in attendance: Patricia Sesto, Director; Jenn Urena, Assistant Compliance Officer; Sarah Cocco, Natural Resource Manager; Celia Fernandez; Diane Devore, Devore Associates; Erin Kim; Gigi Ma, Larry Liebman, Kristen Lodato, S.E. Minor & Co.; Jenny Larkin, Keith Werner, Ahneman Kirby LLC; Danielle Earls; Aiden, McCain, Robert Zmarzlak, Sound View Engineering; Matthew Burke; William Kenny, William Kenny Associates LLC; Margie Bart, Bart Landscape Architecture; Allan Broadbent, Broadbent Design

1. Call to Order
Brian Harris called the meeting to order at 7:03 pm.
2. Seating of alternates
None.
3. Review and approval of draft minutes of April 25, 2022 Regular Meeting.
Consideration of the minutes was deferred to next meeting.
4. Director's Report
Patricia Sesto reported a law was passed allowing public meetings to remain virtual, hybrid, or in person.

She reported on the slow pace she has been experiencing getting vacancies advertised. She expects the Land Use Accountant position to be filled in the next week.

5. Other business
None.

Consent Approvals

1. #2022-041 – [West Brother Drive Bridge](#) – Andrew Wiener Tighe & Bond for Milbrook Owners Association – Emergency authorization for bridge repair over watercourse.
2. #2022-042 – [29 Cliffdale Road](#) - Euro Fence Inc. for Danielle Earls – Install deer fence partially through wetlands. Tax #10-3647.
3. #2022-045 – [141 Weaver Street](#) – Patricia Bressman – Invasive species management adjacent to wetland and the addition of a dog enclosure. Tax #07-2235/s.
4. #2022-050 – [41 Grossett Road](#) – William Kenny Associates LLC for Todd and Morgan Gilbert – Construction of a pool, pool fence, patio and driveway less than 10’ from wetlands. Tax #05-2130.

Bob Rimmer made a motion to add 2022-050 to the Consent Approvals and to approve the four applications. The motion was seconded by Bill Galvin and carried 7-0-0.

Pending Applications

1. #2022-022 – [300 Stanwich Road](#) – Fabio Silvagni – Corrective action for unauthorized installation of retaining walls 2’ from wetlands. Tax #11-2898.

Jennifer Urena reviewed the outstanding issues and how the site will be repaired. The unauthorized fill and stonewall are being removed and relocated to the rear of the house. A proposed stonewall adds 775 s.f. of impervious surface but is below the 1,000 s.f. threshold to require a full stormwater management plan. The means to stabilize the relocated fill and plantings for the area next to the wetlands is needed.

Mr. Rimmer questioned the trade off of removing the 48” oak to facilitate solar panels. Discussion ensued regarding removal of a single tree as a regulated activity, the necessity to remove it for the solar panels, determination of impact to the wetland, and differentiating the request to remove the tree from the broader violation.

Members discussed the origin of the fill and protocol to have it tested.

Brian Harris made a motion to issue an order with conditions provided by staff, the additional condition the soil be tested for contaminants, and the removal of the tree will be handled at the staff level with the applicant providing documentation justifying the need to remove it and the requirement the tree will not be removed until the solar panels are installed. The motion was seconded by Peter Linderoth and carried 7-0-0.

2. #2022-031 – [14 Baldwin Farms South](#) – Ahneman Kirby for Taylor Boswell – Construct pool, patio, retaining wall, drainage system, boardwalk, and pool/deer fence in and adjacent to wetlands. Tax #10-3680.

Patricia Sesto described the project to construct a pool. The pool location will necessitate a wall previously built to delineate the limit of lawn/wetland buffer to move closer to the wetland. The plan before the agency represents modifications from the first proposal. This plan reduces the extent to which the wall is relocated, there is no increased in the extent of lawn, the pool size has been reduced, and the pool is located as far west as possible due to septic system setbacks. The plans have areas marked for future wetland restoration. This aspect of a master plan is not part of this proposal, nor is it intended to be mitigation for the pool.

Allan Broadbent, Broadbent Design, addressed the agency. He expanded on Ms. Sesto's project description and highlighted various design constraints that led to this plan.

Bill Galvin made a motion to approve 2022-031 with the agency's standard conditions and the special conditions proposed by staff, seconded by Jay Schondorf and carried 7-0-0.

3. #2022-033 – [54 Pecksland Road](#) – S.E. Minor & Co., Inc. for Barry & Jaqueline Gosin – Demolish cottage and construct pool, pool house, and drainage system 12' from wetlands. Tax #10-1667

Sarah Coccaro reviewed the outstanding issues from the last meeting. Dye testing to determine the source of water from a discharge point south of the pool was inconclusive but did conclude the flow is in part supported by groundwater. Presently, the channel will remain. If construction produces information as to the origin of the flow, this plan may change.

Ms. Coccaro questioned if the planting not installed in association with a 2019 order will be made part of this project and supplemented.

Larry Liebman, S.E. Minor & Co., represented the applicant. He affirmed the 2019 plantings will be planted and supplemented and the wetland by the cottage will be managed as a meadow. Depending on what is found in the way of drainage, the plan may require field changes to address revised drainage needs.

Peter Linderoth made a motion to approve 2022-033 with standard conditions, special conditions proposed by staff, and the additional condition that the 2019 planting plan, as supplemented, be incorporated. The motion was seconded by Bill Galvin and carried 7-0-0.

4. #2022-034 – [22 Oak Drive](#) – Risoli Planning Engineering for The Boone Living Trust – Construct patio, spa, retaining walls, and drainage system 12' from wetlands. Tax #05-1617/s.

Sarah Coccaro reviewed the changes to the plan since the last meeting. The proposed retaining wall has moved as close to the top of the slope as possible given the setback from the infiltrator. The previously proposed Cultec unit has been replaced by a rain garden. Plantings proposed in the buffer are consistent with IWWA 2014-160, along with an invasive management plan.

Margie Bart, Bart Landscape Architecture, addressed the agency providing greater detail.

Norma Kerlin spoke the requirement to manage ranunculus in January – early March. The management of invasive species will only be triggered if the core project is pursued given this is mitigation.

Brian Harris made a motion to approve 2022-034 with standard conditions, special conditions proposed by staff, seconded by Bill Galvin and carried 7-0-0.

5. #2022-035 – [24 Ridge Brook Road](#) – Sound View Engineers and Land Surveyors, LLC – Construct residential addition, pool, and drainage system, and modify driveway 10’ from wetlands. Tax #11-1943/s.

Ms. Sesto described the project and noted members Kerlin, Rimmer, and Schondorf visited the site. The addition has been reduced in size from the original plan. The majority of the addition is over existing driveway and most of the remaining driveway will be converted to pervious pavement. A pool and patio are proposed to the rear of the house in a lawned area.

Ms. Sesto detailed her recommendation for a stream buffer planting, noting her focus on better ground cover than previous mitigation plans have included.

The site is partially within the 1% floodplain and the line crosses through the house and proposed addition. Contrary to the FEMA line, the addition is above the AE base flood elevation.

Robert Zmarzlak, Sound View Engineering, represented the applicant. He explained FEMA has profile elevations for this section of the watercourse and that elevation is not consistent with FEMA plan view. The elevation is more accurate. The silt fence is roughly the same location as the pool fence and the pool equipment will be located by the chimney.

Celia Fernandez, property owner, added she intends to file for a flood map correction with FEMA

Brian Harris made a motion to approve 2022-035 with standard conditions, special conditions proposed by staff, and the additional condition that the pool fence be shown on the site plan, the planting plan be approved by staff, the flood line at elevation 83 feet be shown on the site plan, and if FEMA approves the revised line, that approval is to be submitted to the office of the agency. The motion was seconded by Bill Galvin and carried 7-0-0.

6. #2022-038 – [15 Surrey Drive](#) – Erin Kim for Jongmin Kim – Corrective action for unauthorized topping of trees, placement of fill, and construction of retaining wall in wetlands. Tax #12-2343/s.

Jenn Urena spoke to missing information, primarily evidence of the depth of fill. She and Aleks Moch, Environmental Analyst for the Conservation Commission and soil scientist visited the site to determine the depth of fill. The fill was consistently less than four inches; the depth DPW Engineering Division indicated was the cut off for action in a floodplain. She also

confirmed the mortar was limited to a short segment of the stone-lined shore and only in the top two layers. Ms. Urena recommended the fill be allowed to stay and six shade trees be planted to compensate for the trees that were severely topped.

Erin Kim represented her parents. She concurred with Ms. Urena's description and indicated the remaining tree trunks will not be removed.

Peter Linderoth made a motion to issue an order to correct as proposed by staff and the directive that staff shall be consulted prior to removing any tree trunks. The motion was seconded by Bill Galvin and carried 7-0-0.

New Applications for Review

1. #2022-043 – [6 Ledge Road](#) – Ahneman Kirby, LLC for Matt Burke – Demolish garage, construct addition and patio, modify driveway and install drainage system 10' from wetlands. Tax #06-2605/s.

Jennifer Urena described the project, its original configuration and the revisions to the stormwater management plan. After her staff comments were issued, a report from DPW Engineering Division was submitted resulting in positive changes. The rain garden was eliminated in favor of directing drainage to the pervious driveway and the pre-existing level spreader will be cut back to create a discharge point farther from the wetland.

Keith Werner, Ahneman Kirby LLC, concurred with Ms. Urena's summary and recommendations.

Bill Galvin made a motion to approve 2022-043 with standard conditions, special conditions proposed by staff, seconded by Peter Linderoth and carried 7-0-0.

2. #2022-049 – [31 Dublin Hill Drive](#) – Diane Devore for Crowley's Pub, LLC – Wetland restoration plan with access road 16' from the wetlands. Tax #08-3062.

Patricia Sesto described the project to add trees for screening and debris removal adjacent to a wetland. The size of the trees and other repairs to the rear of the property necessitate the construction of an accessway that includes 115 c.y. of gravel and a small area of fill. A portion of the accessway cuts through woodlands with an abundance of non-native invasive species. She stated any damaged vegetation will likely recover and there should be no impact to the wetland. With the extent of existing hardscape there is no alternative route.

Diane Devore, Devore Design, addressed the agency and her agreement with the project summary. She added the accessway will also be used to facilitate pool repairs outside of the upland review area. The accessway will be replanted where it passes through woods.

Peter Linderoth made a motion to approve 2022-049 with standard conditions, special conditions proposed by staff, seconded by Jay Schondorf and carried 7-0-0.

Applications to Be Received

1. #2022-051 - [130 Old Church Road](#) – John and Lauren Estes – Replace the culvert of a piped watercourse in connection with the replacement of a failing sewer line. Tax #07-1731/s.
2. #2022-053 – [9 Blind Brook Lane](#) – Philip and Laura Schacter – Dredge of ponds and stream and bank stabilization. Tax #10-2582.
3. #2022-054 – [3 Hillside Road](#) – Jennifer Larkin – Demolish attached garage and restore original stone foundation wall located approximately 60’ from wetlands. Tax #07-1266.
4. #2022-055 – [88 Riversville Road](#) – Sound View Engineers and Land Surveyors, LLC for Ralph Adorno – Add patio pavers around existing pool approximately 75’ from wetlands. Tax #10-1999.
5. #2022-056 – [31 Scott Road](#) - Sound View Engineers and Land Surveyors, LLC for Nicholas Leff – Repair of failing septic system approximately 17’ from wetlands. Tax #11-2401.
6. #2022-057 – [22 Byfield Lane](#) – Muller Engineering LLC for Genazzani Donatella Trust – Construction of new residential additions and hardscape approximately 60’ from wetlands. Tax #11-2466.
7. #2022-058 – [19 Rockwood Lane](#) – Muller Engineering LLC for 19 Rockwood Lane – Construction of a new residence, pool, patio, driveway and drainage with closest disturbance approximately 20’ from wetlands. Tax #11-1571.
8. #2022-059 – [181 Clapboard Ridge Road](#) – Risoli Planning & Engineering for 181 Clapboard LLC – Bridge repairs over watercourse. Tax #10-2566.
9. #2022-060 – [51 Burying Hill Road](#) – Redniss & Mead, Inc. for 51 Burying Hill LLC - Construction of residential improvements and associated regulated activities approximately 30 feet from a wetland and pond. Tax #10-3037.
10. #2022-061 – [4 Highgate Road](#) – S.E. Minor & Co., for Kristin & Henry Rowland - Construction of pool and associated regulated activities located 7 feet from wetlands. Tax #05-2563.
11. #2022-062 – [44 Doubling Road](#) - S.E. Minor & Co., for Alan & Maureen Polo - Construction of residential addition and expansion of the driveway located 62 feet from wetlands at closest. Tax #11-1132.
12. #2022-063 – [25 Greenbriar Lane](#) - S.E. Minor & Co., for The Linda D’Angelo O’Neill Rev Trust - Corrective action to install restoration and enhancement plantings within a wetland and wetland buffer. Tax #10-2468.

13. #2022-064 – [771 North Street](#) – S.E. Minor & Co., for Richard Flud - Dredging of a pond. Tax #11-1026.
14. #2022-065 – [126 Butternut Hollow Road](#) – S.E. Minor & Co., for Thomas McGrath & Christine Baker - Construction of pool, modification of a driveway and associated regulated activities located 10 feet from wetlands. Tax #11-2511.
15. #2022-066 – [30 Twin Lakes Lane](#) – S.E. Minor & Co., for Argus TLL LLC - Demolish and reconstruct a single-family residence with associated improvements 26 feet from wetlands. Tax #02-2688/s.
16. #2022-067 – [215 Old Mill Road](#) – S.E. Minor & Co., for Albert & Diana Betteridge – Dredging of pond. Tax #10-1753.
17. #2022-068 – [160 Bedford Road](#) – S.E. Minor & Co., for Matthew McCarty - Corrective action construction of residential addition, patio and drainage w10-1115ithin 37 feet of a wetland. Tax #10-1115.
18. #2022-069 – [92 Stonehedge Drive North](#) – Sound View Engineers and Land Surveyors for Rosemary Annunziato – Construct residential additions, driveway revisions and relocation of the septic system approximately 40’ of a wetland. Tax #10-2188.
19. #2022-070 – [230 Stanwich Road](#) – Risoli Planning & Engineering for Luigi Ghilardi – Corrective action for unauthorized removal of trees and construction of residential improvements approximately 35’ from wetlands. Tax #11-2108.
20. 2022-071 – [282 Taconic Road](#) – Caesar Massry – Construction of deer fence thru wetland and buffer. Tax #11-2019.

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

Agent Approval Permits

1. #2022-044 – [38 Copper Beech Road](#) – Andes Consulting Engineering and Surveying, PLLC for Mark Fortunato – Designate a septic replacement area 60' from wetlands. Tax #11-1985. JU
2. #2022-047 – [50 Burying Hill Road](#) - S.E. Minor & Co., Inc. for Hunter Ryan – Construct an addition, pool, patios and relocate the reserve area. Tax #10-1385. JU
3. #2022-052 – [1177 King Street](#) – Redniss & Mead, Inc. for Convent of the Sacred Heart – Install a garden shed 65’ from a wetland. Tax #10-4021.

Violations

Cease & Correct Order #2022-005 – 61 Lower Cross Road - Unauthorized removal of understory and vegetation within the wetland upland review areas. Tax #11-3062

Jennifer Urena read the list of documents into the record and described the violation. The understory has been cleared on the subject property and it appears the work was done in regulated areas. She was unable to gain access to the property, nor does she know who the contractor was. A stop work order was issued on May 12, 2022 with a deadline to submit a corrective action application by June 24, 2022. The property owner was noticed of the show cause hearing via registered and regular mail.

No one was in attendance to represent the work.

Brian Harris made a motion to uphold the order, seconded by Peter Linderoth and carried 7-0-0.

Adjourn

With no further business, the meeting adjourned at 8:34 pm.

A handwritten signature in black ink that reads "Patricia Sesto". The signature is written in a cursive style with a large, sweeping initial "P".

Patricia Sesto
Director

The Town complies with all applicable federal and state laws regarding non-discrimination, equal opportunity, affirmative action, and providing reasonable accommodations for persons with disabilities. If you require an accommodation to participate, please contact the Commissioner of Human Services at 203-622-3800 or demetria.nelson@greenwichct.org as soon as possible in advance of the event.