In attendance: Elliot Benton, vice-chairman, Joseph Rogers, secretary, Norma Kerlin, Klaus Jander, Peter Linderoth, and Jay Schondorf

Also in attendance: Patricia Sesto, director; Robert Clausi, senior wetlands analyst; Doreen Carrol Andrews, compliance officer; Sarah Coccaro, conservation resource manager; Anthony D'Andrea, D'Andrea Surveying & Engineering, P.C.; Alberto Gonzalez; Bryan Muller, Muller Engineering; Doran Sabag, SBP; Elizabeth DiSalvo; Hayley De Marchs; Joe Pagliarulo; Keith Werner, Anheman Kirby; Larry Liebman, S.E. Minor & Co.; Mandeep Johar; Matthew Popp, Environmental Land Solutions; Suzanne Eason; Max Blank; Megan Loucas, Trillium Architects; Glenn Willoughby; Daryl Wieland; Carolyn Matthews and William Kenny, William Kenny Associates LLC; Aiden McCann; and Luke Linderoth.

1. Call to Order

Vice chairman Benton called the meeting to order at 7:06 pm

2. Seating of alternates

Klaus Jander was seated.

3. Review and approval of draft minutes of May 24, 2021 meeting.

Joseph Rogers made a motion to approve the minutes as submitted. Elliot Benton seconded. The motion carried 6-0-0

4. Director’s Report

Patricia Sesto provided an overview of recent legislative actions pertaining to remote meetings and permit expiration dates.

Members expressed their individual preferences and seven members of the public supported remote meetings. It was the consensus of the members to have a discussion regarding remote meetings at the July meeting to allow all members and the public to share their opinions.
5. Quarterly Compliance Summary

Doreen Carrol Andrews reviewed her quarterly summary.

6. Other business

Elliot Benton made a motion to add IWWA 2021-013, The Stanwich Club, 888 North Street to the agenda.

Public Hearings

1. #2021-044 – 8 Fox Run Lane – Rocco V. D’Andrea, Inc. for Jennifer Yorke for demolition and construction of single-family residence, driveway, pool, pool house, tennis court, retaining walls, septic system and drainage adjacent to wetlands. (Second 65 days 6/30/21) Tax #10-1127. PS/SC

Sarah Coccaro read the additional documentation into the record and reviewed the changes. The separate septic system for the pool house has been eliminated in favor of a combined system. The westerly access to the garage has been changed to an eastern entrance, reducing the area driveway. Overall, fewer trees now need to be removed and the limit of disturbance has been reduced. Ms. Coccaro then reviewed the staff report, among other things, questioning an area behind the garage that is planned with concrete paver over an infiltration basin. She noted conditions of approval are provided if the agency is satisfied with the plan.

Anthony D’Andrea, D’Andrea Surveying & Engineering, P.C., addressed the agency and reviewed the plan. The mitigation plan is comprehensive as prepared by William Kenny Associates LLC. The redevelopment is primarily in existing residentially developed areas. The CT Department of Health is amenable to having a combined eight-bedroom system, which enabled the footprint of disturbance to be reduced. Greenwich DPW agreed to allow infiltration under the tennis court, meaning rain garden could be eliminated and only a level spreader was needed south of the tennis court.

Mr. D’Andrea explained the area with concrete pavers is simply the surface treatment for the infiltration basin. There is not expectation it will be used for another purpose. The area cannot be eliminated as discharging the roof drains to the motor court would alter the pre-construction watersheds onsite.

Ms. Coccaro expressed concern it is just a short distance away from the parking area on the north side of the garage and sees the potential for this to be utilized for vehicles. Discussion ensued.

Mr. Benton called for public comment. There was none.
Elliot Benton made a motion to close the hearing, seconded by Joseph Rogers. The motion carried 6-0-0.

Joseph Rogers made a motion to approve the application with the standard conditions and special conditions proposed by staff. The motion was seconded by Peter Linderoth. Discussion ensued. Joseph Rogers made a motion to amend the original motion to eliminate the concrete pavers, seconded by Peter Linderoth and carried, 6-0-0.

2. #2021-066 – 474 North Street – Muller Engineering, LLC for Alfred Lobalbo – Corrective action for unauthorized clearing within and adjacent to wetlands. (First 35 days 6/28/21) Tax #11-2033. DCA

Doreen Carrol Andrews read the additional documents into the record and described the nature of the violation that resulted in ½ acre of land adjacent to a stream being cleared. The plan has been modified to include 63 trees, including 21 living fence trees along the northern property boundary. She is recommending an order be issued for the plan as presented, with the access to the area being directly from North Street.

Bryan Muller, Muller Engineering, addressed the agency. He expressed agreement with the staff report. Staff and the applicant will work together to devise an appropriate means to delineate the path.

Elliot Benton called for public comment. There was none.

Elliot Benton made a motion to close the hearing. The motion was seconded by Jay Schondorf and carried 6-0-0.

Elliot Benton made a motion to issue an order with conditions proposed by staff. The motion was seconded by Klaus Jander and carried 6-0-0.

3. #2021-084 – 883 Lake Avenue – William Kenny Associates, LLC for 883 Lake Avenue, LLC c/o Adam Ullrich – Construction of single-family residence, detached garage, pool, cabana, patio, driveway and associated site improvements partially within wetlands. (First 35 days 6/28/21) Tax #11-1323. BC

Robert Clausi relayed a request from William Kenny to hold this hearing later in the meeting as he had a conflict that would delay him.

It was the consensus of the members to accommodate the request.

**Consent Approvals**

1. #2021-082 – 94 Pecksland Road – S.E. Minor & Co., Inc. for James Gould – Installation of deer fence and enhancement plantings in and adjacent to wetlands. (First 65 days 7/28/21) Tax #10-1660. BC
Pending Applications

1. #2021-013 – 888 North Street – D’Andrea Surveying & Engineering, P.C. for the Stanwich Club – expansion of the 14th green adjacent to a wetland

Ms. Sesto recounted the history of the application. A previous application was submitted and withdrawn in 2020. Prior to that, an application was made and approved in 20210. This current application was submitted in January, then put on hold pending a springtime assessment of the ponded wetland area. Ms. Sesto reviewed her staff report, the damage clearing 10,000 s.f. of wooded buffer would bring to the wetland and concluded the application should be denied for the reasons stated in her report.

Anthony D’Andrea, D’Andrea Surveying & Engineering, P.C., responded. He explained the proposal would enlarge the green by 50%, bringing it in line with today’s standards. Mitigation has been proposed by Environmental Land solutions and it calls for blocking the ditch to increase the amount of water ponded in the wetland. Contrary to Ms. Sesto’s concerns, Mr. D’Andrea stated increased sunlight would encourage more growth in the understory of the remaining buffer.

Matthew Popp, Environmental Land Solutions, reviewed his latest report. Blocking the ditch would increase the depth and duration of inundation in the healthier part of the wetland. The spring evaluation did not yield any vernal pool species and the pooled area dried up to early to conclude vernal pool functions exist.

Elliot Benton asked Mr. Popp about his February 5, 2021 letter and the impacts it cited. Mr. Benton acknowledged the benefit of moving the existing cart path further from the wetland and observed this benefit is more than countered by pushing the remainder of the cart closer to the wetland.

Mr. Popp explained the nature of degradation the ditching has brought to the wetland. Ms. Sesto responded by restating her position that clearing 10,000 s.f. of wooded buffer will result in net negative impacts to the wetland, even if the ditch is blocked.

Joseph Rogers suggested alternate layouts that would lessen the area to be cleared. Mr. D’Andrea responded with reasons why the alternatives would not work.

There was no public comment.
Elliot Benton made motion to deny the application for reasons presented by staff, except number eight, seconded by Jay Schondorf. The motion carried 6-0-0.

Review of the consent approvals was inadvertently missed.

Joseph Rogers made a motion to approved 2021-082. The motion was seconded by Peter Linderoth and carried 6-0-0.

2. #2021-057 – 99 Overlook Drive – Sound View Engineers & Land Surveyors for Mandeep Johar – construction of pool, spa, and patio 20’ from wetlands. (First 65 days 6/30/21) Tax #01-1140/s. BC

Robert Clausi described the project and outstanding issues. He referenced the report submitted by Nick Lee, arborist, who stated the trees of concern at the retaining wall should be fine. Mr. Clausi had requested mitigation, which was provided. As the platform will not impact the wetland, an approval is recommended with conditions provided.

Norma Kerlin left the meeting.

Joseph Rogers made a motion to approve the application with the standard conditions and the special conditions provided by staff.

Following discussion of the motion, Joseph Rogers amended his motion to eliminated special condition #1. The amended motion was seconded by Klaus Jander and carried 5-0-0.

Elliot Benton left the meeting.

3. #2021-061 – 0 Porchuck Road – Ahneman Kirby for Joe Pagliarulo – Construction of single-family residence, driveway, pool, patio, septic system, and drainage 40’ from wetlands. (First 65 days 6/30/21) Tax #10-3644. BC

Norma Kerlin rejoined the meeting.

Robert Clausi reviewed the application and revisions to the plan. The pool was moved closer to the house, leaving a 45-foot separating distance to the vernal pool. Two retaining walls have been added in association with the pool to reduce grading. Mr. Clausi is seeking additional clarification on how the diversion berm will function.

Elliot Benton rejoined the meeting.

Mr. Clausi recounted the applicant’s explanation as to why the wetland boundary and topography do not line up. He confirmed the wetland location is consistent with the original subdivision approval. It was confirmed 75% of the critical terrestrial habitat of the vernal pool will be intact post-construction.
Matthew Popp, Environmental Land Solutions, stated he is agreement with Mr. Clausi’s report and recommendations. By shifting the pool, ½ acre of clearing has been avoided and 85% of the critical terrestrial habitat 100-750 feet from the vernal pool will be wooded.

Keith Werner, Ahneman Kirby, spoke to the application and reviewed the changes. Spot elevations will be taken to adjust the topography. Even with the offset, he stated there will be no impact on the proposed limit of disturbance. He also stated he expects the drainage review by DPW to be fine.

Mr. Werner referenced a condition of the previous subdivision which called for the stonewall marking the limit of development to be built prior to development. Ms. Sesto stated this is an issue with P&Z, not IWWA. The agency can assist Mr. Werner with P&Z.

Joseph Rogers made a motion to approve the application with the standard conditions and the special conditions provided by staff. The motion was seconded by Jay Schondorf and carried 6-0-0.

Public Hearings


Robert Clausi read the documents into the record. Norma Kerlin and Jay Schondorf were identified as having visited the site.

Mr. Clausi stated the wetland was of high quality and part of an overall large area of open space. No wetland report was submitted as the soil scientist of record worked for another entity at the time. A letter vouching for the accuracy of the line will be provided.

The project includes crossing the wetland with a bridge to access the detached garage, house, pool, and gazebo. The URA needs to be revised to 150 feet as the site is within a public drinking water supply watershed. Mr. Clausi identified other documentation missing from the application.

The site is within the habitat range of known threatened and endangered bat species, thus tree loss should be minimized. The intermittent use of pervious pavement is not sustainable.

William Kenny, William Kenny Associates LLC, addressed the agency, committing to providing the additional documents.
Alternatives, including no detached garage, moving the development to the west side of the wetland, no pool, and/or no gazebo should be explored. Mr. Kenning indicated there is a deed restriction which prevents development on the west side of the wetland. He will supply the restriction.

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

The hearing was continued to the July meeting of the agency.

**Pending Applications**

4. #2021-076 – 979 Lake Avenue – Alberto Gonzalez for construction of pool, spa, and deck 7' from wetlands. (Second 65 days 9/3/21) Tax #11-1164. BC

Robert Clausi explained the application was held over from the prior agency meeting to allow the applicant the opportunity to provide more information. The site plan still does not have an accurate depiction of the wetland boundary. There are questions outstanding regarding the proposed septic system and an alternate pool location behind the house. The applicant has conveyed no trees will be removed for the pool.

A 65-day extension is needed to continue review of the application.

Alberto Gonzalez represented his application. He stated the pool is secondary to the need to replace the septic system. The new leaching field will be installed in grade, with minimal tree removal. He will work to provide the additional information.

Discussion was continued to the July meeting of the agency.

**New Applications for Review**

2. #2021-078 – 566 River Road – S.E. Minor & Co., Inc. for Greg Pannone – Demolition and construction of single-family residence, driveway, and drainage system 26' from wetlands. (First 65 days 7/28/21) Tax #12-1560/s. BC

Robert Clausi provided an overview of the application and his recommendations. He noted a variance was issued by zoning to allow the house ten feet closer to the front property line and away from the steep slope towards the wetlands. The lot is tight, but the steepness of the slope limits the development envelope. No mitigation to improve the vegetation on the slope was provided or requested. The density of Japanese knotweed is onerous.

Larry Liebman, S.E. Minor & Co., expressed his agreement with staff comments.
Peter Linderoth made a motion to approve the application with the agency’s standard conditions and the special conditions proposed by staff. The motion was seconded by Joseph Rogers and carried 6-0-0.

3. #2021-083 – 79 Pecksland Road – S.E. Minor & Co., Inc. for Gabriel Etienne & Han Wan – Construction of detached garage, driveway, pool, pool house, deck, and retaining wall, designation of septic reserve area, and renovation of deer fence in and adjacent to wetlands. (First 65 days 7/28/21) Tax #10-1495. BC

Robert Clausi described the project and resources. He stated the new garage and reconstruction of the pool would no present impacts to the wetlands. However, the proposal to reconstruct the retaining wall is questionable. The wall is likely near ten feet in height and no details regarding its reconstruction are provided. The reconstructed wall would be built closer to the wetland and result in a larger lawned area.

The proposal also includes removing bamboo from the southwest corner of the wetland. This too lacks detail. As does the plan to renovate the deer fence.

Members Kerlin and Schondorf were noted as having visited the site.

Larry Liebman, S.E. Minor & Co., stated the wall is being examined by GZA. The details of bamboo removal are in progress. The renovation of the deer fence will include raising it six inches in the wetland and within 100 feet of the wetland.

As the details of the wall are not yet ready, Mr. Liebman withdrew this component of the proposal along with the bamboo removal.

Elliot Benton made a motion to approve the application with the agency’s standard conditions and special conditions proposed by staff, with the modification that the plans to eradicate bamboo and rebuild the retaining wall be removed from the proposal and add the requirement the deer fence shall be raised six inches in accordance with testimony. The motion was seconded by Joseph Rogers and carried 6-0-0.

4. #2021-085 – 50 Lafrentz Road – S.E. Minor & Co., Inc. for Ryan Mackenzie Farm LLC – Corrective action for unpermitted clearing of vegetation for horse paddock and pasture 50’ from wetlands. (First 65 days 7/28/21) Tax #10-3369. DCA

Doreen Carrol Andrews stated the applicant requested review of the application be postponed to July.

5. #2021-086 – 1 Macpherson Drive – Sound View Engineers & Land Surveyors, LLC for Peter Goulding – Construction of residential additions, pool, patio, and drainage system, and modification of driveway 14’ from wetlands. (First 65 days 7/28/21) Tax #07-1023/s. BC
Jay Schondorf and Norma Kerlin visited the site.

Robert Clausi reviewed the proposal and his staff report. A portion of driveway will be removed, and a pool and an addition are to be constructed in lawned parts of the property. The wetland has large areas of lawn as its vegetative cover and a stream runs along the northern property boundary. He recommends a 15-foot, naturally vegetated buffer along the watercourse.

Bryan Muller, Muller Engineering, addressed the agency. The pool fence will be tight to the pool. The section of driveway to be removed will be replaced with lawn.

Ms. Sesto engaged Mr. Muller in a conversation to establish a mitigation plan. It was resolved that an area of lawned wetland will be converted to meadow. The area will be 15,000 s.f. minus the square footage of the existing house footprint.

Elliot Benton made a motion to approve the application with the agency’s standard conditions and special conditions proposed by staff, with the modification that the mitigation plan consist of conversion of lawned wetland to a wet meadow as described in the preceding testimony. The motion was seconded by Joseph Rogers and carried 6-0-0.

6. #2021-087 – **107 Parsonage Road** – Suzanne Hopson – Corrective action for unpermitted clearing of trees within wetlands. (First 65 days 7/28/21) Tax #11-1305. DCA

Doreen Carrol Andrews reviewed the violation. She indicated more trees are warranted to meet the normal standards of the Agency. As well, there needs to be greater diversity of the planted material and the potentially invasive double file viburnum needs to be substituted with a native species.

Ms. Carrol Andrews relayed the homeowner’s request to have the after-the-fact multiplier on the application fee be waived.

Suzanne Hopson Eason addressed the agency, stating the number of trees removed was less than 23 and they were removed as a result of disease, death, or storm damage over the course of a few years. Discussion ensued regarding the various conditions associated with tree removal and Ms. Hopson Eason’s proposal.

Elliot Benton asked for members’ thoughts on waiving the fee as requested. It was the consensus of the agency to waive the additional fee.

Joseph Rogers made a motion to issue an order with the conditions provided by staff, with the additional accommodation that ½ of the plantings would be installed as indicated in the staff report and the second ½ would be installed by April 30, 2022. The motion was seconded by Elliot Benton and carried 6-0-0.

**Applications to Be Received**
1. #2021-092 – **10 Stallion Trail** – S.E. Minor & Co., Inc for Donald Altieri & Carolyn Ugiss – Construction of residential addition, designation of septic reserve area, and installation of wetland and buffer enhancement plantings in and adjacent to wetlands. Tax #11-2970.

2. #2021-093 – **570 Lake Avenue** – Christian Rae Studio for Janice Gates-Kelly & Jeffrey Porphy – Construction of residential additions 34’ from wetlands. Tax #10-1462.

3. #2021-094 – **148 Pemberwick Road** – S.E. Minor & Co., Inc for Vera Strba – Demolition of pool 7’ from wetlands. Tax #09-1768/s.


5. #2021-096 – **436 Stanwich Road** – Fairfield County Engineering L.L.C. for Tarek Saleh – Construction of single-family residence, driveway, pool, patio, septic system and drainage system 29’ from wetlands. Tax #11-2234.

6. #2021-097 – **81 Butternut Hollow Road** – S.E. Minor & Co., Inc for Marc & Carolyn Rowan – Construction of accessory structure, septic system, and drainage system, and designation of septic reserve area 90’ from wetlands. Tax #11-1527.

7. #2021-098 – **8 Durkin Place** – Sandhya Dhruvakumar – Construction of patio and modification of driveway 15’ from wetlands. Tax #05-1819/s.

8. #2021-099 – **140 Indian Head Road** – Rocco V. D’Andrea, Inc for Jerry Wu & Elizabeth Hung – Construction of residential addition, pool, pool house, patio, and drainage system 53’ from wetlands. Tax #05-1084.

9. #2021-100 – **161 Pecksland Road** – Rocco V. D’Andrea, Inc for Cary Queen – Construction of single-family residence, driveway, pool, septic system, and drainage system 88’ from wetlands. Tax #10-2881.

10. #2021-101 – **188 Bedford Road** – Environmental Land Solutions, LLC for Alfredo Catalic – Corrective action for unpermitted clearing in wetland. Tax #10-2425.

11. #2021-102 – **35 Dunwoodie Place** – S.E. Minor & Company, Inc. for Mabel Balestra – Construction of residential addition and deck, and modification of driveway 12’ from wetlands. Tax #11-2662.

13. #2021-104 – 94 Riversville Road – Muller Engineering, LLC for Steven Byrne – Construction of pool 36’ from wetlands. Tax #10-3621.

14. #2021-105 – 18 Stonehedge Drive South – S.E. Minor & Company, Inc. for Phoebe and Gregory Slater – Construction of residential additions, driveway, pool, patio, septic system, and drainage system, designation of septic reserve area, and installation of culvert in watercourse. Tax #10-2250.

15. #2021-106 – 11 Partridge Hollow Lane – Joseph F. Risoli, PE, LLC for Daryl Wieland and Andrew Berenblum – Demolition and construction of single-family residence, driveway, greenhouse, septic system, and drainage system, and installation of enhancement plantings in and adjacent to wetlands. Tax #10-2323.

16. #2021-107 – 34 Midwood Road – Sound View Engineers & Land Surveyors, LLC for Greg Blank and Leslie Moroz – Construction of residential addition and retaining walls, and modification of driveway 30’ from wetlands. Tax #07-1744/s.

Elliot Benton made a motion to receive the new applications as listed. The motion was seconded by Peter Linderoth and carried 6-0-0.

**Agent Approval Permits**


2. #2021-080 – 67 Circle Drive – Muller Engineering, LLC for Nicholas Buckley – Construction of pool 60’ from wetlands. Tax #01-2354/s.

3. #2021-081 – 8 Hobart Drive – S.E. Minor & Co., Inc. for John & Kristin Reynolds – Construction of pool, pergola, and fence 57’ from wetlands. Tax #07-1140/s.

4. #2021-088 – 204 Sheephill Road – Rocco V. D’Andrea, Inc. for 204 Sheephill, LLC – Construction of a single-family residence, driveway, pool, terrace, and drainage 42’ from wetlands. Tax #12-2041/s.

5. #2021-089 – 4 Steep Hollow Lane – J. Bond Septic Service for Walter Pye – Installation of septic system 60’ from wetlands. Tax #08-3210.

6. #2021-090 – 17 Byfield Lane – Ahneman Kirby LLC for Harris Damashek – Construction of residential additions 45’ from wetlands. Tax #11-2372.
7. #2021-091 – 16 Lake Drive South – Sound View Engineers & Land Surveyors, LLC for Anna Edward – Construction of residential additions, deck, and generator 24’ from wetlands. Tax #05-1526/s.

Members had no questions or comments.

**Violations**

1. Cease & Correct Order #2021-003 for Coronado Greenwich LLC – 742 Lake Avenue unauthorized removal of trees and vegetation within a wetland and wetland buffer. Tax #10-1072. DCA

   Doreen Carrol Andrews reviewed the violation and previous order issued in December 2020. The owners have not met the established deadline. Ms. Carrol Andrews stated a notice was filed on the land records and recommends referring this to town counsel.

   Joseph Rogers made a motion to refer the matter to town counsel for enforcement. The motion was seconded by Peter Linderoth and carried 6-0-0.

**Adjourn**

With no further business, the agency adjourned at 10:48 p.m.

[Signature]

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.*