

**MINUTES  
GREENWICH INLAND WETLANDS AND WATERCOURSES AGENCY  
September 26, 2016**

Members present: Chairman Brian Harris, Vice Chairman Elliot Benton, Secretary Stephan Skoufalos, Jo Rogers, Norma Kerlin, Jay Schondorf, Scott Salisbury, Klaus Jander

Alternates present: Scott Salisbury, Klaus Jander

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

Others present: Bill Kenny, Peter Finkbeiner, Larry Liebman, Eric Brower, Rob Frangione, Tony D'Andrea, Steve Danzer, Wayne Jervis, Jim Hoffman, Susan Alisberg, Gay Coe, Daniel Sherman, Francine Alvarez, Richard Wolfram, Graham and Grant Gyesky, Helene Wilson, Olof Nelson, David Bjorkland

**1. Call to Order**

Chairman Harris called the meeting to order at 7:00 p.m.

**2. Seating of alternates**

In the absence of Mr. Galvin, Scott Salisbury was seated.  
Mr. Salisbury left at 9:26 p.m. Mr. Jander was seated.

**3. Approval of draft minutes of August 18 and August 22, 2016**

Jo Rogers made a motion to approve the draft minutes of August 22, 2016 meetings with no corrections, second by Norma Kerlin and Elliot Benton made a motion to approve the draft minutes of August 18, 2016 meetings with no corrections, second by Norma Kerlin. The motions carried 6-0-1.

**4. Director's Report**

Patricia Sesto provided an overview of her monthly Director's Report. The Watrous case clearly establishes this agency's jurisdiction ends at mean high tide as this is the territorial boundary of the town, regardless if there is a fresh water component or not.

The department was called on to enforce the state statute pertaining to running bamboo. The statute allows the wetlands enforcement officer to fine violators, but they cannot require any correction. Fining is also problematic since the statute did not provide a process for appeals, etc.

A new intern, Jennifer Lumba started with the agency two weeks ago. Ms. Carroll-Andrews is capably working with her to ensure the experience is valuable to Ms. Lumba and the department.

Sesto reviewed the department's involvement with other departments to work on the MS4 annual report, water quality monitoring of the Mianus and Byram Rivers, and revising the process associated with docks in Mianus Pond.

## **5. Compliance Report**

Ms. Carroll-Andrews reviewed the various public assistance and inspection activities for the month. Of note, 22 bonds are recommended for release and the goal of 100 site inspections was met. At the counter, 189 people were serviced. Two deadlines, one for 25 Ferncliff and one for 6 Dunwoodie Place, were missed. The owners have been contacted and they assured Ms. Carroll-Andrews they would submit the required information promptly.

Ms. Carroll-Andrews commented the intern, Ms. Lumba is working out well. She had originally called the office looking for volunteer opportunities at the time of the intern search.

## **6. Other business**

- a. Elliot Benton made a motion to authorize Lindsay Tomaszewski as an agent of the agency, seconded by Jay Schondorf, and passed 7-0-0

## **I. Public Hearings**

1. 2016-093 – 20 Idar Court – 20 Idar Court, LLC – Tax #01-2268/s  
Construction of a multi-family residence, driveway, and covered deck 20' from a watercourse.

Bob Clausi read the additional documents of the application into the record. Much of this information was received the week of September 19, 2016 with insufficient time to review and compose a staff report. Included in the new documents is a letter from the abutting neighbor on the west side of Horseneck Brook. The neighbor expressed concern regarding the vegetation on top of the wall and areas where the wall is failing.

Rob Frangione, of Frangione Engineering, LLC appeared before the agency on behalf of the applicant. He provided an overview of the recently submitted material. The main function of Horseneck Brook is flow conveyance, as described in the report from William Kenny Associates. Being stone lined, the stream bed and banks effectively act as an open culvert. There is no intention to work on the brook's retaining wall.

A HEC-RAS was completed to evaluate the effects of the development on flood elevations. This study in combination with the cross sections of a 2010 watershed study determined there is no alteration to the flood elevation.

Mr. Frangione reviewed various alternatives. The first moved the parking to the west side of the house. This was discounted due to insufficient turning area and loss of vegetation on the stream banks. The second consideration for parking used the space under the building. The main issue with increasing the planned under-building parking is creating a sufficient span of open area without comprising the load bearing elements of the house design. The support piers and centrally located elevator impede interior maneuverability.

Based on a comparative analysis of the neighborhood, the development at 2 Idlewile has more impervious coverage and the building are closer to the stream than what is being proposed.

Brian Harris pursued the parking configuration of alternative #2, suggesting residents enter alongside the eastern property line to reduce impervious coverage. Elliot Benton added the elevator should be relocated to open up the floor area and encouraged Mr. Frangione to more diligently pursue this alternative as opposed to dismissing it.

The public was invited to speak. No comments were offered.

Mr. Frangione requested an extension of the public hearing which was granted.

2. #2016-101 – 273 Valley Road – John Ginter – Tax # 8A-1007/s

For construction of a single-family residence, accessory structure, and walls 5’ from wetlands.

Robert Clausi referenced the additional documents of the application and reviewed the changes. The work envelope is now entirely on the subject parcel with no need to enter town property. The accessory structure was moved away from the pond and a cut in the slope will be utilized as opposed to filling behind the studio. This plan conforms to the limit of structure as was approved in 2003 and includes a better restoration and drainage plan.

Larry Liebman of S.E. Minor & Co., Inc. appeared before the agency on behalf of the applicant. He reviewed the contents of the assessment prepared by Environmental Land Solutions and requested the agency move ahead with a positive decision.

The public was asked for comments. None were offered.

With no further comments from the agency or public, a motion to close the hearing was made by Elliot Benton, seconded by Stephan Skoufalos and carried 7-0-0.

A motion to issue a permit with general and special conditions as proposed by staff was made by Elliot Benton, seconded by Jo Rogers and carried 7-0-0.

3. #2016-111 – 56 Clapboard Ridge Road – Meadowlark Manor, LLC – Tax #11-1257

For construction of a new single-family residence, pool, and septic system.

Patricia Sesto read the addition documents of the application into the record and reviewed the contents of her supplement staff report. The applicant has presented a meaningful restoration plan for the lawned wetland and areas with invasive plants adjacent to the pond. Details of replanting the invasive filled areas will have to be submitted after removal and subsequent assessment. The applicant is requesting to keep the octagonal deck; however, no justification has been provided. She encouraged the agency to view this deck as if it were not already in place and ask “Is this something which would be permitted is an application had been submitted?”

Tony D’Andrea of Rocco V. D’Andrea, Inc. appeared before the agency on behalf of the applicant. He described the various elements of the plan and confirmed there is less coverage

with the new house and drive than with the existing development. He also conveyed his clients' desire to keep the deck, stating it has been there for a while and the area is stable around it.

Bill Kenny of William Kenny Associates also appeared before the agency and provided a description the regulated resources and the restoration plan. When questioned, Mr. Kenny confirmed he will be on-site to oversee the removal of invasive plants.

Brian Harris stated his position is to have the octagonal deck removed. Consensus was acknowledged by the agency.

Susan Alisberg questioned why the agency is allowing the new house to be closer to the wetland and pond. She expressed this new location and configuration will disrupt the views from Clapboard Ridge Road, as well as those from across the pond.

Gay Coe questioned the agency regarding who has visited the site and why had they not been to the site before the trees were removed. Ms. Coe expressed her outrage with the agency's handling of this project as compared to others, suggesting this project is being held to a lower standard. Mr. Clausi confirmed he visited the site before any trees were removed to review what could be cut and not need a permit. A subsequent site visit was made to verify the work was done properly.

With no further comments from the agency or public, a motion to close the hearing was made by Stephan Skoufalos, seconded by Norma Kerlin and carried 7-0-0.

A motion to issue a permit with general and special conditions as proposed by staff, except proposed condition #1 and the additional condition the deck will be removed by November 30, 2016 or before construction begins, whichever is sooner and an environmental monitor will be on-site to direct the invasive plant removal was made by Stephan Skoufalos, seconded by Jo Rogers and carried 7-0-0.

## **II. Consent Applications**

1. #2016-126 – 44 Parsonage Road – Jan-Paul and Ashley Bruynes – Tax #11-1213/s – for construction of a pool, patio, grading and landscaping.

Chairman Harris identified the application recommended for consent approval. No questions were asked.

A motion to approve the application with general and special conditions as proposed by staff was made by Jo Rogers, seconded by Jay Schondorf and carried 7-0-0.

## **III. Pending Applications**

1. #2016-105 – 59 Cat Rock Road – Wayne Jervis – Tax # 08-1617 – for construction of a pool, pool house, and patio, and installation of a water line and underground utilities.

Bob Clausi reviewed the revisions submitted and his supplemental staff report. The items requested following the last meeting have largely been submitted in satisfactory form. The old

corrugated metal pipe conveying the stream will be replaced and relocated. A cross section of the utilities and the piped watercourse has been provided. The planting plan has been revised, however it still requires modification to extend it down the access road and fully address the concern of the agency to protect the watercourse. An easement from the neighbor is needed to for the waterline and a draft of that document has been submitted. Mr. Clausi stated these outstanding issues should be readily addressed and recommended an approval.

Steven Danzer of Steven Danzer PhD & Associates, LLC and Wayne Jervis, property owner, appeared before the Agency on behalf of the applicant. They expressed no issue with staff recommendations.

Stephan Skoufalos questioned the draft easement and the status of the dialogue with the neighbor. Mr. Jervis relayed the neighbor has been contacted and they are in the process of finalizing the easement language.

There were no comments from the public.

A motion to approve the application with conditions recommended by staff was made by Jo Rogers, seconded by Elliot Benton and carried 7-0-0.

2. #2016-107 – 3 Oakwood Lane – Three Oakwood, LLC – Tax #11-1532 – for regrading of wetlands.

Doreen Carroll-Andrews reviewed the contents of her supplemental staff report. At the last meeting, the applicant was directed to expand the area of fill to be removed and use native shade trees to revegetate the area. The revised plan pulled the fill back to the original 98-foot contour and used a two-foot retaining wall to achieve their desired grades on the uphill side. The planting plan was revised in accordance with the agency's directive.

Rob Frangione, of Frangione Engineers, LLC appeared before the agency on behalf of the applicant and was in agreement with the staff report.

There were no comments from the public.

A motion to issue an order to correct the application with general and special conditions as proposed by staff was made by Elliot Benton, seconded by Stephan Skoufalos and carried 7-0-0.

3. #2016-113 – 66 & 68 Halsey Drive – Network Development Company, LLC – Tax #12-1147/s, #12-1148/s – for re-subdivision and development of a parcel.

Patricia Sesto reviewed the elements of the application and the contents of her supplemental staff report. This property was previously approved for a four-lot subdivision. A lawsuit was filed by the neighbors and the proposal now is to rebuild a single family home on each of the two original lots. In response to the first staff report, revisions to the plan have been made. The major revisions include moving the house on #66 forward to create a greater separating distance to the wetland and watercourse. A 15-foot buffer will be installed at the edge of the wetland and invasive restoration is planned for the open space, N1.

Tony D’Andrea of Rocco V. D’Andrea, Inc. for appeared before the Agency on behalf of the applicant. He described the development proposal, highlighting the re-use of the two existing driveways, the updated house locations, the 13+-acre watershed feeding the intermittent stream, and the seep nature of the wetland in open space N1.

He acknowledged water issues sustained by properties south and west of this site and stated the drainage from this property will not affect properties on LaJeune.

Ms. Sesto asked about a corrugated pipe discharging to the stream and other drainage referenced in an older letter submitted with the last application by the former resident of #66. Mr. D’Andrea stated he was not specifically aware of the pipes being referred to. The new footing drains for #68 will discharge to the stream and for #66, to the catch basin.

William Kenny of William Kenny Associates described the invasive restoration plan. The vines will be eliminated and a substantial number of trees will be planted to bring shade to the wetland and watercourse. Additionally, a 15-foot buffer is proposed between the house and stream.

Brian Harris called for public comment. Francine Alvarez requested clarification regarding the use of herbicides to manage the invasive plants. Mr. Kenny referenced Note#3 on the plan. There is no plan to broadcast herbicides, rather to goal is to use systemic pesticides to spot treat.

Richard Wolfram of 64 Halsey Drive provided the history of the four-lot subdivision and the basis for the law suits. The neighbors eventually prevailed based on restrictive covenants. He is concerned about unintended consequences and the agency’s ability to prevent violations as opposed to reacting to them. Mr. Wolfram stressed the need for a high degree on enforcement.

Helene Wilson of 34 Halsey Drive identified herself as holding a PhD for Environmental Geography. She spoke of the water issues in the neighborhood and specifically for the subject parcels, the changes in the watercourse over time. The nature of the changes reflects increased flows and attributed those to climate change and increased impervious coverage. LID practiced are fine, but one cannot guarantee these measures will operate properly in perpetuity.

Anthony D'Andrea rebutted the expressed issues, articulating why the two-lot subdivision is superior to the four-lot plan, which was previously approved by this agency.

Norma Kerlin requested the parking area along the driveway on #68 be eliminated as opposed to just reduced.

A motion to approve the application with general and special conditions as proposed by staff and the additional special condition to require the elimination of the parking spaces along the driveway on #68 was made by Elliot Benton, seconded by Jo Rogers and carried 7-0-0.

1. #2016-114 – 35 Winding Land – James & Loren Ridinger – Tax #10-2472 – for construction of a deck and walking paths.

Bob Clausi described the various revisions to the plan. The wetland boundary has been updated to reflect the original flagging, the lower deck has been shifted away from the wetland, and additional information about the paths was provided. The applicant is still seeking to retain the yard fence as it exists, rather than modify it to conform with the previous permit issues. Land within the prior limit of disturbance at 35 feet from the wetland would otherwise be replanted.

Mr. Clausi noted the 35-foot buffer formerly had boulders as delineation and those were removed when the yard was created.

The decks have been orally described as meeting the standards for a drainage exemption, however the paperwork to substantiate this has not yet been submitted.

Overall, Mr. Clausi expressed concern the decks and paths will lead to more activities in the wetland and buffer, resulting in cumulative damage.

Daniel Sherman Landscape Architect P.C. for appeared before the Agency on behalf of the applicant. He acknowledged the information requested and authorized the agency to extend their period of review by 65 days,

Brian Harris requested additional topography be shown out to the northern property line to allow a better assessment of the trail layout. He also spoke against allowing the fence to stay in its current location and requested the fence be relocated to a place 35 feet or more from the wetland.

Mr. Clausi will visit the site with Mr. Sherman to evaluate the proposed trail location.

There were no comments from the public.

A motion to accept the extension and delay the application was made by Stephan Skoufalos, seconded by Jo Rogers and carried 7-0-0.

Scott Salisbury left the meeting and Klaus Jander was seated.

#### **IV. New Applications For Review**

1. #2016-109 – 293 Lake Avenue – Estate of Herbert Lord – Tax #07-1470/s – for a two-lot subdivision and roadway improvements.

Patricia Sesto reported that Larry Liebman of S.E. Minor & Co., Inc. requested a postponement of the application on behalf of the applicant.

2. #2016-121 – 93 Valley Road – Cos Como II, LLC – Tax # 08-1200/s – for installation of two docks on the Mianus River.

Doreen Carroll-Andrews read the contents of her staff report.

Graham Gyesky, property owner appeared before the Agency.

There were no comments from the public.

A motion to approve the application with general and special conditions as proposed by staff was made by Stephan Skoufalos, seconded by Norma Kerlin and carried 7-0-0.

3. #2016-127 – 210 Sheephill Road – DDZI Greenwich, LCC – Tax #12-2043/s – for construction of a single-family residence, retaining walls, and drainage 20’ from wetlands.

Bob Clausi read the contents of his staff report. This project is a teardown and reconstruction. Some trees will be lost in close proximity to the pond as a result of pushing the development envelope west. No alternatives to the development proposal were submitted and an enhancement plan for the shoreline is forthcoming.

A dock was cited for being in the pond without a permit some time ago. The then owner responded by placing the dock on the shoreline. Stairs and railroad tie retaining walls were also constructed.

Brian Harris stated the dock and other modifications need to be removed. The grading proposed will also threaten a 12-inch maple and efforts to tighten the grading behind the house are warranted.

Larry Liebman of S.E. Minor & Co., Inc. appeared before the Agency on behalf of the applicant. Mr. Liebman indicated the grading behind the house amounts to “feathering” the grades.

Members asked Mr. Liebman for the quantity of fill, extent of disturbance, and for an east to west cross section.

There were no comments from the public.

A motion to delay the application was made by Stephan Skoufalos, seconded by Jay Schondorf and carried 7-0-0.

4. #2016-128 – 141 Cat Rock Road – Thomas and Sarah Toepke – Tax #08-3886 – for construction of residential additions 80’ from wetlands.

Bob Clausi provided an overview of the contents of his staff report. The addition is not of concern, but the Cultec units were due to a lack of soil data. This has since been provided by the engineer and is satisfactory. The extent of lawn has likely extended into the wetland and a plan to exchange some lawn for more diverse planting should be submitted. This plan should include limit of lawn demarcation. Lastly, landscaping debris has been dumped over a cliff and will need to be removed. Provided these recommendations are accepted by the applicant, an approval is suggested.

Peter Finkbeiner of Sound View Engineers & Land Surveyors, LLC appeared before the Agency on behalf of the applicant. He stated his acceptance of Mr. Clausi’s recommendations and requested clarification on the dimensions of the replanted buffer. The buffer needs to extend 10 feet beyond the wetland boundary.

There were no comments from the public.

A motion to approve the application with general and special conditions as proposed by staff was made by Stephan Skoufalos, seconded by Jo Rogers and carried 7-0-0.

5. #2016-129 – Lot 16 Knollwood Drive East – James Lee – Tax #11-2989/s – for construction of a single-family residence, driveway, patios, and retaining walls 45’ from wetlands.

Bob Clausi described the project and his evaluation. The subject parcel stems from a 1970's subdivision, which depicted the house in essentially the same location as is proposed today. The project proposes a limited lawn area, to the benefit of the wetland and stream. The retaining walls need to be constructed at the time the foundation is in order to retain the tight envelope of disturbance. DPW's had issues and additional information requests and has not approved the plan. The wetland boundary is not the same as was flagged in 1978 and Jay Fain will be presenting his position as to why there is a difference. The application lacked some required information, namely, alternatives, a biological assessment, details on the landscape plan that references a no-mow fescue lawn, and a drainage plan for the western end of the driveway.

Jo Rogers, Norma Kerlin, and Klaus Jander were identified as having visited the site.

Peter Finkbeiner of Sound View Engineers & Land Surveyors, LLC appeared before the Agency on behalf of the applicant. He questioned the need for alternatives since the one presented is the best. Ms. Sesto explained alternative are meant to help the agency likewise conclude the preferred plan is the best.

Brian Harris stated his concerns with the fescue meadow and its ability to be converted to lawn readily. What portions of the forest will need to be altered to accommodate this?

Members also questioned the accuracy of the maps, noting there seemed to be trees in the field which are not shown on the map. Similarly, there are stakes in the field referencing a pool, but none is depicted on the map. Mr. Finkbeiner committed to checking the trees and stated the pool is no longer part of the plan.

There were no comments from the public.

A motion to delay the application was made by Stephan Skoufalos, seconded by Elliot Benton and carried 7-0-0.

## **6. Agent Approvals**

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

1. #2016-122 – 46 Wilshire Road – 46 Wilshire Road LLC for construction of two residential additions and designation of a septic replacement area. Tax #10-2268
2. #2016-123 – 5 Kernan Place – Aleeza Cooperman and Steven Hanke for the installation of a deer fence along the edge of a wetland. Tax #06-3772
3. #2016-124 – 153 Riversville Road – Peter Shabecoff for construction of a raised garden in a lawned area 34 feet from a wetland. Tax #10-1042
4. #2016-125 – 25 Tremont Street – Melanie Riera for construction of a residential addition and carport. Tax #08-2886
5. #2016-130 – Lot 2 Hill Lane Avenue – Town of Greenwich, Department of Public Works Sewer Department for replacing a 500' long sanitary sewer force main and renovating a sewer pump station. Tax #05-9011

6. #2016-132 – 9 Ridgeview Avenue – Dennis and Regina Olmstead for construction of an in-ground pool, patio, retaining wall, and drainage system. Tax #11-1668
7. #2016-133 – 74 Howard Road – W. Ryan and Jennifer Wick for construction of an addition and covered porch. Tax #11-1808
8. #2016-135 – 17 Center Drive – Donald and Sheron Resnick for installation of foundation “push piers” 6 feet from a watercourse. Tax # 06-1847/s
9. #2016-137 – 5 Dingtletown Road – Liberatore Iannarone and Hayley Skurowski for renovation of driveway and front entrance, grading, and landscaping. Tax. #11-2213

No questions were presented and no public comments were received. No action by the Agency was required.

### **7. Applications To Be Received**

Elliot Benton made a motion to receive the eleven applications listed on the agenda and schedule them for discussion or public hearings as appropriate, at the next meeting of the Agency, second by Jo Rogers and carried 7-0-0.

### **8. Violations**

1. Cease & Correct Order #2016-13 – 84 Hunting Ridge Road – Sonia Hedvat – Tax #11-2248

Bob Clausi reviewed the Violation Summary for the failure to correct unauthorized clearing within a wetland and buffer area.

Larry Liebman of S.E. Minor & Co., Inc. appeared before the Agency on behalf of the property owner.

Approximately 100 trees greater than 6” in diameter plus the entire shrub understory were cleared from a red maple swamp on the subject property in the fall of 2001. The owner failed to submit an application to restore and this matter was heard at a Cease & Correct Hearing on August 5, 2002. The Order was upheld and a Certificate of Violation on the Greenwich Land Records.

The owner submitted an application in October 2002 and the Agency issued Permit #2002-169 (Appl.#2002-180) in November 2002 for the restoration of the wetland. The \$5,000.00 performance bond posted remains in the Agency’s possession. The permit expired in November 2004 without any of the approved restoration having been implemented.

Again in the spring of 2005 the Agency issued an Order to Correct with a June 23, 2005 deadline and referral to the Town’s Law Department for initiation of action in Connecticut Superior Court if the owner fails to meet the restoration deadline.

Staff reported to the Agency at its November 2007 meeting neither the restoration nor the court action had taken place and the Agency set a final compliance deadline of December 17, 2007 and reaffirmed this matter should be referred to the Law Department if the restoration was not completed by the deadline. No legal action ensued and it is not clear if the matter was sent to the law department or not.

Staff has not carefully examined the site of late, but observations made from Hunting Ridge Road indicate that none of the approved restoration plantings have been installed and phragmites has become established in the low-lying center of the on-site wetland. The 2002 approved planting plan should be considered as a starting point for consideration of what constitutes appropriate restoration of this wetland based on the current site conditions.

Staff recommends that the Agency:

1. Maintain Cease and Correct Order #2016-13;  
Use the 2002 approved planting plan to develop an appropriate restoration plan based on current site conditions for review at the agency's October meeting;
2. Require implementation of the Agency-approved restoration plan by November 15, 2016;
3. If the approved restoration is not completed this fall,  
Proceed with court action against Ms. Hedvat.

Larry Liebman represented the Ms. Hedvat. The property was in foreclosure and this has been staved off for the time being. Ms. Hedvat would like to see a plan approved, then implemented by the buyers when the house sells.

A motion to uphold the Order with staff recommendations was made by Brian Harris, second by Jo Rogers. The motion carried 7-0-0.

2. Cease & Correct Order #2016-14 – Angus Lane (22 Angus Lane, 36 Angus Lane, & 39 Angus Lane) – Olof Nelson of the Calhoun Drive Association – Tax #'s 07-2122/S, 07-2377/S, & 07-2271/S

Doreen Carroll-Andrews read the evidentiary documents into the record and reviewed the Violation Summary prepared by Lindsay Tomaszewski for the unauthorized installation of drains adjacent to and discharging into a watercourse, as well as failure to install erosion controls.

Olof Nelson and Dave Bjorklund of the Calhoun Drive Association appeared before the Agency.

Between Angus Lane and the watercourse digging occurred to install drains which now empty adjacent to the culverts for the stream. There are wetland flags in the field running along the upper banks. Staff met with Dave Bjorklund, a consultant for the project, on September 2, 2016. He stated the scope of the work involved installing drains where groundwater had been detected. Since this had just recently been completed as IWWA was alerted of the work, the current condition of the area adjacent to the road is unstable, however, crushed stone was added to the locations where the drains empty into the watercourse.

The work on the drain pipes extends from about 22 Angus Lane, following the watercourse, to the cul-de-sac and crossing to the culvert at 39 Angus Lane; approximately 330ft in length. The

next intended step of the project was to repave all of Angus Lane, a portion of Calhoun drive, and a portion of Upland Drive.

A Stop Work Order was issued on September 2, 2016. Staff recommends the Agency maintain Cease & Correct Order #2016-14. And further recommends a Certificate of Violation be filed on the Land Records if an application to correct the violation is not received by a deadline of October 21, 2016.

A motion to uphold the Order with staff recommendations was made by Brian Harris, second by Elliot Benton. The motion carried 7-0-0.

3. Cease & Correct Order #2016-15 – 21 Lia Fail Way – Kevin Greene – Tax #08-2422

Doreen Carroll-Andrews read the evidentiary documents into the record and reviewed the Violation Summary for unauthorized removal of trees and vegetation adjacent to wetlands and watercourses. An inspection found that C&R Cleaning and Maintenance Service employees were cutting and chipping trees in an area roughly estimated at 50' by 70'. Many mature trees were removed at the front of the existing house and around the outdoor theater. It appears that the clearing likely occurred within about 50 feet of the wetland and pond located to the east of the driveway.

Cease & Correct Order #2016-15 was issued to the homeowner on September 19, 2016.

Staff recommends the Agency maintain Cease & Correct Order #2016-15. And further recommends a Certificate of Violation be filed on the Land Records if an application to correct the violation is not received by a deadline of October 21, 2016.

A motion to uphold the Order with staff recommendations was made by Brian Harris, second by Elliot Benton. The motion carried 7-0-0.

**Bond Releases**

1. Application #2006-038 – Permit #2006-041 for Andrew and Monica Hayes – 4 South Stanwich Road. The \$5,000 bond is to be returned to Andrew and Monica Hayes.
2. Application #2007-132 – Permit #2007-110 for Fox Lot, LLC – 5 Fox Run Lane. The \$6,000 bond is to be returned to KOS Building Group LLC.
3. Application #2010-054 – Agent Approval #2010-009 for Christine and Ken Begasse Jr. – 32 Bedford Road. The \$3,000 bond is to be returned to Kenneth Begasse.
4. Application #2010-129 – Permit #2010-124 for James and Sandra Kilts – 96 Conyers Farm Drive. The \$6,000 bond is to be returned to James and Sandra Kilts.
5. Application #2012-108 – Permit #2012-080 for Peter Bria – 21 Walker Court. The \$5,000 bond is to be returned to Rachel and Peter Bria.
6. Application #2013-065 – Order #2013-008 for Marc and Marilyn Andersen – 101 Otter Rock Road. The \$4,000 bond is to be returned to Marc and Marilyn Andersen.

7. Application #2013-071 – Agent Approval #2013-011 for Scott and Karen Phillips – 82 Richmond Hill Road. The \$3,000 bond is to be returned to Scott and Karen Phillips.
8. Application #2013-135 – Permit #2013-123 for Element 12 Long View Avenue, LLC – 14 Long View Avenue. The \$6,000 bond is to be returned to Element 12 Long View Avenue, LLC.
9. Application #2014-002 – Order #2014-005 for Robert and Melissa Rozmus – 72 Stanwich Road. The \$3,000 bond is to be returned to Robert Rozmus.
10. Application #2014-066 – Permit #2014-056 for Joyce and Fabio Volterra – 17 Bedford Road. The \$2,000 bond is to be returned to Fabio Volterra and Joyce Ragonese-Volterra.
11. Application #2014-070 - Permit #2014-060 for Jay and Ellen Borker – 10 Andrews Farm Road. The \$5,000 bond is to be returned to Jay and Ellen Borker.
12. Application #2014-135 – Permit #2014-108 for Hemant Jaiswal – 5 Harkim Road. The \$10,000 bond is to be returned to Valerie and Hemant Jaiswal.
13. Application #2014-145 – Permit #2014-111 for Richard Wolff and Christina Johnson-Wolff – 230 Byram Shore Road. The \$2,000 bond is to be returned to Richard Wolff and Christina Johnson-Wolff.
14. Application #2015-046 – Agent Approval #2015-006 for Element 12 Long View Avenue – 12 Long View Avenue. The \$6,000 bond is to be returned to Element 12 Long View Avenue LLC.
15. Application #2015-060 – Permit #2015-054 for 74 South Park Avenue, LLC – 74 Park Avenue. The \$6,000 bond is to be returned to Bespok Builders LLC.
16. Application #2015-076 – Permit #2015-070 for Greenwich Country Club – 19 Doubling Road. The \$3,000 bond is to be returned to the Greenwich Country Club.
17. Application #2015-100 – Agent Approvals #2015-016 for Richard and Kerri Jaffe – 140 Shore Road. The \$1,000 bond is to be returned to Richard Daniel Jaffe and Kerri Quinn Jaffe.
18. Application #2015-102 – Agent Approval #2015-018 for Doron Sabag and James Hoffman – 65 John Street. The \$2,000 bond is to be returned to Sound Beach Partners, LLC
19. Application #2015-134 – Permit #2015-116 for Michel and Misoomeh Priou – 61 Hillside Drive. The \$3,000 bond is to be returned to Michel and Misoomeh Priou.
20. Application #2015-138 – Agent Approvals #2015-107 for Lynn and Francis Mara – 20 Carpenters Brook Road. The \$3,000 bond is to be returned to Francis X Mara.
21. Application #2015-139 – Agent Approval #2015-104 for Kristen Prohl and Kevin Kleinbardt – 150 Bedford Road. The \$2,000 bond is to be returned to Kristen Prohl.
22. Application #2016-022 – Permit #2016-032 for Yvonne Burke and Edwin Burke, III – 727 Lake Avenue. The \$1,000 bond is to be returned to Yvonne Handler and Edwin Burke, III

A motion to release the bonds was made by Stephan Skoufalos second by Elliot Benton and carried 7-0-0.

**9. Other Business**

- a. General Procedural Discussion - None

**10. Adjourn**

With no further business, the meeting adjourned at 10:26 p.m.

Patricia Sesto  
Director