DRAFT

MINUTES
SEPTEMBER 28, 2020

In attendance: Chairman Brian Harris, Vice Chairman Elliot Benton, Norma Kerlin, Peter Linderoth, Stephan Skoufalos, and Bill Galvin

Also in attendance: Patricia Sesto, Director; Robert Clausi, Senior Wetlands Analyst; Doreen Carroll-Andrews, Senior Compliance Officer, Anthony D'Andrea, D'Andrea Surveying & Engineering, P.C.; John Conte, Conte & Conte, LLC; Rob Frangione, Frangione Engineering; James McManus, JMM Consulting; Matt McCoulogh; William Kenny, William Kenny Associates LLC, Michael Rolla; Jill Botway; Charles Mills, Charles Mills Engineering; Kevin Cohen of Nejame Pools; Christine Prohl; and Kevin Kleinbardt

Agency Session – 7:00 p.m.

1. Call to Order

Chairman Brian Harris called the meeting to order at 7:00 pm.

2. Seating of alternates

Peter Linderoth was seated.

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

Elliot Benton made a motion to approve the minutes of August 24, 2020. Peter Linderoth seconded, and the motion carried 3-0-2, with Messrs. Harris and Skoufalos abstaining.

4. Director’s Report

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Patricia Sesto reported the lawsuit associated with a property on North Street was decided in favor of the Agency.

She will be working with a Greenwich Country Day School teaching at the Stanwich campus to assist in understanding the natural resources of the campus and the balances the Agency needs to strike in reviewing and approving development proposals.

Ms. Sesto reported she will also be working with New Lebanon Elementary School to develop a wetland curriculum. The opportunity was brought to the agency by Mr. Harris.

5. Quarterly Compliance Report
The Quarterly Compliance Report was tabled.

6. Other business
None.

Public Hearings

1. #2020-109 – 16 Limerick Place - TJ Engineering LLC for Richard Curtin & Naomi Goldberg for construction of above ground pool and deck 3’ from wetlands. Tax #08A-1133. (first 65 days 10/28/20).

Robert Clausi read the documents into the record and indicated the applicant has requested the hearing be continued to the October meeting. Agent for the applicant, Kevin Cohen of Nejame Pools confirmed the request.

With no comment offered by the public, the hearing was continued.

Consent Approval

1. #2020-095 – 128 North Old Stone Bridge Road – Rocco V. D’Andrea, Inc. for Anissa Nouhi for construction of residential addition, driveway modifications, drainage and grading 13’ from wetlands. Tax #08A-1553 (first 65 days 10/28/20). BC

Bill Galvin made a motion to approve IWWA#2020-095, and Mr. Harris seconded. The motion carried 6-0-0.

Pending Applications

1. #2020-084 – 225 Stanwich Road – Crossland Engineering, PLLC for Colleen and Phillip Hempleman for corrective action and wetland restoration for unapproved fill. Tax #08-2696, 08A-1236. (second 65 days 12/4/20). DCA
In response to a request from the applicant, Brian Harris made a motion to delay action on IWWA 2020-084, and Peter Linderoth seconded. The motion carried 6-0-0.

2. #2020-091 – 6 Willow Run Road – Sound View Engineers & Land Surveyors, LLC for Joseph Lamberti for construction of single family residence, driveway, septic, and drainage 45’ from wetlands. Tax #10-1849. (second 65 days 12/4/20). BC
Robert Claudi reviewed the revisions and additional information submitted since the last meeting. The new information satisfied his outstanding questions. DPW is looking for a hydraulic conductivity test be completed before work begins. Landscaping debris will need to be removed and buffer planting provided.

Norma Kerlin and Jay Schondorf were identified as having visited the site.

Peter Linderoth questioned the adequacy of planting the stream banks with ferns and other herbaceous material. He advocated for shrubs, which have a stronger, larger root system. Mr. Claudi concurred.

Discussion ensued regarding adding understory trees and large shrubs in the expanded buffer beyond the top of the embankment and installing coir logs on the contour of the embankment to help protect the plantings during their establishment.

William Kenny, William Kenny Associates LLC, addressed the Agency and described the content and purpose of the submitted plans. He expressed support for the proposed planting plan revisions. November 15th would be the deadline for completing the debris removal and planting.

Peter Linderoth made a motion to delay action on IWWA 2020-091. The motion failed to receive a second.

Brian Harris made a motion to approve IWWA 2020-091, amending proposed special condition #2 to require the condition be met prior to the commencement of work, and adding a condition to revise the planting plan consistent with the testimony presented. Stephan Skoufalos seconded the motion and the motion carried 6-0-0.

**New Applications for Review**

1. #2020-093 – 82 Buckfield Lane – Matthew McCullough for Michael Grunberg for paved back up space 5 feet from wetlands, and removal of two trees within wetlands. Tax #10-1741 (first 65 days 10/28/20). BC

Robert Claudi described the background of the previous permit for a car port and the subsequent addition of a parking space, which exceeded the scope of the permit. This application seeks to legitimize the added pavement. The proposal includes 200 s.f. of restored lawn wetland as mitigation. Overall, the application is still missing details and other material was submitted too late to review in time for tonight’s meeting. Mr. Claudi called to the attention of the members a letter submitted by the neighbor, Alan Small.

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Matt McLoughlin, agent for the applicant, explained the shortcomings of the approved driveway configuration, noting the difficulty one has pulling out of the garage.

Rob Frangione, Frangione Engineering explained his role in examining the existing stormwater management system and his conclusion that the was adequate capacity in the rain garden to receive added drainage from the parking space.

Stephan Skoufalos made a motion to delay taking action. Seconded by Bill Galvin and carried 6-0-0.

2. #2020-098 – 141 Bedford Road – Sal Materia for corrective action regarding unpermitted grading, seeding & landscaping 25’ from wetlands. Tax #10-2104 (first 65 days 10/28/20). DCA

Doreen Carrol Andrews introduced the application and the nature of the violation that led to it. In the course of cleaning out dumped debris on the slope adjacent the pool, 12 trees were cleared, as was live brush, and grading was conducted within the upland review area of the pond. Adjacent to the pond, a 10’ X 100’ area was cleared along the pond’s edge. The current homeowner attributed the clearing to the previous homeowner.

The applicant proposes to regrade the slope to form hummocks and hollows to increase infiltration opportunities. Further, the slope will be vegetated with native meadow plants. Ms. Carroll Andrews noted a stormwater management plan and a stronger restoration plan are needed. She recommended the Agency delay taking action.

No one was present to represent the applicant.

Elliot Benton made a motion to delay action, seconded by Bill Galvin, and carried 6-0-0.


Robert Clausi described the small, stone-lined ponds on the property. The ponds have a history of needed to be dredged at 20 year intervals, and it has been about 20 years since the last permit was issued for this activity. Hydraulic dredging is proposed and will have a lesser impact that traditional bucket dredging. There is a phragmites patch that will be segregated from the rest of the spoils and removed from the site. Additionally, the sediment is being tested for contaminants. Mr. Clausi is recommending the grading plan be modified to avoid placing any fill in the wetland.

In recognition that the pond acts as a sediment basing, the applicant is asking for a 5-year permit, with the intention of doing small maintenance dredging during that time.

Anthony D’Andrea, D’Andrea Surveying & Engineering, P.C., explained the cost of this project is high and, in an effort to control costs, the applicant is proposing to leave the spoils on-site. The 5-year permit will also help avoid repeated application fees that would be needed for the maintenance dredging.

Norma Kerlin and Jay Schondorf were identified as having visited the site.

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Peter Linderoth asked about options to control upgradient erosion to alleviate the sedimentation in the pond. Mr. D’Andrea explained the watershed for the pond is quite large and includes storm drainage from North Street, which contributes road sand. There is no feasible way to avoid the filling in of the pond.

Discussion ensued regarding the length of the permit and safeguards to ensure the staff of the Agency is properly informed prior to maintenance dredging.

Brian Harris made a motion to approve IWWA 2020-101 with the conditions provided by staff and the additional special conditions that staff be notified in advance of each maintenance dredge during the 5-year term of the permit. Stephan Skoufalos seconded the motion, and it carried 6-0-0.

4. 020-103 – 8 Buckthorne Lane – Frangione Engineering, LLC for Christopher and Valery Frissora for construction of pool and associated hardscape features, and landscaping 20’ from wetlands. Tax #11-1931. (first 65 days 10/28/20). BC

Robert Clausi described the proposed activities. He stated DPW has not finished is review, but the expectation is there will only be non-substantive changes needed. The plantings installed in 2017 are doing well, although the grasses in between are being mowed. Mr. Clausi recommends the existing boulder demarcation be extended to better define the limit of mowing. The conditions of approval provided cover these recommendations.

Rob Frangione, Frangione Engineering, reiterated his work with DPW and concurred with the staff report.

Brian Harris made a motion to approve IWWA 2020-103 with the condition’s proposed by staff, seconded by Stephan Skoufalos, and carried 6-0-0.

5. #2020-105 – 150 Bedford Road – Christine Prohl & Kevin Kleinbardt for corrective action regarding unpermitted understory removal adjacent to watercourse. Tax #10-1543. (first 65 days 10/28/20). DCA

Doreen Carrol Andrews explained the violation of clearing brush and understory growth on an island in their pond. The homeowners conveyed to her their intent was to make the island accessible and they contend the soil is thin, acidic from the pine needles, and shallow roots make the concept of replanting difficult. Ms. Carrol Andrews recommends a restoration plan of 35-40 planting stations, consisting of 3-5 shrubs or an understory tree, consistent with the Agency’s guidelines. In the absence of the plan, the recommendation is to delay action.

Christine Prohl and Kevin Kleinbardt addressed the agency and requested a continuation.

Norma Kerlin and Jay Schondorf were identified as having visited the site.

Brian Harris made a motion to delay taking action, seconded by Peter Linderoth, and carried 6-0-0.

Robert Clausi described the project and watershed breaks that separate the drainage of the development from the wetland. The erosion and sedimentation control plan should be adequate to protect the wetlands, as is the rock outcropping. DPW has no issues. Further, a proposed buffer planting plan will enhance existing vegetation. Added effort will be needed control the porcelain berry.

Charles Mills, of Charles Mills Engineering, was in agreement with Mr. Clausi’s recommendations.

Elliot Benton made a motion to approve IWWA 2020-108 with the conditions proposed by staff, seconded by Bill Galvin, and carried 6-0-0.

7. **#2020-110 – 20 Carriglea Drive** – Conte & Conte for Kelley and Kevin Steurer for construction of pool, spa, and terraces, 2’ from wetlands. Tax #05-2764. (first 65 days 10/28/20). PS

Patricia Sesto introduced the application, describing the permit issued for redevelopment of the property in 2017. A pool existed at the time and the intention was to keep it. In the course of redevelopment, the pool was removed. The new owners are requesting a permit to install a pool in the same location as the former pool. There would be no expansion of lawn towards the wetland and the limit of lawn is well defined by a retaining wall and steep slope.

The plantings associated with the previous application are evident. Mowing is occurring between the shrubs and the Japanese knotweed is expanding. The submitted planting plan would fill in areas between the shrubs to discourage mowing and a plan to control the knotweed is included.

Ms. Sesto recommended an approval and noted special condition #1 of the staff report should be deleted.

John Conte, Conte & Conte . LLC addressed the agency and was in agreement with staff recommendations.

Stephan Skoufalos made a motion to approve IWWA 2020-110, with the conditions proposed by staff, excluding condition #1. The motion was seconded by Bill Galvin and carried 6-0-0.


Mr. Galvin recused himself.

Ms. Sesto described a previous permit to reconfigure the 14th green. The scope of work has grown since the permit was issued and the Stanwich Club is seeking a permit to encompass those activities. The new work includes clearing woodlands and relocating a cart path adjacent to a wetland and ditch. The application is deficient in that no biological narrative was provided and justification for the removal of the trees to increase circulation was not provided. Ms. Sesto stated the wetlands on-site have been
heavily impacted in association with the long standing development of the golf course, placing a higher value on the remaining wetlands and the buffers that protect them.

James McManus, soil scientist, JMM Consulting Services, addressed the Agency. He confirmed he flagged the subject wetland in August of this year but hasn’t seen the proposal to clear and relocate the path.

Anthony D’Andrea, D’Andrea Surveying & Engineering, P.C., requested the Agency continue the application to the next meeting.

Peter Linderoth made a motion to delay action, seconded by Stephan Skoufalos, and carried 5-0-0.

**Applications to Be Received**

Mr. Galvin was reseated.

Brian Harris made a motion to receive the following applications, seconded by Peter Linderoth and carried, 6-0-0.

1. **#2020-115 – 1034 Lake Avenue** – Environmental Land Solutions, LLC for Emily & Fraser Owen-Smith for corrective action for unpermitted clearing 20’ from wetlands. Tax #10-1862.

2. **#2020-119 – 42 Dublin Hill Drive - Parcel B** – Rocco V. D’Andrea Inc. for LMB Dublin Hill LLC for construction of single family residence, driveway, pool, retaining walls, septic system and drainage within wetlands. Tax #08-2590.

3. **#2020-120 – 0 Knollwood Drive East (Lot 15)** – Muller Engineering, LLC for Chris Cabanillas for construction of pool house and expansion of driveway and stormwater system 63’ from wetlands. Tax #11-2990/s.

4. **#2020-121 – 90 Harding Road** – Town of Greenwich for demolition and reconstruction of Eastern Greenwich Civic Center 4’ from wetlands. Tax #06-4689/s.

5. **#2020-122 – 47 Nutmeg Drive** – Rocco V. D’Andrea, Inc. for Donald and Necla Kudrick for regrading of slope, relocation of drainage, and installation of generator and propane tanks 30’ from wetlands. Tax #10-2722.

6. **#2020-123 – 54 Londonderry Drive** – Sorin Staniciu for construction of additions, deck and septic system, and modification of driveway 36’ from wetlands. Tax #11-2535.

7. **#2020-124 – 82 Buckfield Lane** – Matthew McCullough for Michael Grunberg for installation of mesh to bottom of existing fence within wetlands. Tax #10-1741.

8. **#2020-125 – Sound Beach Avenue Bridge** – Town of Greenwich – for replacement of bridge over Laddins Brook and intersection improvements.


11. #2020-128 – 41 Thunder Mountain Road – Sound View Engineers & Land Surveyors for Gregory & Patricia Roer for construction of in-ground pool, patio and drainage system 36′ from wetlands. Tax #10-2593.

12. #2020-129 – 52 Fairfield Road – Sound View Engineers & Land Surveyors for Daniel Vazquez for construction of pool, patio, spa, retaining wall, and drainage system 50′ from wetlands. Tax #07-2168/s.

13. #2020-130 – 29 Alden Road – Redniss & Mead for David & Tracy Gittings for demolition of house and tennis court; and construction of single-family residence, driveway, pool, and patios 15′ from wetlands. Tax #07-1334.

14. #2020-131 – 343 Taconic Road – Sound View Engineers and Land Surveyors, LLC for Brad Zackman for construction of pool, modification of driveway, and designation of septic reserve area 88′ from wetlands. Tax #11-2454.


16. #2020-133 – 10 Plow Lane - Town of Greenwich, DPW for sanitary sewer rehabilitation adjacent to wetlands. Tax #07-1965/s.

17. #2020-134 – 10 Glendale Street, 25 Tremont Street, 26 Tremont Street - Town of Greenwich, DPW for sanitary sewer rehabilitation in wetlands. Tax #’s 08-1006/s, 08-2886/s, 08A-1356/s.


19. #2020-136 – 2 Roberta Lane - Town of Greenwich, DPW for sanitary sewer rehabilitation in wetlands. Tax #11-2882/s.

20. #2020-137 – 32 Mary Lane - Town of Greenwich, DPW for sanitary sewer rehabilitation in wetlands. Tax #12-1727/s


22. #2020-139 – 36 Griffith Road - Town of Greenwich, DPW for sanitary sewer rehabilitation adjacent to wetlands. Tax #12-2578.
23. **#2020-140 – 13 Field Point Drive** – Rocco V. D’Andrea for 13 Field Point Drive LLC for demolition and construction of single-family residence, driveway, pool, patio, retaining wall, and drainage 20’ from wetlands. Tax #02-1253.


**Agent Approval Permits**

1. **#2020-097 – 63 John Street** – Rocco V. D’Andrea, Inc. for Doron Sabag and James B. Hoffman Doron Sabag and James B. Hoffman for construction of residential addition, patio, and drainage 40’ from wetlands. Tax #10-3115.

2. **#2020-102 – 34 Thunder Mountain Road** – Sound View Engineers & Land Surveyors, LLC for Srdjan Milenkovic for construction of residential addition, patio, septic system, and drainage 25’ from wetlands. Tax #10-2562

3. **#2020-104 – 114 Hendrie Avenue** – Ishak and Anne Akyuz for repair of retaining wall 25’ from wetlands. Tax #05-2239/s

4. **#2020-106 – 71 Angus Road North** – Rocco V. D’Andrea, Inc. for Luisa Cristina and Michele Pellegrino for demolition and construction of single-family residence, driveway, detached garage, pool, retaining walls, and drainage 40’ from wetlands. Tax #07-2224/s

5. **#2020-107 – 3 Marks Road** – Rocco V. D’Andrea, Inc. for Ulric and Megan Sullivan for construction of residential addition 75’ from wetlands. Tax #05-1676/s

6. **#2020-111 – 17 Birdsong Place** – Rocco V. D’Andrea, Inc. for Jonathan & Jessica Wren for construction of pool and patio 70’ from wetlands. Tax #12-2509

7. **#2020-113 – 32 Concord Street** – Jamie Powers for construction of deck 45’ from wetlands. Tax #09-3419/s

8. **#2020-114 – 71 Ridgeview Avenue** – Sorin Stanciu for William Jarvis for demolition of residence 85’ from wetlands. Tax #11-3004/s.


9-29-20 – DRAFT

Doreen Carrol Andrews reviewed the nature of the violation as discussed at the last meeting. Since then, documentation to substantiate the reasoning behind the tree removal was submitted. An invoice with no date and photographs were submitted by the property owner.

Michael Rolla, property owner, addressed the Agency, reiterating the trees were damaged by storms and their removal was a question of safety.

Ms. Carroll Andrews stated the documentation does offer some corroboration of Mr. Rolla’s previous explanation.

Jill Botway, 45 Baldwin Farms South, spoke to the violation. She identified her residence as being on the opposite side of the pond and the trees that were removed blocked the view of the subject property. Now there is a clear view. She disputed the purported safety concerns expressed by Mr. Rolla, stating his rationale does not correspond to the site conditions. The trees were too far away from the work area to threaten it and clearing activities have been ongoing for a year. Mr. Rolla, having sought IWWA permits for other work would have known tree removal needed a permit.

Bill Galvin made a motion to uphold the cease and correct order, seconded by Peter Linderoth, and carried 5-0-0.

The Agency directed Mr. Rolla to submit a corrective action application by November 9, 2020.

Compliance Report

The Agency took up the tabled compliance report.

Ms. Carroll Andrews reported on the third quarter. There has been an increase in greensheets by 100 as compared to this period last year. Likewise, applications are up by 12, and agent approvals increased by 16. Bond releases are on par with 2019 and site inspections are down by 35%.

A brief discussion of bonds held by the Agency ensued, concluding the number of bonds remains roughly constant with not backlog of eligible bonds overdue for release.
Other Business
None.

Adjourn

With no further business, the meeting adjourned at 8:53 pm.

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.