DRAFT MINUTES
OCTOBER 25, 2021

In attendance: Brian Harris, Chairman, Elliot Benton, Vice-Chairman, Jay Schondorf, Norma Kerlin, Klaus Jander, Peter Linderoth

Also in attendance: Patricia Sesto, Director; Robert Clausi, Senior Wetlands Analyst; Doreen Carrol Andrews, Compliance Officer; Heagney, Lennon & Slane, LLP; Tracy Chalifoux LLC; Timothy Muldoon; Larry Liebman and Hayley De Marches, S.E. Minor & Co.; William Kenny, William Kenny Associates LLC; Sound View Engineers & Land Surveyors, LLC; LLC; Rocco V. D’Andrea, Inc.; Louis Fusco Landscape Architects; Carl Mezoff, Architect, PE; Conte & Conte, LLC

1. Call to Order
   Brian Harris called the meeting to order at 7:02 pm.

2. Seating of alternates
   Klaus Jander was seated.

3. Review and approval of draft minutes of September 27, 2021 meeting.
   Elliot Benton made a motion to approve the minutes as presented seconded by Jay Schondorf and passed 5-0-1. Peter Linderoth abstained.

4. Director’s Report
   Patricia Sesto noted department budgets are being prepared. She does expect there to be substantial deviation from years past.

5. Other business
   a. Election of Secretary
      Elliot Benton made a motion to elect Jay Schondorf as the agency secretary. The motion was seconded by Peter Linderoth and carried 6-0-0.

Public Hearing

1. #2021-125 – 70 Hunting Ridge Road – Patrick Cummings – Corrective action to remediate dumped debris in wetlands. (First 35 days 11/1/21) Tax #11-2074.

   Doreen Carrol Andrews reported there was no new information and the applicant requested agency review be continued to the next meeting.
2. #2021-132 – 1143 East Putnam Avenue – Heagney, Lennon & Slane, LLP for Frank Currivan, Jr. – Construction of multi-family residence, driveway, and stormwater management system 3’ from wetlands. (First 35 days 11/29/21) Tax #12-2690/s.

Robert Clausi read the application documents into the record and described the project to redevelop the construction yard into multi-family housing. The building will effectively cover the site, with only several feet between the face of the building and the property line. There is a stream that is piped through the property and will run under the building. Pervious pavement is proposed for the access drive.

Mr. Clausi reviewed his staff report and the applicant’s response. The nature of the foundation was clarified to be pilings. DPW comments questioned the proximity of one column to piped watercourse. Trees on the abutting property extend onto this site and will be impacted by the development. Assertions that the trees will be removed require permission from their owner to be submitted.

Mr. Clausi questioned the stormwater management proposal by challenging the suitability of pervious pavement in a multi-family development, stated no LID alternatives were provided, and noted there is no infiltration with the plan. DPW comments included a request for deep test hole information and conductivity testing. The existing culvert will need to have a video inspection.

Tom Heagney, Heagney, Lennon & Slane, LLP, addressed the agency. He stated the property is a construction yard and the proposal is to build 20 units in four floors above the a parking area. The piped watercourse is not associated with an easement and is owned outright by the property owner.

Anthony D’Andrea, D’Andrea Surveying & Engineering, P.C., continued to describe the project. The site is controlled by the 24 inch culvert that encased the stream in 1974. He explained the stormwater management plan is a conservative analysis as it considered the packed gravel as pervious. The watershed of the stream contributing to the site is 15 acres and the wetland is a good percentage of that watershed, providing good storage.

Groundwater is at elevation 60 feet and the bottom of the gravel reservoir is @ 62 feet, providing two feet of separating distance as required. Mr. D’Andrea offered an option of using catch basins instead of pervious pavement and having the stormwater from the basins discharge to perforated pipes. He stated the directly connected impervious area is in compliance with the manual, despite a lack of infiltration.

Brian Harris asked for a shading analysis to ensure the perimeter trees and wetland vegetation to the north and east is not compromised from the 61-foot tall building. A pollution renovation analysis is needed to model the different sub-watersheds and detail the extent of pollutants that may discharge directly to the stream from the parking lot. Members also encouraged the applicant to revisit the potential benefits of a green roof. Confirmation from the Sewer Division that the sanitary sewer is needed, as is confirmation the existing soil is not contaminated.
Brian Harris called for public comment. Fiona Haggerty questioned what considerations and accommodations to climate change issues have been made. Mr. D’Andrea responded he was not prepared to answer the question as he was not entirely clear on what Ms. Haggerty was pursuing. She was invited to call Mr. D’Andrea to discuss her specific concerns.

With no further questions, the hearing was continued to the next meeting of the agency.

3. #2021-134 – 55 Zaccheus Mead Lane – Tracy Chalifoux LLC for Mark and Felicia Manus – Dredge pond and install native plantings. (First 35 days 11/29/21) Tax #10-2026.

Robert Clausi read the documents into the record and described the project to hydro dredge 5 feet of sediment from the pond. The plans are complete and indicate the spoils, once dewatered will be removed from the site. Earlier questions regarding equipment access were resolved.

Tracey Chalifoux, Tracy Chalifoux LLC, addressed the agency providing further details and adding the project is planned for this fall, if precipitation conditions are favorable.

Mark Amler, Pristine Waters, described the lengths his team as being cautious with approaching storms. Equipment is pulled from the water body a day or two ahead of the storm.

There was no public comment.

Brian Harris made a motion to close the hearing, seconded by Elliot Benton and carried 6-0-0.

Brian Harris made a motion to approve the application with the agency’s general conditions and conditions proposed by staff. The motion was seconded by Elliot Benton and carried 6-0-0.

**Consent Approvals**

1. #2021-133 – 273 Valley Road – Timothy Muldoon for Helene Walisever – Construction of dock in Mianus Pond. (First 65 days 12/1/21) Tax #08A-1007/s.

2. #2021-137 – 26 Baldwin Farms South – S.E. Minor & Company, Inc. for Julian Pomfret-Pudelsky – Designation of septic reserve area 70' from wetlands. (First 65 days 12/1/21) Tax #10-2660.

   Peter Linderoth made a motion to approve the applications proposed for consent, seconded by Klaus Jander and carried 6-0-0.

**Pending Applications**

1. #2021-084 – 883 Lake Avenue – William Kenny Associates, LLC for 883 Lake Avenue, LLC c/o Adam Ullrich – Construction of single-family residence, driveway with wetland crossing, detached garage, in-ground pool, patio, retaining walls, septic system, and stormwater management system within and adjacent to wetlands. (35 day decision period ends 11/1/21) Tax #11-1323.
Robert Clausi presented the draft denial that was requested by the agency. Brian Harris reviewed particulars of the draft and its reflection of the record. Norma Kerlin requested condition #9 be revised to reflect the wetland supports the public drinking water supply.

Brian Harris made a motion to deny IWWA#2021-084 with the reasons as drafted by staff and amended by Ms. Kerlin. The motion was seconded by Elliot Benton and carried 6-0-0.

2. #2021-118 – 85 Zaccheus Mead Lane – Sound View Engineers & Land Surveyors, LLC for Laxman Narasimhan – Construction of in-ground pool, patio, and pool fence, and designation of septic reserve area 25’ from wetlands. (Second 65 days 12/3/21) Tax #10-2534.

Robert Clausi recounted the reason the application was held over was to facilitate submission of a planting plan to compensate for non-conformance with a past buffer planting plan. The size of the proposed plants is bigger to account for time lost, although the number of plants is fewer. Mr. Clausi explained the applicant’s landscape architect did locate some of the original plantings, so a total replanting was not needed.

The conditions of approval require the plantings be installed irrespective of the pool project. The conditions also address a recently discovered deer fence that had not been permitted. Provided the fence leaves the appropriate gap at the bottom and is relocated entirely onto the subject property, there should be no issues.

Matthew Popp, Environmental Land Solutions, addressed the agency, stating the prior approved buffer delineation is still present, but shrubs are missing. Following a discussion, it was determined a condition of approval should be added to require meadow grass between the shrubs and more boulders be added to the delineation.

Peter Linderoth made a motion to approve the application with general conditions, the special conditions provided by staff, and the additional condition that meadow grasses not lawn, be maintained and the limit of the buffer be supplemented with additional boulders. The motion was seconded by Elliot Benton and carried 6-0-0.

3. #2021-130 – 279 Lake Avenue – Joseph F. Risoli PE, LLC for William & Colleen Schneider – Construction of a pool 26’ from wetlands. (First 65 days 10/27/21) Tax #07-3068/s.

Robert Clausi sated action on this project was delayed so a planting plan for a buffer strip could be added. The subsequent plan is acceptable, except the size of the plants is too small and the number of plants is higher than needed.

Brian Harris made a motion to approve the application with general conditions and special conditions as proposed by staff, with the staff to review the revised planting plan in accordance with testimony. The motion was seconded by Peter Linderoth and carried 6-0-0.
New Applications for Review

1. #2021-135 – 25 Tremont Street – Carl Mezoff, Architect, PE for Melanie Riera – Repair retaining walls 10’ from wetlands. (First 65 days 12/1/21) Tax #08-2886/s.

   Robert Clausi described the project to repair retaining walls, noting various issues with needing access from neighbors. DPW also needs to approve the extension of the wall into the right of way and encroachment into the sewer easement. There are no wetland issues. DPW was consulted and agreed conditions of approval to secure their permission was satisfactory.

   Carl Mezoff addressed the agency and agreed to acquiring all necessary permissions.

   Peter Linderoth made a motion to approve the application with the general conditions and special conditions proposed by staff, seconded by Klaus Jander and carried 6-0-0.


   Robert Clausi reviewed the proposal to raze the structure and redevelop the lot. There is an issue with the storm drainage teardown exemption, which can be readily addressed. The planting plan is good.

   Hayley DeMarchis, S.E. Minor & Co., addressed the agency, stating she has no issues with staff recommendations.

   Elliot Benton made a motion to approve the application with the general conditions and special conditions proposed by staff, seconded by Jay Schondorf and carried 6-0-0.

3. #2021-139 – 514 Valley Road – Rocco V. D’Andrea, Inc. for Valley Road 514, LLC – Construction of single-family residence, driveway, septic system, and stormwater management system 50’ from wetlands. (First 65 days 12/1/21) Tax #08-2058/s.

   Robert Clausi introduced the proposal, noting the demolition was completed without a permit. The majority of the project is remote from the wetland, exception components of the stormwater management plan. A search of past aerial photographs concludes the site has been in a meadow or lawn condition since 1970. Mr. Clausi recommended a ten-foot deep planted buffer be established to provide a total of a 50-foot deep buffer to the off-site wetland.

   Bryan French, P.E., D’Andrea Surveying & Engineering, P.C., concurred with staff recommendations, including tightening the grading associated with the house and the buffer.

   Peter Linderoth made a motion to approve the application with the general conditions, special conditions proposed by staff, and the additional special conditions that a ten-foot deep wetland buffer and demarcation be added, seconded by Jay Schondorf and carried 6-0-0.
4. #2021-140 – 16 Normandy Lane – Louis Fusco Landscape Architects for Jason Abbruzzese – Construction of pool, pool pavilion, patio, retaining walls, stormwater management system, and landscaping 38’ from wetlands. (First 65 days 12/1/21) Tax #05-2755/s.

Robert Clausi reviewed the elements of the project and his staff report. The terrace in the preferred plan is 39 feet from the wetland and a 21 foot deep buffer. Mr. Clausi called attention to the modified alternative option which provides for a 31 foot buffer and scaled back terraces, etc. He indicated this alternative provides a better balance between wetland protection and residential uses. The plan to manage invasive species requires more detail and the limit of lawn delineation needs to be revised.

Louis Fusco explained the modifications made to devise the alternate plan and was amendable to the 31-foot deep buffer, moving the demarcation, and providing specifics regarding invasive species management.

Brian Harris made a motion to approve the application with the general conditions, special conditions proposed by staff, and the additional conditions the approved plan is the one entitled “modified alternative option” and a planting plan for where invasive species removed will be submitted, seconded by Jay Schondorf. Discussion ensued regarding the invasive management plan. With Mr. Schondorf’s consent, Mr. Harris withdrew his motion.

Brian Harris made a motion to approve the application with the general conditions, special conditions proposed by staff, and the additional conditions the approved plan is the one entitled “modified alternative option” and an invasive species management plan and associated planting plan will be submitted, and the limit of lawn demarcation shall be relocated to 31 feet from the wetland, seconded by Jay Schondorf and carried 6-0-0.

5. #2021-142 – 82 Butternut Hollow Road – Environmental Land Solutions, LLC for Philip and Brittany Baity – Corrective action to remediate unauthorized clearing and grading, construction of pool and patio, and modification of driveway in and adjacent to wetlands. (First 65 days 12/1/21) Tax #11-2746.

Doreen Carrol Andrews described the proposal where activities are 60-80 feet from the wetland. The application is missing a stormwater management report and water handling plan. Ms. Carroll Andrews questioned the need for lining the watercourse with boulders.

Matthew Popp, L.A., PWS, Environmental Land Solutions, noted a shift in the driveway is forthcoming. He will provide a response to the staff report and missing information for the next meeting.

Review of the application was continued to the November meeting of the agency.

Applications to Be Received
1. #2021-144 – [14 Fox Run Lane](#2021-144) – Rocco V. D’Andrea, Inc. for Andrew Philipp – Construction of single-family residence, driveway, pool, pool house, retaining walls, septic system, and drainage system 10’ from wetlands. Tax #10-1320.


3. #2021-146 – [4 Chasmar Road](#2021-146) – Rocco V. D’Andrea, Inc. for 4 Chasmar Road LLC – Two-lot subdivision, demolition of single-family residence, construction of two single-family residences, driveways, and retaining walls 7’ from wetlands. Tax #06-1074.

4. #2021-147 – [99 Indian Head Road](#2021-147) – Rocco V. D’Andrea, Inc. for 99 IHR LLC – Construction of covered patio 32’ from wetlands. Tax #05-2509.


7. #2021-150 – [44 Cutler Road](#2021-150) – S.E. Minor & Company, Inc. for MCJB LLC – Construction of residential addition, detached garage, retaining walls, and drainage system 33’ from wetlands. Tax #10-1860.


13. #2021-156 – 596, 598, & 600 North Street – Environmental Land Solutions, LLC for JZ Investments, Inc.  
– Removal of dead and declining trees, installation of new trees and shrubs in and adjacent to wetlands. Tax #’s 11-1090, #11-3244, #11-3245.

Brian Harris made a motion to receive the above listed applications, seconded by Elliot Benton and carried 6-0-0.

Agent Approval Permits

1. #2021-136 – 1362 King Street – Murphy Bros. Landscaping, LLC for Harvest Time Assembly of God, Inc. – Replacement of septic system 93’ from wetlands. Tax #10-4158.

2. #2021-141 – 25 Lindsay Drive – Environmental Land Solutions, LLC for Ian and Christine MacTaggart – Replacement of pool 40’ from wetlands. Tax #11-2710.

3. #2021-143 – 81 Round Hill Road – Sound View Engineers & Land Surveyors, LLC for Susan and Cliff Yonce – Construction of pool, pergola, patio, terrace, and stormwater management system, and designation of septic replacement area 60’ from wetlands. Tax #10-2025.

Violations

Adjourn

With no further business, the meeting adjourned at 9:16 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.