Call to Order

Vice Chairman Elliot Benton called the meeting to order at 7:06 p.m. in the Town Hall Meeting Room on the first floor of Greenwich Town Hall.

Seating of alternates

Jay Schondorf was seated.

Review and approval of draft minutes

Stephan Skoufalos made a motion to add the minutes of October 20, 2015 to the agenda, seconded by Bill Galvin, and carried, 7-0-0.

Bill Galvin made a motion to approve the draft minutes of September 28, 2015 and October 20, 2015 with no corrections, second by Joe Rogers. The motion carried 7-0-0.

Chairman Harris was seated.

Director’s Report

Patricia Sesto provided an overview of her monthly report. The number of inspections was down from last month with no single cause. She and other members of the staff are setting goals and redistributing project assignments to ensure the number of compliance inspections remains near 100 per month. The number of Green Sheets reviewed is slightly up over last month, but still somewhat low. By contrast, the number of applications is up substantially as compared to the last two years.

Mrs. Sesto expressed gratitude for the full participation of Agency members at the October 20, 2015 special meeting. She and the other staff appreciate the discussion as it provides increased direction on Agency views. The meeting sparked an interest in a group site inspection attended by Norma Kerlin, Bill Galvin and Jay Schondorf. Effort will be made to continue this practice.
During the site walk, the format of the staff report was raised. Members expressed a desire to simplify the information provided. Perhaps the information used by staff could be accounted for on a separate sheet. The notes on the project and recommendations should likewise be concise and direct.

The in-stream River Bioassessment by Volunteers (RBV) is schedule to commence in the next couple of weeks. This program has been conducted in the past. The program, run in partnership with the Conservation Commission, examines the invertebrate population for indicator species. Among other things, RBV will provide opportunities for public outreach.

**Compliance Report**

Doreen Carroll-Andrews referred to the Compliance Summary sheet that was distributed in the meeting packets, which included a breakdown of bond releases (8 requested, 10 initiated by Staff, 10 released), and deadlines set by the Agency that are upcoming or have passed. 6 Meadowcroft Lane missed the deadline of October 15, 2015, to restore a wetland and will be issued a Certificate of Violation on the Town Land Records. Similarly, 6 Dunwoodie Place missed the deadline of October 23, 2015, to submit an application to address a violation and will be issued a Certificate of Violation on the Town Land Records. 34 Quail Road and 78 Zacchues Mead Lane were issued Cease and Correct Orders and were discussed later on the Agenda under Violations.

**PUBLIC HEARINGS**

1. Proposed amendments to the Inland Wetlands and Watercourses Regulations

   Elliot Benton made a motion to open the public hearing, second by Bill Galvin. The motion carried 7-0-0.

   Bob Clausi listed the documents for the record and provided an overview of the process, which began in the spring of 2015. There was a good deal of work needed to update the regulations and subcommittee members Brian Harris, Norma Kerlin, and Jay Schondorf were thanked for their valued input.

   Included on the list of documents was suggested language to clarify the intent of section 11.2, submitted by Elliot Benton. Bill Galvin suggested section 5.1-5.4 be condensed as 5.1, with a-d. The opening sentence of each section is the same and this change will bring this section into conformance with the layout of the other sections.

   Members acknowledged the contributions of staff, with particular recognition to Bob Clausi for taking the lead and overseeing this endeavor so capably.

   Chairman Harris asked for public comment. Hearing none, Brian Harris made a motion to adopt the regulations as written except for the changes to sections 11.2 and 5.1-5.4 as discussed, to be effective upon adoption, seconded by Elliot Benton and carried 7-0-0. Motion to approve September 3, 2015 Revised Regulations was made by Elliot Benton, second by Bill Galvin. The motion carried 7-0-0.

   A motion to close the hearing was made by Elliot Benton, second by Stephen Skoufalos and carried 7-0-0.
Public Discussion Session

Consent Approvals

#2012-136 – 21 Flagler Drive – Flagler, LLC – Tax # 11-1320

The staff report prepared by Bob Clausi recommended the issuance of a permit, with conditions, for installation of a well water treatment backwash infiltration system approximately 60 feet from a wetland.

No one appeared before the Agency on behalf of the applicant and no public comment was received.

#2015-140 – 2 Highview Avenue –2 Highview Ave. LLC – Tax #06-1292/s

The staff report prepared by Bob Clausi recommended the issuance of a permit, with conditions, for construction of a new single-family residence 80’ from, pool 33’ from, and fence 10’ from wetlands.

No one appeared before the Agency on behalf of the applicant and no public comment was received.

#2015-146 – 1 Reynwood Manor – Steve Wall – Tax #11-2941

The staff report prepared by Bob Clausi recommended the issuance of a permit, with conditions, for installation of a fence.

No one appeared before the Agency on behalf of the applicant and no public comment was received.

A motion to approve the applications recommended for consent approval, with the conditions proposed by staff was made by Elliot Benton, second by Bill Galvin. The motion carried 7-0-0.

Pending Applications

#2015-084 – 12 Ballwood Road – AMAG Properties LLC – Tax #06-1947

Patricia Sesto provided an overview of the additional information requested by the Agency and the changes made with the newly submitted documents. The cottage on-site is now proposed to be removed; the deck has been relocated to the southern corner of the house making it further away from the wetland; and the house footprint has been reduced by 327 s.f. increasing the separating distance to the wetland to 30 feet from the 22 feet previously proposed. Sketch alternatives to address questions regarding the size of the driveway were submitted. If the garage is moved to the front of the house, there is no reduction in the extent of pervious asphalt. The parking area and turnaround take up a similar size footprint as the preferred driveway. Additionally, because the infiltrator has to be elevated to avoid groundwater, the ability to place the driveway over it is eliminated due to conflicts with grading.

Mrs. Sesto then reviewed the revised planting plan. The buffer adjacent to the wetland is no longer a continuous five feet. The buffer has expanded in portions of the property where use of the outdoor space is unlikely and the buffer is narrower adjacent to the house. By removing the cottage, new opportunities to enhance the buffer exist.
An email provided by Anne Stolley was reviewed. Ms. Stolley reiterated concerns with flooding in the neighborhood and sought to have this applicant be held responsible for cleaning elements of the storm drainage system beyond their property boundary. Mrs. Sesto contacted Scott Marruci of DPW earlier in the day and he confirmed it is not appropriate to accommodate this request. DPW is responsible for the system overall and Ms. Stolley and other interested neighbors need to meet with DPW to pursue maintenance.

With the changes to the site plan and other additional information submitted, approval of the application with the special and standard conditions contained in her staff report was recommended by Mrs. Sesto.

John Heagney of Heagney, Lennon & Slane, LLC appeared before the Agency on behalf of the applicant and offered no objection to staff comments.

Mary Young, representing 11 Ledge Road spoke. She highlighted the importance of a fully functioning stormwater management system for this site to protect abutting properties. Given this importance, she advocated for professional system inspections annually as opposed to the 5-year scheduled proposed by Ms. Sesto. Five years was too long a period to wait to identify a problem.

John Heagney objected to such a condition, stating it is entirely inconsistent with the inspection protocol placed on other applicants. Discussion ensued. Rob Frangione, Frangione Engineering acquiesced to a condition calling for professional inspections for the first two years, then at five year intervals after that. These inspections are in addition to the annual maintenance.

In deference to Ms. Stolley, Mrs. Sesto suggested a special condition be added that requires the ditch to be cleared of sediment within six months of starting the project.

Brian Harris made a motion to approve the application with the conditions proposed by staff and the additional conditions to revise the professional inspection schedule to annual inspections for the first two years then every five years to follow and clearing the ditch of sediment shall be completed within six months of initiating the project, second by Joe Rogers. The motion carried 7-0-0.

Doreen Carroll Andrews restated the elements of the violation and the outstanding questions from the last meeting. Since that meeting, the two soil scientists responsible for delineating the wetlands on-site met to discuss the discrepancy. The area south of the house, which was previously identified as a wetland did not have the soil characteristics to support this determination. With both soil scientists in agreement, this area is not a wetland.

Ms. Carroll Andrews moved on to speak of the clearing violation between the house and the river. The area is proposed to be restored with trees and shrubs, ten in all. Given the shallow soils condition, substituting shrubs for trees to compensate for some of the cut trees is reasonable.

Accordingly, Doreen Carroll Andrews recommended the issuance of an Order to Correct, with conditions, for wetland restoration.

Jim McManus of JMM Wetland Consulting Services, LLC appeared before the Agency on behalf of the applicant and offered no objection to staff comments. He did speak to the off-site depression and its
origins. The berm and ditch have been recently disturbed, although he is unaware by whom. He challenged the identification of this area as a wetland since it is somewhat poorly drained to moderately well drained and the source of water is from the road’s storm drain. Mr. Clausi countered that the area may not be a wetland but would meet the definition of a watercourse, regardless of the artificially collected source of water. Water persists in the depression for several months in the spring, at least.

Paul Blandori, property owner, appeared before the Agency and provided some thoughts on the proposed replanting.

No public comment was received.

A motion to issue an Order to Correct the application, with the conditions proposed by staff was made by Joe Rogers, second by Stephan Skoufalos. The motion carried 7-0-0.

#2015-107 – 327 North Street – Robert Taylor – Tax #11-1010

Patricia Sesto conveyed the elements of a 2005 permit. As part of that permit, sections of previously lawnied wetlands were to be established as meadow and the southern wetland area delineated by boulders. The property has been non-compliant on this requirement for many years and with the submission of this latest application, the property owner brought the site into compliance.

The work associated with 2015-107 calls for the construction of an addition, installation of a new sewage disposal system and removal of some impervious driveway. The work is proposed 50 feet from the wetland boundary and 70 feet from the limit of lawn boundary set in 2005. In recognition of the permanent commitment of portions of the buffer and substantial delay in bringing the site into compliance, shade trees are recommended for the portions of wetland required to be meadow. The on-site wetlands are the outer portions of a larger system and the reintroduction of trees will benefit wetlands beyond the property boundary.

The supplemental staff report prepared by Patricia Sesto recommended the issuance of a permit, with conditions, for construction of residential additions, garage, septic system, and drainage system.

Peter Finkbeiner of Sound View Engineering and Land Surveyors LLC appeared before the Agency on behalf of the applicant and offered no objection to staff comments. Mr. Finkbeiner did question if condition #9 was in fact duplicative of DPW requirements. Mrs. Sesto agreed to look into this and modify the condition accordingly.

No public comment was received.

A motion to approve the application, with the conditions proposed by staff was made by Stephan Skoufalos, second by Bill Galvin. The motion carried 7-0-0.
Bob Clausi provided an overview of the property and the proposed redevelopment. At the last meeting of the agency the applicant was asked to provide a phasing plan and a restoration plan to address the clearing of woodlands that took place between 2003 and 2008. With the proposed grading off the side of the driveway, intermediate silt fencing is needed to shift as areas are disturbed and stabilized.

In response to the wrongful clearing by previous owners, a planting plan has been submitted. The plan proposes a 35 foot buffer of meadow around the wetlands and includes trees to offset the violation. In response to a comment in Mr. Clausi’s staff report, a revised planting plan was submitted to increase the number of plants. Mr. Clausi offered his opinion that the revised plan is satisfactory and obviates the need for Special Condition #2 listed with staff recommendations.

An ecological assessment of the site’s resources was also requested. A report from William Kenny, dated 10/23/15 was circulated to the agency earlier in the day via email. Mr. Clausi read the report and concurs with its findings.

Mr. Clausi recommended the Agency issue a permit for construction of a single-family residence.

John Heagney of Heagney, Lennon & Slane, LLC appeared before the Agency on behalf of the applicant.

Elliot Benton questioned Ms. Sesto regarding the use of a 35 foot setback. Ms. Sesto responded the agency has set a regulated buffer of 100 feet from wetlands and watercourses, unless the property is in a public drinking supply watershed, then 150 feet is used. Applicants should start at 100 feet and justify why an intrusion into this buffer is necessary or inconsequential. Each wetland and proposal has unique opportunities and constraints that should be evaluated individually.

Bryan Muller of Sound View Engineers and Land Surveyors LLC appeared before the Agency on behalf of the applicant. He was asked to explain the rationale behind the location of the sport court. He stated the court location minimizes the height of the walls, takes advantage of a north-south alignment, and maintains the 35 foot buffer from the wetland. Brian Harris suggested the court be rotated 20 degrees clockwise to allow the grading to pull back further from the wetland. Mr. Muller countered such a shift would undermine the needed north-south alignment and would force players to deal with sun in their eyes. Mr. Muller was reminded that regardless of the alignment, someone will eventually have the sun in their eyes over the course of a day.

Elliot Benton urged the applicant to pursue a buffer of 60 feet. He then made a motion to delay the application. There was no second.

Bill Kenny was asked to present the planting plan to aid the buffer discussion. He described the current state of the southeastern wetland as being grass. The plan is to allow the wetland and a 35 foot buffer revert to a meadow and the area will be supplemented with trees. Mrs. Sesto asked what the rationale was in determining the 35 foot buffer. It was not an ecologic-based decision, rather it was a reflection of the buffer customarily sought by the agency. Mrs. Sesto suggest the buffer could be expanded south and east of the sport court and also up by the northern pond. These areas are not likely needed for outdoor recreation. Paths and other amendments through the meadows could ensure residents still have use of the areas.
Elliot Benton again made a motion to delay consideration of the application so the applicant can refine the mitigation plan, seconded by Stephan Skoufalos and carried, 7-0-0.

**New Applications**

#2015-080 – 81 Brookside Drive – Joseph and Margaret Pellegrino – Tax #07-2708/s - WITHDRAWN

This application for piping of watercourse was withdrawn by the applicant.

#2015-128 – 33 Laub Pond Road – Paul Roche – Tax #10-2588

Bob Clausi introduced the application by stating the scope of the proposal has been scaled back substantially. The only elements remaining are the driveway expansion and reserve septic system. Both of these projects are well away from the pond to the rear of the house. The previously proposed pool was situated in the woods adjacent to the pond and would have presented a problem for approval.

To address the runoff from the driveway, a rain garden is proposed off the southwest corner of the house. The scaled back project could not be reviewed by DPW in time for the meeting, however it is understood from Scott Marucci there should be no issue given less development is contemplated.

Mr. Clausi pointed out an area subject to gully erosion and the need to repair this.

Lauren Lockwood of S. E. Minor & Co., Inc. appeared before the Agency on behalf of the applicant and offered no objection to staff comments. She confirmed the rain garden is on the outside edge of the woodlands.

The staff report prepared by Bob Clausi recommended the issuance of a permit, with conditions, for a reconfiguration and expansion of a driveway and its drainage system 40 feet from a pond. In addition to the written conditions provided, Mr. Clausi also recommends a condition that Department of Public Works review and approve drainage prior to site work beginning.

No public comment was received.

A motion to approve the IWWA 2015-128 to reconstruct a driveway and the associated stormwater feature, with the conditions proposed by staff was made by Joe Rogers, second by Bill Galvin. The motion carried 7-0-0.

#2015-130 – 57 Park Avenue –Sunset Holdings, LLC – Tax #06-2565/s

Patricia Sesto provided an overview of the project. The lot is approximately 0.2 acres and half of that was determined to be wetlands. The wetland is non-descript, looking the same as the adjacent upland. The lot is essentially flat, with a small rise close to the western property line. It is likely this wetland is a remnant of a larger system that has been filled on adjacent properties over the years. Even the portion of wetland on the abutting parcel to the west is indistinct from the upland areas.

The development proposed consists of a house at the wetland line, with its deck extending into the wetland. Given the severely compromised nature of the wetland and lack of function, the location of the house is not troublesome.
A rain garden is proposed within the slightly higher portion of the wetland. An impervious liner is needed to keep ground water from seeping in. The yard west of the house will be filled with 12 inches or less to pitch the yard towards the rain garden. Outflow from the rain garden will be detained in a 24” pipe along the southern property line. This water will eventually discharge to the stormwater system in Park Ave.

Mrs. Sesto recommended the issuance of a permit, with conditions as provided.

John Pugliesi of Edward J. Frattaroli, Inc. and Matt Popp of Environmental Land Solutions, LLC were present to represent the applicant. Mr. Pugliesi stated there were no objections to staff comments.

In response to agency questions, Mr. Pugliesi confirmed a basement is planned and its sump pump will discharge to the storm drains in Park Ave.

No public comment was received.

A motion to approve the application with the conditions proposed by staff was made by Stephan Skoufalos, second by Bill Galvin. The motion carried 7-0-0.

#2015-132 – 34 Quail Road – Barbara and Joseph Baratta – Tax #10-2990

Bob Clausi described the conditions associated with the application. Coincident with an area compliance inspection disturbance on the subject parcel was observed. A water line broke and needed to be fixed on an emergency basis in order to restore water to several homes. The waterline that was replaced traversed a wetland that was previously vegetated with brush.

Mr. Clausi concurred with the need to fix the problem immediately, but questioned the extent of disturbance in the wetland.

Mr. Clausi recommended the Agency issue an after-the-fact permit with conditions, for repair of a water line partially in a wetland. The matter of the scope of disturbance is on the agenda for discussion under Cease and Correct Orders.

Joseph Baratta, property owner, appeared before the Agency. He stated the waterline was 40 years old when it failed. The first attempt to repair the line disturbed only a small area of land, mostly along side of the driveway. This repair didn’t hold, which then necessitated a bigger project to fix the line. The scrub growth over the line was removed and a machine was brought in. The machine got stuck in the wetland where the water line was located and substantial disturbance occurred in the process of extracting it. The wetland area was smoothed over and seeded.

Mr. Baratta indicated it is his intent to let the scrub regrow in order to add insulation to the line.

No public comment was received.

A motion to issue an after-the-fact permit, with the conditions proposed by staff was made by Elliot Benton, second by Bill Galvin. The motion carried 7-0-0.

It was the consensus of the agency to reorder the agenda to address the violation aspect of this project.
Cease & Correct Order #2015-25 – 34 Quail Road – Joseph and Barbara Baratta – Tax #10-2990

Bob Clausi read the evidentiary documents into the record and reviewed the Violation Summary, which describes the unauthorized removal of native vegetation from and filling within a wetland and Upland Review Area, and alteration of two intermittent watercourses.

Joseph Baratta, property owner, appeared before the Agency and reiterated there was no material change in the wetland that was not directly related to fixing the waterline.

Concerns were raised about allowing the area to revegetate on its own due to the likelihood of non-native invasive species taking over. After some discussion with Mr. Barrata, Mr. Benton suggested Mr. Clausi walk the area with Mr. Barrata to help identify the undesirable species and select for desired species.

Taking into account testimony provided by Mr. Barrata, Mr. Clausi recommended the Cease and Correct Order be lifted.

No public comment was received.

Elliot Benton made a motion to lift Cease and Correct Order #2015-25, second by Bill Galvin and carried 7-0-0

The Agency resumed business as presented on the agenda.

#2015-134 – 61 Hillside Drive – Michel and Masoomeh Priou – Tax #07-1660/s

Mr. Clausi reminded the Agency this project was discussed at the Agency’s September 2015 meeting in connection with the work on Francine Drive proposed by DPW. At the time, the Agency allowed the utility installation could proceed to coincide with the DPW work to avoid disruption to the stream twice. The applicant was made aware that if they chose to take this course, they would do so knowing the Agency could impose additional conditions upon review.

The applicants posted the bond in accordance with the draft conditions, however work has not yet started.

Bob Clausi, recommended the issuance of a permit, with conditions, for installation of utility lines.

No one appeared before the Agency and offered no objection to staff comments.

No public comment was received.

A motion to approve the application, with the conditions proposed by staff was made by Joe Rogers, second by Bill Galvin. The motion carried 7-0-0.

#2015-136 – 88 Pecksland Road – James and Carol Flanagan – Tax #10-1562

Bob Clausi provided an overview of the proposed addition and how the addition drove the need for a B100a leaching system and rain garden in regulated areas. The leaching field is on a slope vegetated
with lawn. The rain garden is also in lawn, and is only 20 feet from the wetland. Given the rain garden will have a diversity of plantings, this should be an improvement over the current lawn condition. No fill will be placed in the wetland to facilitate the rain garden. Mr. Clausi also recommended adding deadlines to proposed Special Conditions #5 and 9 so the gully is repaired and the bottom of the deer fence is raised in a timely fashion.

Mr. Clausi, recommended the issuance of a permit, with conditions.

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

Discussion ensued regarding where existing lawn would be allowed to revert to natural growth. Upon consultation with the property owners, James and Carol Flanagan, Mr. Liebman stated the lawn around the rain garden and within the wetland will no longer be mowed.

No public comment was received.

A motion to approve the application for a B100a leaching system 70 feet from wetlands and installation of a rain garden 20 feet from wetlands in association with residential additions, with the conditions proposed by staff was made by Joe Rogers, second by Elliot Benton. The motion carried 7-0-0.

#2015-137 – 480 Cognewaugh Road – Lars Nielsen – Tax #08-3458

Bob Clausi described the site conditions and noted a retaining wall was built in accordance with a previously issued permit. The wall is now failing and needs to be rebuilt. In connections with the repair, the applicant is asking to bump out a portion of the wall 15 feet closer to the wetland. The area below the wall is lawn leading up to the wetland and stream. To compensate for the wall reconfiguration, the applicant is proposing an aggressive replanting of the lower lawn area.

Mr. Clausi raised concerns regarding how future homeowners will look at the newly created yard as a result of pushing the retaining wall out. This area could be seen as an area to expand the house. Further, the edge of lawn demarcation on sheet P3 is inadequate and deer deterrent will be needed for the plant material.

Mark Kwan of Cummin Associates, Inc. appeared before the Agency on behalf of the applicant. He stated the lawn will be reduced by 60% as a result of the planting plan. The square footage of reclaimed lawn exceeds the area proposed for terracing in conjunction with the bump out. He sees the terrace as a way to focus residential use of the property, alleviating the extent of activities in the wetland. An audio deer deterrent system is already in place and is supplemented with foliar sprays. Mr. Kwan agreed to fortify the proposed lawn demarcation with larger boulders.

Mr. Clausi recommended the issuance of a permit, with conditions, for construction of new retaining walls 20 feet from wetlands and planting in wetlands.

Discussion ensued regarding the bond and what method is appropriate for determining the amount. The Agency wants the bonds to be based on the specific project, but is concerned the retail, installed cost of the planting plans will be onerous for applicants. It was the consensus of the Agency the planting bonds for applications will be the wholesale cost of the plan and the retail, installed cost of planting plans will be bonded for Orders.
No public comment was received.

A motion to approve the application with the conditions proposed by staff except the bond for the plants will be based on wholesale costs, was made by Elliot Benton, second by Stephan Skoufalos. The motion carried 6-1-0 with Bill Galvin opposing the motion.

#2015-142 – 25 Mooreland Road – Justin and Merrilou Hillenbrand – Tax #10-3228

Bob Clausi described the recent permit history of the site, noting a permit for additions and a gate house was issued in 2013. The homeowners have chosen not to do the additions, but instead to raze the house and rebuild.

This proposal includes more low impact development stormwater management features than were included in 2013. Additionally, the existing pool will be demolished and a new pool constructed on the south side of the new house. A boulder demarcation feature is proposed south of the pool and pool house and plantings are to be added between the line of boulders the retaining walls associated with the pool at Mr. Clausi’s urging.

Bob Clausi, recommended the issuance of a permit, with conditions, for demolition and construction of a new single-family residence.

David Ginter of Redniss and Mead, Inc. and Cory Jorgenson of Wesley Stout Associates appeared before the Agency on behalf of the applicant.

Mr. Ginter pointed out pool equipment was inadvertently left off the submitted maps and has now been added below the pool’s retaining wall. DPW identified an issue with the rain garden off the southwest corner of the house and it will have to be modified, but not significantly, to avoid the restrictive layer.

Mrs. Sesto questioned the proposed location of the deer fence. As proposed, it leaves the proposed planting unprotected. It would make more sense to located it behind these.

A motion to approve the application, with the conditions proposed by staff and the additional Special Condition sheet LP-1.0.A is revised to show the deer fence at the perimeter of the plantings was made by Brian Harris, second by Elliot Benton. The motion carried 7-0-0.

#2015-144 – 613 Riversville Road/100 North Porchuck Road – National Audubon Society – Tax #10-4087

Patricia Sesto provided an overview of the proposed project. The pond on-site was last dredged in 1999. Sediment has accumulated again and the pond needs to be dredged. The pond is at the base of a stream coming from the orchards and functions well as a sediment trap. The Audubon also proposes to construct a gazebo some 15 feet from the top of the pond bank to serve as a resting location and teaching pavilion.

In addition, the existing boardwalks will be replaced with wider walks. The existing boardwalks are failing and their width allows only single file movement. While having structures in and very close to the pond would be discouraged under normal circumstances, Mrs. Sesto conveyed the benefit of the
boardwalks at this teaching site. The tradeoff of intrusion into this pond will be outweighed by the appreciation of the natural resource gained by visitors.

Some 250 cy of excavated material will be produced. The spoils are proposed to dewater at a location 60 feet from the pond. The area is an old field now overrun by porcelain berry. The spoils will rest for the winter and then be spread out as part of a meadow restoration project. The spoils will be about one foot deep once spread. Erosion and sedimentation controls will be reconfigured between stages.

There are some details lacking in the plans, however Mrs. Sesto believes these items can be addressed during a preconstruction meeting.

Patricia Sesto recommended the issuance of a permit, with conditions.

Andy Chapman of the National Audubon Society appeared before the Agency and offered no objection to staff comments. He did clarify the pond is not fed by a stream, rather drainage off the orchard is channeled to the pond.

No public comment was received.

A motion to approve the application to dredge a pond and construct a gazebo 15 feet from the pond, with the conditions proposed by staff was made by Stephan Skoufalos, second by Bill Galvin. The motion carried 7-0-0.

#2015-145 – 69 Vineyard Lane – Pamela Farr – Tax #10-1598

Bob Clausi introduced the application, explaining is components. An addition is proposed which triggered the need for stormwater management. The addition is 90 feet from a wetland and is in areas already developed for residential use. The rain garden is proposed at the edge of a wetland with a portion of its grading in the wetland.

The wetland flanks a stream and ponds and is vegetated with lawn. Consequently, the fill in the wetland is not a big concern, but it does warrant mitigation. At suggested in Mr. Clausi’s staff report, a revised planting plan was submitted to include natural plantings at the stream’s edge.

Mr. Clausi recommended the issuance of a permit, with conditions.

Tony D’Andrea of Rocco V. D’Andrea, Inc. appeared before the Agency on behalf of the applicant and offered no objection to staff comments.

No public comment was received.

Agency members again debated the appropriate methodology for determining bond amounts. After further discussion, members determined 60% of the retail, installed cost of the planting plan is appropriate.

A motion to approve the application for construction of proposed residential additions 90’ from, and rain garden and grading within wetlands, with the conditions proposed by staff modified to have the amount
for the planting plan portion of the bond be set at 60% of the retail, installed cost was made by Stephan Skoufalos, second by Elliot Benton. The motion carried 7-0-0.

**Agent Approvals**

The Agency was provided eight legal notices for projects approved by Authorized Agents since the last regularly scheduled meeting. The projects are as follows.

1. #2013-146 – 857 Lake Avenue – S.E. Minor and Co., Inc. for Edward and Yvonne Raboy for activities consisting of a pool terrace, pool fence, rain garden and an expanded wetland buffer. Tax #11-2428.
2. #2015-129 – 10 Meadowbank Road – Redwood Construction & Consulting, LLC for Kirstin Bolstorff and Khaled Elmarsafy for construction of a patio and grill, expansion of the driveway, and stormwater drainage systems 10.5 feet from the adjacent wetland. Tax # 06-2895/s.
3. #2015-131 – 42 Stonehedge Drive South – RES Home Improvement, LLC for Leonard and Simone Shaoul for permitted activities consisting of a B100a sewage disposal system and a deck 25 and 42 feet, respectively, from a wetland and watercourse. Tax #10-2393
4. #2015-133 – 143 Clapboard Ridge Road – Home Construction, LLC for 143 Clapboard Ridge Road, LLC for demolition of the existing structure with disturbance 95 feet from a wetland. Tax #10-2786.
7. #2015-143 – 21 Alden Road – S.E. Minor & Co., Inc. for Dorothy Stapleton for a residential addition 68 feet from a wetland. Tax #07-2210.
8. #2015-141 – 66 Cat Rock Road – Mark and Lisa Hellman for removal of fill, revegetation, reconfiguration of driveway and parking court and new vegetable garden and lawned area. Tax #08-3140.

No Agency questions were presented regarding the merits of the Agent Approvals and an Order to Correct, and no questions or public comments were received. No action by the Agency was required.

**Applications To Be Received**

A motion to add application 2015-113 – 723 Lake Avenue – J. Bond Septic Service for ELEL, LLC for removal of fill and debris and installation of plantings to restore regulated areas was made by Brian Harris, second by Bill Galvin. The motion carried 7-0-0.

Brian Harris made a motion to receive the 19 applications listed on the agenda, plus Application #2015-113, and schedule them for discussion or public hearing as appropriate, at the next meeting of the Agency, second by Stephan Skoufalos and carried 7-0-0.
Violations

Cease & Correct Order #2015-026 – 78 Zaccheus Mead Lane – Walter Raquet – Tax #10-1957

Doreen Carroll-Andrews read the evidentiary documents into the record and reviewed the Violation Summary, which describes the unauthorized dredging of a pond and watercourse and removal of vegetation from wetland, watercourse, and Upland Review Areas.

There is a valid permit to construct retaining walls in regulated areas, but this permit has not been activated. In 2007 the same property owner was cited twice for similar activities. Those violations were rectified.

Ms. Carroll-Andrews recommended the Agency maintain Cease & Correct Order #2015-26 and that a Certificate of Violation be filed on the Land Records if an application to address the violation is not received by November 19, 2015. Additionally, a $1,000 fine is recommended for each violation, those being clearing a wetland, dredging a pond, filling a wetland, excavation in a watercourse, and failure to use erosion and sedimentation controls resulting in the pollution of a wetland.

John Conte of Conte and Conte, LLC appeared before the Agency on behalf of the applicant. He concurred with the description provided by Ms. Carroll-Andrews and stated he agreed to accept this project provided the property owner was in agreement a full restoration would be pursued.

Mr. Conte stated a plan of this magnitude will need more time to prepare than allotted in the Cease and Correct Order and asked to have the deadline revised to January 15, 2016

Walter Raquet, property owner appeared before the Agency and contested the characterization of the violations from 2007.

No public comment was received.

A motion to uphold the Order with staff recommendations, with the modification that the deadline for submission of an application will be January 15, 2016 and citations of $1,000 per violation will be issued as approved by the chairman was made by Joe Rogers, second by Jay Schondorf. The motion carried 7-0-0.

Bond Releases

1. Application #2010-141 – Permit #2011-001 for Stephen and Amy Mellendorf – 13 Center Drive. The $4,000 bond is to be returned to Stephen and Amy Mellendorf

2. Application #2012-040 – Permit #2012-043 for The Bridgeport Roman Catholic Diocesan Corporation – 471 North Street. The $10,000 bond is to be returned to Greenwich Catholic School

3. Application #2012-131 – Permit #2013-008 for Seal Rock, LLC – 69 Clapboard Ridge Road. The $5,000 bond is to be returned to Marion Stone
4. Application #2013-025 – Permit #2013-037 for Richard McStravick – 30 Baldwin Farms South. The $3,000 bond is to be returned to SLM Services

5. Application #2013-032 – Permit #2013-043 Michael Rosella – 44 Carriglea Drive. The $8,000 bond is to be returned to Kramer Lane Construction, LLC

6. Application #2013-051 – Permit #2013-057 for Laxman and Vidhya Narasimhan – 85 Zaccheus Mead Lane. The $3,000 bond is to be returned to Laxman and Vidhya Narasimhan

7. Application #2014-059 – Order #2014-013 for Eric and Jessica Wolfe – 99 Lower Cross Road. The $3,000 bond is to be returned to Eric and Jessica Wolfe

8. Application #2014-069 – Permit #2014-059 for Carmel Academy – 15 Ridgeway. The $5,000 bond is to be returned to Carmel Academy

9. Application #2014-133 – Agent Approval #2014-018 for Gregory and Mary Kane Brock – 71 Dandy Drive. The $3,000 bond is to be returned to Gregory Brock.

10. Application #2015-085 – Agent Approval #2015-013 for Christine S. W. Li – 30 Dandy Drive. The $500 bond is to be returned to Christine S.W. Li.

A motion to release the bonds was made by Stephan Skoufalos, second by Bill Galvin. The motion carried 7-0-0.

The meeting adjourned at 10:24 p.m.

Patricia Sesto
Wetlands Director