DRAFT

MINUTES

November 23, 2020

In attendance: Vice Chairman Elliot Benton, Joe Rogers, Jay Schondorf, Norma Kerlin, Peter Linderoth, and Klaus Jander

Also in attendance: Patricia Sesto, Director; Robert Clausi, Senior Wetlands Analyst; Doreen Carroll-Andrews, Senior Compliance Officer, William W. Galvin, Anthony D'Andrea and Rich Regan, D'Andrea Surveying & Engineering, P.C.; Tessa Jucaite, TJ Engineering LLC; Matt McCullough; Bret Holzwarth, P.E., Redniss & Mead; Matt Popp, Environmental Land Solutions; Salvatore Triano, P.E., Crossland Engineering, PLLC; John R. Conte III, P.E., Conte & Conte; Larry Lieberman, S.E. Minor; Steven Danzer, Steven Danzer, PhD & Assoc.; Alan Small; Bret Schneiderman; Bryan Finkel; Nicholas Neito, Cacace, Tus&c & Santagata; C Schwartz; Ronald Steinvurzel; John Heagney and Tom Heagney, Heagney, Lennon & Slane, LLC; John Thomas; Kristen Prohl; Larry Lieberman, S.E. Minor & Co.; Rob Frangione, Frangione Engineering, PC; Tara Kupersmith; Shona Detta; William Kenny, William Kenny Associates LLC; Sid Goodfriend; Atty. Marjorie Shansky; Michael Klemens, PhD; Jay Fain, Jay Fain and Assoc.

Agency Session – 7:00 p.m.

1. Call to Order
   Vice Chairman Benton called the meeting to order at 7:01 pm

2. Seating of alternates
   Peter Linderoth was seated for Brian Harris.

3. Review and approval of draft minutes of October 26, 2020 meeting.
   Joseph Rogers made a motion to approve the minutes of October 26, 2020 as submitted, seconded by Norma Kerlin and carried 6-0-0.
4. Director’s Report
   a. Monthly Summary
      Patricia Sesto provided a summary of her recent work with Greenwich Country Day School, new staff member N. Brittney Veniga, her certification as a Professional Wetland Scientist, and the executive orders issued on November 9, 2020.

5. Other business
   a. 2021 Application Submission Deadline and Meeting Schedule
      Bill Galvin made a motion to approve the 2021 meeting schedule as presented, seconded by Norma Kerlin and carried 6-0-0

Klaus Jander joined the meeting at 7:07pm and was seated for Stephan Skoufalos.

Public Session – 7:30 p.m.

Start time is approximate; meeting will begin immediately following the above items.

Applications may be heard out of order if necessary

Click this link to view application documents https://www.greenwichct.gov/DocumentCenter/Index/2157

Public Hearings

1. #2020-109 – 16 Limerick Place - TJ Engineering LLC for Richard C. Curtin & Naomi S. Goldberg for construction of above ground pool and deck 8’ from wetlands. Tax #08A-1133.

Robert Clausi reviewed the revisions to the plan, noting an area of lawn has been planned for planting as mitigation, the pool is slightly smaller, invasive species removal is planned, and hardscape will be removed to keep the total new impervious area under 1,000 s.f.

Mr. Clausi questioned the conclusion in the new report from Dr. Danzer regarding shading of the pool. He also sought clarification regarding trees marked for removal: Were these additional trees to be removed or does this represent what was already cut.

Tracy Chalifoux addressed the agency and reviewed the alternatives. The location to the west would require a wetland and watercourse crossing. The area north of the house was dismissed due to the well location. The presented proposal is the best. The trees marked for removal are in addition to those already cut. They consist of three 6-inch and one 8-inch trees. The added buffer is 660 s.f., being 160 s.f. larger than the buffer consumed by the pool.

Tessa Juciate, TJ Engineering, continued the tree discussion, citing future concerns about unhealthy trees threatening the house and deck would have to be dealt with regardless of whether or not the pool exists. Robert Clausi suggested more trees are needed in the planting plan than is proposed.

An alternative was discussed which would slide the pool location south off the end of the driveway. Ms. Juciate offered reasons why this was not possible, such as the location of the septic tank and lack of convenience to the house. Ms. Sesto suggested the no build alternative was the most viable.

Dr. Danzer responded by stating when one assesses the current conditions of the buffer, introducing a pool presents no significant impacts. Ms. Sesto disagreed with this approach. She noted the buffer is
lawn instead of productive plants due to a violation. It is erroneous to assess impacts based on current conditions as they are a violation of the permit previously issued. This approach rewards the violation. The lot is difficult with large wetland areas. The balance between development and preservation was struck when the permit for the house was issued. Adding a pool tips the balance in the wrong direction. Lastly, she spoke to Dr. Danzer’s insinuation that the agency should be looking to see if the impact is significant or not. This is not the threshold of assessment.

Robert Clausi read new documents into the record.

Ms. Juciate asked what changes could be made to make the proposal more palatable. Responses included adding more understory trees, adding trees to the area proposed to be meadow south of the proposed pool, and demonstrating why the pool cannot be moved to the end of the driveway. Mr. Benton declared his position that the no build alternative is the most feasible and prudent.

The hearing was held open and continued to the December meeting.

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.

Robert Clausi reviewed the directives of the agency from the last meeting. The plans were revised to show the pool fence, an amphibian barrier was included, the pool was shifted slightly east, and the land cover map was updated. Mr. Clausi prepared conditions of approval for the agency’s consideration.

William Kenny, William Kenny Associates LLC, addressed the agency. He described the location of the pool fence at the toe of slope outside of the buffer plantings with mess going to the ground to exclude amphibians. The development will consume 3% of the Critical Terrestrial Habitat, taking it from 57% forested cover to 54%. Even with adjustments to the site plan, this number is not going to markedly change. Mr. Kenny discussed how this last plan has changed since the original submission of the previous application.

Robert Clausi took issue with the area of Critical Terrestrial Habitat cited by Mr. Kenny. With the pool fence being on the outside of the planted buffer, the buffer area will not be available as amphibian habitat. He suggested the pool fence be tight around the pool and the perimeter fence be installed to allow a six inch gap at the bottom. Mr. Kenny agreed this was acceptable.

Mr. Benton called for public comment.

Hearing none, Elliot Benton made a motion to close the hearing, seconded by Jay Schondorf, and carried 7-0-0.

Joseph Rogers made a motion to approve IWWA 2020-119, with the agency’s general conditions, the special conditions proposed by staff, and the additional condition the pool fence will be relocated to closely surround the pool and any perimeter fence shall have a six inch gap along the bottom. Peter Linderoth seconded the motion and it carried, 7-0-0.

3. #2020-142 – 148 Glenville Road – Redniss & Mead for Indian Spring Limited Partnership for dredging of a pond. Tax #’s 10-1317/s, 10-9078, 10-9012.

Robert Clausi reviewed the information previously requested by the agency. The applicant submitted two reports by structural engineers attesting to the inadequacy of the causeway to bear vehicles
weighing more than 10,000 lbs. Leaf litter will be cleared from the wood road to discourage wood frogs. The area of Critical Terrestrial Habitat impacted by the proposed activities amounts to 1-6% of the total CTH of four vernal pools. Testimony was also submitted describing the noise and vibration of the hydraulic dredge will cause aquatic wildlife to move away.

The report by Jay Fain & Assoc. requests the record of IWWA 2016-110 be incorporated into this record. That application was for a hydraulic dredge at 115 Zacchaeus Mead and within the CTH of the subject property’s vernal pool. Narrative associated with the record also states aquatic wildlife will move away from the dredging barge.

Dr. Michael Klemens addressed Elliot Benton question pertaining to winter use of the wood road as a means to minimize wood frog impacts. The report concludes such activities will contribute to the long term degradation of the vernal pools.

Bret Holzwarth, P.E., Redniss and Meade, addressed the agency. He reviewed the limitations of the causeway, concluding it is not a feasible alternative. The impacts of mechanical dredging to aquatic life are greater than hydraulic dredging, which is a slow process that allow organism to retreat. The intent is to dredge in March after hibernation is over. Mr. Holzwarth also referenced IWWA 2016-110, highlighting the consistency of that narrative’s conclusions with the subject application. He summarized the proposed activity affects a small area of the CTH and the disturbance is temporary.

Elliot Benton questioned alternatives to access the spoils area. Was it possible to ferry the supplies from the south side of the pond to the north? Mr. Holzwarth responded the number of trips required it too much to be practical and there are no docks or cranes to deal with loading and offloading.

Jay Fain continued the discussion, stating there is no significant impact from hydraulic dredging. He cited the recent dredging of the Mill Pond on the Byram River. His direct observation yielding no evidence of impact to aquatic wildlife and the pond system was maintained unimpeded. A mechanical dredge requires the pond to be dewatered, with the need for fish rescues.

Mr. Fain spoke to the Zacchaeus Mead access route. Access is needed to transport the concrete blocks to hold the spoils in place. The method was selected to minimize the footprint of disturbance. Without the blocks, the land would have to be graded to create flat areas for the spoils bags. Mr. Fain stated there will be no collapse of the wood frog population; the applicant is taking steps to protect individual frogs and there is no permanent habitat loss as the 1-6% of disturbed CTH is temporary. The project does not represent any subversive long range plan to develop the property, the Zacchaeus Mead Lane access utilizes an established wood road, and the wood frog population overall is secure.

Atty Marjorie Shansky, representing the intervenor, spoke with the agency. A revised verified pleading was submitted, which in part shows alternative access options. She took issue with using the term wood road as it overstates the condition of the travel way or path. Importantly, the record is missing information pertaining to the character and biological information of the vernal pools and pond. Without such information, neither the applicant or agency can make a determination of impact.

Dr. Michael Klemens reviewed the terms used during the meeting and noted the variety without quantification. This project needs to be looked at not as a standalone endeavor, but as part of the cumulative impacts to the wood frog population from repeated use of the road. The road cuts through the CTH of multiple vernal pools which are part of an 8-pool assemblage uncommon in Greenwich. The efforts to protect individual frogs by clearing the access road of leaves is not mitigation, it is detrimental. The areas immediately surrounding the vernal pools rely on this leaf letter to feed the pool essential nutrients.
Dr. Klemens reiterated the damage done by the collective, ongoing use of the wood road and recommended the application be denied. The interconnected system of eight vernal pools requires enhanced protection. Further, Dr. Klemens rejected Mr. Fain’s citation of Dr. Klemens’ book that states the wood frog population is stable. He stated his new book, which is on the verge of being published, notes the wood frog population is actually stressed, especially so in suburban landscapes.

Sid Goodfriend, intervenor, 115 Zacchaeus Mead Lane, shared an aerial photograph of the property depicting the numerous wood roads entering the site and questioned why these were not viable. There is substantial work being done by Aquarion Water Company and they are able to access the site from Glenville Road. He questioned the justification for dredging, stating aesthetic goals to serve a few are insufficient.

Mr. Goodfriend recounted a conversation with the contractor who conducted the hydraulic dredge in his pond, Richard Windell. He conveyed Mr. Windell’s assessment of the Indian Spring Pond and his conclusion access could be obtained from Glenville Road. Ms. Sesto clarified Mr. Windell was speaking of using Glenville Road to bring in the dredging barge, as is the applicant. She asked what Mr. Windell plan was for managing the spoils. Mr. Goodfriend conceded the conversation did not cover spoils disposal, but Mr. Windell did recommend micro dredging, specifically a mud catcher. Mr. Fain confirmed a mud catcher will be used.

Discussion ensued regarding various means to handle the spoils. While other areas of the site could be used for spreading the spoils, as suggested by Mr. Goodfriend, the meadow is the only location that avoids clearcutting. If the spoils were taken off-site, access through the vernal pool CTH could be avoided. The number of truckloads to remove the spoils would be substantial and deemed by Mr. Holzwarth to be an issue of excessive truck traffic, expense, and public safety.

Dr. Klemens responded by questioning why the pond needs to be dredged at all. The pond could be left to return to a marsh/watercourse system overtime. Discussion ensued regarding the long standing practice of the agency to allow dredging, the unique circumstances of this pond and its surround vernal pool assemblage, the human value of the pond, and the value of combating eutrophication. Dr. Klemens was asked how many wood frogs, by percentage, would need to perish to cause a collapse of the vernal pool system. Ms. Shansky noted the lack of biological information for the vernal pools and pond make answering that question impossible.

Public comment was called. There was none.

Agency members identified the information they would like to be submitted, including details on the spoils dewatering and the volume of spoils to be removed, what are the checks and balances during the dredge operation that can determine damage at the time and if determined to exist, what will be done to put a hard stop to the project, can the blocks be offloaded to smaller vehicles capable of traversing the causeway, and have the intervenor quantify the extent of wood frog mortality needed to cause a population collapse.

Elliot Benton made a motion to grant an extension the 35-day period in which to hold a public hearing and hold the hearing open, seconded by Bill Galvin, and carried, 7-0-0.

Consent Approval
1. #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 walls, and drainage 15’ from wetlands. Tax #02-1253.

2. #2020-146 – [7 Cottontail Road](#) – Joseph F. Risoli, PE, LLC for Matthew and Catherine Watson and Walter Auch, Jr. for construction of additions and in-ground pool, and modification of driveway 23’ from wetlands. Tax #08-3461.

Joseph Rogers made a motion to approve the application listed for consent approval, seconded by Bill Galvin, and carried, 7-0-0.

**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. (Mr. Rogers recused himself.

Doreen Carrol Andrews recapped the 2018 violation where the owners of 8 Dublin Hill Road, Mr. and Mrs. Hochburg, conducted regulated activities without a permit on their property and that of their neighbors on 225 Stanwich Road. CT DEEP Dam Safety Division has been involved with issues pertaining to the dam.

This agency has assessed the planting plan and other restoration activities on the subject property and has been awaiting consent from the Hochburgs to allow access through their property.

Atty Ronald Steinurvurzel, representing the Hemplemans, stated his clients are in a stalemate with the neighbors and would like the implementation date of the order moved out to October. If permission to access the violation through the Hochburg’s property is not resolved, the Hemplemans may need to construct a temporary road for access.

Discussion ensued. The issues holding up restoration are civil in nature and not within the jurisdiction of this agency to address. If the Hemplemans do not implement the restoration plan, the agency would issue a new cease and correct and pursue the Hemplemans and Hochburgs in court. The judge can better deal with breaking the deadlock or the Hemplemans could use the order of the agency to pursue civil action against the Hochburgs.

Tom Heagney, Heagney, Lennon, & Slane, atty for the Hochburgs, stated his clients are willing to provide permission for access.

Elliot Benton made a motion to issue an order to correct with the conditions recommended by staff, seconded by Jay Schondorf and carried, 6-0-0.

Mr. Rogers was reseated.

2. #2020-105 – [150 Bedford Road](#) – Christine Prohl & Kevin Kleinbardt for corrective action regarding unpermitted understory removal adjacent to watercourse. Tax #10-1543.

Doreen Carrol Andrews reviewed the nature of the violation. Underbrush brush, resulting from 10-15 years of no maintenance of a lawn, was removed. The homeowners would like to have mowed walking paths and
meadow grasses throughout the island. The method of defining the paths has not be provided. Six trees are proposed as part of the mitigation plan. These trees are sized smaller than the agency’s typical required size in order to accommodate getting the trees onto the island. This seems like a reasonable justification. It was confirmed the aerators would be hard wired.

Matthew Popp, Environmental Land Solutions, stated he was generally in agreement with the conditions of the order recommended by Ms. Carroll Andrews. He requested the need for high visibility tags on the planted trees be dropped from the condition.

After discussion, it was determined the high visibility tags were not necessary and the two-year hold period for the bond was fine.

Norma Kerlin made a motion to issue an order for IWWA 2020-105, with the conditions proposed by staff and as modified, seconded by Bill Galvin, and carried 7-0-0.

3. 2020-093 – 82 Buckfield Lane – Matthew McCullough for Michael Grunberg for maintaining paved back up space 5 feet from wetlands, and replacing two trees removed from wetlands. Tax #10-1741

Robert Clausi described the revisions to the plans since the last meeting. Four trees are proposed to compensate for the trees removed. A vehicle movement detail was submitted. The drainage issue, which stems from a lack of an engineer’s certification the previously permitted drainage system was built to specification, has not been resolved.

Matthew McCullough, agent for the applicant, requested the discussion be continued to the December meeting.

4. #2020-100 – 42 Stag Lane - Rocco V. D’Andrea for Manuel and Lois Nieto for deer/pool fence 11’ from wetlands. Tax #11-2240.

Robert Clausi began by referencing an easement filed to protect wetland buffer as part of an earlier permit. The filed document was defective and this needs to be rectified. To do this, the applicant has prepared a new easement for filing that also has been revised to allow fencing in the easement. The current application seeks permission to locate a pool fence in an upland review area that is restricted via the easement. Because the fence would serve as a pool fence, a gap at the bottom of the fence is not possible per building code. The site is 6.3 acres in size and approximately 1.25 of those acres are residentially developed. The applicant has not provided justification for placing the fence in the eased area.

Elliot Benton suggested the fence be located tightly around the proposed pool.

Rich Regan, D’Andrea Surveying & Engineering, P.C., spoke on behalf of the applicant. The easement issued in 2014 was proposed as a means to satisfy the drainage manual and therefore its boundary is not negotiable. Further, placing the fence in the eased area would not diminish this drainage function. As mitigation for allowing the fence in the easement, the applicant is proposing to place an easement
on 4.6 acres of the property, including 2.3 acres of uplands. Mr. Regan noted the topography of the eased area does not lend itself to being converted to lawn, so the fence location is not material.

Peter Linderoth stated having this fence without the gap at the base is an issue for him.

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


Ms. Sesto conveyed the applicant’s request to continue this application to the next meeting.

6. #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.

Jennifer Urena provided a recap of the application’s status. The review was paused to allow the applicant the opportunity to revisit drainage requirements. A previously unaccounted-for greenhouse has been incorporated into the drainage calculations and removal of hardscape is proposed to keep the total added impervious surface under 1,000 s.f.

Bret Schneiderman address the agency and reiterated the restoration plan is robust.

Joseph Rogers made a motion to approve IWWA 2020-131 with the agency’s normal general conditions and the special conditions proposed by staff, seconded by Bill Galvin, and carried 7-0-0.

New Applications for Review

1. #2020-144 – 48 Locust Road – John Thomas and Moushumi Data-Thomas for emergency request to install fence along property line and within wetlands. Tax #10-1252. (First 65 days 12/30/20)

Doreen Carrol Andrews described the issues onsite. The neighbor has reportedly been clearing and expanding farming operations in and adjacent to wetlands on the subject property. To remedy the encroachment, the property owners are requesting a permit for a fence along the property line. Their intent is to let the vegetation recover naturally.

Ms. Carroll Andrews summarized a letter from the neighbor, Steve McMenhiman, stating the property is his and he objects to the fence. Ms. Carroll Andrews noted the application documents included standard evidence Mr. & Mrs. Thomas own the property. Issues raised by Mr. McMenhiman are not within the jurisdiction of the agency to address.

Mr. Carroll Andrews stated the fence will not have any impact on the wetland. Wood chips spread in the regulated areas need to be removed.

Joseph Rogers made a motion to approve IWWA 2020-144 with the standard general conditions, special conditions proposed by staff, and the additional condition the wood chips are to be removed by January 20, 2021, seconded by Peter Linderoth, and carried, 7-0-0.

2. #2020-145 – 8 Perry Place – Environmental Land Solutions, LLC for Christopher and Katherine Schwartz for construction of additions and extension of deck over a watercourse. Tax #12-1430/S.
Robert Clausi reviewed the project to construct additions and a new, expanded deck. He stated the additions would not present a risk to the watercourse, which is largely piped with a short segment contained within retaining walls and otherwise open. It is a portion of this open section the applicant would also like to put a deck over.

The watercourse was described as having a primary function of conveying water, a function that will not be impeded. Regardless, the watercourse should not be further confined by a deck. The deck is proposed to be constructed of synthetic material, which while it has lower maintenance needs than natural wood, it still has some maintenance requirements. The deck could also be resurfaced with natural wood at some point in its life and the agency would have no reasonable means to ensure this doesn’t happen.

Mr. Clausi provided conditions of approval, excluding the deck. He acknowledged the proposed planting plan reflects mitigation for the deck and may be subject to revision if the deck is not approved.

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

Matthew Popp, Environmental Land Solutions, described activities related to rebuilding the bridge on Sunshine Avenue immediately upgradient of the exposed watercourse. The new deck will be four feet above grade, providing one foot of freeboard above the flood boundary. Mitigation plantings are proposed to compensate for the deck.

Elliot Benton made a motion to approve the proposed additions and exclude the deck with the agency’s normal general conditions and the special conditions proposed by staff, seconded by Joseph Rogers, and carried, 7-0-0.

3. #2020-148 – 17 Windabout Drive – Conte & Conte, LLC for Qahir & Christina Madhany for construction of pool, cabana, walls, and terraces, expansion of driveway, and modification of drainage system 24’ from wetlands. Tax #10-2537.

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

Robert Clausi described the project to address landscape problems and proposed improvements. The applicant is proposing retaining walls to resolve erosion issues along the previously approved limit of yard. The walls, while more structured than the current soft edge, largely follow the limit of yard. A pool and subterranean pool house are proposed within lawned regulated areas. An existing rain garden will be exchanged for infiltrators, which will also accept new drainage to mitigate for the new development.

DPW had questioned the need to remove ledge to enable the infiltrators to properly function. The revisions are under review and the applicant’s engineer is confident they will be approved.

John Conte, Conte and Conte, expressed his agreement with Mr. Clausi report and recommendations.

Bill Galvin made a motion to approve IWWA 2020-148 with the agency’s general conditions and the special conditions provided by staff. Joseph Rogers seconded the motion and it carried 7-0-0.

4. #2020-149 – 47 Beechcroft Road – S.E. Minor & Co., Inc. for Mark Camel and Linda Chiswick for construction of pool, patio, pergola, and drainage, and dredging of pond. Tax #11-1766.
Robert Clausi explained this project looks more substantial in plan form than it is. The area of construction is well established yard, with an existing retaining wall. The proposal would alter the shape of the wall as part of constructing a pool. Associated infiltrators would be installed in lawn, too.

The pond was last dredged in the 1990’s and the applicant is proposing a mechanical dredge for the current application. The spoils, approximately 250 c.y., would be spread on the lawned area between the pond and wetlands to the south. There is an American elm that warrants additional protection and planting proposed to buffer the pond. Mr. Clausi acknowledged some stones lining a section of the pond have fallen and will be repositioned.

Elliot Benton made a motion to approve IWWA 2020-149 with the agency’s general conditions and the special conditions provided by staff, seconded by Bill Galvin, and carried 7-0-0.

5. #2020-150 – 28 Cliffdale Road – S.E. Minor & Co., Inc. for Tara Kupersmith for corrective regrading and revegetation of area 5’ from wetlands. Tax #10-1918.

Doreen Carrol Andrews described the nature of the violation that lead to the application. Predominantly herbaceous material was removed from the upland review area. The area was swiftly seeded, and silt fence installed. The work area is stable. A 2005 permit required a meadow to be maintained. Tara Kupersmith added she was trying to restore the area by removing mugwort. She wants to remove two dead trees and replace those at a 2:1 ratio.

Elliot Benton made a motion to issue and order in association with IWWA 2020-150 with the conditions provided by staff, seconded by Joseph Rogers, and carried 7-0-0.

**Applications to Be Received**

1. #2020-153 – 34 Baldwin Farms North - Michael Rolla for corrective action for unpermitted removal of trees 27’ from wetlands. Tax #10-2664

2. #2020-154 – 221 Taconic Road – S.E. Minor & Co., Inc. for Langdon Van Norden Jr. for construction of additions, septic system, patios and drainage, reconfiguration of driveway, and designation of septic reserve area 95’ from wetlands. Tax #11-1410.


4. #2020-156 – 18 & 20 Walsh Lane – Environmental Land Solutions, LLC for James Cook & Nancy Parmet and DKNS Properties LLC to import fill to create a wetlands meadow. Tax #02-1691.


7. #2020-159 – 41 Morgan Avenue – S.E. Minor & Co., Inc. for Gregg & Jennifer Solenne for construction of pool and drainage 21’ from wetlands. Tax #09-1218/s.

9. #2020-161 – 290 Riversville Road – Muller Engineering, LLC for Enrico Defilippo for construction of single family residence, driveway, patio and septic system 37’ from wetlands. Tax #10-1395.

10. #2020-162 – 14 Plow Lane – Muller Engineering, LLC for Rita Bergbaum for construction of pool, hot tub and deck 10’ from wetlands. Tax #07-1966/s.

11. #2020-163 – 15 Grosset Road - Rocco V. D’Andrea for Bryan and Abigail Finkel for demolition, and construction of single family residence, driveway, pool and pool house 52’ from wetlands. Tax #05-2135/s.

12. #2020-164 – South Stanwich Road Causeway - Town of Greenwich for emergency repairs of causeway.

13. #2020-165 – Drinkwater Place to Hendrie Avenue – Town of Greenwich for installation of drainage infrastructure 8’ from wetlands.


15. #2020-167 – 95 Richmond Hill Road – Sound View Engineers & Land Surveyors for Frances Berrick for construction of in-ground pool and drainage 63’ from wetlands. Tax #10-3648.

Ms. Sesto stated another permit application, 2020-168 needs to be included in the motion receive the applications.

Elliot Benton made a motion to receive the listed applications and IWWA 2020-168, seconded by Joseph Rogers and carried 7-0-0.

**Agent Approval Permits**

1. #2020-120 – 3 Knollwood Drive East – 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.

2. #2020-147 – 32 Vineyard Lane – S.E. Minor & Co. Inc. for Andrew and Ann Baker for installation of entry gate and deer fence 6’ from wetlands. Tax #10-1290.

3. #2020-151 – 72 Sawmill Lane – S.E. Minor & Co., Inc. for Douglas and Andrea Mitchelson for construction of pool and drainage, and designation of septic replacement area 40’ from wetlands. Tax #11-3162.

4. #2020-152 – 11 Windabout Drive – Ahneman Kirby, LLC for Suzanne Frank for extending gravel driveway to second curb out, designate septic replacement area and install drainage abutting wetlands. Tax #10-2536.

**Violations**
Cease and Correct Order # 2020-001 – for Alfredo Catalic on 188 Bedford Road. Unauthorized clearing of trees within wetlands and watercourse areas. Tax ID# 10-2425

Jennifer Urena read the list of documents into the record. The violation includes the removal of 14 trees, sized 6”-28”. A stop work order was issued to the homeowner and L&B Tree Care. Ms. Urena recommended a corrective action application be required for submission by January 22, 2021.

Joseph Rogers made a motion to uphold the order and require a corrective action application be submitted by January 22, 2021, seconded by Bill Galvin and carried, 7-0-0.

**Other Business**

Ms. Sesto reviewed a letter from Keri and Michael Breed, owners of 15 Orchard Hill Road requesting they be relieved of the requirement to alter the fence adjacent to a wetland. The section of fence is adjacent to a 150 s.f. wetland pocket of low value and the fence has been in place prior to the Breed’s taking ownership of the house. The remainder of the property is protected by a deer fence having mesh openings sized 7”x7”, an opening that exceeds the 6 inch gap they permit directed for the old fence.

It was the consensus of the members to forego the requirement to create a 6-inch gap at the base of the pre-existing fence.

**New Business**

1. #2020-124 – [82 Buckfield Lane](#) – Matthew McCullough for Michael Grunberg for installation of mesh to bottom of existing fence within wetlands. Tax #10-1741.

Ms. Sesto reviewed a request by the property owner regarding a stockade fence. At a previous meeting, the agency confirmed repositioning of a fence along the eastern property line could be considered a field change. The applicant then filed an application to allow mesh at the base of this fence, so it can qualify as pool fence. Mr. Grunberg is asking if the northern end of the fence can be cantilevered over the pond by an additional 30 inches. This is being required by the CT DPH to account for when the water level drops.

It was the consensus of the members to allow the added 30 inches of cantilevered fence as a field change.

**Adjourn**

With no further business, the meeting adjourned at 12:19 a.m.

Patricia Sesto
Director