MINUTES
GREENWICH INLAND WETLANDS AND WATERCOURSES AGENCY
December 16, 2019

Members present: Chairman Brian Harris, Vice Chairman Elliot Benton, Secretary Stephan Skoufalos, Jo Rogers, Jay Schondorf, Bill Galvin, and Norma Kerlin

Alternates present: Alan Rossi and Klaus Jander

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

Others present: Bryan Muller, Sound View Engineers & Land Surveyors, LLC; Tom Heagney, Heagney, Lennon, & Slane, LLP; Bill Kenny, William Kenny Associates, LLC; Jenny Larkin; Mark Strazza; Tony D’Andrea, Rocco V. D’Andrea, Inc.; Tom Ryder and Robert Pryor, Land-Tech Consultants; Mark Johnson; Tracy Chalifoux, Tracy Chalifoux; Steve Danzer, PhD & Associates, LLC; Mark Amber; Diane Starr; Larry Liebman, S.E. Minor & Company, Inc.; Bill Rutherford, Bill Klinman, Andrew Kuzmich, Redniss & Mead; Thomas LaPointe; Valerie and Tatiana Goldburt

1. Call to Order

Brian Harris called the meeting to order at 7:07 p.m.

2. Seating of Alternates

No alternates were seated.

3. Approval of draft minutes of November 25, 2019

Brian Harris corrected the minutes on page 4, where it attributed an action to him, rather than Mr. Skoufalos. Stephan Skoufalos made a motion to approve the minutes of November 25, 2019 as corrected, seconded by Jay Schondorf, and carried 7-0-0.

4. Director’s Report

Patricia Sesto reported she gave a presentation to a group organized by Berkshire Hathaway. The audience was comprised of developers and realtors who were interested in understanding the permitting process and how best to work through it.
5. Quarterly Compliance Report
Doreen Carroll-Andrews provided an overview of the agency activity for the last quarter. The written report also includes comparative data from last year for the same period.

6. Other Business
None

I. Public Hearing Applications

1. #2019-098 – 26 Cary Road – Sound View Engineers and Land Surveyors, LLC for Jeannette Ogilvy for redevelopment of a dwelling 35 feet from Mianus Pond. Tax #12-1484/s (65 day extension 1/1/20)

Patricia Sesto read the additional documents into the record.

Tom Heagney, Heagney, Lennon, & Slane, LLP, appeared before the agency, first submitted hearing transcripts. He reviewed the proposal and submitted documentation to date and brought the agency’s attention to the modification of the site plan that moves the proposed infiltrator unit three feet farther from the shoreline trees.

Ms. Sesto questioned Bryan Muller, P.E., representing Sound View Engineers and Land Surveyors, LLC on behalf of the applicant, noting he had previously stated the infiltrator could not be moved closer to the foundation as that would cause a loop of groundwater cycling between the sump pump and infiltrator. Mr. Muller agreed this was his position, but in an effort to better protect the trees, this configuration could work with some added safeguards.

Brian Harris questioned Mr. Heagney with regards to the alternative house footprint he had previously requested. Mr. Heagney stated no submission was made to address the request. However, the alternative suggested by Mr. Harris to utilize second floor space over the carport would not do anything to reduce the footprint of the first floor. Ms. Sesto questioned if the garage was reduced to accommodate one car instead of two, could the bulk of the house be moved east, farther from the trees. Mr. Heagney dismissed the idea, saying there is no room for a second car outside. Mr. Muller followed up by adding a shift in the house site would displace permeable driveway and thereby reduce the area available for infiltration.

Ms. Sesto pursued alternatives that would better protect the shoreline trees. Based on her research, what is being proposed is not best management practice for tree preservation. Consistently, sources cited the critical root zone as being at least to the dripline of the tree, with sources varying on formulas to calculate an additional zone of protection. No alternatives have been shown that address these best management practices and demonstrate that a shift or reduction of the footprint and Cultec unit would not be beneficial to the trees. With the foundation 20-30 feet from the trees and within the dripline, and silt fence, which is interpreted as the limit of disturbance being just 5-7 feet from the trees, compaction of the soil in the critical root zone is unavoidable.
Ms. Sesto questioned William Kenny, PWS, PLA, of William Kenny Associates LLC, asking if what she described is consistent with what he understands as best management practice for tree preservation. He concurred, but qualified his statement noting other safeguards were available if BMPs could not be attained. She responded that it has not been established that BMPs to protect these trees were not attainable and noted his report on the project is dated well after the date on the site plans, leading her to conclude he was not part of the design process. She also asked if Mr. Godspondinoff and Ms. Matthews, in preparing their reports, were asked if it would be better for the trees if there was no development under their dripline.

Mark Strazza indicated the silt fence doesn’t have to be where it is shown. Once the patio is removed and the Cultec unit installed the fencing can be moved towards the house. Plywood or woodchips could be installed to alleviate compaction. It was offered these safeguards could be made conditions of approval.

Bryan Muller described the construction process, stating the work would be conducted west to east and the excavation can be accomplished from within the footprint. Silt fence could be set five feet from the west side of the house. The Cultec unit could incorporate a poly liner to ensure infiltrated water doesn’t work it way back to the house.

Elliot Benton questioned the size of the carport and what opportunities exist to reduce its footprint and move the house eastward. Discussion ensued regarding structural needs, setbacks from property lines for infiltration, and options to reposition the Cultec unit.

Mr. Kenny reviewed the landscaping plan, which results in less lawn than currently exists and more stormwater treatment. He concluded the loss of one tree would not make a difference to the pond due to the remaining trees. Further, the applicant would be willing to replant if trees died. This could be made a condition of approval.

Thomas Ryder, certified ecologist, Land-Tech Consultants, responded the concern is not the loss of one tree, it is the loss of a line of riparian trees important to the pond. The root systems do not spread west due to the pond, meaning the bulk of the trees’ roots are within the construction zone. He concurred, the Best Management Practice for preserving the trees is to avoid activities under the drip line and this was not accommodated.

Elliot Benton continued forward to pursue other alternatives with the applicant’s agent. Mr. Kenny submitted a sketch that showed a discharge pipe for the footing drain being installed using directional drilling to avoid root disturbance. Mr. Heagney indicated this option could be made a condition of approval.

Chairman Harris called for public comment. There was none.

Discussion ensued between Ms. Sesto and members regarding the completeness of the application as it pertains to an approval. She stated the applicant has noted several orally
described alterations that were offered as conditions of approval. This shifts the burden to resolve shortcomings of the application to the agency and this is troublesome.

Brain Harris made a motion to close the public hearing, seconded by Elliot Benton, and carried. 7-0-0.

Ms. Sesto was directed to summarize the application for consideration at the next meeting.

2. #2019-109 – 249 Valley Road – Rocco V. D’Andrea, Inc. for Timothy Saunders, Jr. for two-lot subdivision and construction of a single family residence 11 feet from wetlands. Tax #08-2018/s (65 day extension 2/5/20) PS

Patricia Sesto read the new documentation into the record.

Tom Heagney, Heagney, Lennon, & Slane, LLP, addressed the agency and submitted a transcript of the last meeting. He stated the proposal has preliminary approval from P&Z and received a variance from ZBA.

Tony D’Andrea of Rocco V. D’Andrea, Inc. addressed the agency. He stated he is in receipt of the peer review from Land Tech Consultants, and although he requested a meeting with them to discuss the issued raised, the agency’s director did not authorize the meeting as she stated the conversation between the consultants should be here, so the agency could hear it.

Mr. D’Andrea proceeded to address each point of Land Tech’s review. The stockpile area shown is effectively a placeholder and its actual dimension will be dependent on construction needs. He provided an oral account of project phasing, noting the site will be developed east to west. Written testimony from Twelve Development attested to their approval of what Mr. D’Andrea described. The erosion and sedimentation control fencing should be viewed as dynamic and will likely be altered from what is shown on the plan to conform to site changes.

He justified the use of Soil Group D and indicated DPW Engineering Division was fine with this soil group. The infiltration system below the pervious driveway is now sized to accept stormwater volume from a 100-year storm from all impervious areas on-site. There will be no discharge east of the house and no need for the life of the house to maintain the infiltration structures below the house. Given the pretreatment provided prior to this water reaching the infiltration structure below the house, the system will not fail.

There are not alternatives being considered, as this is the footprint the applicant wants to build. Accommodations for 13 construction vehicles was described.

Tom Heagney, Heagney, Lennon, & Slane, LLP, offered to have an on-site monitor who would provide weekly reports to the agency.

William Kenny, of William Kenny Associates LLC, presented his solar study. The study shows how the height of the structure and decks is advantageous as it lets adequate sun to the area
below the deck. The remainder of the house acts much like a ledge cliff would in a wooded setting. Elliot Benton noted none of the study samples depict sun illuminating the south side of the house. William Kenny acknowledged this deficiency and will resubmit revised depictions.

Mr. Kenny was asked to describe the value of wetland and watercourse buffers. He responded buffers are advantageous for managing pollutants, with flat buffers being superior to steeply sloped ones. For this site, the steep grade creates effectively a 60 foot buffer between the house and pond, allowing ample space for infiltration. He concurred upland habitat is being lost. The buffer also provides shade to the water’s edge and although trees are being removed for the development, plantings are going in.

Ms. Sesto inquired further, stating buffers do more than just renovate stormwater, with one function being the export of nutrients and woody debris. Discussion ensued. She questioned Mr. Kenny regarding how the proposed project aligns with the criteria for decision in the regulations. The consumption of some 50% of the parcel with house and driveway closes opportunities for future enhancements of the buffer to benefit the wetland and pond. Mr. Kenny responded the buffer is lawn and is not particularly valuable. Ms. Sesto challenged this assessment, noting the area may have been lawn at one time, but has long been abandoned and is now more scruffy in nature.

Tom Heagney concluded the exchange by asking Mr. Kenny if the proposed development would create any impacts to the wetland and pond, to which he replied no.

Robert Pryor of Land-Tech Consultants, on behalf of the agency, appeared before the agency to speak to his report as refuted by the applicant. Defining an appropriate stockpile area is not to be dismissed. This is a tight site and stockpiled soil is unconsolidated and subject to erosion, which given the steep slopes on-site, can be problematic. Contrary to Mr. D’Andrea’s assertion, determining a proper location and size of the stockpile is not a graphic exercise, rather it is a real need.

Mr. Pryor noted Mr. D’Andrea’s verbal description of the construction sequence and emphasized this needs to be shown in plan form as well to ensure the construction crew is aware.

The chain link fence proposed between the silt fence and construction area cuts off access to the lower silt fence. This means inspection and repair are not readily possible.

The use of Soil Group D rather than B is of consequence because the stormwater plan is designed to mimic current conditions. The site has complex soils and the record does not substantiate the use of Soil Group D. This group has a high curve value, making the difference between existing and proposed conditions closer in terms of infiltration. If the wrong group is used, the stormwater management features will be undersized.

Mr. Pryor continued by addressing the weep holes, stating the analysis of the hydraulic window of the natural soil profile as compared to the post development profile of weep
holes in the foundation needs to be expanded. With ledge 6-7 feet or less, this information is valuable to understand how the groundwater will act.

Tom Ryder, Land Tech Consultants, on behalf of the agency, spoke of the need to choose the plantings below the deck with deliberate consideration of those conditions. He voiced concern regarding the conflict in timing between the invasive species management and construction.

Stephan Skoufalos asked Mr. Ryder to specifically address the issues of buffer value previously raised in his next written comments.

It was agreed Land Tech would submit comments by January 14th.

Chairman Harris called for public comment. There was none.

No further public comment was made.

The hearing was continued to January 27, 2020

Klaus Jander left the meeting.

3. #2019-142 – 29 Meadowcroft Lane – Tracy Chalifous, LLC for Aprazivel, LLC for dredging portion of lake. Tax #11-1767 (first 35 days 1/20/20)

Bob Clausi read the list of documents into the record. He then described the project and reviewed his staff report. The northern half of the pond will be hydro-dredged to remove 2-2.5 feet of accumulated sediment. The adjacent property at 29 Meadowcroft Lane is vacant, providing an opportunity to do the dredging with easy access.

The dredging will take 3-5 weeks. A silt curtain will be utilized to control the work area, and spoils will be pumped into sediment tubes. While a comprehensive construction plan was submitted, it should be revised to indicate the haul road will be reinforced.

The plan also includes a 50-foot-deep buffer to be vegetated with meadow species and three trees. The islands in the pond will provide additional shading, making the need to add more shoreline trees less important. The limit of the buffer will need to be marked in the field.

Tracy Chalifoux, R.L.A. of Tracy Chalifoux, LLC addressed the agency. She was in agreement with Mr. Clausi’s recommendation to reinforce the haul road. The meadow buffer will be dominated by sedges and she proposed a demarcation of boulder sized 2 feet across, spaced 3-5 feet apart.

A swale will be created on the west side of the sediment tubes to divert overland flows around the dewatering area. Once the spoils are removed from the site, the swale will be graded smooth.
Steve Danzer of Steve Danzer, PhD & Associates, LLC appeared before the agency to provide additional description of the proposed aerators. The aerators proposed are the type that blow air into the water, as opposed to the ones that circulate water to incorporate air.

Chairman Harris called for public comment. There was none.

Elliot Benton made a motion to close the public hearing, seconded by Bill Galvin, and carried. 7-0-0.

Jo Rogers made a motion to approve action on IWWA application #2019-142, with the general conditions and special conditions provided by staff, seconded by, and carried 7-0-0.

II. **Pending Applications**

1. #2019-089 – 3 & 7 Hillside Road and 505 East Putnam Avenue – Rocco V. D’Andrea, Inc. for Milbrook Crossing, LLC for redevelopment of 16 dwelling units in three buildings, with driveways, utilities, drainage, and landscaping in and adjacent to wetlands and a watercourse. Tax #07-1266, #07-2136, #07-1388 (35 days to make decision following public hearing 12/30/19)

Ms. Sesto reviewed her summary of the application.

Stephan Skoufalos spoke to the peculiarity of the application, noting the applicant’s agents stated on multiple occasions the project would yield pollution, but dismissed it as being inconsequential due to dilution. The burden is on the applicant to establish the level of pollution will not impact the watercourse. The engineer acknowledged the rain gardens would fail and declined to address probable pollutants in garages. The solution to the garage pollution issue was to depend on human nature to protect the watercourse. The flood preparedness plan was also inadequate. Mr. Skoufalos concluded the applicant had not met their burden to prove there will be no negative impacts.

Norma Kerlin remarked she liked the application as a whole, but the record is lacking proof the proposal will not have an impact. The record also lacks submission and discussion of feasible and prudent alternatives. Locating garages below the building in the floodplain is not realistic and resulted in several undisputed conclusions regarding the inevitable flooding. The conclusions by the applicant that there would be no impacts was baseless. Ms. Kerlin also found the flood preparedness plan to be incomplete. Alternatives that should be considered by the applicant include better pollution control and a smaller development.

Elliot Benton and Brian Harris stated for the record they have review the minutes and materials from the meeting they were not in attendance.

Jay Schondorf concurred with Ms. Kerlin’s statements, reiterating the lack of alternatives presented.
Alan Rossi added the lack of accounting for climate change to the discussion. There is knowledge to substantiate that storms are becoming more severe, meaning this plan, which is based on past storm patterns will not suffice for future storms patterns. Any new submission needs to incorporate these expectations.

Bill Galvin expressed fascination with the project. The properties are in decline, and as such, doing noting is not a viable alternative. The record states at least portions of each septic system are inundated by flood waters, which has to be detrimental to the watercourse. He found the directive to the applicant to prove there is no pollution to be asking them to prove a negative and the directive is largely based on hypothetical circumstances. The property is part of a 5.8 sq.mi. watershed and it is unreasonable to hold this project to a standard other properties are not meeting.

Mr. Galvin questioned Ms. Sesto’s summary, noting we shouldn’t be challenging Mr. Kenny to prove how came to his conclusions. Further, he stated the value of the cars in the garages will be substantial, motivating owners to keep them from being damaged by flood waters.

Many entities want this project and there is a need to balance our goals and the developers’ intent. Testimony was provided attesting to the caliber of this builder and the projects he produces. The plan conforms to FEMA regulations and clearly FEMA would know pollution comes from development in floodplains. Any storm will bring risks and this project is better than what someone else would propose.

Joseph Rogers concurred with Mr. Galvin regarding the hypothetical nature of the concerns. He would have liked to have seen more on what could be done to minimize the risks. Alternatives were not provided to prove the submitted plan was the best option.

Stephan Skoufalos commented Mr. Galvin’s points are important but disagrees that they are relevant to this agency’s charge. The record is odd in that pollution was acknowledged but the applicant didn’t address it.

Elliot Benton expressed appreciation for the thoughts stated by the others. He is not satisfied with the lack of alternatives, including why alter the grades of 7 Hillside to introduce development into the floodplain of the smaller storms. He too acknowledges the application summary has some overreach into the need to quantify pollutants but what the applicant has provided is insufficient.

Brian Harris supported the intent of the proposal to redevelop the historical structures but cannot disregard the acknowledged impacts and the impact that will affect downstream environments. The lack of alternatives was likewise a negative. The record does not support an approval.

Elliot Benton made a motion to direct staff to draft a denial of IWWA application #2019-089, seconded by Jo Rogers, and carried 6-1-0. Bill Galvin opposed the motion stating the reasons
for denial are based too heavily on hypothetical circumstances, are not quantifiable, and the project benefits outweigh the negatives.

2. #2019-093 - 47 Fairfield Road – Milone & MacBroom for Greenwich Country Day School for development of synthetic athletic fields, stadium, accessory buildings, parking, bridge replacement 5 feet from wetlands and over a watercourse. Tax #11-4013 (35 days for decision following public hearing 12/30/19)

Draft conditions of approval were presented by Ms. Sesto as directed by the agency.

Brian Harris made a motion to approve IWWA application #2019-093 with the general conditions and special conditions proposed by staff, seconded by Bill Galvin, and carried 7-0-0.

3. #2019-102 – 210 Stanwich Road – Rocco V. D’Andrea, Inc. for Vikram K. and Michelle C. Desai for construction of residential addition, garage, drainage, and septic reserve area 20 feet from wetlands. Tax. #11-2740 (second 65 days 1/3/20)

Bob Clausi reviewed his supplemental staff report, stating the application has been on hold pending approval of the proposed reserve leaching area from the State Health Department. This approval was given and the application is recommended for approval by this agency.

Tony D’Andrea of Rocco V. D’Andrea appeared before the agency and reiterated the existing system is functioning fine, so hopefully the reserve system will not be needed.

Jo Rogers made a motion to approve IWWA application #2019-102 with the general conditions and special conditions proposed by staff, seconded by Bill Galvin, and carried 7-0-0.

4. #2019-122 – 65 Upper Cross Road – Joseph F. Risoli, P.E. LLC for Sebastian TR Gunningham for invasive species removal within wetlands. Tax #11-1218, 11-3178 (first 65 days 1/31/20)

Bob Clausi reviewed his staff report and the outstanding items as of last month’s meeting. The work is proposed in an area encumbered by a conservation and archeological easement. Accordingly, P&Z and the Conyers Farm Association will have to approve the disturbance. The plan to remove bamboo is consistent with industry protocol.

Jo Rogers made a motion to approve IWWA application #2019-122 with the general conditions and special conditions proposed by staff, seconded by Bill Galvin, and carried 7-0-0.
5. #2019-141 – 175 Cat Rock Road – Thomas and Pauline LaPointe for maintenance of culvert and fill 1 foot from wetlands. Tax #08-2744 (first 65 days 1/1/20)

Doreen Carroll-Andrews reviewed the violation and request to maintain the current conditions. She is recommending the order include, among other things, the need to remove grout between the granite curbing, remove a catch basin in the driveway, raise the yard drain on the east side of the driveway, and install plantings.

Thomas LaPointe, property owner, appeared before the agency. He stated the catch basin was there, but he is willing to remove it. The ten dogwood trees need to be substituted with something able to handle periodic flooding and he questioned the feasibility of having ten trees put in the disturbed shoulder of the driveway. Lastly, he contended the as-built would be costly and questioned the need. The agency conceded a surveyed as-built was not needed, only a plan that shows what was done. The trees could be any native species Mr. LaPointe would like and the intention was to have them spread out along the length of the driveway.

Elliot Benton made a motion to issue an order to correct IWWA application #2019-141 as recommended by staff with the modification to 1a to allow for species substitutions and 7 to reduce the caliber of the as-built from a survey to a plan, seconded by Jo Rogers, and carried 7-0-0.

III. New Applications for Review

1. #2019-144 – 48 Round Hill Road – S.E. Minor & Co., Inc. for KL Greenwich, Ltd. for corrective action for removal of plantings 15 feet from a wetland. Tax #10-1523 (first 65 days 1/29/20)

Doreen Carroll-Andrews reviewed her staff report and described the violation of clearing shrubs and scrub adjacent to a wetland. A planting plan to repair the area was submitted and it needs an additional eight planting stations to bring it into compliance with the agency standard guidelines.

Larry Liebman of S.E. Minor & Co., Inc. appeared before the agency. He stressed that his client did not intentionally violate the regulations. He requested the agency forego Ms. Carroll Andrews’ recommendation for additional planting stations. Discussion ensued.

Brian Harris made a motion to issue an order to correct IWWA application #2019-144 as recommended by staff, seconded by Jo Rogers, and carried 7-0-0.

2. #2019-145 – 276 Lake Avenue – Redniss & Mead, Inc. for The Field Club of Greenwich for reconfiguration of paddle tennis courts and playground 43 feet from a wetland, site improvements including an indoor tennis facility, maintenance building, and internal driveway. Tax #10-1207 (first 65 days 1/29/20)
Bob Clausi stated portions of what is being proposed is covered by a permit issued in 2014. The revised plan improves on that which was presented in 2014. More planting and greater separating distance between structures and wetlands is proposed. Conditions of approval were provided in the staff report and Mr. Clausi suggested adding one more that would void whichever permit is not acted on once the other one is activated.

Andrew Kuzmich of Redniss & Mead, Inc. appeared before the agency and expressed support for the staff report.

Brian Harris made a motion to approve IWWA application #2019-145 with the general conditions and special conditions proposed by staff, and the additional condition orally recommended by Mr. Clausi. The motion was seconded by Jo Rogers and carried 7-0-0.


Doreen Carroll-Andrews reviewed her staff report. A dry laid stonewall was extended into a wetland without a permit. Boulders alongside the wall will be removed and the drainage exemption is applicable.

Jo Rogers made a motion to issue an order to correct IWWA application #2019-146, seconded by Stephan Skoufalos, and carried 7-0-0.

4. **#2019-147 – 279 Taconic Road – S. E. Minor & Co., Inc. for Valerie and Tatiana Goldburt for construction of a gate house, retaining wall and permeable drive 11.7’ from wetlands. Tax #11-2852 (first 65 days 1/29/20)**

Jay Schondorf and Jo Rogers were identified as having been to the site.

Bob Clausi described the site as being highly constrained by large areas of wetlands. The plans indicate six trees will be removed to build the garage, although he counted eleven. Accordingly, the number of trees in the mitigation plan should be doubled.

Larry Liebman of S.E. Minor & Co., Inc. appeared before the agency and reviewed some alternatives considered. Location up by the house were not available due to that area being designated for a reserve leaching area. The applicant looked into an alternate design of a steel structure, but these are not permitted. The upland area further east and alongside the driveway was deemed too small.

Agency members and staff questioned the intended use of the building and made suggestions for alternatives. The building is meant to house two cars and provide storage. A smaller structure, parking level with the existing driveway, and moving the structure onto a
portion of the existing driveway were suggested as viable alternatives the applicant should pursue.

Brian Harris made a motion to delay action on IWWA application #2019-147, seconded by Jay Schondorf, and carried 7-0-0.

IV. Applications to be Received

Brian Harris made a motion to receive the ten applications listed on the agenda, seconded by Norma Kerlin, and carried 7-0-0.

1. #2019-150 – 21 Calhoun Drive – S.E. Minor & Co., Inc. for 21 Calhoun Drive, LLC for construction of new carriage house, driveway, drainage, grading, landscaping, and septic reserve area within 42 feet of wetlands. Tax #07-2043 (first 65 days 2/19/2020)

2. #2019-151 – 27 Angus Lane – Gregory Stacey for repair of water service line in wetlands. Tax #07-2677 (first 65 days 2/19/2020)

3. #2019-153 – 42 Dublin Hill Drive – Rocco V. D’Andrea, Inc. for LMB Dublin Hill, LLC for construction of single family residence, driveway, retaining walls, pool, utilities, drainage, and septic 43.2 feet from wetland. Tax #08-2590 (first 65 days 2/19/2020)


5. #2019-155 – 30 Morningside Drive – Putnam Landscape Associates for Tushar Virmani for construction of patio 5 feet from wetlands. Tax #01-2369 (first 65 days 2/19/2020)

6. #2019-156 – 120 Tomac Avenue – Heagney, Lennon & Slane, LLP for Innis Arden Golf Club, Inc. for demolition and reconstruction of a clubhouse, parking area, and site improvements within a wetland. Tax #06-1674/s (first 65 days 2/19/2020)

7. #2019-157 – 150 Dingletown Road - Heagney, Lennon & Slane, LLP for Warren and Dalia Raum for relocation of common driveway 35 feet from wetlands. Tax #11-1331 (first 65 days 2/19/2020)

8. #2019-158 – 25 Bailiwick Road – Casey O'Donnell for Frank Santanna for corrective action for removal of trees 60 feet from a pond and maintenance of parking areas. Tax #10-2816 (first 65 days 2/19/2020)

10. #2019-160 – 35 Midbrook Lane – Earth Image, LLC for Michael and Michelle O’Donnell for residential addition 59 feet from a watercourse. Tax #06-3645 (first 65 days 2/19/2020)

VI. Agent Approvals

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

1. #2019-143 – 22 Hillcrest Lane – Rocco V. D’Andrea, Inc. for 269 Palmer Hill, LLC for construction of single family residence, driveway, retaining walls, pool, patio, and drainage 20 feet from wetlands. Tax #12-3271S/s

2. #2019-148 – 610 Round Hill Road – Gilbride, Tusa, Last & Spellane, LLC for Bradford and Alison Nordholm for demolition of a barn and construction of a new barn with employee quarters 75 feet from wetlands. Tax #10-1708

3. #2019-149 – 19 Angus Lane – Homefront Farmers, LLC for Candace and Chris Procaccini for construction of 32’ x 16’ raised bed garden enclosure 40 feet from wetlands. Tax #07-2123/s

There were no questions or comments.

VII. Violations

1. Cease and Correct Order # 2019-020 – 7 Dublin Hill Drive – William and Anne Kneisel for unauthorized renovation of a dam within regulated areas. Tax ID # 08-2694

Bob Clausi read the list of the documents into the record. In 2016 there was a permit to dredge the pond. Following that work, the dam was renovated and raised which exceeded the scope of the permit. CT DEEP gave the dam a AA classification, meaning the municipal wetland agency is responsible for regulated it. The homeowner is prepared to make a corrective action application.

Staff recommends that the Agency maintain Cease & Correct Orders #2019-020, that a Certificate of Violation be filed on the Land Records if an application to address the subject violation is not submitted by the deadline of January 13, 2019.

Brian Harris made a motion to uphold the cease and correct order as proposed by staff, seconded by Bill Galvin, and carried 7-0-0.

VIII. Other Business
Stephan Skoufalos made a motion to approve the 2020 schedule as presented, seconded by Bill Galvin, and carried 7-0-0.

**IX. Adjourn**

With no further business, the meeting adjourned at 11:45 p.m.

Patricia Sesto
Director