

**MINUTES
GREENWICH INLAND WETLANDS AND WATERCOURSES AGENCY
PUBLIC HEARINGS
June 15, 2009**

Members present: Chairman Lawrence Perry, John Conte, Garret Dietz, Elliot Benton, Stephan Skoufalos

Alternates present: Brian Harris

Staff present: Michael Chambers, Wetlands Director; Robert Clausi, Senior Wetlands Analyst

PUBLIC HEARING:

Chairman Lawrence Perry called the Public Hearing to order at 7:05 p.m. in the Cone Room on the second floor of the Greenwich Town Hall.

Application #2009-37 – Mountain Glen Capital, LLC – 20 Deerpark Meadow Road

Present on behalf of the applicant were Atty. Bruce Cohen and Michele Albonizio of Fogarty Cohen Selby & Nemiroff, Dinyar Wadia, Larry Liebman and Len Szczesny P.E. of S.E. Minor & Co., Inc, and Bill Kenny, Landscape Architect of William Kenny Associates.

Bob Clausi, Senior Wetlands Analyst, provided for the record a summary of the Staff Report and contents of File #2009-37. Mr. Clausi identified issues of concern which included impervious coverage on Lot 1, extension of lawn areas adjacent to the wetland, and the need to improve sedimentation and erosion controls in order to minimize potential impacts to wetland areas on and off site. Bruce Cohen and Lawrence Perry agreed that the two parcels to be discussed are two separate building parcels; therefore, matters relating to the two projects would be dealt with individually to allow for a clear record.

After hearing comments provided by staff, Larry Liebman of S.E. Minor & Co. began presenting details of the plan with the aid of a colored survey plan, later identified as Exhibit 1. Mr. Liebman noted that the building coverage was 14,400 sq. ft., while the driveway coverage included an additional 6,000 sq. ft. Agency members were advised while lawn had shifted 70 feet closer to adjacent wetlands, that only the understory would be stripped, while the mixed deciduous cover would be maintained. Mr. Liebman also stated that site construction and development would result in $\frac{3}{4}$ of an acre of Lot 1 not being disturbed.

Bill Kenny of William Kenny & Associates was also available to summarize documents placed in the record. Mr. Kenny concluded after a study of the property that on-site wetlands were degraded and maintained minimal function; therefore, it was his conclusion that viable wetland systems would not be significantly affected by the proposed site development.

Exhibits submitted by the applicant:

Exhibit 1 – colored Sheet 1 of application plans dated June 5, 2009

Exhibit 2 - colored Sheet 2 of application plans dated June 5, 2009

Exhibit 3 - photographs taken by Bill Kenny showing Wetland 1

Comments received from the neighbors began with Mr. Louis Duff. Mr. Duff provided the Agency with information regarding the neighborhood layout and the flood patterns that he has witnessed on both parcels. Atty. Tom Hartch of Whitman Breed Abbott & Morgan appeared before the Agency as a representative of the Deerpark Meadow Association. Mr. Hartch advised the Agency that the project was the largest project in the Association and that its potential impact on the Association's wetlands and watercourses was still being considered. Mr. Hartch supported the Staff Report and encouraged the Agency to resist the urge to view the two development lots as one item, rather than two building parcels which required site specific provisions that allow them to stand on their own. Martin Jacobson, resident of Deerpark Court, questioned what the drainage effect would be on his property immediately down gradient of the proposed development. The project team was asked to consider the effect of development and drainage modifications for both parcels on wetland and watercourse areas off the property.

Closing comments provided by the project team stated that the development post construction would result in a net improvement on neighborhood drainage for all storms up to the 100-year storm event. After hearing all comments, the Agency decided that the application required additional information before staff could adequately study the potential effect on wetland and watercourse areas. A motion to continue was made by Elliot Benton, second John Conte. The motion carried 6-0.

Application #2009-45 – Mountain Vale Capital, LLC - #0 Deerpark Meadow Road

Chairman Lawrence Perry called the Public Hearing to order at 9:00 p.m. in the Cone Room on the second floor of Greenwich Town Hall.

Members present: Chairman Lawrence Perry, John Conte, Garret Dietz, Elliot Benton

Alternates present: Stephan Skoufalos, Brian Harris

Staff present: Michael Chambers, Wetlands Director; Robert Clausi, Senior Wetlands Analyst

Staff member Robert Clausi began the Public Hearing by entering all contents of File #2009-45 into the Record. Mr. Clausi noted that the property was 2.05 acres, of which the plan looked to disturb significant portions of said area. Lawrence Liebman of S.E. Minor & Co., Inc. followed with details of the design proposal. Mr. Liebman noted the property contains approximately 6,800 sq. ft. of wetland and that site structures have been fashioned to maintain a 50 ft. minimum distance from the wetland areas. Using Exhibit 1, identified a colored drawing to be submitted later, Mr. Liebman revealed the project included 5,000 sq. ft. of building coverage, 17,500 sq. ft. of overall impervious coverage, and an additional 5,100 sq. ft. of pervious surfaces (which does not include lawn areas).

Bill Kenny summarized his ecological evaluation of the property and stated that invasive vines were smothering trees within the wetland. Mr. Kenny further noted that Wetland 2 had been drained historically and, therefore, was providing minimal function as a system within the landscape. Photos 3 through 6 presented by Mr. Kenny were entered as Exhibit 2. Using a survey map, entered as

Exhibit 3, Mr. Kenny identified the wetland basin which would be altered to provide a greater drainage function used to mitigate stormwater discharge generated over the two building parcels, Lot 1 and Lot 2. Members were advised that the work within the wetland would be done expeditiously so as to minimize the long-term effect on the wetland system. John Conte asked for greater restoration efforts in areas east of the proposed tennis court. A suggestion was made to improve the long-term viability of the wetland basin.

Exhibits submitted by the applicant:

Exhibit 1 - colored Sheet 1 of application plans

Exhibit 2 - photographs taken by Bill Kenny showing wetlands 2 and 3

Exhibit 3 - colored plan showing proposed phasing of development on Parcel 2

Atty. Tom Hartch of Whitman Breed Abbott and Morgan appeared before the Agency on behalf of the Deerpark Meadow Association. Mr. Hartch noted that aspects of the plan had expanded since its original submission and review before the Agency. As stated during discussion of Lot 1, Mr. Hartch advised the Agency that the project was out of scale for the neighborhood and its impacts to wetland and watercourse resources continued to be evaluated. However, at this time the Association was in agreement with the Staff Report and recommended Delay. Also providing comment were neighbors Maxfield and Sally Gibbons. Mr. Gibbons presented concerns regarding the scale of the residence and respective surrounding properties in the neighborhood. Mr. Gibbons also voiced concern that the extensive drainage activities would result in the damming of flows which would ultimately back onto his adjoining property.

At the close of discussion, Agency members instructed the project team to consider all questions and comments presented by both staff, members of the Agency and the neighborhood. A motion to Delay was made by Garrett Dietz, second John Conte. The motion carried 6-0.

A motion to close the Public Hearings was made by Garrett Dietz, second John Conte. The motion carried 6-0. The sessions ended at 9:54 p.m.

Michael N. Chambers
Wetlands Director