



**REPRESENTATIVE TOWN MEETING  
TOWN OF GREENWICH**

**EXPLANATORY COMMENTS FOR  
SEPTEMBER 2016 MEETING**

ITEM NO: **1-** postponed from the June 2016 meeting.  
DEPARTMENT: Office of the First Selectman  
CONTACT: Barbara Heins– 203 622 7702 – Barbara.Heins@greenwichct.org  
REFERRED TO: *Appointments, Land Use Committees*  
VOTES: Board of Selectmen 3-0-0

**RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed an alternate member of the Inland Wetlands and Watercourses Agency for a term expiring 3/31/20.**

**KLAUS H. JANDER**

**EXPLANATORY COMMENTS**

Klaus H. Jander, of 307 Stanwich Road, Greenwich, 06830, has been nominated as an alternate member of the Inland Wetlands and Watercourses Agency for a term expiring 3/31/20.

Mr. Jander is a lawyer who has worked with several firms as partner and a member of the executive committee, most recently as partner and member of the North American Regional Management Committee and as Chairman of the German and Central European Practice Group of Clifford Chance LLP of London and Puender Vollhard of Frankfurt. Since 2006, he has worked as Managing Director of Flrnsepp LLC in Greenwich. He also is Chairman of the Board in Germany of Schuetzwerke GmbH & Co.

Klaus earned a Bachelor's degree, cum laude, in Philosophy with a minor in Chemistry from the University of the City of New York, Queens College. He earned his Doctor of Laws Degree with a specialization in International Law from Cornell University School of Law.

ITEM NO: **2** —postponed from the June 2016 meeting.  
DEPARTMENT: Office of the First Selectman  
CONTACT: Barbara Heins– 203 622 7702 – Barbara.Heins@greenwichct.org  
REFERRED TO: *Appointments, Parks & Recreation Committees*  
VOTES: Board of Selectmen 3-0-0

**RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a member of the Board of Parks and Recreation for a term expiring 3/31/19.**

**FRANK DiVENCENZO**

**EXPLANATORY COMMENTS**

REPRESENTATIVE TOWN MEETING  
TOWN OF GREENWICH

EXPLANATORY COMMENTS  
SEPTEMBER 2016 Meeting  
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Frank DiVencenzo, of 44 Stone Brook Lane, Greenwich, 06830, has been nominated as a member of Board of Parks and Recreation for a term expiring 3/31/19.

Mr. DiVencenzo is a retired electrical contractor who has lived in Greenwich since 1972. He is a golfer who plays at the Griffith E. Harris Golf Course and is an avid user of the Mianus River Park.

Frank's past community service includes coaching junior and senior Babe Ruth baseball teams and serving as an assistant coach with the Cos Cob Crushers. He also is a former member of the User Advisory Committee at the Griffith E. Harris Golf Course.

ITEM NO: **3** —postponed from the June 2016 meeting.  
DEPARTMENT: Office of the First Selectman  
CONTACT: Barbara Heins– 203 622 7702 – [Barbara.Heins@greenwichct.org](mailto:Barbara.Heins@greenwichct.org)  
REFERRED TO: *Appointments, Land Use, Parks & Recreation Committees*  
VOTES: Board of Selectmen 3-0-0

**RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed an alternate member of the Harbor Management Commission for a term expiring 3/31/19.**

**DONALD R. CARLSON**

#### **EXPLANATORY COMMENTS**

Donald R. Carlson, of 20 Shore Acre Drive, Old Greenwich, 06870, has been nominated as an alternate member of the Harbor Management Commission for a term expiring 3/31/19.

Mr. Carlson is Venture Partner with Rubicon Venture Capital. He has held several executive and consulting positions with corporations and firms including Chief of Staff with Goldman Sachs & Company, Business Intelligence Advisors, Inc. and Matterhorn Transactions, Inc. He also was a professor in the MBA program at Bard College and an adjunct professor of economics and environmental studies at Williams College. An active sailor and boater for 30 years, Mr. Carlson also has been involved with the Harbor Management Commission regarding the restoration of Greenwich Cove.

Donald earned his Bachelor's degree in Political Economy from Williams College, magna cum laude and his Juris Doctoris magna cum laude from Harvard Law School. He also is board chair of the International Education Exchange, a volunteer mentor to returning veterans from Iraq and Afghanistan with American Corporate Partners, and volunteers as a tutor at the Chester Addison Center, as well as the New Covenant House Soup Kitchen and as a Little League coach and a cross country assistant coach.

ITEM NO. **4**  
DEPARTMENT: Law Dept  
CONTACT: Matthew Popp [matt@elsllc.net](mailto:matt@elsllc.net)  
[poppmatthew@gmail.com](mailto:poppmatthew@gmail.com); 203-219-5454  
Dr. Corda, Bd of Ed, [salvatore\\_corda@greenwich.k12.ct.us](mailto:salvatore_corda@greenwich.k12.ct.us)  
REFERRED TO: *Education, Land Use, Legislative & Rules Committees*  
VOTES:

**Whereas, Section 100 of the Town Charter provides that any person owning property within the Town may refer a municipal improvement approval by the Planning and Zoning Commission to the RTM within 30 days of approval by the Commission, and that the RTM shall have the power to approve such proposal or reject it, and**

**Whereas, Matthew J. Popp, a Property Owner, referred MI #PLPZ 2016 00140 to the RTM on July 2, 2016,**

**Now, therefore, be it Resolved that the RTM approves MI #PLPZ 2016 00140 relating to the New Lebanon School.**

### **EXPLANATORY COMMENTS**

#### **Separate Packet:**

Memo from NL School Building Committee re Item 4

Memo from Board of Education re Item 4

To consider and act upon the following Resolution, requested by a property owner:

**Whereas,** Charter §99 (Municipal Improvement) says “no action, other than the making of studies or surveys, shall be taken by any Town Agency, the Board of Education” on “any proposal involving” “(2) The location, relocation or major redesign of public real property or public buildings, including schools” “until such proposal has been approved by” the Planning & Zoning Commission or the Representative Town Meeting (RTM), and

**Whereas** no study or survey has shown that the proposed town-wide magnet school proposed for Byram will be likely to succeed in achieving its goal of solving the racial imbalance problem, and

**Whereas,** the Planning & Zoning Commission approved New Lebanon School Municipal Improvement (MI) #PLPZ 2016 00140 on June 7, 2016, and

**Whereas,** Charter §100 says any person owning property within the Town may refer an MI to the RTM within 30 days of approval by the Commission, and that the RTM shall have the power to approve such proposal or reject it, and

**Whereas,** Matthew J. Popp, a Property Owner, referred MI #PLPZ 2016 00140 on July 1, 2016, and

**Whereas,** consistency with the Plan of Conservation & Development (POCD) is a key requirement for MI approval, and

**Whereas,** the proposed town-wide magnet school is *inconsistent* with the POCD because it will have a detrimental impact on traffic, the environment, recreation, and community character, and

**Whereas,** the proposed project will be an unnecessary burden on taxpayers, and

**Whereas,** MI referral to the RTM is a “de novo action”, a fresh look, which allows the RTM to consider any issue, including racial imbalance, community character, traffic congestion, environmental impact, recreation, cost, and more,

**Now, therefore, be it Resolved that the RTM rejects MI #PLPZ 2016 00140 (New Lebanon Magnet School).**

### **Explanos for MI Referral to RTM. (New Lebanon Magnet School)**

The Board of Education is proposing a town-wide magnet school that is intended to solve the problem of racial balance. To succeed, the school will need to attract the children of families from across Greenwich, and especially from schools that are racially balanced. There are no studies or surveys to demonstrate that this project will likely to succeed in solving the problem.

The project is much larger than needed to serve the current or future needs of the Byram neighborhood. In addition to the larger building, the project includes a large parking lot, an over-sized bus loop, wider driveways, and larger drainage systems. The project will compromise Byram's natural landscape by clearing Byram's last remaining sizable mature woodlands that buffer the existing school and neighborhood from I-95, excavation of rock outcrops, loss of wildlife habitat, and substantially reduce the usable area of the existing small William Street ballfield for the installation of drainage structures. The project will negatively impact the environment and the quality of life in Byram.

Why, at great costs, lose the woods, diminish the usable ballfield area, and worsen traffic when we don't know whether this new town-wide magnet school is likely to solve the problem of racial imbalance? Until studies and surveys are conducted that demonstrate that the proposed project is likely to succeed, no more Town money should be spent on this project.

I have repeatedly expressed my concerns about this proposed use of Town land at each step of this project. Now I am asking the RTM to review and reject this MI.

#### **Justification**

The principal justification for the large size of the proposed project is to be a town-wide "magnet" school which will attract children from other parts of Town to solve New Lebanon School's racial imbalance problem. Hamilton Avenue School had a similar racial imbalance problem. A new, larger magnet school was proposed and built at significant extra cost. It is my understanding that the Hamilton Avenue School "magnet" has attracted students from other schools. However, the magnet school has created traffic congestion that adversely impacted the Hamilton Avenue neighborhood but it has failed to solve the racial imbalance problem.

#### **Studies or Surveys**

Charter §99 provides that only "studies or surveys" may be made prior to obtaining MI. To date, the Board of Education has not availed itself of the opportunity to "study" or "survey" whether enough families from balanced elementary school districts in other parts of town (or Byram families whose children attend private schools) will send their children to New Lebanon School in order to solve the problem.

#### **Traffic**

In addition, no study has been made of the impact on Delavan Avenue of transporting children from other districts. Byram already suffers from traffic congestion, including numerous vehicles traveling on Delavan Avenue between the many new developments in Port Chester and I-95 Exit 2. The proposed large town-wide magnet school will worsen traffic congestion in Byram.

#### **Environmental Impact**

Because of its large size for the site, including the building, driveway, parking lots, large bus loop, and playgrounds, the proposed town-wide magnet school will have a detrimental impact by clearing Byram's last remaining sizeable woodland which buffers the neighborhood from I-95 and by reducing the usable area of the William Street

ballfield. In the past, the New Lebanon School used the woods which are to be removed for educational purposes with trails and signage. The removal of the woodland will greatly diminish future outdoor environmental education opportunities.

#### **Cost**

The project will cost the taxpayers of Greenwich and the State millions of dollars more than simply building a replacement school in scale with the neighborhood that meets the needs of Byram.

#### **POCD**

A Key Test for granting Municipal Improvement (MI) status to a proposed project is consistency with the Town's Plan of Conservation & Development (POCD).

The Planning & Zoning Staff Report of March 28, 2016 accompanying the MI application for the New Lebanon Magnet School cited only the following three statements from the POCD, none of which appear relevant to the proposed town-wide magnet school:

6.23 Require that all new municipal construction projects use techniques to reduce energy requirements over the long-term with the use of Green Energy materials and Leadership in Energy and Environmental Design (LEED) program designs and materials.

6.25 Continue the long-term public school modernization and upgrade program. Incorporate green building and energy conservation elements in all upgrades and renovations.

6.26 Maintain school enrollment capacity for the long term by: • acquiring land adjacent to existing schools for future expansion. • retaining school sites and buildings through periods of enrollment decline so that they can be redeployed for school use when needed.

The Staff Report concludes, "It would appear that many of these goals of the POCD would be reached through this proposal."

Furthermore, the Staff Report did not list statements from the POCD that appear to be **inconsistent** with the proposed New Lebanon Magnet School. Here are many:

**Page ii.** Traffic congestion in many areas of Town at certain times is becoming more and more evident. Safety of our bicyclists, drivers, pedestrians (especially our children) is a concern. Realizing the cumulative results that the potential build-out in all regulatory zones may bring, including in the commercial and residential zones, it is not difficult to understand our frustration and feeling that others are reshaping our world, and that the Town cannot control the changes of the overall character of Greenwich. However, there is no need for this sense of loss of control. The purpose of this Plan of Conservation and Development is to organize and create a guideline for management of these changes in a way that is consistent with the needs and interests of the residents of this Town. It clearly is within the power of our community to control change.

**Page iii.** THE GOALS OF OUR 2009 PLAN OF CONSERVATION AND DEVELOPMENT AND FUTURE LAND USE REGULATION AND INTERPRETATION

2. Protect and enhance well-defined neighborhoods and village centers.
3. Protect and enhance overall community character and quality of life, including the quality of our schools, cultural institutions, recreation, library system, and municipal and quasi-municipal services.

5. Protect and enhance water and land natural resources, pervious surfaces, open space, parklands, recreational facilities and areas in an environmentally sensitive manner.
6. Continue, initiate and encourage renewed commitment for land-use regulation to underscore the importance of conservation and encourage development that preserves a sense of community around historic centers, schools and other institutions.
7. Development should be discouraged or prohibited when it is not compatible with and does not preserve existing land-use patterns. We need to provide alternate zoning opportunities to ensure that such development meets residents' needs.
8. Strive for consistency with business, retail, recreational, entertainment and commercial activities, and the needs and desires of our residents.
10. Continue to investigate and adopt energy conservation measures and initiatives for private and public properties and continue our healthy and safe environment. Promote incentives to encourage this.
11. While saving what is the essence of Greenwich, protect the Overall Environment, Preserve Energy, Build "Smart," Remain Sensitive to Historical and Cultural Preservation and Keep Greenwich Green.

**Page 1.** GOAL - To preserve the natural landscape, to protect resources, enhance aesthetics and provide recreational opportunities. Among the things that make Greenwich so attractive are its numerous open spaces and unspoiled natural features - public parks, beaches, wooded areas, massive rocks, lakes, rivers, fields, and scenic views.

**Page 2.** Address Flooding and Stormwater Management. Increased flooding has occurred because of two factors: development in the flood plains and zones, and increased impervious surfaces with new development. Impervious surfaces, such as roofs, driveways, roads and tennis courts, are surfaces where water cannot penetrate into the ground, thus impacting pipe capacity and the rate of runoff.

**Page 4.** As in many Connecticut communities, urban stormwater runoff is currently the most significant source of contamination of coastal and inland water resources. Stormwater runoff picks up sediment, automobile emissions and debris, pesticides, and other pollutants.

**Page 8.** Improve Coastal Water Quality Greenwich must address coastal water quality to protect coastal resources. Coastal water quality has been a particular concern for recreational use and shell fishing. The Shellfish Commission seeks to maintain the quality and quantity of shellfish beds. Every effort should be made to encourage the continuation of the shellfishing industry. The Town should continue efforts to improve coastal water quality by limiting impervious surfaces, providing water quality education, upgrading stormwater systems, and developing plans to address pollution at its source. Restoration of damaged or eliminated tidal wetlands will improve water quality and will reduce polluted effluent going into Long Island Sound.

**Page 9.** Preserve Existing Topography. The natural topography of Greenwich contributes to community character and is an important natural resource. When the natural topography is altered by 50 percent or more when regrading, excavating and filling, and when trees are removed, natural drainage patterns are changed. Such regrading of properties can dramatically increase drainage and flooding problems on an

area-wide or neighborhood basis. It is highly recommended that such regrading require a special permit. Neighboring properties experience flooding from regrading, tree clearing and increased impervious surfaces. The impacts from erosion may be invisible to most residents but, if not adequately controlled, sediment washes into waterbodies, as well as onto adjoining properties.

**Page 9.** Erosion also happens when development occurs on slopes of more than 25 percent. These slopes and nearby wetlands should be protected and left in their natural state.

**Page 10.** Protect Natural and Biologic Resources. Protecting natural resources is important because it preserves environmental functions, maintains biodiversity and prevents environmental damage. An important part of protecting natural resources involves having a full appreciation of their location, the quality, quantity and trends related to the resources. It is apparent that Greenwich is lacking critical information on environmental items.

**Page 10.** Protect and Plant Trees, Shrubs and Vegetation Trees provide a broad range of invaluable benefits to individuals and the environment and enhance community character. While the Town has taken steps to protect public trees, trees on private property are sometimes clear-cut when development occurs. The land-use agencies need to take steps to prevent inappropriate tree removal, such as clear cutting for development. Preservation and enhancement of the Town's urban forest is the desired goal.

**Page 12.** The Town, through the Conservation Commission and the Town Tree Warden, has proposed a Tree Ordinance to protect trees on Town property and in public rights-of-way through the Board of Selectmen and the RTM.

**Page 21.** Reinforce the Traditional Development Patterns. The traditional development pattern of residential zones in the southern part of Greenwich has developed in a manner that efficiently utilizes public infrastructure.

**Page 21.** The Plan recommends preserving traditional residential patterns by keeping development appropriate to the existing scale in each neighborhood. P&Z can study the impacts and effects of oversized development and consider alternative methods of measurements of bulk and scale (such as cubic footage) to maintain appropriate development in each neighborhood.

**Page 26.** GOAL - To preserve the economic base while enhancing activities in Downtown and the villages. Over the centuries several communities developed in Greenwich that persist to this day as centers in many cases with their own business district, post office, school, houses of worship, train station, firehouse, library, and community center or park.

**Page 29.** Protect and Preserve the Larger Villages and Neighborhoods. Greenwich has four large villages that provide a community level of commercial services and sense of neighborhood within that area. These villages, Cos Cob, Old Greenwich, Byram and Glenville offer unique opportunities and challenges.

**Page 34.** Byram is a unique village center. Its history "reflects the traditional American industrial revolution development pattern and should be preserved," according to Andres Duany, a leading urbanist and planner of the 21st century, who visited Byram and commented on its future as a neighborhood center. Byram is becoming gentrified but still retains the traditional architectural styles, is primarily a single family and two-family neighborhood and still hosts generations of the same families.

**Page 34.** Greenwich has focused particular attention on Byram during the last ten years with the development of the Byram Neighborhood Enhancement Plan in 2003 and the 2007 Byram Comprehensive Plan. Implementation of the recommendations in the 2007 Plan should be funded in the Capital Improvement Program.

**Page 34.** New development or redevelopment of Byram should pay particular attention to infrastructure, flooding, parking and traffic circulation, to ensure that existing residents and neighborhoods are not adversely impacted.

**Page 34.** 4.17 Implement the Byram Comprehensive Plan by providing funding for the recommendations in that Plan.

**Page 39.** 4.26 Reinforce the neighborhood village concepts by: • keeping and encouraging neighborhood cultural and historic structures and properties, • retaining neighborhood schools, libraries, playgrounds, fields, waterfront parks, • retaining local neighborhood retail and office establishments, • retaining fire stations, civic centers and religious institutions - all of which provide a sense of history and cultural place.

**Page 41.** GOAL - To preserve community character while providing a safe transportation network.

**Page 41.** Virtually every public and private body continues to recognize the need to relieve congestion on roads to reduce air pollution, sustain economic vitality, improve living conditions, and maintain the Town's residential and scenic character.

**Page 42.** Address Transportation and Traffic Needs. Traffic and Transportation issues are of critical importance to residents, visitors, and commuters who travel through the Town on a daily basis. With a population that has grown to over 62,000 and a constant influx of visitors and workers (35,000 daily trips into Town), Greenwich's transportation system continues to operate with an infrastructure that has remained largely unchanged for many decades. Greenwich has three principal east-west arterials that traverse the Town: Route 15 (Merritt Parkway), Route 1 (Putnam Avenue), and Interstate 95. Traffic on these roadways often exceeds capacity. This congestion impacts mobility through Town and often makes access difficult.

**Page 42.** There is no easy solution to traffic problems. To date, Greenwich has generally been successful in maintaining the rural New England character of the transportation system without implementing major road construction or improvement projects. The trade off, however, has been an increase in vehicle delay and congestion on several heavily traveled corridors within Greenwich and increasing safety concerns for pedestrian and bicycle traffic due to the higher vehicular volumes. With little public right-of-way along most roadways, Greenwich must find a way to manage the space available and assign priorities for each roadway. A number of competing interests exist which makes it difficult to find the balance between improving transportation and maintaining community character.

**Page 42.** Even though not all the development build-out will occur in the next 10 years, the impact of any of this new development will increase traffic and needs to be anticipated. Greenwich should maintain its standard of a Level of Service (LOS) Level C in evaluating any future development for improvements. (Note: the Byram Comprehensive Plan says the intersection of Mill and Water is currently LOS D and projected to drop to LOS E. The intersection of Delevan at I-95 is LOS D and projected to remain LOS D.)

**Page 43.** Greenwich has developed a Neighborhood Traffic Program to address concerns about speeding and traffic volumes. This Plan recommends that the Department of

Public Works continue traffic controls on roads that meet eligibility criteria established by the Department. This program addresses school routes for pedestrian and bicyclist safety in addition to vehicular traffic. The Board of Selectmen should provide funding for this effort.

**Page 44.** Create Additional Bicycle Facilities. Greenwich has few dedicated bicycle facilities. Narrow, crowded roadways limit the ability to establish bicycle lanes and discourage use of bicycles. In 2001, to address this concern, a Bicycle Master Plan was prepared and submitted to the Department of Public Works. It identifies safe and convenient bicycle routes. Since that time, some bicycle facilities, including a bicycle route, have been designated in Old Greenwich. Greenwich should implement the priority recommendations in the Bicycle Master Plan. A good first step might be to establish a pilot bike route throughout the Town to best integrate this transportation mode into the current road network. Bicycle usage should be anticipated when new road improvements are proposed.

**Page 46.** Enhance Sidewalks and Pedestrian Safety. While Greenwich has a series of village centers and higher density neighborhoods, sidewalks are not provided along a large percentage of the Town's roadway network. Where sidewalks have been provided, there are frequent disruptions and missing segments. Sidewalk installation is challenged by narrow roadways, limited right-of-way, obstructions along the side of roadways, and public opposition.

**Page 48.** Address Town Facility Management and Needs. Greenwich has a number of municipal facility management needs and it is important for the community to develop and refine priorities. Because of co-jurisdiction issues between the services that different Town departments provide, a coordinated management plan is required to ensure that long-term maintenance is being performed properly. While there are a number of initiatives, Greenwich needs to provide adequate funding for the facilities that are already in place, and ensure that the cost of new facilities does not displace maintenance funding. Many Town properties do not have plans for long-term management. Greenwich should develop asset management plans for all Town-owned property. The First Selectman should establish a Town Properties Committee to oversee this task along with appropriate departments and agencies. Schools are currently the only municipal buildings that are managed independently of the Department of Public Works (DPW). The Department of Parks and Recreation (DPR) does manage the school grounds and field usage, but upkeep of the school facilities falls under the jurisdiction of the Board of Education(BOE).

**Page 52.** Enhance Town Recreational Facilities. According to the Board of Parks and Recreation Greenwich is fortunate to have over 1,300 acres of parkland. Of this total 70 acres are currently dedicated to active playing fields. This space is extremely popular and is used for various organized programs and activities. This results in over 26,000 hours of field usage annually. Since the 1998 POCD, the field inventory has actually been reduced by eight because of school and municipal facility expansion. The DPR estimates that an additional 5,000 hours of field time are needed. Greenwich should also scrutinize any activity that would impinge upon recreational fields.

## **Conclusion**

The proposed oversized school development project will last for fifty years or longer. Why lose the woods, diminish the usable ballfield area, and worsen traffic when we do not know whether this new town-wide magnet school is likely to solve the problem of racial imbalance? The project is inconsistent with the POCD, and it will burden

taxpayers. Until studies and surveys are conducted that demonstrate that the proposed project is likely to succeed, no more taxpayer money should be spent on this project. The RTM needs to deny MI.

**ITEM NO:**

**5**

**DEPARTMENT:** Appointments Committee 16.08.24

**CONTACT:** John Eddy 203-550-7122 rtm@johneddy.com

**REFERRED TO:** *Appointments, Land Use, Public Works Committees*

**VOTES:** RTM Appointments Committee **Votes:** 11-0-0 D2 Absent

**RESOLVED, that the following named person, re-nominated by the Appointments Committee, be appointed as Member of the Flood and Erosion Control Board for a term expiring 3/31/20.**

**EDWARD SCHMELTZ, P. E.**

**EXPLANATORY COMMENTS**

Edward Schmeltz of 1 Linwood Avenue in Riverside, CT, has been renominated by the Appointments Committee to serve as a regular member of the Flood and Erosion Control Board. He is the current chairman of the Board, on which he has served since 1996.

Mr. Schmeltz is a civil engineer with more than 40 years of experience in coastal engineering, the planning and design of ports and harbors, marine facilities, breakwaters and other coastal structures.

Mr. Schmeltz is currently employed as a Senior Vice President and Director of Maritime and Special Projects for AECOM, the largest transportation engineering firm in the United States. He was honored with an [Outstanding Projects and Leaders Award for Lifetime Achievement in Design by the American Society of Civil Engineers](#) in 2015.

He holds a Bachelor's degree in Mechanical Engineering from the New Jersey Institute of Technology and a Master's Degree in Civil Engineering from Texas A&M University. He is a licensed Professional Engineer in New York, New Jersey, Connecticut and Texas. He holds Diplomate status in Coastal, Ocean, Port and Navigation Engineering from the American Society of Civil Engineers.

Mr. Schmeltz has authored over 25 technical publications related to maritime projects and issues. He is a Fellow of both the American Society of Civil Engineers and the Society of American Military Engineers. In addition, he is a member of the National Society of Professional Engineers, New York Society of Professional Engineers, and a Co-Chair of PIANC's CoCom. He is a past President of the New York City Post, Society of American Military Engineers and a founding member of the Academy of Coastal, Ocean, Port and Navigation Engineering of ASCE. He is a member of the Board of PIANC USA and the Academy of Coastal, Ocean, Port and Navigation Engineers (ACOPNE) and the President Elect of the Academy.

ITEM NO: **6**  
DEPARTMENT: RTM OLD BARN SPECIAL COMMITTEE 1609RT01  
CONTACT: Kip Burgweger Contact's phone # 203-869-2237  
fburgweger@aol.com  
REFERRED TO: *Land Use, Legislative & Rules, Parks & Recreation, Public Works Committees*

**RESOLVED, that the document entitled Easements, Declaration of Covenants, and Declaration of Preservation Restrictions granted by the Town of Greenwich (referred to as “Grantor”) and in favor of the State of Connecticut (referred to as “Grantee”) acting by the State Historical Preservation Office, an agency of the State of Connecticut is hereby adopted.**

#### **EXPLANATORY COMMENTS**

Through the efforts of the Greenwich Point Conservancy significant rehabilitation work has been done on the Old Barn located at Greenwich Point. In conjunction therewith a grant will be received from the State of Connecticut. One of the requirements of said grant is that a preservation restriction would need to be placed on the building. The preservation restriction is contained in the document entitled Easements, Declaration of Covenants, and Declaration of Preservation Restrictions referred to in the above resolution (hereinafter the “Preservation Restrictions”). The State of Connecticut offered a version of the Preservation Restrictions for the approval of the Town.

This resolution was requested by the First Selectman and approved by the Board of Selectmen and came before the RTM at its April 2016 meeting. It was referred to a Special Committee comprising one member from each of the Legislative & Rules, Land Use, Parks & Recreation, and Public Works Committees with instructions to discuss and report back to the RTM. The Old Barn Special Committee reviewed the State’s proposed initial version, a copy of which was included in the Explanos for the April 2016 Call. The Town and the Special Committee felt that certain provisions of the initial version of the Preservation Restrictions should be revised. Those revisions were submitted to the State and the State responded with a second version of the Preservation Restrictions. The Special Committee has reviewed the State’s second draft and has revised the document. The Special Committee’s revised version is attached. It has been marked to show changes from the second draft proposed by the State. Deletions are marked by strike-outs and additions are marked by underlining. Exhibit B has been entirely revised and so is not marked. The Special Committee recommends the adoption of the revised Preservation Restrictions.

#### **ATTACHMENTS**

Separate enclosure – Agreement

ITEM NO: **7**  
DEPARTMENT: Office of the First Selectman  
CONTACT: Barbara Heins 203-622-7702 – [Barbara.Heins@greenwichct.org](mailto:Barbara.Heins@greenwichct.org)

VOTES: Board of Selectmen 3-0-0  
REFERRED TO: *Appointments, Land Use Committees*

**RESOLVED, that the following named person, nominated by the Board of Selectmen, be appointed a member of the Historic District Commission for a term expiring 3/31/19.**

**DARIUS TORABY**

**EXPLANATORY COMMENTS**

Darius Toraby, of 31 Strickland Road, Cos Cob, 06807, has been nominated to become a full member of the Historic District Commission for a term expiring 3/31/19.

Mr. Toraby has served as an alternate member of the Historic District Commission since 2011. He has more than 40 years of experience in planning, design, administration, code compliance and review, supervision and inspection of residential, landmark restoration, industrial and office construction sites. He is the principal of Darius Toraby Architects, PC in New York City, with a specialty in restoration and landmark preservation.

Mr. Toraby earned a bachelor's degree and master's degree in architectural engineering and architecture, respectively. He also received a certificate in land and geodesic surveying with honors. He is a registered architect in the states of Connecticut, New Jersey and New York.

ITEM NO: **8**

DEPARTMENT: Office of the First Selectman  
CONTACT: Barbara Heins 203-622-7702 – [Barbara.Heins@greenwichct.org](mailto:Barbara.Heins@greenwichct.org)  
VOTES: Pending BOS Special Meeting on 9/19/16  
REFERRED TO: *Education, Land Use, Legislative & Rules, Public Works Committees*

**RESOLVED, that upon recommendation of the Commissioner of Public Works, with approval pending by the Board of Selectmen, that portions of the following public rights of way be discontinued and be integrated into adjacent properties of the Town of Greenwich Board of Education. The acceptance of this discontinuance to take effect upon ratification of the Representative Town Meeting:**

**Church Street / New Lebanon Avenue / Richard Street** - As shown on a map entitled Partial Roadway Discontinuance and Lot Consolidation Plan as prepared by Langan Civil Engineers dated May 17, 2016 revised August 17, 2016– Along a line beginning at a point on the easterly side of Church Street then running along Church Street, South 85° 23' 24" East, a distance of 200.00', then across Richard Street North 22° 23' 36" East, a distance of 59.95' then across New Lebanon Avenue and along Richard Street South 79° 05' 54" East, a distance of 196.88' then South across Richard Street 10° 54' 06" West, a distance of 51.63',

The southerly demarcation of the roadway to be removed is described as a line beginning at a point on the easterly side of Church Street then running along Church Street, South 85° 23' 24" East, a distance of 349.64' then across Church Street North 04° 34' 36" East,

a distance of 42.09' continuing then across Church Street North 22°23' 36" East, a distance of 10.97' then along Richard Street, South 78° 39' 24" West, a distance of 156.87'

The whole containing 23,058 square feet, (.052934 ac.) of land.

**ATTACHMENTS**

Separate enclosure – Agreement