

## BOARD OF LANDSCAPE ARCHITECTS

*Tel. No. (860) 713-6145*

May 21, 2008

State of Connecticut  
Department of Consumer Protection  
Occupational & Professional Licensing Division  
165 Capitol Avenue  
Hartford, Connecticut 06106

The Board of Landscape Architects held a regular meeting on March 25, 2008, which was called to order by Chairman Vincent C. McDermott at 9:30 AM in Room No 121 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

### **Board Members Present:**

Vincent C. McDermott	Chairman
Stephen Wing	Board Member
Paul E. Courchaine	Board Member
W. Phillips Barlow	Board Member
Denise E. Cooper	Board Member

### **Board Members Not Present:**

Robert W. Hammersley	Board Member
Shavaun Towers	Board Member

### **Others Present:**

Peter R. Huntsman	Assistant Attorney General
Steven J. Schwane	Administrative Hearings Attorney/DCP
Nelson Leon	Secretary, Department of Consumer Protection
Dickson F. DeMarche	Landscape Architect
Scott W. Neave	Landscape Architect Registration Examination Applicant

Note: The administrative functions of this Board are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information, call Richard M. Hurlburt, Director, at (860) 713-6135.

## **1.) Old Business**

1A. Minutes of the December 11, 2007 meeting of the Board; for review and approval. After a careful review by all, the minutes stand as submitted. It was noted by Mr. McDermott that under Robert's Rules, minutes do not have to be "approved" per say.

1B. Application for reinstatement of Landscape Architect's License for Mr. Michael J. Blier; continuation of discussion from the Board's December 11, 2007 meeting. Mr. Schwane noted that Mr. Kuzmich informed him by E-Mail that no additional information has been received by the Department regarding this matter. As such, the Board postponed further discussion on this matter until such time when the documentation has been received.

## **2.) New Business**

2A. Swearing-in of New Board Members Mr. Wilson Phillips Barlow and Ms. Denise E. Cooper by Department of Consumer Protection Attorney Mr. Steven J. Schwane. Mr. Schwane swore-in new Board members W. Phillips Barlow and Denise E. Cooper. They were welcomed by other members of the Board and by the Department. All look forward to working with them in the future.

2B. Appearance before the Board by Mr. Scott Neave for consideration to sit for the Landscape Architect Registration Examination. Mr. McDermott noted the applicant's educational and professional background. He also stated to the Board that they are considering this application on the basis that the work that has been done by the applicant for a specified period of time is landscape architecture. If so, the Department would advise CLARB to allow the candidate to take the exam. Mr. McDermott advised that successful completion of the *Landscape Architectural Registration Examination* does not mean that Mr. Neave is certified by the *Council of Landscape Architectural Registration Boards*. This lack of certification may pose difficulty should Mr. Neave decide to pursue licensing in States other than Connecticut.

Mr. McDermott reminded Mr. Neave as he prepared to give the Board and electronic presentation of his work experience that the Board is looking for the substance of the material that would be ordinarily tested on the licensing exam.

At the conclusion of his presentation, Mr. Barlow believes that the work presented to the Board by Mr. Neave is that of a Landscape Architect. Ms. Cooper noted that Mr. Neave's work is very impressive although she is not familiar with the landscape architect examination content. Mr. Wing stated that the work presented today along with his educational background would qualify Mr. Neave to sit for the exam. Mr. McDermott noted that the work he saw today is primarily residential in nature which is only a small spectrum of landscape architecture. Although he noted that he would not object, he does not feel that what he saw here today is representative of the body of work that a landscape architect encounters. Again, he noted that he will defer to the rest of the Board, going forward, to allow Mr. Neave to sit for the examination.

*As such, the Board of Landscape Architects approved Mr. Neave to sit for the Landscape Architect Registration Examination (L.A.R.E.) pursuant to Section 20-368-4a of the Regulations concerning the practice of Landscape Architecture in Connecticut by a 4 to 1 vote in favor. (Wing/Courchaine) Mr. McDermott voted not in favor.*

As an aside, Mr. McDermott warned Mr. Neave in a very strong and clear fashion that should he pass the examination, his license will be a Connecticut only license and would have to go through this process in New York State should apply for a license there. In addition, Mr. McDermott is very concerned about Mr. Neave's apparent use of plan stamping as was noted in his presentation to the Board. The concept of a stamp of a landscape architect or engineer represents somebody being in responsible charge of the work. This action represents improper practice by the individual, not necessarily Mr. Neave, but the person who is stamping and is a violation of both Connecticut and New York Law. Mr. Huntsman from the Attorney General's Office is in full agreement with Mr. McDermott. Mr. Neave was warned by Mr. McDermott to refrain from this practice immediately. Mr. McDermott briefly explained the enrollment process with CLARB after today's meeting to Mr. Neave and wished him well on the examination.

2C. Application of Mr. Mauricio J. Gomez for licensing by written examination; Mr. Gomez is applying with a CLARB Council Record (No. 5441) and has passed the Landscape Architect Registration Examination with the Council of Landscape Architectural Registration Boards. **Upon completion of a thorough review, the Board voted, unanimously, to approve his application. (Courchaine/Barlow)**

2D. Application of Ms. Bernice M. Wahler for licensing by written examination; Ms. Wahler is applying with a CLARB Council Record (No. 5825) and has passed the Landscape Architect Registration Examination with the Council of Landscape

*Architectural Registration Boards. Upon completion of a thorough review, the Board voted, unanimously, to approve her application. (Courchaine/Barlow)*  
2E. Application of Mr. Joseph R. Wahler for licensing by written examination:  
Mr. Wahler is applying with a CLARB Council Record (No. 5824) and has passed the Landscape Architect Registration Examination with the Council of Landscape Architectural Registration Boards. *Upon completion of a thorough review, the Board voted, unanimously, to approve his application. (Courchaine/Barlow)*

2F. Update from the Department's Legal Department regarding any Board issues or otherwise. Mr. Schwane explained his role with the Department to the Board for the benefit of the new members. He detailed the main areas of his work including the investigations he may have been involved with concerning possible violations by landscape architects. In matters such as this, he brings to the Board Agreements for the Boards consideration or formal hearings in which the Board acts as the judicial panel. Mr. Schwane noted that he is not the Board's legal advisor and that this role is handled by the Attorney General's Office. At this point Mr. Huntsman introduced himself to the Board and explained his title and duties to the Board.

Mr. Schwane distributed copies of proposed regulations changes concerning the electronic sealing of documents noting that a Public Hearing has been scheduled for April 22, 2008 at 10:00 AM in Room No. 119 of the State Office Building. The Hearing is run by Mr. Schwane and is recorded for public comment. The purpose of the hearing is for the Board to consider any public comment for possible inclusion in the final draft. Mr. Schwane noted the entire regulation process takes about a year to complete. Schedule permitting, Mr. McDermott will attend the Public Hearing.

Mr. Schwane addressed the audits concerning continuing education for the 2004-2006 biennium noting that the Department is now concluded their work with all licensees who remained recalcitrant.

Mr. Schwane also addressed the Department's major Bill concerning the imposition of civil penalties by this Board stating that this Bill essentially did not make it through the early legislative process. The Department will attempt another strategy to get this bill passed.

Mr. Schwane distributed copies of the regulation change being put forth by the State Library which contains comments by private associations. Mr. Schwane reminded the Board that these regulations amend the filing requirements for maps in Town Halls throughout the State. The changes attempt to make clear those design professional that have the legal authority to make such changes including Landscape Architects. He asked the Board to review the comments

made by the private associations and contact him with any of their comments as he will be meeting with the State Library people in the near future.

2G. Updated list of applications processed for licenses subsequent to the December 11, 2007 meeting of the Board. The Board acknowledged this information.

<b>Name</b>	<b>Method of Licensure</b>	<b>Dept. Approval Date</b>
Kupinska, Bozena	Waiver of Exam; CLARB Council Certificate No. 3757; NY	December 18, 2007
Badgley, Daniel L.	Waiver of Exam; CLARB Council Certificate No. 3668; NJ	December 24, 2007
Oren, Rivi	Waiver of Exam; CLARB Council Certificate No. 5519; NY	December 24, 2007
Sorensen, Randy G.	Waiver of Exam; CLARB Council Certificate No. 4389; MA	December 24, 2007
Wagner, Dale B.	Waiver of Exam; CLARB Council Certificate No. 1560; OR	December 24, 2007
Modafferi, Jr., Joseph P.	Waiver of Exam; CLARB Council Certificate No. 3716; NY	January 16, 2008
Avery, Alexandra C.	Waiver of Exam; CLARB Council Certificate No. 7041; RI	January 16, 2008

2H. "CHRO Reviews" CHRO CRITERIA PER SECTION 46a-80; Mr. McDermott noted that there are none before the Board today.

2I. Any correspondence and/or business received in the interim.

1. Mr. McDermott attended the CLARB Spring Meeting and addressed the Board concerning information he received regarding continuing education. He noted the extreme ends of the spectrum in terms of subject matter approval using New York State and Connecticut as examples.

CLARB, ASLA, CELA, LAAB, and the Canadian Society of Landscape Architects have joined to form an ad-hoc group to pre-approve the providers and course content for landscape architect continuing education. This will make the transfer of CEU credits to other States less cumbersome. This process will begin in April of 2008. This Board does not have to participate in this system if they choose not to. Mr. McDermott believes this system will be a positive and beneficial option for this Board to consider.

2. Mr. McDermott reported on his meeting with the Commissioner and other Board Chairs that took place this past January and was very well attended. This was the first of such meeting and will take place more frequently in the future. He noted that the trade Boards had difficulty in understanding the complaint process and was very surprised to hear that they participate in the exam editing process. Mr. McDermott noted that the participation of the professional boards at each of these upcoming meetings may not be necessary because their examinations come under the auspices of professional umbrella organizations such as CLARB and the NCARB.

***The meeting adjourned at 10:41 AM. The next regular meeting of the Board is scheduled for Tuesday, June 10, 2008, 9:30 AM, Room 121, State Office Building, 165 Capitol Avenue, Hartford, Connecticut.***

Respectfully submitted,

Robert M. Kuzmich, R.A.  
Board Administrator

