

STATE OF CONNECTICUT

BOARD OF LANDSCAPE ARCHITECTS

TEL. NO. (860) 713-6135

-MINUTES-

JUNE 11, 2013

The Board of Landscape Architects held a regular meeting on June 11, 2013, which was called to order by Chairman Vincent McDermott at 9:31 AM in Room No 117 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

Board Members Present:

Vincent C. McDermott	Chairman
W. Phillips Barlow	Board Member
Stephen Wing	Board Member

Board Members Not Present:

Nancy J. Rudek	Board Member
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Vacancy:

Two (Public Members)
One (Landscape Architect)

Others Present:

Robert M. Kuzmich	Department of Consumer Protection
Steven J. Schwane	Department of Consumer Protection
Owen A. McLaughlin	Candidate for Licensure.
Coleen McLaughlin	Mr. McLaughlin's wife.

Note: The administrative functions of the Boards, Commissions, and Councils are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information, contact Richard M. Hurlburt, Director, at (860) 713-6135 or Fax (860)-706-1255.

Agency Website: www.ct.gov/dcp

Division E-Mail: dcp.occupationalprofessional@ct.gov

1. Old Business

1A. Minutes of the March 12, 2013 meeting of the Board; for review and approval. After a thorough review, the Board approved the minutes as submitted.

2. Comments or Concerns of Any Person Present Today

No one scheduled before the Board today. In addition, there were no additional requests from anyone present at today's meeting.

3. New Business

Mr. McDermott stated to the Board that Mr. Paul Courchaine resigned from the Board due to health reasons. As their first order of business, the Board offered a motion of gratitude to Mr. Courchaine's for his service to this Board and the State. Mr. McDermott especially appreciated Mr. Courchaine's consumer-driven wisdom and noted that he will be missed by this Board. Mr. McDermott asked the Department to arrange for a formal acknowledgement from the Governor's Office for his service to the State. If possible, Mr. McDermott suggested that perhaps Mr. Courchaine can be present at the Board's next meeting to receive this salutation.

3A. Application of Ms. Abigail M. Chatfield for licensing by written examination; Ms. Chatfield is applying with a *CLARB Council Record (No. 37917)* and has passed the *Landscape Architect Registration Examination with the Council of Landscape Architectural Registration Boards*. ***Upon a thorough review, the Board voted, unanimously, to approve Ms. Chatfield's application conditional upon receiving a satisfactory transcript of her graduation from the University of Pennsylvania. (Barlow/Wing)***

3B. Application of Ms. Bethany M. Harre for licensing by written examination; Ms. Harre is applying with a *CLARB Council Record (No. 39965)* and has passed the *Landscape Architect Registration Examination with the Council of Landscape Architectural Registration Boards*. ***Upon a thorough review, the Board voted, unanimously, to approve Ms. Harre's application. (Wing/Barlow)***

3C. Application of Mr. Donald H. Hettrick for licensing by written examination; Mr. Hettrick is applying with a *CLARB Council Record (No. 19552)* and has passed the *Landscape Architect Registration Examination with the Council of Landscape Architectural Registration Boards*. ***Upon a thorough review, the Board voted, unanimously, to approve Mr. Hettrick's application. (Wing/Barlow)***

3D. Application of Mr. Owen A. McLaughlin for licensing by written examination; Mr. McLaughlin is applying with a CLARB Council Record (No. 39922) and has passed the Landscape Architect Registration Examination with the Council of Landscape Architectural Registration Boards. Mr. McLaughlin was present for the Board’s review of his application. *After a very thorough review by all Board Members of the applicant’s file, focusing especially on his work records, the Board voted, unanimously, to approve Mr. McLaughlin’s application for licensure as a Landscape Architect in Connecticut. (Wing Barlow)*

3D(1). Application of Mr. Ian C. Scherling for licensing by written examination; Mr. Hettrick is applying with a CLARB Council Record (No. 39648) and has passed the Landscape Architect Registration Examination with the Council of Landscape Architectural Registration Boards. It is noted that his application was added at the meeting and did not appear on the Board’s original agenda. Upon a thorough review, the Board voted, unanimously, to approve Mr. Scherling’s application. (Wing/Barlow)

3E. Application for Joint Practice of Landscape Architecture and Land Surveying; for review and approval by the Board. Mr. Kuzmich noted for the record that this is the first application the Department has received of this type. Mr. McDermott also stated that he has not seen any communication from the Department, to date, regarding the notification of the both the Corporate and Joint Corporate Forms of Practice for Landscape Architecture. It was agreed upon at an earlier meeting with the Department and Board that some type of written notification will be sent to Landscape Architect Licensees; perhaps in their renewal notices. Forms were also to have been posted on the Department’s website. Mr. Kuzmich will look into this matter.

Langan LAS, Inc.

555 Long Wharf Drive

New Haven, Connecticut 06511-6107

Ronald A. Fuerst, Lic. No. 857

Landscape Architect

Upon a thorough review, the Board voted, unanimously, to approve Langan LAS, Inc. for the corporate practice of landscape architecture and Land Surveying. (Wing/Barlow)

3F. Updated list of applications processed for licenses subsequent to the March 12, 2013 meeting of the Board.

NAME	METHOD OF LICENSURE	DEPT. APPR'D
Lind, Brian D.	Waiver of Exam; CLARB Council Record No. 4666; California	March 25, 2013
Giersbach, Elizabeth V.	Waiver of Exam; CLARB Council Record No. 41635; Massachusetts	April 30, 2013
Holmok, Katherine G.	Waiver of Exam; CLARB Council Record No. 39706; Ohio	May 1, 2013
Hellendrung, Jason S.	Waiver of Exam; CLARB Council Record No. 37745; Maryland	May 15, 2013
Loeffler, Rachel	Waiver of Exam; CLARB Council Record No. 38406; Massachusetts	May 14, 2013

3G. Report from Trade Practices Division concerning complaints acted upon relative to the jurisdiction of the Board of Landscape Architects; for the Board's information. The Board reviewed this information and thanked the Department for the same.

3H. Update from the Department's Legal Staff regarding any Board issues or otherwise.

1. Mr. Schwane advised the Board regarding the matter Mr. Edgar Vaughn and his continuing education audit. He noted that he contacted Mr. Vaughn by telephone. The conversation he had with him was somewhat difficult and initially Mr. Vaughn had indicated that he would consider retiree status but later changed his mind. Mr. Vaughn referenced Linda Schmidt and Chris Donnelly in connection with his CEU's. Mr. Wing advised the Board that he knows Mr. Vaughn well and is aware of his health issues. Mr. Wing noted that Mr. Vaughn is a licensed arborist with the Department of Energy and Environmental Protection (DEEP).

Mr. Donnelly and Ms. Schmidt are employees of DEEP and associated with the arborist license Program. Mr. Schwane has not received anything to date from Mr. Vaughn. Mr. Kuzmich also advised the Board that he spoke by telephone with Mr. Vaughn and that he mentioned the above referenced individuals and that he had some type of card verifying that he completed the CEU's for his Arborists license. Mr. Kuzmich also noted that Mr. Vaughn was somewhat difficult to understand. Mr. McDermott noted the possibility that the credits he supposedly earned for his Arborists license may apply for his landscape architects license and asked if Mr. Schwane can directly contact DEEP and get a copy of this documentation. The Board is trying to be benevolent in deference to Mr. Vaughn's health issues.

3I. Any correspondence and/or business received in the interim.

1. Mr. Barlow advised the Board that the Town of Greenwich has recently issued a Storm Water Drainage Manual which requires that all Site Plans be stamped by a Connecticut-licensed Professional Engineer. This prohibits Connecticut licensed Landscape Architects from providing their practice in this aspect. Mr. McDermott brought a hard copy of this Document to today's meeting and read aloud various sections from the same to illustrate Mr. Barlow's statements. He noted that he first became aware of this document around the time this Board was dealing with a similar issue with the City of Norwalk and a Connecticut Landscape Architect.

Mr. McDermott recently spoke with the Town of Greenwich's Deputy Director of Public Works by telephone whom he has known for some time and was very surprised at his reaction to Mr. McDermott's challenge of their rules. Mr. David Thompson, the Town Official stated to Mr. McDermott stated that Fuss and O'Neil developed this Manual for the Town and noted that landscape architects are not tested in many of the areas noted in the document and, therefore, are not qualified to do the work in these areas. Mr.

McDermott let these comments go for the moment because he did not want to pick a fight at this time. What bothers him the most is that the referenced work is soft and not hard storm water management and much of it is geared to low impact development techniques which is what landscape architects do.

The question raised by Mr. McDermott and asked of this Board and their Council is does this Board want to challenge the Town of Greenwich who has a reputation for being very litigious. Mr. Huntsman noted to the Board that they have challenged the State's Department of Energy and Environmental Protection in the past and must decide if they wish to do the same in this instance. It was noted for the record that this document has already been adopted by the Town of Greenwich.

After much discussion, the Board decided to challenge the Town primarily because their ruling is in not in agreement with State Statute and it is their obligation to rectify this matter in recognition of the profession over which they are charged to regulate. Mr. McDermott offered to draft a letter on behalf of the Board and asked that a copy of the letter used in the City of Norwalk Matter be sent to him for reference. The Board discussed the possibility of having the Commissioner sign this letter in an effort to perhaps have it carry more weight.

A motion was made to have Mr. McDermott draft a letter to the Town of Greenwich which advises them that Landscape Architects are also entitled to provide the services being required of professional engineers in their Storm Water Drainage Manual. Further, the Board's Council advised that that this motion also include the fact that Landscape Architects have the license, education, and professional training within the scope of their license, as defined, to legally offer these same services. (Wing Barlow)

4. Comments or Concerns of Any Person Present Today:

No one scheduled before the Board today. In addition, there were no additional requests from anyone present at today's meeting.

The meeting adjourned at 10:30 AM. The next regular meeting of the Board is scheduled for Tuesday, September 10, 2013, 9:30 AM, Room 117, State Office Building, 165 Capitol Avenue, Hartford, Connecticut.