

# STATE OF CONNECTICUT

## BOARD OF LANDSCAPE ARCHITECTS

TEL. NO. (860) 713-6135

*-MINUTES-*

SEPTEMBER 10, 2013

The Board of Landscape Architects held a regular meeting on September 10, 2013, which was called to order by Chairman Vincent McDermott at 9:32 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
Peter R. Huntsman	Attorney General's Office

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](http://www.ct.gov/dcp)

**Division E-Mail:** [dcp.occupationalprofessional@ct.gov](mailto:dcp.occupationalprofessional@ct.gov)

## 1. Old Business

1A. Minutes of the June 11, 2013 meeting of the Board; for review and approval. Mr. Wing noted the following corrections on page 4 of the minutes; Agenda Item 3I, the first sentence of the first paragraph shall be corrected to read *“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 Professional Engineer”*. After the word *“with”* in the last sentence of the first paragraph, the word *“a”* shall be substituted for *“ta”*. In the second paragraph, the word *“Manuel”* shall be corrected to read *“Manual”*. *“Manual”* shall also be corrected in the last paragraph of the same Agenda Item. As such, the Board voted unanimously to approve the minutes corrected herein.

1B. E-Mail from Mr. Biff Schechinger, Jr., dated August 12, 2013, concerning a Request for an extension of time for the completion of his Continuing Education Contact Hours due July 31, 2013; for the Board’s information.

The Board discussed Mr. Schechinger’s request and reviewed his audit in detail. After considerable discussion, they decided upon the following and instructed Mr. Kuzmich to communicate the same to Mr. Schechinger:

1. The Board accepted his request for additional time to complete the Continuing Education Credits. In addition, he must provide the Board with a complete itemized list of all his Continuing Education Activities for the period being audited upon completion of the same.
2. The Continuing Education Credit he earned for this audit accrued after July 31, 2013 cannot be claimed again for the Board’s upcoming audit of his records for the August 1, 2012 through July 31, 2014 biennium.

1C. Update from Mr. Vince McDermott regarding status of matter concerning the Town of Greenwich and their Stormwater Drainage Manual. Mr. McDermott stated that he met with Dave Thompson, Deputy Director of Public Works and former Town Engineer from the Town of Greenwich subsequent to the Board’s last meeting at which point Mr. McDermott again raised the question of what Landscape Architects are allowed to do under the law. A meeting was set up to further discuss the matter with Mr. Thompson and the Town’s consultant who prepared the Manual. The meeting had to be postponed for a number of reasons but Mr. Thomson did state that it was not his intention to prohibit Landscape Architects from performing their services and that he relied heavily upon the recommendations of their consultant. With the Board’s permission, Mr. McDermott would like to meet with Mr. Thompson and try and work things out. Mr. Huntsman agreed that this is the best way to resolve the issue as opposed to litigation. The Board agreed to let Mr. McDermott pursue the meeting with Mr. Thompson but made it clear that they will not shy away from litigation if they have

to and, further, not be intimidated simply because the Town has a reputation of being litigious.

## **2. Comments or Concerns of Any Person Present Today**

No one scheduled before the Board today.

## **3. New Business**

3A. Retiree Status for Landscape Architects; for discussion by the Board. Mr. McDermott stated the General Assembly created a status for licensed professionals to have a retired status upon payment of a nominal fee and meet an age requirement. This allows the person to maintain the title but not to practice. He had occasion to have lunch with a Connecticut Landscape Architect recently tried to pursue this status but was not permitted to because his license has already lapsed. Mr. McDermott is disappointed with the somewhat administrative approach the Department took in addressing this Landscape Architect's request to do the right thing.

Mr. Huntsman advised the Board, after reading the Statute, that the law allows the Commissioner, at his discretion, to allow a lapsed licensee to apply for the Retiree Status for good cause shown. It was determined that the Landscape Architect must submit to the Board a formal letter conforming to the Statutory requirements as cited in Section 21a-10a. Retirement status license, upon which the Board would then recommend to the Commissioner that Retiree Status be granted.

3B. E-Mail from Mr. Vincent McDermott, dated July 30, 2013, concerning the adoption of the Landscape Architect Continuing Education System (LACES); for the Board's discussion. Mr. McDermott received an e-mail from the Connecticut ASLA Chapter regarding the credits related to LACES CE Offerings. Mr. Jeff Mills from the ASLA has asked the Board whether or not partial credit shall be given by this Board to those licensees who attend a portion or portions of LACES Course Offerings even though LACES rules essentially follow the "all or nothing" premise.

After considerable discussion, the Board decided that if they are going to accept LACES certified courses, then the licensees must follow their rules. If the organization decides to give a grace period for someone being late to an event, that is not the Board's responsibility. This Board accepts the premise that these individuals are professionals and the integrity of their character (as it relates to how much of the offering they were present for) is not for this Board to decide. Mr. McDermott offered to draft a letter to Mr. Mills stating the Board's position.

3C. Application of Ms. Jacalyn D. Chnowski for licensing by written examination; Ms. Chnowski is applying with a CLARB Council Record (No. 39906) 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. Chnowski's application. (Wing/Barlow)***

3D. Application of Mr. Todd J. Schuler for licensing by written examination; Mr. Schuler is applying with a CLARB Council Record (No. 40662) 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. Schuler's application. (Wing/Barlow)***

3E. Application of Ms. Dary S. Thach for licensing by written examination; Ms. Thach is applying with a CLARB Council Record (No. 34725) and has passed the Landscape Architect Registration Examination with the Council of Landscape Architectural Registration Boards.

***After an extensive review and discussion, the Board voted to deny the application for licensing as a Landscape Architect in Connecticut. They cited the requirements of Regulation Section 20-368-8a. Licensure Standards as a basis for their decision. (Barlow/Wing)***

This Section requires an applicant for licensure hold a professional degree in landscape architecture from a college or university accredited by the Landscape Architectural Accreditation Board which she does not have. In addition, they also stated that Ms. Thach does not have at least eight years of verifiable and diversified experience in Landscape Architecture under the direct supervision of a licensed landscape architect which is provided by the this Regulation as an alternate to holding an accredited professional degree in landscape architecture.

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

<b>NAME</b>	<b>METHOD OF LICENSURE</b>	<b>DEPT. APPR'D</b>
Hoer, Gregory G.	Waiver of Exam; CLARB Council Record No. 37745; Maryland	August 13, 2013
Kwiatkowski, Matthew A.	Waiver of Exam; CLARB Council Record No. 33195; Maryland	August 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. Mr. Kuzmich informed the Board that he has not received a report to present to the Board.

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

1. Mr. Steve Schwane updated the Board on the matter concerning the continuing education audit of Landscape Architect Mr. Edgar Vaughn. He reminded the Board that Mr. Vaughn's license has lapsed. Further, he contacted Mr. Chris Connelly at the department of Energy and Environmental Protection concerning continuing education credits Mr. Vaughn claimed he accrued through this Department. Mr. Connelly contacted Mr. Vaughn's family. Someone from the family was to contact Mr. Schwane but, to date, he never received a call.

Mr. Schwane advised the Board that he had put a block on Mr. Vaughn's license renewal. Due to the lapsed license and Mr. Vaughn's ailing health, he suggested to the Board that this CE audit case be closed with no further action. The Board agreed with Mr. Schwane's recommendation.

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

1. Mr. McDermott notified the Board that Public Member Nancy Rudek has submitted her resignation to the Board leaving the Board's active membership to just three members. Mr. McDermott acknowledged her resignation on behalf of the Board and thanked her for her service to the State.

2. On a very sad note, Mr. McDermott notified the Board of the passing of Public Member, Mr. Paul Courchaine. Mr. Courchaine had recently resigned due to chronic health issues. He served the both the Board and Consumer with diligence and enthusiasm. Mr. McDermott stated with confidence that Mr. Courchaine was "the best Public Member we ever had, faithful and smart and served the Consumer very well".

The Board had intentions of giving Mr. Courchaine a formal acknowledgement from the Governor's Office for his service to the State. It is the Board's intentions to pursue this salutation and give the same to his family posthumously. The Board also discussed Mr. Courchaine's activities as they related to his work on this Board. He will be missed very much.

**4. Comments or Concerns of Any Person Present Today:**

No one scheduled before the Board today.

*The meeting adjourned at 10:41 AM. The next regular meeting of the Board is scheduled for Tuesday, December 10, 2013, 9:30 AM, Room 117, State Office Building, 165 Capitol Avenue, Hartford, Connecticut.*