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February 20, 2024

By E-mail and Hand Delivery

Planning and Zoning Commission

Town Hall Annex

238 Danbury Road

Wilton, CT 06897

Attn: Mr. Michael E. Wrinn – Director of Planning and Land Use Management

**Re: Request for consent to conduct remedial work on properties adjacent to 53
Sugarloaf Drive.**

Dear Mr. Chairman and Members of the Commission:

I enclose a copy of a letter from Robert Lupinski to each of his adjacent neighbors, Jennifer Cappel Perkins, Yuri and Tania Vizer, Sarah and David Crowell and Margaret Welz Gormley, dated February 20, 2024.

This letter is intended to serve as a direct agreement between Mr. Lupinski and each of his adjacent neighbors to complete the remedial work in accordance with the plans and reports on file with the Planning and Zoning Commission.

The letter requests that each of the four adjacent neighbors signify their consent to allow the work to proceed, in part on their property, by way of a countersignature on the letter.

Respectfully submitted,
Gregory and Adams, P.C.

By:


James D'Alton Murphy

February 20, 2024

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JD'AM/ko

Enclosure

cc: Mr. Robert Lupinski
Kate Throckmorton, ASLA – Environmental Land Solutions, LLC
Tom Quinn, PE – Peak Engineers, LLC
Andrew McConnell, PE – Structural Consulting Services

Filepath: M:\Clients\Lupinski\Application to PZC

**Robert Lupinski
53 Sugarloaf Drive
Wilton, CT 06897**

Jennifer Cappel Perkins
47 Sugarloaf Drive
Wilton, CT 06897

Margaret Welz Gormley
40 Saunders Drive
Wilton, CT 06897

Sarah and David Crowell
61 Sugarloaf Drive
Wilton, CT 06897

Yuri and Tania Vizer
46 Saunders Drive
Wilton, CT 06897

February 20, 2024

**Re: Request for consent to conduct remedial work on properties adjacent to
53 Sugarloaf Drive.**

Dear Ms. Perkins, Mr. and Mrs. Crowell, Mr. and Mrs. Vizer and Ms. Gormley,

At the outset, I would like to offer my apologies for having created the existing conditions at my property, and for the inconvenience it has caused each of you.

I am writing to formalize and clarify the commitments I am making to each of you, my adjacent neighbors, in connection with my commitment to the Planning & Zoning Commission and its Staff to rectify any inadvertent trespass involving the retaining wall on my property, as well as alterations to the grading of my yard. All remedial work will be carried out in full compliance with the zoning regulations and adherence to the plans and associated documents filed with the Planning & Zoning Commission.

In particular, I promise to undertake the following:

1. Promptly begin and complete the work shown in the plans and other filings with the Planning and Zoning Commission as follows:
 - a. Environmental Land Solutions (ELS) - Proposed Site Summary (PREZ), last revised January 26, 2024;
 - b. ELS - Phase One - Remediation Plan (LP.1), last revised January 26, 2024;
 - c. ELS - Site Development Plan-2 (LP.2), last revised January 26, 2024

- d. ELS - Proposed Site Development for Fall 2023 & Details (LP.3), last revised January 26, 2024;
 - e. ELS - Proposed Construction Schedule for Proposed Site Plans dated January 26, 2024;
 - f. Peak Engineers - Drainage Plan, last revised January 26, 2024;
 - g. Peak Engineers - Drainage Narrative, last revised January 26, 2024; and
 - h. Peak Engineers - Drainage Narrative with HydroCAD, last revised January 26, 2024.
2. All the work will be conducted in compliance with the drawings listed above.
 3. Ensure timely completion of the work, with a specific start date of mid-March 2024. I have calculated that the work will require 83 workdays. If you delete weekend and public holiday days, the work will require 16 1/2 to 17 weeks if there is no significant delay caused by weather or injury. Therefore, I am also committing to complete the job by the middle of July and no later than the middle of August with work only occurring Monday through Friday between the hours of 7:30 am and 5:30 pm.
 4. All contractors performing work, whether on the Lupinski property or adjacent parcels, will be properly licensed and insured.
 5. I, and any related contracting entity, will obtain all necessary permits from the Town of Wilton.
 6. At the completion of the work, no building materials or fencing will be left on adjacent properties. Any damage occurring to adjacent properties during the course of the work will be promptly repaired and I will restore your property to its previous condition. Any work area on adjacent properties will be cleaned up and free of any debris.
 7. Restore your property to its previous condition upon completion of the work.
 8. I will maintain adequate general liability insurance, as illustrated by the enclosed copies of the insurance certificate which has been issued and previously delivered to each of you.
 9. I will maintain regular communication with the Planning & Zoning Commission and Michael Wrinn, Director of Planning & Zoning, to facilitate tracking of the progress of the work.
 10. I will request and coordinate on regular inspections by Mr. Wrinn or his designee and comply with any recommendations they make to ensure full compliance with the zoning regulations and the plans mentioned above.

As you are aware, I require your permission to remove any trespassing boulders and soil, to install erosion control features and a chain-link fence on your property to undertake this remedial work. The Planning & Zoning Commission will not approve my pending application until your consent is obtained for the portion of the work to take place on your property.

I respectfully request that you signify your permission to proceed with the work by countersigning and returning a copy of this letter.

Once again, I offer my apologies for the inconvenience caused by this situation.

Yours sincerely,

Robert Lupinski

CC: Planning & Zoning Commission
Michael Wrinn
Frank Smeriglio, PE
Jim Carlon, Esq
Kate Throckmorton, ASLA
Tom Quinn, PE
Andrew McConnell, PE
James D'Alton Murphy, Esq.

Reviewed and approved by:

Jennifer Cappel Perkins

David Crowell

Sarah Crowell

Margaret Welz Gormley

Yuri Vizer

Tania Vizer
