

GREGORY AND ADAMS, P.C.

PAUL H. BURNHAM
SUSAN L. GOLDMAN
J. VANCE HANCOCK
DERREL M. MASON*
MATTHEW C. MASON*
JAMES D'ALTON MURPHY*
KATHLEEN L. ROYLE *
RALPH E. SLATER
ROGER R. VALKENBURGH *

ATTORNEYS AT LAW
190 OLD RIDGEFIELD ROAD
WILTON, CT 06897
(203) 762-9000
FAX: (203) 834-1628

ESTABLISHED 1964

J. CASEY HEALY
OF COUNSEL

JULIAN A. GREGORY
(1912 - 2002)

THOMAS T. ADAMS
(1929 - 2015)

* ALSO ADMITTED IN NEW YORK
* ALSO ADMITTED IN VERMONT

WWW.GREGORYANDADAMS.COM

PLEASE REPLY TO SENDER:
JAMES D'ALTON MURPHY
DIRECT DIAL: 203-571-6309
jmurphy@gregoryandadams.com

March 25, 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: Lupinski- Application to Planning and Zoning Commission (SDP#9-23)
Premises: 53 Sugarloaf Drive, Wilton, Connecticut

Dear Chairman Tomasetti and Members of the Commission:

In support of the referenced application, I enclose the following:

1. Proposed Construction Schedule prepared by Environmental Land Solutions, LLC dated March 25, 2024.
2. Neighbor Agreement Letter dated March 22, 2024 agreed to and accepted by Margaret Welz Gormley, Yuri Vizer and Tania Vizer.
3. Neighbor Agreement Letter dated March 22, 2024 agreed to and accepted by David Crowell, Sarah Crowell and Margaret Welz Gormley.

Very truly yours,

James D'Alton Murphy

JD'AM/ko

Enclosures

cc: By email with enclosures:
Tania & Yuri Vizer
Peggy Gormley
Jennifer Cappel Perkins
Dave and Sarah Crowell
James P. Carlon, Esq.

March 25, 2024

Page 2 of 2

Robert Lupinski

Kate Throckmorton, ASLA – Environmental Land Solutions, LLC

Thomas Quinn – Peak Engineers, LLC

Andrew McDonald, P.E.

Lotte Meijhuis – Gregory and Adams, P.C.

Environmental Land Solutions, LLC

Landscape Architecture & Environmental Planning

8 Knight Street, Suite 203, Norwalk, CT 06851

Tel: (203) 855-7879 Fax: (203) 855-7836

March 25, 2024

Re: Proposed Construction Schedule for proposed Site Plans, prepared for 53 Sugarloaf Drive, Wilton, CT. This schedule is based on the following plans:

"Grading Plan," prepared by Peak Engineers, LLC, last dated 3/12/24.

"Site Retaining Boulder," prepared by Structural Consulting Service, PC, dated 3/20/24.

"Sedimentation & Erosion Controls," (SE-1) prepared by ELS, last dated 3/19/24.

"Notes & Details," (SE-2) prepared by ELS, last dated 3/12/24).

"Planting Plan," prepared by ELS dated 3/22/24.

Schedule is based on working dates and is weather dependent.

No work will be scheduled on Saturdays and Sundays.

Snow and/or rain days within this schedule will extend the finish date.

Site work begins start mid-April

<u>Construction Phase</u>	<u>Time to complete</u>
Silt fence and chain link install	3 days
Track pad	1 day
Deconstruct and remove north wall (Crowell) (includes material removal from site)	22 days
Deconstruct and remove west wall (Vizer) (includes material removal from site)	22 days
Excavation and hauling	(5 truckloads per day) total trips 160
Place Boulder Site Retaining Boulders	10 days
Deconstruct and removal west wall (Gormley)	10 days
Partial deconstruct of south wall (Cappel)	1 days
Remove and fill in north patio	3 days
Drainage galleries install	4 days
Grade and topsoil	5 days
Tree planting	3 days
<u>Clean up</u>	<u>3 days</u>
Total	87 working days (17.5 weeks)

Site work finishes mid-September.

Sugarloaf 53-wilton-Schedule 1-26-24

Robert Lapinski
53 Sugarloaf Drive
Wilton, CT 06897

Jennifer Cappel Perkins

47 Sugarloaf Drive

Wilton, CT 06897

Sarah and David Crowell

61 Sugarloaf Drive

Wilton, CT 06897

Margaret Welz Gornley

40 Saunders Drive

Wilton, CT 06897

Yuri and Tania Vizer

46 Saunders Drive

Wilton, CT 06897

March 27, 2024 RL

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. Gornley,
At the outset, I would like to again 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 commit to the following:

1. I will promptly begin and complete the work as shown in the plans and other filings with the Planning and Zoning Commission. Those plans and filings are:
 - a. Sedimentation and Erosion Controls and Compliance Plan (SE-1) prepared by Environmental Land Solutions, LLC ("ELS") dated March 12, 2024 and revised March 19, 2024.
 - b. Notes and Details (SE-2) prepared by ELS dated March 12, 2024.
 - c. Retaining Boulder Elevations (D-1) prepared by ELS dated March 19, 2024.
 - d. Grading Plan (GP-1) prepared by Peak Engineers, LLC ("Peak") dated August 31, 2023 and last revised March 19, 2024.
 - e. Drainage Narrative, Current vs. Post (March 12, 2024 Grading Plan) prepared by Peak dated March 19, 2024.
 - f. Site Retaining Boulders Plan prepared by Structural Consulting Services, LLC dated March 13, 2024 and revised March 20, 2024.
 - g. Planting Plan (PP-1) prepared by J. V. Vizer dated 3/20/24.
2. All the work will be completed in compliance with the drawings listed above.
3. I will ensure timely completion of the work, with a specific start date immediately after approval by the Planning and Zoning Commission and a completion date of no later than the middle of August. Work will only be conducted Monday through Friday between the hours of 7:30 am and 5:30 pm.
4. I will ensure that all contractors performing work, whether on the Lapinski property or adjacent parcels, will be properly licensed and insured.

3. I, or a contracting entity on my behalf, will obtain all necessary permits from the Town of Wilton.
6. At the completion of the work, I will have all building materials, fencing and debris removed from adjacent properties and will restore your property to its previous condition. 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. I will maintain adequate general liability insurance, as illustrated by the copies of the insurance certificate which has been issued and previously delivered to each of you.
8. I will maintain regular communication with the Planning & Zoning Commission and Michael Wrim, Director of Planning & Zoning, to facilitate tracking of the progress of the work.
9. I will request and coordinate on regular inspections by Mr. Wrim or his designee and comply with recommendations they make to ensure full compliance with the zoning regulations and the plans mentioned above.

I represent and warrant to each of you (i) that I am the sole owner of the property known as 53 Sugarloaf Drive, Wilton, Connecticut and that I have full authority to enter into this commitment to you, (ii) that the performance of the work described in this letter does not violate the terms of any agreement or mortgage I am a party to or that any part of the property is subject to, and (iii) I will engage to perform the work described above only qualified contractors who are capable of completing the work within the time frame I have included 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 agreement to the terms and conditions of this letter and grant your permission for me to proceed with the work by countersigning and returning a copy of this letter. Note, this letter is for the joint and several benefit of each of you and may be relied upon individually by each of you.

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

Yours sincerely,

Robert Lupinski
Robert Lupinski

CC: Planning & Zoning Commission
Michael Wrim
Frank Smeriglio, PE
Jim Carlon, Esq.
Kate Hackett-Watson, AIA
Tom Quinn, PE
Andrew McConnell, PE
James Dalton Murphy, Esq.

Robert Lupinski 3/22/2024

Agreed and Accepted By:

Jennifer Cappel Perkos

David Crowell

Sarah Crowell

Margaret Webb Gornley

Margaret Webb Gornley

Yuri Vizer

[Signature]

Tina Vizer

[Signature]

03/25/24

Letter to Perkins Gornley Vizer and Crowell 03-21-24

Robert Lupinski
53 Sugarloaf Drive
Wilton, CT 06897

Jennifer Cappel Perkins
47 Sugarloaf Drive
Wilton, CT 06897
Sarah and David Crowell
61 Sugarloaf Drive
Wilton, CT 06897

Margaret Welz Gormley
40 Saunders Drive
Wilton, CT 06897
Yuri and Tania Vizer
46 Saunders Drive
Wilton, CT 06897

March 21, 2024

RL

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 again 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 commit to the following:

1. I will promptly begin and complete the work as shown in the plans and other filings with the Planning and Zoning Commission. Those plans and filings are:
 - a. Sedimentation and Erosion Controls and Compliance Plan (SE-1) prepared by Environmental Land Solutions, LLC ("ELS") dated March 12, 2024 and revised March 19, 2024.
 - b. Notes and Details (SE-2) prepared by ELS dated March 12, 2024.
 - c. Retaining Boulder Elevations (D.1) prepared by ELS dated March 19, 2024.
 - d. Grading Plan (GP-1) prepared by Peak Engineers, LLC ("Peak") dated August 31, 2023 and last revised March 19, 2024.
 - e. Drainage Narrative, Current vs Post (March 12, 2024 Grading Plan) prepared by Peak dated March 19, 2024.
 - f. Site Retaining Boulders Plan prepared by Structural Consulting Services, LLC dated March 13, 2024 and revised March 20, 2024.
 - g. Planting Plan (PP-1) prepared by ELS dated 3/22/24.
2. All the work will be completed in compliance with the drawings listed above.
3. I will ensure timely completion of the work, with a specific start date immediately after approval by the Planning and Zoning Commission and a completion date of no later than the middle of August. Work will only be conducted Monday through Friday between the hours of 7:30 am and 5:30 pm.
4. I will ensure that all contractors performing work, whether on the Lupinski property or adjacent parcels, will be properly licensed and insured.

5. I, or a contracting entity on my behalf, will obtain all necessary permits from the Town of Wilton.
6. At the completion of the work, I will have all building materials, fencing and debris removed from adjacent properties and will restore your property to its previous condition. 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. I will maintain adequate general liability insurance, as illustrated by the copies of the insurance certificate which has been issued and previously delivered to each of you.
8. 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.
9. I will request and coordinate on regular inspections by Mr. Wrinn or his designee and comply with recommendations they make to ensure full compliance with the zoning regulations and the plans mentioned above.

I represent and warrant to each of you (i) that I am the sole owner of the property known as 53 Sugarloaf Drive, Wilton, Connecticut and that I have full authority to enter into this commitment to you, (ii) that the performance of the work described in this letter does not violate the terms of any agreement or mortgage I am a party to or that any part of the property is subject to, and (iii) I will engage to perform the work described above only qualified contractors who are capable of completing the work within the time frame I have included 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 agreement to the terms and conditions of this letter and grant your permission for me to proceed with the work by countersigning and returning a copy of this letter. Note, this letter is for the joint and several benefit of each of you and may be relied upon individually by each of you.

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

Yours sincerely,

Robert Lupinski
Robert Lupinski

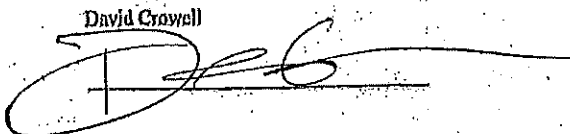
CC: Planning & Zoning Commission
Michael Wrinn
Frank Smeriglio, PE
Jim Carlon, Esq.
Kate Throckmorton, ASLA
Tom Quinn, PE
Andrew McConnell, PE
James D'Alton Murphy, Esq.

Robert Lupinski 3/22/2024

Agreed and Accepted By:

Jennifer Cappel Perkins

David Crowell



Sarah Crowell

Sarah Crowell

Margaret Weiz Gornley

Margaret Weiz Gornley

Yuri Vizer

Tema Vizer

Letter to Perkins Gornley Vizer and Crowell 03-21-24