



S T A T E O F C O N N E C T I C U T
DEPARTMENT OF CONSUMER PROTECTION

BOARD OF LANDSCAPE ARCHITECTS

Tel. No. (860) 713-6135

March 2, 2010

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 December 8, 2009, which was called to order by Chairman Vincent C. McDermott at 9:35 AM in Room No 121 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

Board Members Present:

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

Board Members Not Present:

Robert W. Hammersley	Board Member
Denise E. Cooper	Board Member
Shavaun Towers	Board Member

Others Present:

Robert M. Kuzmich, R.A.	License and Applications Specialist/DCP
Steven J. Schwane	Administrative Hearings Attorney/DCP
Linda Roberts	Executive Assistant/DCP

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

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1.) Old Business

1A. Minutes of the September 1, 2009 meeting of the Board; for review and approval. *After a thorough review, the Board unanimously accepted the minutes as written. (Courchaine/Barlow)*

1B. Application of Mr. Marc P. Richardson for licensing by written examination; Mr. Richardson is applying with a CLARB Council Record (No. 6037) and has passed the Landscape Architect Registration Examination with the Council of Landscape Architectural Registration Boards.

The Board extensively reviewed and discussed Mr. Richardson's responses to their September 2, 2009 letter. It was noted that he lacks a professional degree in landscape architecture from a college or university accredited by the Landscape Architectural Accreditation Board (LAAB) as specified in Section 20-368-8a (a) (1) of the State of Connecticut Regulations. At the time he attended the University of Connecticut, the program was not accredited by the LAAB. The window for students who may have attended the University at that time to become eligible for licensure expired in 2001.

Therefore, the Board proceeded with their evaluation of his license application on the basis of alternate criteria outlined in Section 20-368-8a (b) of the Regulations. This part states that in lieu of holding a professional degree in landscape architecture and the associated two years of diversified experience in the same under the direct supervision of a licensed landscape architect, an applicant shall have at least eight years of diversified experience in landscape architecture under the direct supervision of a licensed landscape architect.

After an extensive review of Mr. Richardson's application and Council of Landscape Architectural Registration Boards Council Record Summary, the Board determined that he has approximately 5 ½ years of acceptable work experience, falling 2 ½ years short of the required amount. *Therefore, on this basis, the Board voted to deny Mr. Richardson's application for licensure as a Landscape Architect in Connecticut. (Wing/Courchaine)*

The Board is willing to reconsider his application for licensure when he has completed the experience requirement or provides additional information demonstrating that his previous employment experience was under the supervision of a licensed professional.

2.) New Business

2A. Appearance before the Board by Mr. Jon K. Zmistowski for consideration to sit for Landscape Architect Registration Examination; Mr. Zmistowski is applying on the basis of at least eight years of diversified experience in landscape architecture under the direct supervision of a licensed landscape architect per **Regulation Sec. 20-368-8a. Licensure Standards (b).**

The Board reviewed Mr. Zmistowski's written application and noted that this applicant is applying in accordance with Regulation Section 20-368-8a. Licensure Standards (b). This Section states the requirement of at least eight years of diversified experience in landscape architecture under the direct supervision of a licensed landscape architect. Mr. McDermott asked the applicant to show the Board examples of his work in order to determine whether the nature of the work is truly landscape architecture in the sense of the elements of landscape architecture that are tested on the examination. Therefore the Board is looking for examples of grading, drainage, irrigation, construction detailing, and the like.

The Board reviewed, in detail, plans prepared by Mr. Zmistowski and pictures of his work during construction and at the completion of construction. Mr. McDermott stated that, in his opinion, he believes that the work shown does not demonstrate all elements of landscape architecture as covered on the Landscape Architect Registration Examination. The work shown is a narrow sub-section of the total spectrum of work a landscape architect does and primarily residential in scale. He also noted that the work, in general, lacks rigor.

However, after extensive discussion by all Board Members, it was decided to allow Mr. Zmistowski to sit for the Landscape Architect Registration Examination and voted as such. (Barlow/Wing) The Board noted that if the candidates does lack experience in any of the areas tested, the examination will show the same. Mr. McDermott cautioned Mr. Zmistowski that the test is much more extensive than the type of work he exhibited today and advised him to take refresher courses.

2B. Update from Mr. Vince McDermott regarding meeting with Department of Environmental Protection and Department of Consumer Protection Representatives held September 23, 2009 concerning Draft Revisions to General Permits for the Discharge of Storm-Water and Dewatering Wastewaters from Construction Activities.

Mr. McDermott summarized his meeting with the Department of Environmental Protection (DEP) and the Department of Consumer Protection (DCP). The meeting centered around two main issues; the omission of landscape architects as part of those people permitted to do coastal site plans and authorizing unlicensed individuals to perform the work of licensed professionals. He met with Betsy Wingfield who is the head of permitting and two other individuals who are involved with coastal site plans and storm water general permitting. Mr. McDermott thought the central issue was the lack of understanding on the part of the DEP on what landscape architects do which they readily admitted.

There was no intent to omit landscape architects from the work involving Long Island Sound and as an aside to the work of this Board, DEP is allowing individuals not licensed as land surveyors to perform specific underwater surveys. Brian Thompson of the DEP stated that it was not their intent to bar landscape architects from performing the work they are licensed to perform and that they will pursue the issue further. Mr. McDermott believes that if the Board does not hear back in a reasonable timeframe, this Board needs to push this issue harder and force action on their (DEP's) part by perhaps issuing a Declaratory Ruling and have the DEP react to the same.

Mr. Schwane suggested that this Board can have their Attorney General contact DEP's Attorney General regarding this issue. Mr. McDermott will keep in touch with Brian Thompson subsequent to today's meeting to keep on top of this issue. Mr. McDermott noted that DEP has already addressed the issue of landscape architects being able to perform erosion and sedimentation control plans in the form of revised draft regulations and so he is confident that this part of the matter will eventually be corrected. However, the other broader concern of enabling unlicensed individuals to be certified to approve the work of licensed design professionals such as landscape architects and professional engineers will be more difficult to rectify.

Mr. McDermott believes that this Board can not pursue this issue alone and, therefore, must be a joint effort between the Engineer's Board and this Board because the matter affects both parties. Mr. McDermott reminded the Board that it was DEP's draft regulations that were allowing the Conservation Districts to review the professional's plans knowing that their sign-off's are required. Some of the individuals on these committees are not licensed design professionals and the sanctioning of these individuals by the DEP is the problem. The consensus of the Board is for Mr. McDermott to "push the issue". Therefore, he will check with Betsy Wingfield on this matter again and get back to the Board.

2C. Application of Mr. Joseph A. Kelleher for licensing by written examination; Mr. Kelleher is applying with a CLARB Council Record (No. 28324) 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 Mr. Kelleher's application. (Wing/Barlow)***

2D. Application of Ms. Cheryl A. Quinn for licensing by written examination; Ms. Quinn is applying with a CLARB Council Record (No. 33202) 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 Ms. Quinn's application. (Wing/Barlow)***

2E. Application of Mr. Michael W. Shelton for licensing by written examination; Mr. Shelton is applying with a CLARB Council Record (No. 31098) 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 Mr. Shelton's application. (Wing/Barlow)***

2F. Application of Mr. Troy J. Sober for licensing by written examination; Mr. Sober is applying with a CLARB Council Record (No. 28753) 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 Mr. Sober's application. (Wing/Barlow)***

2G. Application of Mr. David A. Truesdell for licensing by written examination; Mr. Truesdell is applying with a CLARB Council Record (No. 24782) 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 Mr. Truesdell's application. (Wing/Barlow)***

2H. Application of Mr. Jason C. Williams for licensing by written examination; Mr. Williams is applying with a CLARB Council Record (No. 17616) 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 Mr. Williams's application. (Wing/Barlow) It is noted that Mr. McDermott abstained from the vote***

2I. Update from the Trade Practices Division regarding Complaints; for the Board's information. Mr. Schwane briefly reviewed the list of complaints that was distributed to the Board in their meeting package. Mr. McDermott inquired with Mr. Schwane regarding a complaint he received and submitted to the Department. The complaint involves James Doyle Design Associates, a landscape architecture firm in Greenwich, Connecticut.

2J. Update from the Department’s Legal Staff regarding any Board issues or otherwise.

1. Mr. Schwane noted that the Engineers Board has developed the initial draft of regulations concerning electronic seals and signatures that will be starting through the regulation process. These regulations involve digital signatures as a means of signing and sealing electronic documents as an equivalent to actual stamping, signing, and sealing. This regulation is more sophisticated than the regulation in place by this Board. The question was asked whether or not this Board should also change their regulations to match. The progress of these changes proposed by the Engineers Board will be monitored by this Board. He noted how the Architects Board is handling this change.
2. Mr. Schwane updated the Board on the progress of the State Library’s proposed regulation changes and distributed and reviewed a draft of their current proposal.
3. Mr. Schwane noted that the Department has concluded their work on the continuing educations audits for the period August 1, 2006 through July 31, 2008.

2K. Summary Roster of Multiple Choice Scores for the September 2009 Landscape Architect Registration Examination; for the Board information. The Board acknowledged this information.

2L. Updated list of applications processed for licenses subsequent to the September 1, 2009 meeting of the Board. The Board acknowledged this information.

NAME	METHOD OF LICENSURE	DEPT. APPR'D DATE
Lederach, Stephen A.	Waiver of Exam; CLARB Council Record No. 18925; New Jersey	September 4, 2009
Mathews, Katherine I.	Waiver of Exam; CLARB Council Record No. 1913; New York	November 23, 2009

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

1. Ms. Linda Roberts asked the Board if they could change their meeting dates for 2010 to either the first, third, or fourth Tuesday of their meeting months. The third Tuesday of March, June, September, and December was decided upon.
2. Ms. Linda Roberts noted that the Commissioner has asked for group photos of all the Boards and Commissions to be taken and posted on the Department’s website. She will schedule this Board’s photo for their first meeting in March of 2010.

The meeting adjourned at 11:31 AM. The next regular meeting of the Board is scheduled for Tuesday, March 23, 2010, 9:30 AM, Room 121, State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

Respectfully submitted,

Robert M. Kuzmich, R.A.
Board Administrator