

# STATE OF CONNECTICUT

## BOARD OF LANDSCAPE ARCHITECTS

TEL. NO. (860) 713-6135

*-MINUTES-*

JUNE 12, 2012

The Board of Landscape Architects held a regular meeting on June 12, 2012, which was called to order by Chairman Vincent McDermott at 9:39 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
Nancy J. Rudek	Board Member
Stephen Wing	Board Member

### **Board Members Not Present:**

None.

### **Vacancy:**

One (Public Member)  
One (Landscape Architect)

### **Others Present:**

Robert M. Kuzmich	Department of Consumer Protection
Steven Schwane	Department of Consumer Protection
Peter 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:** [occtrades@ct.gov](mailto:occtrades@ct.gov)

## **1. Old Business**

1A. Minutes of the March 13, 2012 meeting of the Board; for review and approval. Mr. Wing noted that on page two under Agenda Item 1B, the tenth line of paragraph one, reference shall be made to the "*Connecticut Chapter of the American Society of Landscape Architects*". In addition, Mr. Barlow noted the word "*by*" shall be inserted before the word "*staff*" in the ninth line. Further, in the second paragraph of this Agenda Item, in the second line, the word "*was*" shall be deleted and the words "*who was*" shall be inserted before "*confused*". Finally, under the same Agenda Item, Mr. Wing noted in the third paragraph, second line, the word "*part*" shall be replaced with "*party*". The Board voted unanimously to approve the minutes as corrected herein. (Barlow/Wing)

## **2. New Business**

2A. Discussion concerning *The American Society of Landscape Architects – National use of their Firm Finder Service*; for discussion by the Board. Mr. McDermott explained that this matter concerns a service provided by the *American Society of Landscape Architects (ASLA)* called Firm Finder and was brought to the Board's attention by Mr. Bob Golde as their representative. Individuals can be registered with this company which aides consumers in their search for a landscape architect. The problem lies in the fact that full members of ASLA do not have to be licensed as a landscape architect thereby potentially misleading consumers. Mr. McDermott notified ASLA in writing expressing the Board concerns and also mentioning the fact that this is somewhat disingenuous of ASLA to do this since they are supporters of licensing laws across the country. The issue is what is acceptable to the Board and what guidance should the Board provide the ASLA?

After extensive discussion by the Board and their legal counsel, it was decided that the Board cannot ask ASLA to change their membership guidelines. However, they will suggest that ASLA provide a field in the *Firm Finder Application* which asks the applicant whether or not they are licensed as a landscape architect and, if so, in what jurisdiction(s). Mr. McDermott will provide the Board's conclusions to Mr. Golde in writing.

2B. Application of Mr. Daniel G. Delongchamp for licensing by written examination; Mr. Delongchamp is applying with a *CLARB Council Record (No. 33506)* 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. Delongchamp's application.*** (Barlow/Wing)

2C. Application of Mr. Shusak Janpathompong for licensing by written examination; Mr. Janpathompong is applying with a CLARB Council Record (No. 21719) 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. Janpathompong's application. (Barlow/Wing)***

2D. Application of Ms. Elizabeth G. Kirmmse for licensing by written examination; Ms. Kirmmse is applying with a CLARB Council Record (No. 13033) 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. Kirmmse's application. (Barlow/Wing)***

2E. Application of Mr. Brandon S. Riley for licensing by written examination; Mr. Riley is applying with a CLARB Council Record (No. 38245) 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. Riley's application. (Barlow/Wing)***

2F. Application of Mr. Joshua C. Tompkins for licensing by written examination; Mr. Tompkins is applying with a CLARB Council Record (No. 36439) 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. Tompkins application. (Barlow/Wing)***

2G. Application of Mr. Benjamin S. Truitt for licensing by written examination; Mr. Truitt is applying with a CLARB Council Record (No. 30322) 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. Truitt's application. (Barlow/Wing)***

2H. Updated list of applications processed for licenses subsequent to the January 3, 2012 meeting of the Board. The Board acknowledged this information and thanked the Department for this update.

NAME	METHOD OF LICENSURE	DEPT. APPR'D DATE
Newton, Richard A.	Waiver of Exam; CLARB Council Record No. 39121; PA	April 4, 2012
Spitzer, Michael E.	Waiver of Exam; CLARB Council Record No. 40580; MD	April 4, 2012

2I. Report from Trade Practice Division regarding complaints pertaining to Landscape Architecture; for the Board's information. Mr. Schwane noted that he has no current

cases to report to the Board and not received any thing from the Department's investigator. Mr. McDermott knows of several issues he has brought to the Department's attention and asked that Mr. Schwane follow up with the investigator on these matters and report back to the Board in the future.

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

No issues were discussed.

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

1. Home Builders Association of Connecticut, Public Act 12-172 (House Bill 5344) - An Act Concerning Streamlining the State's Stormwater General Permitting Process (June 5, 2012) was discussed by the Board; copies of which were distributed by Mr. McDermott. He explained that this bill was originally submitted in a much different form at the beginning of the legislative session. This Bill states that landscape architects are included among the qualified professionals to do the certification of storm water general permits. It does not address the preparation of such plans.

The Department of Environmental Protection has added another layer of certification and/or level of experience in a specific discipline. Mr. Huntsman explained that to take advantage of the streamlined procedures outlined in this Public Act, then the applicant must follow the guidelines contained therein. The applicant can also follow the more traditional slower path if they so choose.

Mr. McDermott noted that engineers have an obligation that landscape architects do not. When the system contains engineered storm water management solutions, then the engineer is the only one that can review such systems. The other issue raised by this Bill is the question asking are landscape architects allowed to prepare such plans regardless of the certification process. Mr. McDermott was told that current DEEP Regulations require that such plans must be prepared by a professional engineer. This is an issue the Board needs to address immediately. If a landscape architect can certify as to the accuracy of these plans by virtue of their law and regulation, then why are they not allowed to prepare the same? This is a major issue the Board needs to tackle in the near future.

Mr. Huntsman reminded the Board that this may be a matter of regulations being in conflict with Statute on the same issue noting in particular that regulations cannot prohibit what is allowed by statute pertaining to the same issue. Regulations cannot trump statutes in the hierarchy of the law. Mr. McDermott noted that to his knowledge, the Professional Engineers Board has not expressed their position on this matter to date.

2. Mr. McDermott updated the Board regarding the letter he drafted on behalf of this Board to the City of Norwalk concerning the preparation of Site Plans by Licensed Landscape Architects noting that the letter was recently sent.

*The meeting adjourned at 10:46 AM. The next regular meeting of the Board is scheduled for Tuesday, September 11, 2012, 9:30 AM, Room 121, State Office Building, 165 Capitol Avenue, Hartford, Connecticut. (McDermott/Barlow)*

**NEXT BOARD MEETING:                    SEPTEMBER 11, 2012**

State Office Building  
165 Capitol Avenue  
Room No. 121  
Hartford, Connecticut 06106  
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