

DRAFT 1
ENVIRONMENTAL PROTECTION BOARD
CITY OF STAMFORD
MINUTES OF THE JANUARY 15, 2015
REGULAR MEETING

Members Present:

Gary H. Stone, Chairman
Louis Levine, Member
Dr. Leigh Shemitz, Member
Stephen Wayne, Member
Richard Rosenfeld, Esq., Member
Bradford Spaulding, Alternate Member

Members Not Present:

Nathanial Bowler, Alternate Member

Staff Present:

Richard H. Talamelli, Environmental Planner
Pam Fausty, Environmental Analyst

The Regular Meeting, which was called to order by Chairman Stone at 7:33 PM, was held in the Cafeteria, 4th Floor, Stamford, Government Center, 888 Washington Boulevard, Stamford, Connecticut, 06904-2152. The meeting was both audio and video recorded.

MINUTES

Minutes of the December 18, 2014 Regular Meeting of the Environmental Protection Board:

The Board considered the minutes of the EPB's December 18, 2014 Regular Meeting. No changes or alterations were recommended/discussed. Accordingly, upon a motion by Mr. Levine, the Board voted to **APPROVE** the Minutes of the December 18, 2014 Regular Meeting as presented.

In Favor: Stone, Levine, Rosenfeld, and Spaulding
Opposed: None
Abstaining: None
Not Voting: Shemitz, and Wayne

APPLICATIONS AND PERMITS

#1501 – 12 Pond View Lane – Lot 5 – Greenwich Power Systems for C. Murphy: To install a standby generator and other related facilities proximate to wetlands and a pond on property situated within the drinking water supply watershed of the Mianus River. The property lies along the east side of Pond View Lane, just south of Rock Rimmon Road, and is identified as Lot 5, List 000-1750, Card E-001, Block 402, Zone RA-2, 2.221 Acres.

**Minutes
Environmental Protection Board
Regular Meeting of January 15, 2015
Page 2**

Reference is made to an EPB Staff Memo, dated January 13, 2015.

In Attendance: None

Discussion: Mr. Stone acknowledged the receipt of the minimum information necessary to initiate the permit application review process for EPB Permit Applications No. 1501.

Motion/Vote: Upon a Motion by Mr. Levine, the Board voted to **ACCEPT** EPB Permit Application No. 1501.

In Favor: Stone, Levine, Shemitz, Wayne, and Rosenfeld
Opposed: None
Abstaining: None
Not Voting: Spaulding

SITE PLAN REVIEWS:

SUBDIVISION REVIEWS:

#4015 – 1045 Stillwater Road – Lot 6 - 1045 Stillwater Associates, LLC: Subdivision of an existing 2.964 acre parcel into six (6) properties capable of supporting residential development. All parcels shall be served by municipal water and public sewer.

Reference is made to and EPB Staff Agenda Summary Report, dated January 13, 2015.

In Attendance: Leonard C. D'Andrea, P.E., Rocco V. D'Andrea, Inc.
Matthew Popp, Environmental Land Solution, LLC.
Sabastian D'Acunto, Esq.
Tony Cardillo
Sam Cardillo
Janet Triplett
Joyce Ragusa
Justin Ragusa
Barbara Bosak
Steven Rigo

Discussion: Staff Member Fausty summarized the subdivision application for the Board. Ms. Fausty noted that the parcel lies along the east side of Stillwater Road, approximately 220 feet south of London Lane, and is characterized by the presence of manicured and wooded uplands, a narrow band of wetlands, a reach of the Rippowam River, and special flood hazard areas. The site drains predominately west to east from Stillwater Road to the Rippowam River.

With the exception of certain drainage structures, all activity associated with the new dwellings, the common accessway, individual drives, and other related features shall be confined to upland space lying outside of regulated areas. Subsurface drainage has been proposed on individual lots to accommodate the increase in flow attributed to the overall increase in impervious surface. A Connecticut arborist has reviewed the property and has generated recommendations to protect

Minutes
Environmental Protection Board
Regular Meeting of January 15, 2015
Page 3

individual or groups of trees of value. To preserve water quality, an erosion control plan has been introduced and infiltration shall be utilized to seize upon the soil's natural ability to cool and filter runoff. It was further noted that a planting plan has been provided to filter runoff, mitigate for the loss of vegetation, and enhance the overall conservation values of the parcel. A conservation easement has been proposed for wetlands, watercourses and non-watershed buffers. EPB Permits shall be required for Lots 1-4 given the anticipated floodplain encroachment with level spreaders and other related drainage features.

Mr. D'Andrea, in response to a question by Mr. Rosenfeld concerning the use of demarcation features, stated that the conservation easement boundary shall be defined in the field with standard conservation posts and signage.

In response to a question by Janet Triplett, Mr. D'Andrea affirmed that the proposed conservation easement will encompass approximately 22.1% of the property, and will lie no less than twenty-five (25) feet to the mapped wetland line and approximately fifty (50) feet to the mapped edge of the Rippowam River. The conservation easement was sited based on standard, non-watershed setbacks.

Joyce Ragusa and Barbara Bosak questioned the placement of the proposed dwellings relative to areas of resource. Mr. D'Andrea noted that the dwellings have been situated 60-70 feet to the river and outside of the 100-year floodplain by both elevation and the graphic representation shown on the Flood Insurance Rate Map. Mr. D'Andrea confirmed that the flood hazard boundary plotted on the design plans was endorsed by FEMA.

Joyce Ragusa and Steven Rigo questioned both the legality and impact of fill that placed on the parcel over that last couple of years. Mr. D'Andrea noted that the filling was accomplished by the prior property owner, was confined to non-regulated areas, and was legally conducted with the use of sediment and erosion controls. Mr. D'Andrea noted that a recent inspection of the site showed that although spot maintenance is required, the erosion controls remain in place. No impacts were observed.

In response to a question by Justin Ragusa, Mr. D'Andrea confirmed that the subdivision plan had been amended to protect the trees of value identified by the Connecticut Arborist. To mitigate for the loss of other trees on the parcel, a planting mitigation plan has been provided by the applicant.

Additional discussion focused on the placement and function of the proposed water quality structures and features. In response to a question raised by Dr. Shemitz, Ms. Fausty stated that the erosion control plan proposed for the subdivision was as stringent as any required for any similar development.

Motion/Vote: Upon a motion by Board Member Levine, the Board voted to **OFFER NO OBJECTION** to Planning Board No. 4015 with the conditions outlined in the EPB Staff Agenda Summary Report, dated January 8, 2015.

In Favor: Stone, Levine, Shemitz, Wayne, and Rosenfeld
Opposed: None
Abstaining: None

Not Voting: Spaulding

ENFORCEMENT – STATUS REPORTS AND SHOW CAUSE HEARINGS:

OTHER BUSINESS:

#2428 – South Brook Drive – Lot 1 – WCL L.P.: Construction of an access driveway and a new single-family residence and appurtenances proximate to wetlands and watercourses on property within the drinking water supply watershed of the Bargh Reservoir and Mianus River. The property lies along the cul-de-sac of South Brook Drive, approximately 875 feet south of Jonathan Drive, and is identified as Lot 1, List 003-9979, Card E001, Block 400, Zone RA-3, and ± 2.43 Acres.

#2429 – South Brook Drive – Lot 2 - WCL L.P.: Construction of an access driveway and a new single-family residence and appurtenances proximate to wetlands and watercourses on property within the drinking water supply watershed of the Bargh Reservoir and Mianus River. The property lies along the cul-de-sac of South Brook Drive, approximately 875 feet south of Jonathan Drive, and is identified as Lot 2, List 003-9982, Card W002, Block 400, Zone RA-3, and ± 2.14 Acres.

#2430 – South Brook Drive – Lot 3 - WCL L.P.: Construction of an access driveway and a new single-family residence and appurtenances proximate to wetlands and watercourses on property within the drinking water supply watershed of the Bargh Reservoir and Mianus River. The property lies along the cul-de-sac of South Brook Drive, approximately 875 feet south of Jonathan Drive, and is identified as Lot 3, List 003-9983, Card W003, Block 400, Zone RA-3, and ± 2.06 Acres.

#2431 – South Brook Drive – Lot 6 - WCL L.P.: Construction of an access driveway and a new single-family residence and appurtenances proximate to wetlands and watercourses on property within the drinking water supply watershed of the Bargh Reservoir and Mianus River. The property lies along the cul-de-sac of South Brook Drive, approximately 875 feet south of Jonathan Drive, and is identified as Lot 6, List 003-9981, Card W001, Block 400, Zone RA-3, and ± 2.06 Acres.

Reference is made to and EPB Staff Memo, dated January 9, 2015 as to all four (4) applications.

In Attendance: None

Discussion: Mr. Stone acknowledged the receipt of correspondence from John Pugliesi, P.E., E.J. Frattaroli, Inc. (December 12, 2014) requesting the extension of these permits. In response to questioning by the Chair, Mr. Talamelli noted that there were no reported violations on the property, that the permits were legally issued, and that conditions have not changed as to warrant a reevaluation. Accordingly, Staff recommended that the Board approve these extension requests for a period of one (1) year until January 27, 2016.

Motion/Vote: Upon a motion by Dr. Shemitz, the Board voted to **APPROVE** the extension of EPB Permit Nos. 2428, 2429, 2430, and 2431 for a period of one (1) year until January 27, 2016.

In Favor: Stone, Levine, Shemitz, Wayne, and Rosenfeld.
Opposed: None
Abstaining: None
Not Voting: Spaulding

**Minutes
Environmental Protection Board
Regular Meeting of January 15, 2015
Page 5**

#2537 – 410 Courtland Avenue - Lot 34 - M. Czamanski: To construct residential units and associated parking and drainage improvements within and proximate to wetland areas on property situated within the non-drinking water supply watershed of the Southwest Shoreline (Long Island Sound). The property lies along the west side of Courtland Avenue, approximately 440 feet south of Glenbrook Road, and is identified as Lot 34 List 000-4857, Card W-75, Block 315, Zone R-5, and ±0.321 Acres.

Discussion: Mr. Stone acknowledged the receipt of correspondence from Mark Czamanski (December 9, 2014) requesting the extension of this permit. In response to questioning by the Chair, Mr. Talamelli noted that there were no reported violations on the property, that the permit was legally issued, and that conditions have not changed as to warrant a reevaluation. Accordingly, Staff recommended that the Board approve this extension request for a period of one (1) year until January 27, 2016.

Motion/Vote: Upon a motion by Mr. Levine, the Board voted to **APPROVE** the extension of EPB Permit No. 2537 for a period of one (1) year until January 27, 2016.

In Favor: Stone, Levine, Shemitz, Wayne, and Rosenfeld.
Opposed: None
Abstaining: None
Not Voting: Spaulding

ADJOURN:

Adjourn the Regular Meeting of January 15, 2015.

There being no further business, the Board, upon a motion by Mr. Levine, voted to **ADJOURN** the Regular Meeting of January 15, 2015.

In Favor: Stone, Levine, Shemitz, Wayne and Rosenfeld
Opposed: None
Abstaining: None
Not Voting: Spaulding

Meeting adjourned at 8:05 PM.

Gary H. Stone, Chairman
Environmental Protection Board

Meeting Minutes Assembled from Notes Prepared By Richard Talamelli, Environmental Planner