

**ENVIRONMENTAL PROTECTION BOARD
CITY OF STAMFORD
MINUTES OF THE MAY 15, 2014
REGULAR MEETING**

Members Present:

Gary Stone, Chairman
Louis Levine, Member
Stephen Wayne, Member
Leigh Shemitz, Member
Bradford Spaulding, Alternate Member

Members Not Present:

Peter Conetta, Member
Nate 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 7:31 PM, was held in the Planning Board Conference Area, 7th Floor, Stamford, Government Center, 888 Washington Boulevard, Stamford, Connecticut, 06904-2152. The meeting was recorded.

Chairman Stone opened the meeting by introducing the members of the Board and Staff. A special acknowledgement was given to Leigh Shemitz, who returns to the EPB as a permanent member.

MINUTES

Minutes of the April 17, 2014 Regular Meeting of the Environmental Protection Board:

The Board considered the minutes of the EPB's April 17, 2014 Regular Meeting. No changes or alterations were recommended or discussed. Accordingly, upon a motion by Board Member Levine, the Board voted to **APPROVE** the Minutes of the April 17, 2014 Regular Meeting as presented.

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

APPLICATIONS AND PERMITS

#1406 – Burwood Avenue – Lot 27 – J. Pozuelo: To construct a new, two (2) family dwelling, drive, drainage, and other related facilities in known flood hazard areas and proximate to wetlands situated in the non-drinking water supply watershed of the Southwest Shoreline. The site lies along the south side of Burwood Avenue, approximately 375 feet west of Southfield Avenue, and is

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identified as Lots 27, List 002-5993, Card S-023, Zone R-6, Block 25 and 6,085 square feet.

Reference is made to an EPB Staff Agenda Summary Report, dated May 7, 2014.

In Attendance: Robert Frangione, P.E., Frangione Engineering.

Discussion: Staff Member Talamelli summarized the application for the Board. Mr. Talamelli reported that the subject property lies within an intensely developed residential neighborhood along the south side of Burwood Avenue, west of Southfield Avenue. With the exception of certain drainage structures, the property remains largely “undeveloped” characterized by gently sloping uplands, a small area of inland wetland, and extensive areas of flood hazard. Coastal Resources have been classified as “Shorelands,” “Coastal Flood Hazard Area,” and “Inland Wetlands and Watercourses.” He noted the parcel is largely devoid of vegetation.

The applicant proposes to construct a new, two (2) family dwelling, drive drainage and other attendant facilities on the property. Mr. Talamelli noted that given the nature of the project and the resources present, applicants are expected to minimize impacts on identified areas of resource, reduce potential impacts on drainage, soils and adjoining properties, preserve and enhance the qualities of surface and ground waters, and address the structural flood proofing and preparedness requirements of Stamford’s “Flood Prone Area Regulations,” Mr. Talamelli stated that although no wetlands shall be impacted, approximately 967 square feet of the setback and 5,660 square feet of the floodplain shall be affected by the development. Grade change shall be minimal, and no additional trees shall be lost as a result of the development. A drainage statement and plan have been prepared, and the anticipated increase in imperviousness shall be mitigated with the proposed installation of a structured drainage system consisting of collection structures and small array of infiltrators. Overflow shall be tied to an existing storm manhole situated at the rear of the parcel. The project engineer has confirmed the adequacy of the receiving drainage system, the ability of the infiltration system to store and treat a so called “first flush,” and the absence of adverse impact upon downstream properties or infrastructure. The Engineering Bureau has confirmed study methodology, conclusions and the overall design of the mitigation scheme. Water quality matters have been addressed with the submission of an erosion control plan, connection to the sanitary sewer, the use of collection structures with deep sumps and outlet controls, infiltration, and a heating system fueled by natural gas. Above or below ground storage of fuel oil has not been proposed. The dwelling has been designed to comply with the strict structural flood proofing requirements outlined in Stamford’s “Flood Prone Area Regulations,” with the first floor set approximately six (6) feet above the project flood elevation, and the lower garage/access space conforming to the use and design standards for “fully enclosed areas below the minimum elevation standard.” Flood safety and preparedness requirements have been addressed with a draft flood evacuation and preparedness plan. A planting plan has been developed to mitigate development impacts, screen abutters, enhance site conservation values, and improve the visual/aesthetic qualities of both the property and neighborhood.

In response to a question by Chairman Stone, Mr. Frangione, acknowledged receipt of the Agenda Summary Report, and offered no objection to any of the stated recommendations or conditions.

Board Member Shemitz questioned the use of the regulatory buffer area for construction materials stockpiling. Mr. Frangione noted that although the site is highly constrained, he would seek to modify

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the proposed stockpile area to an alternative location along the property boundary in the upper reaches of the site.

Motion/Vote: Upon a motion by Board Member Levine, the Board voted to **APPROVE** EPB Permit Application No. 1406 with the conditions outlined in the Agenda Summary Report, dated May 7, 2014, modified to include a further condition requiring Staff approval for an alternative stockpile area situated outside of the upland review area.

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

#1408 – 2228 Summer Street – Lots 1/2 - BL Companies for Estate of M. Giordano: To install a utility shed for equipment storage associated with a proposed air sparging/soil vapor extraction system. The utility shed is proposed for areas affected by the base floodplain of the Rippowam River. The site lies along the west side of Summer Street, just north of Bridge Street, and is identified as Lot 1/2, List 000-9427, Card W-416, Zone CL, Block 251, and ±10,555 square feet.

Reference is made to an EPB Staff Memo, dated May 7, 2014.

In Attendance: None

Discussion: Chairman Stone acknowledged the receipt of correspondence from John Meyer, Project Manager, BL Companies, dated May 6, 2014 requesting that the aforementioned permit application be withdrawn from further consideration.

Motion/Vote: None

#1409 – 914-926 Newfield Avenue – Lot 21 – The Bridgeport Roman Catholic Diocesan Corporation (Trinity Catholic High School): To construct a new synthetic turf multi-purpose athletic field, renovate an existing natural turf softball field, install drainage, and erect other related facilities proximate to wetlands and watercourses situated in the non-drinking water supply watershed of Toilsome Brook. The site lies along the west side of Newfield Avenue, approximately 1200 feet south of Vine Road, and is identified as Lot 21, List 002-6637, Card W-052, Zone RA-1/R-20, Block 324, and ±23.3 Acres.

Reference is made to an EPB Staff Memo, dated May 7, 2014.

In Attendance: None

Discussion: Chairman Stone acknowledged the receipt of correspondence from Nicholas Vitti, Esq., Cacace, Tusch and Santagata, dated May 8, 2014 granting the Board an extension of the statutory decision deadline for a period of sixty-five (65) days. The extension has been requested to allow for the development of necessary information.

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Motion/Vote: None

#1410 – 12 West Haviland Lane – Parcel A – General Portfolio Properties, Inc.: To construct a road, drainage structures, and other related facilities associated with a future residential subdivision. The activities lie in and/or proximate to wetlands, watercourses and conservation areas situated in the non-drinking water supply watershed of Haviland Brook. The site lies along the south side of West Haviland Lane, approximately 360 feet west of Haviland Road, and is identified as Parcel A, List 004-1389, Card S001A, Zone RA-1, Block 392, and ±14.0 Acres.

Reference is made to an EPB Staff Memo, dated May 8, 2014.

#1411 – 264 Mill Road – Lot C – E. D’Onofrio: To construct a residential addition and an expanded deck proximate to wetlands situated in the non-drinking water supply watershed of Haviland Brook. The site lies along the north side of Mill Road, approximately 1450 feet east of Mill Spring Lane, and is identified as Lot C, List 002-9810, Card N028, Zone RA-1, Block 402, and ±1.009 Acres.

Reference is made to an EPB Staff Memo, dated May 8, 2014.

#1412 – 20 Wyndover Lane – Lot 10- - S. Siljkovic: To construct a new single family dwelling, driveway, and appurtenances proximate to wetlands situated in the non-drinking water supply watershed of the Rippowam River. The property lies along the north side of Wyndover Lane, just west of Wyndover Lane North, and is identified as Lot 10, List 000-5007, Card N-005, Zone R-20, Block 360, and ±1.091 Acres.

Reference is made to an EPB Staff Memo, dated May 8, 2014.

#1413 – 1937 West Main Street – Lot B-2 – West Side Development Partners, LLC for Cytec Industries, Inc.: To construct a storm water management facilities, grading and landscaping in and proximate to a designated conservation easement situated in the non-drinking water supply watershed of the Southwest Shoreline. The property lies along the north side of West Main Street, approximately 850 feet east of Alvord Lane, and is identified as Lot B-2, List 004-3105, Card N070B, Block 283, Zone M-L, and 827,673 square feet.

Reference is made to an EPB Staff Memo, dated May 12, 2014.

In Attendance: Silban Siljkovic
John Pugliesi, E.J. Frattaroli, Inc.

Discussion: Chairman Stone acknowledged the receipt of the minimum information necessary to initiate the permit application review process for EPB Permit Applications No. 1410, 1411, 1412 and 1413.

Motion/Vote: Upon a motion by Board Member Levine, the Board voted to **ACCEPT** EPB Permit Applications No. 1410, 1411, 1412 and 1413.

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

#1412 – 20 Wyndover Lane – Lot 10 - S. Siljkovic: To construct a new single family dwelling, driveway, and appurtenances proximate to wetlands situated in the non-drinking water supply watershed of the Rippowam River. The property lies along the north side of Wyndover Lane, just west of Wyndover Lane North, and is identified as Lot 10, List 000-5007, Card N-005, Zone R-20, Block 360, and ±1.091 Acres.

Reference is made to and EPB Agenda Summary Report, dated May 9, 2014.

In Attendance: Silban Siljkovic

Discussion: Staff Member Fausty summarized the application for the Board. Ms. Fausty noted that the applicant proposes to construct a new single family dwelling, drive drainage, and other related facilities proximate to a wetland “pocket” found in the approximate center of this parcel. Ms. Fausty reminded Board Members that the property has been the subject of a prior EPB permit application in which the owner secured permission to complete the construction of stone walls and implement certain landscape enhancements in and proximate to the wetlands. She noted that the permitted activities had been successfully implemented by the end of March 2014.

The applicant recently razed the dwelling that formerly occupied the site. In its place, a new dwelling, drive, drainage, and other related facilities shall be constructed. Although all structures and features have been maintained outside of the regulated areas, the project demands certain encroachments into the upland review area to facilitate the construction. Staff defined the encroachments as minor, temporary and without a significant long term impact on wetland functions and values. Approximately 100 square feet of the buffer shall be affected. Ms. Fausty noted that staff concerns relating to water quality and drainage impact have been addressed with the submission of detailed sediment and erosion control plan and a drainage plan that has secured the endorsement by the Stamford Engineering Bureau. Given the density of the prior planting, no further restoration landscaping is proposed or warranted.

In response to a question by Chairman Stone, Mr. Siljkovic acknowledged the receipt of the Agenda Summary Report and offered no objection to any of the stated recommendations or conditions.

Motion/Vote: Upon a motion by Board Member Levine, the Board voted to **APPROVE** EPB Permit Application No. 1412 with the conditions outlined in the Agenda Summary Report, dated May 9, 2014.

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

SITE PLAN REVIEWS:

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SUBDIVISION REVIEWS:

#4013 – Gutzon Borglum Road – Lot 21A – Gutzon Borglum Road, LLC: Subdivision of an existing 2.5065 acre parcel into two (2) properties capable of supporting residential development. All subdivided parcels are expected to be served by wells and subsurface sewage disposal systems. The subject property lies along the west side of Gutzon Borglum Road, just north of Wire Mill Road, and is identified as Lot 21A, List 002-0156, Card W-002, Block 377, Zone RA-1, and \pm 2.5065 Acres.

Reference is made to an EPB Staff Agenda Summary Report dated May 7, 2014.

In Attendance: Leonard C. D'Andrea, P.E., Rocco V. D'Andrea, Inc.
Goitom Bellette

Discussion: Staff Member Talamelli summarized the details of the subdivision application for the Board. Mr. Talamelli stated that the applicant proposes to subdivide the 2.5065 acre property into two (2) parcels capable of supporting residences, drives, drainage, septic, wells, utilities and other related facilities. All parcels shall be served by subsurface sewage disposal systems and wells.

Mr. Talamelli noted that the property, which lies along the west side of Gutzon Borglum Road, just north of Wire Mill Road, currently supports a single family dwelling, drive patio, wall, well, septic system and other related facilities. The property is generally characterized by gently to severely sloping uplands, several moderately to large sized trees, and space affected by designated special flood hazard areas associated with the Rippowam River and Haviland Brook. The flood prone areas are confined to the extreme southern reaches of the site on lands proximate to Wire Mill Road. A reach of Haviland Brook lies some eight (80) feet to the east of the site. There are no wetland soils on the property.

Typical of all subdivisions of similar circumstance, the applicant is charged with the task of demonstrating that the property can reasonably support residential development, subsurface sewage disposal systems, wells and other related features with an acceptable impact upon resources, water quality, drainage and other factors. The applicant is further required to address regulations and policies pertinent to flooding, particularly as they related to flood impact, site accessibility, and utility protection.

Mr. Talamelli stated that the applicant has provided a preliminary site development plan showing that the proposed development can be accomplished with low to moderate grade change and the loss of only two (2) additional trees. It was noted, however, that prior to subdivision, much of the vegetation found in the vicinity of the proposed house envelopes had been cleared. With the exception of a proposed road widening, and new driveway drainage and drainage for Parcel "A" all activities associated with the subdivision shall be confined to uplands outside of the floodplain and other areas of regulation. An analysis was submitted confirming the absence of impact upon drainage, adjoining properties and infrastructure. Potential development impacts, posed by the proposed increase in overall site imperviousness, shall be mitigated by a storm water management plan that creates five (5) post construction watersheds through grading and the installation of structures on both properties. If constructed per the design plans, the project engineer has concluded that there would be a reduction in peak flows at pertinent control points during the 1, 2, 5 and 10-year storms. Mr. Talamelli reported that the project has been endorsed by the Stamford Engineering Bureau. Water

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quality issues had been addressed with the submission of a temporary/permanent sediment and erosion control plan, use of collection structures equipped with deep sumps and outlet controls, infiltration, and a fuel supply of propane in lieu of fuel oil stored in above or below ground vessels. Deep soil and other related testing conducted under the review of the Stamford Health Department confirmed the feasibility of a four bedroom system on Parcel "A" and five (5) bedroom system of Parcel "B". Accordingly, the Health Department offered no objection to the proposed two (2) lot subdivision as proposed. In regards to flood safety, the Chief Fire Marshal has reviewed the proposed subdivision plan, and after assessing the characteristics of the flood along the primary means of vehicular access, has determined that the properties could be safely assessed and evacuated anytime during the occurrence of a base flood. A flood proof utility has been provided for underground electric. Conservation matters have been addressed with the submission of an arborist's report to identify and manage trees of interest and a landscape plan to improve general aesthetics, mitigate for prior tree loss, screen abutters and /or enhance the overall conservation values of the property. Although not required for a development of this size, the applicant has determined to provide a conservation easement for 13,768 square feet of space consisting of steeply sloping, wooded uplands in the northing reaches of the site. The limits of the conservation easement shall be pinned and posted with standard signage in accordance with the City detail.

In response to a question by Chairman Stone, Mr. D'Andrea, acknowledged the receipt of the Agenda Summary Report, and offered no objection to any of the stated recommendations or conditions.

Board Member Shemitz noted that she was extremely pleased by the range of conservation improvements applied to the subdivision, particularly those employed to preserve and protect trees of identified conservation value.

Motion/Vote: Upon a motion by Board Member Levine, the Board voted to **OFFER NO OBJECTION** to Planning Board No. 4013 with the conditions outlined in the EPB Staff Agenda Summary Report, dated May 7, 2014.

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

ENFORCEMENT – STATUS REPORTS AND SHOW CAUSE HEARINGS:

OTHER BUSINESS:

ADJOURN:

Adjourn the Regular Meeting of May 15, 2014

There being no more business, the Board, upon a motion by Board Member Levine, voted to **ADJOURN** the Regular Meeting of May 15, 2014.

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

Meeting adjourned at 8:03 PM.

Gary Stone, Chairman
Environmental Protection Board

Minutes: Prepared from meeting notes taken by Richard H. Talamelli, Environmental Planner