

**DRAFT  
ENVIRONMENTAL PROTECTION BOARD  
CITY OF STAMFORD  
MINUTES OF THE OCTOBER 20, 2016  
REGULAR MEETING**

**Members Present:**

Gary H. Stone, Chairman  
Louis P. Levine, Member  
Dr. Leigh Shemitz, Member (Arrived 7:34 PM)  
Richard Rosenfeld, Esq., Member  
Bradford Spaulding, Alternate Member  
Laura Tessier, Alternate Member

**Members Not Present:**

Ashley A. Ley, Member  
Nathaniel Bowler, Alternate Member

**Staff Present:**

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

The Regular Meeting, which was called to order by the Chair at 7:30 PM, was held in the Cafeteria, 4<sup>th</sup> Floor, Stamford, Government Center, 888 Washington Boulevard, Stamford, Connecticut, 06904-2152. The meeting was video recorded.

**MINUTES**

**Minutes of the EPB's Special Meeting of August 31, 2016:** The Board considered the minutes of the EPB's August 31, 2016 Special Meeting. No changes or alterations were recommended or discussed. Accordingly, upon a motion by Mr. Levine, the Board voted to **APPROVE** the Minutes of the August 31, 2016 Special Meeting as presented.

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

**Minutes of the EPB's Regular Meeting of September 15, 2016:** The Board considered the minutes of the EPB's September 15, 2016 Regular Meeting. No changes or alterations were recommended or discussed. Accordingly, upon a motion by Mr. Levine, the Board voted to **APPROVE** the Minutes of the September 15, 2016 Regular Meeting as presented.

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

**APPLICATIONS AND PERMITS:**

**Acceptances/Extensions:**

**#1630 – 4 Old Orchard Lane and 326 Dundee Road – Lots 4 and 12 - City of Stamford/Engineering Bureau for B. and N. Fauble and S. Wruble – Drainage Improvements:** To reconstruct a drainage swale, grade and landscape in and proximate to wetlands and watercourses situated in the drinking water supply watershed of the Mianus River. The project shall occur within an existing easement on the following properties: 4 Old Orchard Lane, B. and N. Fauble, Lot 4, Account 001-3342, Card W-002, Map 65, Block 394, Zone RA-1,  $\pm 50,965$  square feet, and 326 Dundee Road, S. Wruble, Account 000-0059, Card E-023, Map 65, Block 394, Lot 12, Zone RA-1, and  $\pm 44,431$  square feet.

Reference is made to an EPB Staff Memo, dated October 14, 2016.

**#1632 – Cascade Road – Lot A-2 –North Ridge Contractors, LLC:** To construct a new subdivision road, culvert crossing, walls, drainage, and other related facilities associated with a proposed six (6) lot subdivision of property. The proposed regulated activities lie in and within close proximity to wetlands and watercourses situated in the drinking water supply watershed of the Rippowam River. The property lies along the east side of Cascade Road, across the street from Michael Road, and is identified as Lot A-2, List 002-4916, Card S-023, Map 27, Block 384, Zone RA-1, and  $\pm 8.95$  Acres.

Reference is made to an EPB Staff Memo, dated October 18, 2016.

**In Attendance:** None

**Discussion:** Mr. Stone acknowledged the receipt of correspondence from Frank Vonella, City of Stamford Engineering Bureau (October 14, 2016) and John Pugliesi, P.E., E.J. Frattaroli, Inc. (October 17, 2016) granting the Board an additional sixty-five (65) days to consider EPB Permit Applications No. 1630 and 1632. The extensions are granted to allow for the development of necessary additional information. A final decision shall be made on the subject applications on or before January 8, 2017.

**Motion/Vote:** None

**#1633 – 24 Linwood Lane – Lot 1A – T. Villani:** To modify a driveway and remove and/or regrade fill and drainage structures installed in and proximate to wetlands, watercourses and the base floodplain of the Rippowam River. The property lies along the north side of Linwood Lane, approximately 400 feet east of Wire Mill Road, and is identified as Lot 1A, List 000-7371, Card E-002, Block 378, Zone RA-1, and  $\pm 1.3328$  Acres.

**#1634 – 333 Mayapple Road – Lot C-1 – E. Ford and V. Ford:** To maintenance dredge a pond situated within the non-drinking water supply watershed of the Haviland Brook. The property, which supports wetlands, watercourses and designated open space preserve/conservation easement areas, lies along the north side of Mayapple Road, approximately 770 feet east of Rock Rimmon Road, and is identified as Lot C-1, Account 003-9191, Card N-022, Map 9, Block 403, Zone RA-2 and  $\pm 5.599$  Acres.

**#1635 – 185 Interlaken Road – Lot 2 - Frangione Engineering, LLC for T. Kalamaras:** To construct a new single family dwelling, drive, drainage, well, septic system and other related facilities proximate to wetlands, watercourses and designated conservation easement areas situated in the non-drinking water supply watershed of the Rippowam River. The property lies along the south side of Interlaken Road, approximately 525 feet west of Lakeside Drive and is identified as Lot 2, Account 004-1851, Card S-018, Map 60, Block 383, Zone RA-1 and  $\pm 1.61$  Acres.

**#1636 – 966 Westover Road – Lot 1 – J. R. Milo:** To construct an above ground pool, pool equipment and other related facilities proximate to wetlands and watercourses situated in the drinking water supply watershed of the Mianus River. The subject property lies along the west side of Westover Road, approximately 575 feet south of Highline Trail, and is identified as Lot 1, Account 002-1515, Card W-071, Map 95, Block 373, Zone RA-1 and  $\pm 1.0011$  Acres.

**#1637 - 193 Shelter Rock Road - Lot N-30 - R. Wordell for K. Lubash:** Construction of a shed and other related features within close proximity to wetlands and watercourses situated in the drinking water supply watershed of the Mianus River (East Branch). The property lies along the west side of Shelter Rock Road, approximately 480 feet north of Riverbank Drive, and is identified as Lot N-30, List 001-0045, Card W-016, Block 394, Zone RA-1, and  $\pm 1.0002$  Acres.

**#1638 – 36 Den Road – Lot 7 – M. Wilson:** To construct a residential addition and other related facilities proximate to wetlands and watercourses situated in the drinking water supply watershed of the Mianus River. The property lies along the west side of Den Road, approximately 575 feet north of Roxbury Road, and is identified as Lot 7, List 000-9931, Card N-047, Block 374, Map 81, Zone RA-1, and  $\pm 1.075$  Acres.

**#1639 – 360 Westover Road – Lot 13 – A. Violi:** To construct residential additions, deck, and other related facilities proximate to wetlands situated in the drinking water supply watershed of the Mianus River. The property lies along the west side of Westover Road, approximately 550 feet south of Westover Lane, and is identified as Lot 13, List 002-0019, Card W-020, Block 366, Map 108, Zone RA-1, and  $\pm 1.157$  Acres.

Reference is made to EPB Staff Memos of October 13, 2016 (No.1633, 1634, 1635, and 1636) and October 18, 2016 (No. 1637, 1638, and 1639).

**In Attendance:** John Pugliesi, P.E., E.J. Frattaroli, Inc.  
Edwin Ford  
Vivian Ford

**Discussion:** Mr. Stone acknowledged the receipt of the minimum information necessary to accept these permit applications.

**Motion/Vote:** Upon a motion by Mr. Levine, the Board voted to **ACCEPT** EPB Permit Applications No. 1633, 1634, 1635, 1636, 1637, 1638, and 1639.

In Favor: Stone, Levine, Rosenfeld, Spaulding and Tessier  
Opposed: None  
Abstaining: None

Not Voting: None

**ACTION ITEMS:**

**#1625 - Wallenberg Drive - Lot 34 - Wallenberg, LLC:** To construct a new single family dwelling with associated septic system, site grading and drainage in and proximate to wetlands, watercourses, and designated conservation/open space areas on property situated within the drinking water supply watershed of the Bargh Reservoir (Mianus River). The property lies along the east side of Wallenberg Drive, approximately 150 feet south of South Lake Drive, and is identified as Lot 34, List 003-7997, Card E-003, Block 400, Zone RA-3, and ±2.04 Acres.

Reference is made to an EPB Staff Agenda Summary Report, revised October 19, 2016.

**In Attendance:** John Pugliesi, P.E., E.J. Frattaroli, Inc.  
Jacqueline Olshan Kaufman, Esq., Carmody, Torrance, Sandak and Hennessey, LLP  
Jay Klein, Esq., Carmody, Torrance, Sandak and Hennessey, LLP  
Matt Popp, Environmental Land Solutions, LLC

Note that Dr. Shemitz arrived at the meeting during the initial moments of Staff's presentation at approximately 7:34 PM.

**Discussion:** Ms. Fausty summarized the application for the Board. She noted that the applicant proposes to construct a new single family dwelling, drive, drainage, septic system and other related facilities in and within close proximity to wetlands, watercourses and designated conservation easement areas. The property, which mainly consists of undeveloped, vacant land, supports a large wooded wetland, vernal pool and upland review areas, most of which are contained within a designated conservation easement area. She reminded the Members, that in 2002, EPB Permit No. 2218 was granted by the Board to allow for the development of the parcel. Although the major components of the development were never constructed, certain drainage and environmental amenities, including a concrete curb to protect vernal pool species, were installed. Having exhausted all available extensions, the permit expired by limitation this year. The expiration of the permit drives the owners request for a new EPB Permit to allow for a residential development that generally mimics the prior approval. It is reported that changes to the plans have been limited to alterations to the septic to reflect certain code modifications enacted since 2002, and minor adjustments to the location and configuration to the dwelling.

Ms. Fausty reported that although there are no additional wetland impacts, approximately 5,993 square feet of the upland review areas and 2,554 square feet of the conservation easement shall be impacted by the proposed development. Concerns relative to design feasibility, resources impact, erosion control, drainage impact, and the value of mitigation/enhancements have been addressed in the revised application. The Health Department has endorsed the septic design based on the current code, the Engineering Bureau has confirmed both the absence of drainage impact and the integrity of the design, an erosion control plan has been provided, and a mitigation/landscape plan has been submitted. Note that the mitigation provides for the removal of debris and the installation of native plantings in select portions of the conservation easement area.

Minutes  
Environmental Protection Board  
Regular Meeting of October 20, 2016

In response to a question by Mr. Stone, Ms. Fausty reported that the changes to the project design are relatively minor, and that the site conditions established after the initial site work remain essentially unchanged.

Ms. Tessier acknowledged the prior Board approval and the assertion that the incremental changes to the design would not result in any additional impacts upon the regulated areas. However, in applications that affect wetlands and/or vernal pools, she noted the importance of assessing potential impacts a project will have on both hydrology and nutrient loading.

In response, Mr. Pugliesi noted that the issues of drainage and nutrient loading were extensively studied as part of the permit applications. He confirmed that there is little or no change in terms of the watershed or the volume of runoff discharged to the regulated areas, and the design includes both structural and non-structural elements to ensure that the potential impact of "urban runoff" were mollified before a discharge to the wetlands/vernal pool could take place.

Mrs. Kaufman then entered, into the record, correspondence from Green Valley Nurseries verifying that planting, grading, and other landscape elements required under the prior permit in and proximate to the regulated areas were installed and remain viable.

Mr. Pugliesi acknowledged the receipt of the Agenda Summary Report, and offered no objection to its contents or the recommended conditions of approval.

**Motion/Vote:** Upon a motion by Mr. Levine, the Board voted to **APPROVE** EPB Permit Application No. 1625 with the conditions outlined in an EPB Staff Agenda Summary Report, revised October 19, 2016.

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

**SITE PLAN REVIEWS:**

**SUBDIVISION REVIEWS:**

**ENFORCEMENT – STATUS REPORTS AND SHOW CAUSE HEARINGS:**

**OTHER BUSINESS:**

**#1112 - 45 Ryan Street - Lot 34 - 45 Ryan Street, LLC:** To demolish an existing single family dwelling and construct a new commercial building, parking, drainage and other related facilities within the base floodplain of Springdale Brook and proximate to wetlands and watercourses situated in the non-drinking water supply watershed of Springdale Brook. The property is situated along the east side of Ryan Street, approximately 180 feet north of Camp Avenue, and is identified as Lot 34, List 001-6725, Card E-009, Block 347, M-L, and ±0.12 Acres.

Reference is made to an EPB Staff Memo, dated October 12, 2016.

Minutes  
Environmental Protection Board  
Regular Meeting of October 20, 2016

**In Attendance:** None

**Discussion:** Mr. Stone acknowledged the receipt of a letter from Derek Daunais, P.E., D'Andrea, Surveying and Engineering, P.C. requesting an extension of the effective period of EPB Permit No. 1112. Mr. Talamelli confirmed that the request has been submitted in accordance with Section 7.4 of the Regulations, 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 September 26, 2017.

**Motion/Vote:** Upon a motion by Mr. Levine, the Board voted to **APPROVE** the extension of EPB Permit Application No. 1112 for a period of one (1) year. Accordingly, the permit shall remain in full force and effect until September 26, 2017.

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

**#2910 - Mill Road – Lot 2 – D. Cappello:** To construct a new single family dwelling, drive, drainage, septic and other related facilities in and proximate to wetlands on property situated within the non-drinking water supply watershed of Haviland Brook. The property is situated along the north side of Mill Road, approximately 275 feet east of Mill Spring Lane, and is identified as Lot 2, List 000-5619, Card N-016, Block 402, Zone RA-1 and ±1.01 Acres.

Reference is made to an EPB Staff Memo, dated October 17, 2016.

**In Attendance:** None

**Discussion:** Mr. Stone acknowledged the receipt of a letter from David Cappello requesting an extension of the effective period of EPB Permit No. 2910. Ms. Fausty confirmed that the request has been submitted in accordance with Section 7.4 of the Regulations, 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 August 21, 2017.

**Motion/Vote:** Upon a motion by Mr. Levine, the Board voted to **APPROVE** the extension of EPB Permit Application No. 2910 for a period of one (1) year. Accordingly, the permit shall remain in full force and effect until August 21, 2017.

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

**EPB Meeting Calendar for 2017:** Discussion of potential meeting dates for the year 2017.

Minutes  
Environmental Protection Board  
Regular Meeting of October 20, 2016

Reference is made to EPB Staff Memo, dated October 16, 2016.

**In Attendance:** None

**Discussion:** Staff Member Talamelli presented the "Draft" Meeting Schedule for 2017. He stated that the document generally reflects a regular meeting schedule for the "Third Thursday" of each month. During its preparation, Staff sought to identify and eliminate potential conflicts with school vacations, graduations, holidays and other important events. Mr. Talamelli reminded the members that the calendar includes an additional meeting during the month of January to consider budget matters, and no meeting during the month of August to consider traditional vacation schedules.

At the prompting of the Chair, Members of the Board acknowledged the receipt of the schedule, and noted no exceptional conflicts that would preclude their participation.

**Motion/Vote:** Upon a motion by Mr. Levine, the Board voted to **APPROVE** the meeting calendar for 2017 as proposed.

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

**ADJOURN:**

**Adjourn the Regular Meeting of October 20, 2016:**

There being no further business, the Board, upon a motion by Mr. Levine, voted to **ADJOURN** the Regular Meeting of October 20, 2016.

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

The meeting was adjourned at 7:50PM.

-----  
Gary H. Stone, Chairman  
Environmental Protection Board

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