

**ENVIRONMENTAL PROTECTION BOARD  
CITY OF STAMFORD  
MINUTES OF THE FEBRUARY 16, 2017  
REGULAR MEETING**

**Members Present:**

Gary H. Stone, Chairman  
Louis P. Levine, Member  
Richard Rosenfeld, Esq., Member  
Ashley A. Ley, Member  
Bradford Spaulding, Alternate Member  
Laura Tessier, Alternate Member

**Board Members Not Present:**

Dr. Leigh Shemitz, Member

**Staff Members Present:**

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

The Regular Meeting, which was called to order by the Mr. Stone 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.

Note that Mr. Stone, during his introduction of board members and staff, welcomed Leigh DeMarco to her initial meeting of the EPB in her new capacity as Environmental Analyst.

**MINUTES**

**Minutes of the EPB's Regular Meeting of January 19, 2017:** The Board considered the minutes of the EPB's January 19, 2017 Regular Meeting. Members present and eligible to vote were Mr. Stone, Mr. Levine, Mr. Rosenfeld, Ms. Ley, Mr. Spaulding, and Ms. Tessier. No corrections were noted.

Upon a motion by Mr. Levine, the Board voted to **APPROVE** the Minutes of the January 19, 2017 Regular Meeting as presented.

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

**APPLICATIONS AND PERMITS:**

**Withdrawals:**

**#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.

Reference is made to an EPB Staff Memo, dated February 10, 2017.

**#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 ±1.0011 Acres.

Reference is made to an EPB Staff Memo, dated February 13, 2017.

**In Attendance:** None

**Discussion:** Mr. Stone acknowledged the receipt of correspondence from Leonard C. D'Andrea, P.E., D'Andrea Surveying and Engineering, P.C. (February 10, 2017) and J. Raymond Milo (February 12, 2017) withdrawing EPB Permit Applications Nos. 1633 and 1636 from further consideration.

**Motion/Vote:** None

**Extensions:**

**#1647 – High Ridge Road, Turn of River Road, Perna Lane, Dzamba Grove, Meredith Lane, and vicinity – NA – City of Stamford Water Pollution Control Authority – Perna Lane Sanitary Sewers:** To construct sanitary sewers, drainage and other related improvements in and within close proximity to wetlands, watercourses and the base floodplain of the Rippowam River (non-drinking water supply). The project area lies in the vicinity of High Ridge Road, the limits being generally bound to the north by Meredith Lane, south by Dunn Avenue, east by Dzamba Grove, and west by Redmont Road.

Reference is made to an EPB Staff Memo, dated February 13, 2017.

**#1648 – 12 Pond View Lane – Lot 5 – C. R. Murphy:** To maintain a split rail fence, install a patio and replace stairs proximate to wetlands and a pond on property situated within the drinking water supply watershed of the Mianus River (East Branch). 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, and ±2.221 Acres.

Reference is made to an EPB Staff Memo, dated February 14, 2017.

**In Attendance:** None

**Discussion:** Mr. Stone acknowledged the receipt of correspondence from Prakash Chakravarti, P.E., Stamford Water Pollution Control Authority (February 13, 2017) and Chris Murphy (February 14, 2017) granting the Board an extension of time in which to render a decision on EPB Application Nos. 1647 and 1648 for a period of sixty-five (65) days. Accordingly, final decisions shall be rendered on these applications or before April 24, 2017.

**Motion/Vote:** None

**Action Items:**

**#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,

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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.

Reference is made to an EPB Staff Agenda Summary Report, dated February 10, 2017.

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

**Discussion:** Staff Member Talamelli summarized the application for the Board. He reported that the applicant seeks the Board's permission to construct a new single family dwelling, septic, well and other related facilities in and/or proximate to wetlands, a pond, and designated conservation easement /open space preserve areas on the subject property.

He reminded the members that the parcel was the product of a proposed three (3) lot subdivision that was previously endorsed by both the EPB and Planning Board in 1992. In addition, the development of the property had been the subject of at least three (3) prior EPB Permit applications approved in 1995, 1998, and 2011. Applications No. 9529 and 9850 expired by limitation. Application No. 1032 remains in full force and effect. However, significant changes to the site development plan, including the size and location of the dwelling, triggered the need for a new EPB Permit Application.

Mr. Talamelli reported that the parcel is characterized by the presence of gently sloping woodlands, wooded wetlands, scrub wetlands, a shallow stone lined pond, and areas having a conservation easement/open space designation. The parcel supports many large trees. Wetlands lie in the southern reaches of the site, and are in association with a corridor that drains across the property, east to west, before entering a 3.9 acre pond situated on the adjoining parcel. A shallow, stone lined, man-made pond lies in the northern reaches of the property. The pond is fed by overland flow, storm drainage and the apparent overflow from an old dry well. Like the wetland, the pond drains across the property, east to west before entering a 3.9 acre pond situated on the adjoining parcel. It was noted that as a condition of the prior land use approvals, a conservation easement was established for wetlands, watercourses, the pond, and certain non-watershed buffers.

Mr. Talamelli went on to state that potential impacts may include direct physical encroachments into the regulated areas or other areas of resource caused by poor design/construction practice, drainage impacts caused by altered drainage patterns or changes to the existing character of the land, and impacts to surface and groundwater quality caused by improperly designed and maintained septic systems, improper controls on structured drainage facilities, diminished buffers to regulated areas, the absence of effective sediment and erosion control measures, and the potential discharge of excess nutrients, chemicals and other materials commonly associated with urbanized sites.

Although there are no anticipated encroachments into the pond, approximately 170 square feet of wetlands, 1,103 square feet of the upland review area and 260 square feet of the conservation easement are expected to be affected by the development. Overall grading is expected to be in the low to moderate range, with cuts/fills not expected to exceed four (4) feet. Retaining walls are proposed to support portions of the filled space. Given the current development scheme, up to eleven (11) trees ranging from 12-28" shall be lost. The project engineer has developed an analysis to assess the potential impacts the development will have on drainage and adjoining properties. The engineer has concluded that the drainage patterns and level of impact remains generally consistent with that approved both at the time of the subdivision and in prior permits, that impacts will be appropriately mitigated by the receiving ponds and adjoining grounds, that the anticipated increases in the water surface elevation in both the on-site and off-site ponds shall be negligible, and that additional on-site detention is not warranted. Accordingly, the engineer has concluded that with proper implementation and oversight, the project will not result in adverse hydrological or hydraulic impacts to the surrounding or downstream properties, drainage facilities or the receiving ponds. Final Engineering Bureau comments are pending. Water quality

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impacts have been addressed with the submission of a detailed sediment and erosion control plan, a prohibition on the installation of in-ground fuel oil storage tanks, the use of natural gas to serve the structure, stormwater collection structures equipped with deep sumps/outlet controls, extended flow paths from outlets to receiving bodies of water, and a new septic system. The feasibility of the septic was established under the supervision of the Stamford Health Department. To mitigate for the loss of vegetation, define the limits of disturbance, filter runoff, and further the aesthetic and conservation values of the site, the applicant has provided for the protection of several large trees with fences/walls, the installation demarcation features consisting of a split rail fences or stone walls along the limits of the conservation easement, the pinning/posting the limits of the conservation boundary in the field, the removal of both accumulated debris and invasive vegetation under the supervision of qualified environmental professionals/applicators, and the installation of a numerous conservation valued trees, shrubs and groundcovers along portions of the pond, wetlands, and open space/conservation easement areas.

In response to questioning by Mr. Rosenfeld, Mr. Talamelli confirmed that both the structured drainage outfalls and swales shown on the plans have been drawn back from the pond's edge and revegetated to allow the storm water to be cooled and filtered prior to discharge. In response to a question by Ms. Ley, Mr. Talamelli reviewed the location and composition of the proposed demarcation features.

Mr. Frangione acknowledged the receipt of the Staff Agenda Summary, report and offered no objection to its findings and recommended conditions of approval.

**Motion/Vote:** Upon a motion by Mr. Levine, the Board voted to **APPROVE** EPB Permit Application No. 1635 with the conditions outlined in an EPB Staff Agenda Summary Report, dated February 10, 2017, modified to include an additional condition requiring final Engineering Bureau approval of the drainage impact analysis and design prior to the start of site activity and issuance of a Building Permit.

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

**#1639 – 360 Westover Road – Lot 13 – A. Violi:** To construct residential additions, deck/ pergola, underground propane tank, 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 ±1.157 Acres.

Reference is made to an EPB Staff Agenda Summary Report, dated February 10, 2017.

**In Attendance:** Antoinette Violi

**Discussion:** Staff Member Fausty summarized the application for the Board. Ms. Fausty reported that the applicant proposes to construct several residential additions, a deck/pergola, underground propane tank, and other related facilities on the parcel. The property, which currently supports a single family dwelling, drive, septic system, and other related facilities, is characterized by the presence of gently to moderately sloping uplands and extensive wetland areas.

Ms. Fausty stated that important development issues relating to resource impact, drainage, and water quality have been satisfactorily addressed. Development is generally confined to existing developed space adjoining the dwelling. Approximately 214 square feet of the upland review area shall be affected. The Stamford Engineering Bureau has concluded that drainage affects are minimal, and that mitigating structures/measures are not required

to limit impacts on adjoining parcels or infrastructure. The Stamford Health Department has similarly endorsed the project. An erosion control plan has been submitted to assist in the protection of water quality, and a planting plan has been supplied to mitigate for the loss of several small to medium sized trees that were prematurely removed from the regulated areas. Ms. Fausty reported that the size, type and number of plantings proposed are appropriate for the site and the circumstances of this application.

Ms. Violi acknowledged the receipt of the Staff Agenda Summary Report and offered no objection to its findings and recommendations.

**Motion/Vote:** Upon a motion by Mr. Levine, the Board voted to **APPROVE** EPB Permit Application No. 1639 with the conditions outlined in an EPB Staff Agenda Summary Report, dated February 10, 2017

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

**#1640 – 153 Guinea Road – Lot 1 – J. McGowan:** To maintain a stone retaining wall, fill, fence, and landscaping installed proximate to wetlands situated in the drinking water supply watershed of the Mianus River. The subject property lies along the west side of Guinea Road, approximately 1840 feet south of June Road, and is identified as Lot 1, Account 001-6912, Card N-009, Map 80, Block 396, Zone RA-2 and  $\pm 1.0876$  Acres.

Reference is made to an EPB Staff Agenda Summary Report, dated February 9, 2017.

**In Attendance:** Matt Popp, Environmental Land Solutions, LLC

**Discussion:** Staff Member Fausty summarized the application for the Board. Ms. Fausty reported that the applicant seeks the Board's permission to maintain a stone retaining wall, fill, fence, and landscaping installed proximate to the designated wetlands. It was noted that the encroachments, which affected approximately 2,350 square feet of the upland review area, occurred without prior endorsement of the Board.

Ms. Fausty noted that the wall had been constructed/reconstructed in the approximate location of an existing stone wall. The filled space behind the wall was filled and regraded to allow for an expanded lawn and the placement of a protective fence. To stabilize the soil, displace portions of the manicured space, and enhance the overall values of the site, the applicant has provided an extensive planting plan consisting of numerous conservation valued trees, shrubs, and groundcovers. Ms. Fausty stated that the plan is appropriate for the circumstances of this application.

Mr. Popp acknowledged the receipt of the agenda summary report in advance of the meeting, and offered no objection to the findings or recommended conditions of approval. Mr. Popp added that his examination of the retaining wall reaffirmed the applicant's position that portions of wall existed prior to the filling as evidenced by the presence of worn stones, lichens, and moss.

**Motion/Vote:** Upon a motion by Mr. Levine, the Board voted to **APPROVE** EPB Permit Application No. 1640 with the conditions outlined in an EPB Staff Agenda Summary Report, dated February 9, 2017

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

**#1643 – 166 East Middle Patent Road – Plot B – S. Danzer for M. Moore:** To replace and improve an existing patio and maintain a propane tank situated within close proximity to wetlands and watercourses situated in the drinking water supply watershed of the Mianus River. The subject property lies along the west side of East Middle Patent Road, approximately 585 feet north of Cherry Hill Road, and is identified as Plot B, Account 000-2032, Card W-006, Map 30, Block 400, Zone RA-3 and  $\pm$ 3.090 Acres.

Reference is made to an EPB Staff Agenda Summary Report, dated February 9, 2017.

**In Attendance:** Steven Danzer, PhD

**Discussion:** Staff Member Fausty summarized the application for the Board. Ms. Fausty reported that the applicant seeks the Board's permission to replace and improve an existing patio and maintain a propane tank situated within close proximity to the site's wetlands, watercourses and pond. Development issues relating to resource impact, erosion control and drainage have been addressed with the submission of detailed site, erosion control, and planting mitigation plans. Development is generally confined to existing lawn areas no less than sixty (60) feet to the pond. Grade change and vegetation losses are minimal. It is reported that approximately 682 square feet of the upland review area shall be affected by the project. The Stamford Engineering Bureau has confirmed the absence of drainage impact. It was noted that the patio surface shall be dry laid with large open joints to promote infiltration. An erosion control plan has been provided to assist in the protection of water quality during the construction phase, and planting mitigation provided to further stabilize the soil, displace manicured lawn, and enhance the overall conservation values of both the regulated areas and site.

Dr. Danzer, acknowledged the receipt of the agenda summary report in advance of the meeting, and offered no objection to the findings or recommended conditions of approval.

**Motion/Vote:** Upon a motion by Mr. Levine, the Board voted to **APPROVE** EPB Permit Application No. 1643 with the conditions outlined in an EPB Staff Agenda Summary Report, dated February 9, 2017

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

**#1644 – 1088 Westover Road – Lot 4 - A. and J. Antonucci:** To construct a two (2) story residential addition, propane tank, generator and other related facilities within close proximity to a watercourse situated in the drinking water supply watershed of the Mianus River. The subject property lies along the west side of Westover Road, approximately 400 feet south of Winding Brook Lane, and is identified as Lot 4, Account 000-1500, Card W-090, Map 88, Block 373, Zone RA-1 and  $\pm$ 1.0423 Acres.

Reference is made to an EPB Staff Agenda Summary Report, dated February 10, 2017.

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

**Discussion:** Staff Member Talamelli summarized the application for the Board. He reported that the applicant seeks the Board's permission to construct residential additions, an underground propane tank, generator and other related facilities on the parcel. The property, which lies along the west side of Westover Road, some 400 feet south of Winding Brook Lane, is characterized by the presence of gently sloping uplands, areas of exposed ledge, and few small to moderately sized trees. Although there are no wetlands on the parcel, a small intermittent watercourse was identified on property situated just north of the site. Watershed

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setbacks of fifty (50) feet to wetlands and one hundred (100) feet to open water triggered the necessity of a permit for the activities proposed.

Mr. Talamelli noted that given the scope and nature of the improvement, the applicant is expected to demonstrate that the project is technically feasible and minimizes impacts upon resources, drainage and water quality. He reported that all work shall be confined to uplands, in historically disturbed space, more than fifteen (15) feet to the intermittent watercourse. Approximately 900 square feet of the upland review area will be affected by the development. The project will not require substantial changes in grade or result in the loss of significant vegetation. The project engineer noted that the total increase in impervious surface is minimal and the resulting runoff will not cause any adverse impacts on drainage, soils, or the adjoining properties. The application was referred to Engineering Bureau. Final comments are pending. To preserve/enhance water quality, the applicant shall implement the measures outlined on a detailed erosion control plan and improve the existing site drainage systems by clearing accumulated silt/debris and installing outlet controls to assist in the collections of sands, silts and debris prior to discharge. To mitigate the impact of the site's development, improve water quality, and enhance both the visual and aesthetic qualities of regulated areas, the applicant has determined to remove accumulated landscape debris from space adjoining the watercourse, and install a boulder demarcation feature to limit the potential for future encroachment.

In response to questions by Mr. Levine, Ms. Tessier and Mr. Rosenfeld, Mr. Talamelli responded that the applicant will retrieve only the leaf litter and other debris that borders the north boundary given the limitations of property ownership, that the proposed underground tank shall store propane, which is less concerning from a water quality perspective than fuel oil, and that the shed is being relocated from its current location to further protect the subsurface sewage disposal area and ensure compliance with the setback standards outlined in the Zoning Regulations.

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

**Motion/Vote:** Upon a motion by Mr. Levine, the Board voted to **APPROVE** EPB Permit Application No. 1644 with the conditions outlined in an EPB Staff Agenda Summary Report, dated February 10, 2017.

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

**#1645 – 29 Bittersweet Lane – Lot 42A – M. Mastrogiacomo:** To install an above ground propane tank within close proximity to wetlands and watercourses situated in the drinking water supply watershed of the Rippowam River. The subject property lies along the north side of Bittersweet Lane, approximately 550 feet east of Woodbine Road, and is identified as Lot 42A, Account 001-7835, Card N-003, Map 11, Block 190, Zone RA-1 and  $\pm$ 1.224 Acres.

Reference is made to an EPB Staff Agenda Summary Report, dated February 9, 2017.

**In Attendance:** None

**Discussion:** Staff Member Fausty summarized the application for the Board. She reported that the applicant seeks the Board's permission to install a 120 gallon, above ground propane tank proximate to wetlands and a pond situated within the drinking water supply watershed of the Rippowam River.

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Ms. Fausty noted that the tank, proposed to support a gas stove and other household appliances, is expected to lie in developed space more than seventy-five (75) feet to the edge of the pond. Approximately nine (9) square feet of the designated upland review area shall be impacted. Given the absence of disturbance, planting and other mitigative measures are not required.

**Motion/Vote:** Upon a motion by Mr. Levine, the Board voted to **APPROVE** EPB Permit Application No. 1645 with the conditions outlined in an EPB Staff Agenda Summary Report, dated February 9, 2017.

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

**SITE PLAN REVIEWS:**

**SUBDIVISION REVIEWS:**

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

**OTHER BUSINESS:**

**Possible Alternative Dates for the May and September 2017 Regular Meetings of the Environmental Protection Board:**

**In Attendance:** None

**Discussion:** Mr. Talamelli reported that several events occurring during the months of May and September 2017 may conflict with the Board's regularly scheduled meetings. Mr. Talamelli asked the members to review their calendars and to report back with possible alternative dates. A revised meeting schedule will be developed based on their feedback and the availability of appropriate meeting space in the building.

**Motion/Vote:** None

**ADJOURN:**

**Adjourn the Regular Meeting of February 16, 2017:**

There being no further business, the Board, upon a motion by Mr. Levine, voted to **ADJOURN** the Regular Meeting of February 16, 2017.

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

The meeting was adjourned at 8:04 PM.

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Gary H. Stone, Chairman  
Environmental Protection Board

Meeting Minutes Assembled from Notes Prepared by Richard H. Talamelli, Environmental Planner