

**ENVIRONMENTAL PROTECTION BOARD
CITY OF STAMFORD
MINUTES OF THE JUNE 15, 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
Emily Gordon, Alternate Member

Members Not Present:

Dr. Leigh Shemitz, Member

Staff Present:

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

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

MINUTES: None

APPLICATIONS AND PERMITS:

Acceptances/Extensions:

#1718 – 180 Wildwood Road – Tract A-1 – J. Shulman: To erect a fence and swimming pool enclosure in and/or within close proximity to wetlands, watercourses and special flood hazard areas situated in the drinking water supply watershed of the Mianus River (East Branch). The property lies along the south side of Wildwood Road, just west of Long Ridge Road, and is identified as Tract A-1, List 002-4984, Card S-013, Block 394, Zone RA-1, and ±1.1348 Acres.

#1719 – Riverbank Road – NA - City of Stamford/Engineering Bureau - Riverbank Road Bridge Replacement: To demolish an existing vehicular bridge, construct a new box culvert, wing walls and install drainage and other related features in and/or within close proximity to wetlands, watercourses and special flood hazard areas associated with the East Branch of the Mianus River (Drinking Water Supply Watershed). The project affects a length of Riverbank Road, roughly bounded by Laurel Ledge Road to the northwest and Hedge Brook Lane the southeast.

#1720 – Mead Street and Bouton Street West – NA - City of Stamford/Engineering Bureau for Brook Run Terrace Condominium Association – Springdale Brook Channel Wall Stabilization Project: To implement certain wall, channel and streambank stabilization measures in and/or within

Minutes
Environmental Protection Board
Regular Meeting of June 15, 2017

close proximity to wetlands, watercourses and special flood hazard areas associated with Springdale Brook (Non-drinking Water Supply Watershed). The project generally affects a reach of Springdale Brook from Bouton Street West to the northwest to Mead Street to the southeast. Specific properties affected by the project are situated at 7 Mead Street, Units A-G, 0 Bouton Street West, and 49 Bouton Street West.

Reference is made to EPB Staff memos dated June 7, 2017 (#1718) and June 12, 2017 (#1719 and #1720).

In Attendance: None

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. 1718, 1719 and 1720.

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

ACTION ITEMS:

#1709 – 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, ±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 ±44,431 square feet.

Reference is made to an EPB Staff Agenda Summary Report, dated June 8, 2017.

In Attendance: William Kenny, William Kenny Associates

Discussion: Staff member Fausty summarized the application for the Board. She reported that the City of Stamford proposes to reconstruct a drainage swale that formerly transmitted storm flows from a structured storm drain system in Dundee Road to a pond and wetland system in the vicinity of Old Orchard Lane. The channel, which is fully contained within an easement on private properties, has been substantially obstructed by accumulated sediments and thickening vegetation. The obstructions have significantly impaired the function of the roadway drainage system and have resulted in undesirable pockets of standing water in portions of the easement.

Minutes
Environmental Protection Board
Regular Meeting of June 15, 2017

The applicant proposes to excavate the accumulated material restoring the channel to a proper grade, width and depth. Excess material shall be removed from site. A cleanable sump shall be created, and the channel shall be appropriately stabilized with rip rap, grasses and/or shrub plantings. The applicant reports that approximately 1,140 square feet of wetlands, 217 linear feet of watercourse and 2,669 square feet of the upland review area shall be temporarily or permanently affected.

Given the nature of the project, the applicant is required to demonstrate that resource impacts are minimized, that drainage is not adversely affected, that water quality is preserved, and that unavoidable impacts upon the regulated areas are appropriately mitigated. Ms. Fausty reported that the wetland/watercourse impacts are the minimum necessary to restore drainage function and that no significant individual or groups of trees shall be lost. The swale design was developed by a Connecticut Engineer, and the Stamford Engineering Bureau has verified both the design and the conclusions relating to the absence of drainage impact. A detailed sediment and erosion control plan has been provided, and design elements, such as the cleanable sump installed along the pipe outlet, shall serve to improve the quality of waters entering the pond and receiving wetland areas. Ms. Fausty went on to note that a planting plan, consisting of meadow grasses and a variety of native shrub plantings has been provided to stabilize the soil, displace lawn grass, filter runoff, and improve the overall conservation values of both the site and regulated areas. Ms. Fausty noted that certain minor adjustments to the plan were warranted to preserve a well-established area of Fern in the lower reaches of the channel.

In response to a question by Ms. Tessier concerning channel maintenance, both Mr. Talamelli and Mr. Kenny confirmed that the channel and other features are confined to an existing drainage easement, that the City of Stamford would be responsible for future maintenance, and that the formed sump at the outfall of the pipe would allow for the efficient collection of sediments before a discharge to the regulated areas.

In response to the Chair, Mr. Kenny acknowledged the prior receipt of the agenda summary report and offered no objection to its finding and recommendations.

Motion/Vote: Upon a motion by Mr. Levine, the Board voted to **APPROVE** EPB Permit Application No. 1709 with the conditions outlined in an EPB Staff Agenda Summary Report, dated June 8, 2017.

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

SITE PLAN REVIEWS:

SUBDIVISION REVIEWS:

ENFORCEMENT – STATUS REPORTS AND SHOW CAUSE HEARINGS:

71 Wood Ridge Drive – Lot A-46 – A. Williams, III – Cease and Desist Order/Show Cause Hearing: Removal of indigenous vegetation, deposition of cut wood, chips and debris, and the

Minutes
Environmental Protection Board
Regular Meeting of June 15, 2017

placement of a shed in and proximate to wetlands and watercourses without the prior written authority of the Environmental Protection Board in violation of Section 4.1 of the "Inland Wetland and Watercourse Regulations of the City of Stamford." The property lies along the west side of Wood Ridge Drive, approximately 230 feet south of Brookvale Place, and is identified as Lot B, List 000-9324, Card N-012, Block 359, Map 90, and ± 0.265 Acres.

Reference is made to an EPB Staff memo dated June 9, 2017.

In Attendance: Linda Baxter
Fabrice Allais

Discussion: Staff member Fausty summarized the matter for the Board. She noted that in response to a complaint, EPB Staff determined that vegetation had been removed, a shed had been installed, and fill/debris had been placed in regulated areas on and about a property situated at 71 Wood Ridge Drive. Given the absence of a prior permit from the EPB, Staff determined that the activities may have been conducted in violation of Section 4.1 of the Inland Wetland and Watercourse Regulations of the City of Stamford. Note that the complainant alleges that the unpermitted activities may have altered the flow of water in the brook, causing flooding and damages to the abutting parcels.

Ms. Fausty stated that in advance of the cease and desist order and this show cause hearing, EPB Staff authored at least two (2) letters to the owner, Allen D. Williams, III, requesting meeting to discuss the violation and outline an appropriate and timely remedy. These requests were transmitted to the owner in July 2016 and December 2016. The absence of a response resulted in the formal enforcement action. More recently, the owner presented correspondence stating that he was out of the area and not available to attend this show cause hearing. He requested that the matter be deferred to a future date to allow for his attendance or the participation of a designated agent. Mr. Stone acknowledged the receipt of this correspondence.

Motion/Vote: Upon a motion by Mr. Levine, the Board voted to Maintain the Cease Desist Order In Effect and Defer from further action at this time. This matter shall be given further consideration at the July 20, 2017 meeting.

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

OTHER BUSINESS:

ADJOURN:

Adjourn the Regular Meeting of June 15, 2017:

Minutes
Environmental Protection Board
Regular Meeting of June 15, 2017

There being no further business, the Board, upon a motion by Mr. Levine, the Board voted to **ADJOURN** the Regular Meeting of June 15, 2017.

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

The meeting was adjourned at 7:40PM.

Gary H. Stone, Chairman
Environmental Protection Board

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