

**ENVIRONMENTAL PROTECTION BOARD  
CITY OF STAMFORD  
MINUTES OF THE SEPTEMBER 28, 2017  
SPECIAL MEETING**

**BOARD MEMBERS PRESENT:**

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

**BOARD MEMBERS NOT PRESENT:**

None

**STAFF MEMBERS PRESENT:**

Richard H. Talamelli, Executive Director/Environmental Planner

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 Regular Meeting of July 20, 2017:** The Board considered the minutes of the EPB's July 20, 2017 Regular Meeting. Members present and eligible to vote were Mr. Stone, Mr. Levine, Dr. Shemitz, Mr. Rosenfeld, Ms. Ley, Ms. Tessier, and Ms. Gordon. No corrections were proposed or recommended.

Upon a motion by Mr. Levine, seconded by Mr. Rosenfeld, the Board voted to **APPROVE** the minutes of the July 20, 2017 Regular Meeting as presented.

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

**Minutes of the EPB's Special Meeting of August 3, 2017:** The Board considered the minutes of the EPB's August 3, 2017 Special Meeting. Members present and eligible to vote were Mr. Stone, Mr. Levine, Mr. Rosenfeld, Ms. Ley, Mr. Spaulding, Ms. Tessier, and Ms. Gordon. No corrections were proposed or recommended.

Upon a motion by Mr. Levine, seconded by Mr. Rosenfeld, the Board voted to **APPROVE** the minutes of the August 3, 2017 Special Meeting as presented.

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

**Acceptances/Extensions/Withdrawals:**

**#1708 – 263 Mill Road – Lot 16 - City of Stamford/Engineering Bureau for H. Devin – Roadway and Drainage Improvements** - To implement certain roadway and drainage improvements in and proximate to wetlands and watercourses situated in the non-drinking water supply watershed of Haviland Brook. The activities lie within both a portion of Mill Road and an existing drainage easement on property situated at 263 Mill Road, N/F H. Devin, Lot 16, List 000-1416, Card S-021, Map 15, Block 402, Zone RA-1, and  $\pm 1.03$  Acres.

Reference is made to an EPB Staff Memo, dated September 26, 2017.

**In Attendance:** None

**Discussion:** Mr. Stone acknowledged the receipt of correspondence from Frank Vonella, P.E., City of Stamford Engineering Bureau (September 22, 2017) withdrawing EPB Permit Application No. 1708 from further consideration.

**Motion/Vote:** None

**#1721 – 1040 Westover Road – Lot 4 – M. Ritacco and T. Boccuzzi:** To construct a wood deck, and other related facilities within close proximity to wetlands and a pond situated in the drinking water supply watershed of the Mianus River. The property lies along the east side of Westover Road, approximately 830 feet north of Nathan Hale Drive, and is identified as Lot 4, List 001-1886, Card E-072, Block 368, Zone RA-1, and  $\pm 1.9353$  Acres.

Reference is made to an EPB Staff Memo, dated September 22, 2017.

**In Attendance:** None

**Discussion:** Mr. Stone acknowledged the receipt of correspondence from Leonard D'Andrea, P.E., D'Andrea Surveying and Engineering, P.C. (September 21, 2017) granting the Board an extension of sixty-five (65) days in order to generate necessary additional information.

**Motion/Vote:** None

**#1722 – Juniper Hill Road – Parcel A – M. McCullough for M. Grunberg:** To construct a new single family dwelling, drive, drainage, septic, well and other related facilities in and or proximate to wetlands, watercourses, and a designated conservation easement situated in the drinking water supply watershed of the Mianus River. The property lies along the east side of Juniper Hill Road, with the driveway access situated approximately 470 feet south of Guinea Road, and is identified as Parcel A, Block 373, Zone RA-2, and  $\pm 2.002$  Acres. The subject

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property is located behind the existing dwelling at 3 Juniper Hill Road.

Reference is made to an EPB Staff Memo, dated September 21, 2017.

**In Attendance:** None

**Discussion:** Mr. Stone acknowledged the receipt of correspondence from John Pugliesi, P.E., E.J. Frattaroli, Inc. (September 20, 2017) granting the Board an extension of sixty-five (65) days in order to generate necessary additional information.

**Motion/Vote:** None

**#1727 – 60 East Middle Patent Road – Lot 12 – Fairfield County Engineering, LLC for L. DeFonce and G. Ferone:** To remove a stone rubble stockpile, construct stone walls, and create a pond in and proximate to wetlands and watercourses situated in the drinking water supply watershed of the Mianus River. The property lies along the north side of East Middle Patent Road, approximately 845 feet east of Taconic Road, and is identified as Lot 12, Account 002-5407, Block 400, Map 30, Card W-003, Zone RA-3, and  $\pm 2.019$  Acres.

**#1728 – 46 Shadow Ridge Road – Lot 49 – Fairfield County Engineering, LLC for A. and A. Olomola:** To maintain a block retaining wall, fill, drainage and other related facilities installed proximate to wetlands and watercourses situated in the non-drinking water supply watershed of Ayers Brook. The property lies along the east side of Shadow Ridge Road, approximately 575 feet south of Cedar Heights Road, and is identified as Lot 49, List 002-4181, Block 359, Map 76, Card E-003, Zone R-10, and  $\pm 0.24$  Acres.

**#1729 – 151 Wellington Drive – Lot E-6 – C. and C. Failla:** To construct a replacement septic system and related facilities proximate to wetlands and watercourses situated in the non-drinking water supply watershed of Haviland Brook. The property lies along the west side of Wellington Drive, approximately 865 feet south of Surrey Lane, and is identified as Lot E-6, Account 001-7607, Block 392, Map 42 Card W-010, Zone RA-1, and  $\pm 1.1$  Acres.

**#1730 – 74 Brookhollow Lane – Lot 24 – Sunset Holdings, LLC:** To construct a new deck, drive, courtyard, pool, septic system 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 Brookhollow Lane, approximately 900 feet north of Old Mill Lane, and is identified as Lot 24, Account 000-6622, Block 373, Map 81, Card W-004, Zone RA-2, and  $\pm 2.13$  Acres.

**#1731 – 1315 Washington Boulevard and 0, 1, 4, 8, 12, 15 and 16 Stanley Court – Lots 8, 3/2, 1/2, 9, 8, 7, 4, and 6 - Garden Homes Stanley Court, L.P.:** To construct a new residential apartment building, drives, parking, drainage, utilities, and other related facilities within the base floodplain of the Rippowam River/Southwest Shoreline. The property, which is comprised of eight (8) parcels totaling  $\pm 0.957$  acres, lies along the east side of Washington Boulevard, approximately 400 feet south of North Street, and more specifically includes the following:

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Address	Lot	Account	Card	Block	Zone
1315 Washington Boulevard	8	001-8827	E-058	238	C-L
0 Stanley Court	3 pt 2	000-1161	S-003	238	R-MF
1 Stanley Court	1 pt 2	002-6537	S-002	238	R-MF & C-G
4 Stanley Court	9	001-8813	N-002	238	R-MF
8 Stanley Court	8	000-9300	N-003	238	R-MF
12 Stanley Court	7	000-7836	N-004	238	R-MF
15 Stanley Court	4	002-4676	S-004	238	R-MF
16 Stanley Court	6	000-1669	N-005	238	R-MF

Reference is made to an EPB Staff Memo, dated September 21, 2017.

**In Attendance:** None

**Discussion:** Mr. Stone acknowledged the receipt of the minimum information necessary to accept EPB Permit Application Nos. 1727, 1728, 1729, 1730 and 1731.

**Motion/Vote:** Upon a motion by Mr. Levine, seconded by Mr. Rosenfeld, the Board voted to **ACCEPT** EPB Permit Application Nos. 1727, 1728, 1729, 1730 and 1731.

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

**ACTION ITEMS:**

**#1711 - 267 Silver Hill Lane – Lot 34 – J. Lektorova:** To construct residential additions, deck and other related facilities proximate to wetlands and watercourses situated in the non-drinking water supply watershed of Toilsome Brook. The property lies along the north side of Silver Hill Lane, approximately 675 feet east of Loveland Road, and is identified as Lot 34, List 000-3698, Card N-018, Map 98, Block 324, Zone R-10, and ±0.26 Acres.

Reference is made to an EPB Staff Agenda Summary Report, dated September 20, 2017.

**In Attendance:** None

**Discussion:** Mr. Talamelli summarized the application for the Board. He noted that the Agenda Summary Report was prepared by Staff Analyst, Leigh DeMarco. The applicant proposes to construct a two (2) story residential addition, deck, and other related features proximate to wetlands and watercourses. The property, which lies along the north side of Silver Hill Lane, currently supports a single family dwelling, drive, walkways, and other related facilities. There are no wetlands, watercourses or special flood hazard areas on the parcel. Mr. Talamelli indicated that a reach of Toilsome Brook and narrow band of wetland soils are located on the property to the east. In addition, a Letter of Map Revision was recently issued by the Federal Emergency Management Agency that confirmed that the limits of the special flood hazard area also remain on the adjoining property.

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Given the scope and nature of the proposed work, the applicant is expected to demonstrate that the development will not adversely impact resources, drainage, or water quality. In response, the applicant provided development plans showing that the project will be confined to historically developed space, and will not result in substantial alterations to grade or vegetation loss. Approximately 500 square feet of the upland review area is expected to be impacted by the development. The encroachments do not exceed the existing limits of development. To offset potential water quality concerns, a sediment and erosion control plan has been provided. The drainage plan, which provides for crushed stone storage area under the proposed deck, has been designed by the project engineer and endorsed by Stamford Engineering Bureau Staff. The endorsement confirms that the project will have an acceptable impact on drainage and adjoining properties. Mr. Talamelli further noted that plantings and other mitigative measures have not been proposed given the absence of impact.

In response to questioning by Mr. Rosenfeld, Mr. Talamelli stated that the Letter of Map Revision process enabled the engineer/surveyor to provide detailed topography and other pertinent information to show that the flood hazard boundary, as reflected on the Flood Insurance Rate Map (FIRM), was mislocated. In this case, the flooding was less extensive than reflected on the FIRM.

**Motion/Vote:** Upon a motion by Mr. Levine, seconded by Mr. Rosenfeld, the Board voted to **APPROVE** EPB Permit Application No. 1711 with the condition outlined in the Agenda Summary Report, dated September 20, 2017.

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

**#1712 – 1402 Riverbank Road – Plot E – J. Casale:** To demolish an existing garage and construct a new garage, second story addition and other related features proximate to wetlands and watercourses situated in the drinking water supply watershed of the Mianus River. The property lies along the west side of Riverbank Road, approximately 1,650 feet north of Erskine Road, and is identified as Plot E, List 000-4095, Card W-054, Block 399, Map 40, Zone RA-1, and ±1.0005 Acres.

Reference is made to an EPB Staff Memo, dated September 21, 2017.

**In Attendance:** Brian French, P.E., D'Andrea Surveying and Engineering, P.C.

**Discussion:** Mr. Talamelli summarized the application for the Board. He noted that the review was conducted by Staff Analyst Leigh DeMarco. Mr. Talamelli reported that the applicant proposes to remove an existing detached garage and construct a two-story addition and related facilities within close proximity to the site's wetlands and watercourses. The property, which lies along the west side of Riverbank Road, is currently developed with a residential dwelling, detached garage, asphalt and gravel driveway, deck, septic, and other related facilities. The regulated areas include a small watercourse and extensive wetland soil areas to the north and west of the dwelling. Generally, the more manicured surfaces lie to the south and east of the stream. Moderately dense woodlands lie to the north and west.

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Given the scope and nature of the proposed work, the applicant is expected to demonstrate that the development will not have an adverse impact on resources, water quality and drainage. Mr. Talamelli reported that the work shall be confined to previously developed space to the south and east of the watercourse. Grade change and tree loss is minimal. Overall setbacks to the watercourse have been expanded under this application. In all, approximately 8,021 square feet of drinking water supply watershed buffer will be affected by the development. The amount of impervious surface coverage on the property will remain unchanged. However, to improve the quality of storm water discharging to both the wetland system and Riverbank Road, the applicant proposes to route sump pump discharges and roof runoff to a level spreader located adjacent to the wetland boundary. The project engineer has stated that the proposed site improvements will not impact adjoining properties or the wetland system. Stamford Engineering Bureau Staff has endorsed the project. To protect water quality, an erosion control plan has been provided consisting of perimeter silt fence, designated stockpile areas, anti-tracking pad, and final soil stabilizing measures. To displace areas of lawn grass, improve filtration, better define the wetlands/watercourse edge, and enhance the overall conservation values of the property, plantings and a boulder demarcation have been proposed. Mr. Talamelli went on to note that the enhancement scheme also provides for the removal of accumulated debris from the regulated areas, including piles of concrete blocks, plastic piping and landscaping debris.

Dr. Shemitz, Ms. Ley, Ms. Gordon, and Mr. Rosenfeld all questioned the value of proposed mitigation plan, finding that the plantings and boulder demarcation features proposed for the edge of watercourse may be inadequate. An expanded buffer having additional plantings and strategically placed demarcation features would better protect the regulated areas and enhance function. Mr. Talamelli suggested submission of a revised planting/mitigation plan that provides for an enhanced wetland buffer of no less than ten (10) feet in width along the brook. The plan, which shall be subject to the review and approval of EPB Staff, shall provide greater clarity on the selection/density of plantings and design/spacing of the boulder demarcation feature.

Mr. French confirmed the receipt of the EPB Staff Memo, and offered no objection to the stated findings or conditions.

**Motion/Vote:** Upon a motion by Mr. Rosenfeld, seconded by Levine, the Board voted to **APPROVE** EPB Permit Application No. 1712 with the conditions outlined in the Agenda Summary Report, dated September 21, 2017, modified to include an additional Condition No. Fifteen (15) requiring the submission of a revised planting/mitigation plan that provides for an enhanced wetland buffer of no less than ten (10) feet in width along the brook. The plan, which shall be subject to the review and approval of EPB Staff, shall provide greater clarity on the selection/density of plantings and design/spacing of the boulder demarcation feature.

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

**#1723 – 44 June Road – Lot 1 – J. Rosenthal: To construct a new single family dwelling, drive, drainage, pool, and other related facilities proximate to wetlands, watercourses, and special**

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**flood hazard areas situated within the drinking water supply watershed of the Mianus River. The property lies along the south side of June Road, approximately 635 feet west of Riverbank Road, and is identified as Lot 1, List 002-3134, Block 373, Map 73, Card S-003, Zone RA-3, and ±3.0496 Acres.**

Reference is made to an EPB Staff Memo, dated September 19, 2017.

**In Attendance:** Teodoro Milone, P.E., Redniss and Mead  
June Cohen  
Abigail Adams

**Discussion:** Mr. Talamelli summarized the application for the Board. He noted that the Agenda Summary Report was prepared by Staff Analyst, Leigh DeMarco. The applicant proposes to construct a new single family dwelling, drive, drainage, pool and other related facilities proximate to wetlands, watercourses, and the special flood hazard areas associated with the Mianus River.

The property, which lies along the south side of June Road, formerly supported a single family dwelling, accessory structures, septic, well, drive and other related features. It was reported that the dwelling was razed in 2007. The drives, well and septic remain on the parcel. The property is characterized by the presence of a nearly 900 foot long reach of the Mianus River, a narrow band of wetland soils, and special flood hazard areas. Existing conditions in the uplands are variable with most of the space restricted by the presence of slope and ledge. The site supports many large trees.

Given the scope and nature of the proposed work, the applicant is expected to demonstrate that the development will not adversely impact resources, drainage, or water quality. In response, the applicant provided development plans showing that the project will be confined to the historically developed space in the approximate center of the parcel. There are no wetland, watercourse or floodplain encroachments proposed. The applicant reports that approximately 3,571 square feet of the 100 foot drinking water supply buffer shall be affected by the development. To offset potential water quality concerns, a sediment and erosion control plan has been submitted, infiltration has been provided to treat and cool runoff, collection structures have been equipped with deep sumps/outlet controls, and propane gas shall be used to heat and otherwise service with dwelling. In addition, the existing septic system shall be utilized to serve the new dwelling, a proposal that has gained the approval of the Stamford Health Department. Potential drainage impacts are mollified with the construction of a structured system consisting of area drains, junctions, pipe, infiltrators, and level spreader. The project engineer determined, and the Stamford Engineering Bureau has confirmed, that the project, if implemented per the submitted plans, will not adversely impact, resources, drainage, soils or the abutting properties. Mr. Talamelli noted that substantial mitigation has been proposed by the applicant. An arborist has evaluated the trees and has developed recommendations for the protection of valued individual or groups of trees. A landscape plan has also provided for a 300 foot long area between the riverbank and the development envelope. The collection of native trees, shrubs and groundcovers will serve to define the top of bank, filter runoff and enhance the overall conservation value of both the regulated areas and property.

In response to questioning by Ms. Tessier concerning the availability of alternative designs that would increase the setback to the river bank, Mr. Milone responded that the current site plan is a reflection of numerous design changes including consideration of alternative locations on the site, a reduced

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house size, and an alternatively configured structure. However, it was determined that the major factor in the siting of the house proved to be the location of the existing drive and the variable topography/rock formations found along the road. It was felt that both the site disturbance and wetlands/watercourse impacts could be minimized if the house was maintained in approximately the same location as the prior structure.

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

**Motion/Vote:** Upon a motion by Mr. Levine, seconded by Mr. Rosenfeld, the Board voted to **APPROVE** EPB Permit Application No. 1723 with the conditions outlined in the Agenda Summary Report, dated September 19, 2017.

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

**#1726 – Chestnut Hill Road – Lot 1 – City of Stamford/Land Use Bureau for the Town of Stamford, Chestnut Hill Park Playground Renovations:** To demolish an existing playground and reconstruct a new playground, including play equipment, pathways, drainage, grading and other related features proximate to wetlands and watercourses situated in the non-drinking water supply watershed of Haviland Brook. The subject property lies along the south side of Chestnut Hill Road, approximately 665 feet east of Long Ridge Road, and is identified as Lot 1, Account 002-5896, Card S-003, Map 50, Block 377, Zone P, and  $\pm 6.63$  Acres.

Reference is made to an EPB Staff Memo, dated September 17, 2017.

**In Attendance:** None

**Discussion:** Mr. Talamelli summarized the application for the Board. He reported that the City of Stamford proposes to demolish an existing playground and reconstruct a new playground, including play equipment, pathways, drainage, grading and other related features proximate to the mapped wetlands and watercourses at Chestnut Hill Park.

Mr. Talamelli reported that that property currently supports fields, playgrounds, access drives, paved parking, walkways, walls, fences, a pedestrian bridge, a gazebo, drainage, utilities, and other related features. In the vicinity of the playground, the property is characterized by gently to moderately sloping uplands, wetlands, a watercourse, and many large trees. Both the uplands and wetlands support vegetation types ranging from lawn grass to moderately dense woodlands. The wetlands are closely aligned with a small perennial watercourse that flows west to east through the approximate center of the site. Substantial portion of the bank have been modified through grading, the placement of rip rap or other similarly modifications. The channel is marked by pockets of accumulated sediments, primarily the result of erosion in the sparsely vegetated space above the bank, the use of leak offs to drain the adjoining lot, and the presence of several ill maintained drainage structures.

Mr. Talamelli went on to note that given the scope and nature of the improvements, the applicant is expected to demonstrate that the project is technically feasible and minimizes impacts upon the



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resources, drainage and water quality. Most of the activity associated with the playground improvement will be confined to developed uplands, outside of the regulated areas. Encroachments into the regulated areas are expected with portions of a protective fence, a drainage outfall, certain walkway improvements, grading, and landscaping. The applicant reports that the project will temporarily/permanently affect 3,228 square feet of the upland review area. The improvements will not necessitate substantial grade change or loss of significant vegetation. The Stamford Engineering Bureau has endorsed the project, noting that the new development will not result in any adverse drainage impact to drainage or adjoining properties. To protect water quality, a basic erosion control plan has been provided consisting of perimeter silt fence, anti-tracking pad, designated stockpile areas, basin/leak-off protection and the application of final soil stabilizing measures. To protect existing resources and/or enhance the overall conservation values of the regulated areas, the applicant has provided for the use of snow fence protection for large trees expected to be maintained in the post construction landscape, the removal of a pocket of invasive plant species in the eastern reaches of the property, the removal of accumulated sediment from the drainage channel and nearby collection structures, the installation of a collection of native shrubs and groundcovers along the channel, and the posting "No Mowing" signage.

Both Dr. Shemitz and Ms. Ley expressed their support for the park improvements. To better protect the native vegetation applied to the watercourse buffer, each Board member saw value in requesting modification of the mitigation plan to include a demarcation feature for those portions for the buffer not defined by the placement of a protective fence. The demarcation feature shall be subject to the approval of Staff.

**Motion/Vote:** Upon a motion by Mr. Levine, seconded by Mr. Rosenfeld, the Board voted to **ACCEPT** EPB Permit Application No. 1726.

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

Upon a motion by Mr. Levine, seconded by Rosenfeld, the Board voted to **APPROVE** EPB Permit Application No. 1726 with the conditions outlined in the Agenda Summary Report, dated September 17, 2017 modified to include the addition of a demarcation feature in the unprotected space along the brook, subject to EPB Staff approval.

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

#### **SITE PLAN REVIEWS:**

**#3955-6 - Walnut Ridge Court - Lot 6 - Brooklyn Realty Holdings, LLC:** Environmental Protection Board Site Plan Review to allow the construction of a new single family dwelling, drive, drainage, utilities, and other related facilities pursuant to Condition Four (4) of Planning Board (Subdivision Application) No. 3955. The subject property lies along the north side of the

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new subdivision roadway identified as Walnut Ridge Court, just south and west of Walnut Ridge Lane, and is identified as Lot 6, List 004-4549, Card W040F, Block 359, Zone R-10, Map 97, and  $\pm 10,085$  s/f.

**#3955-7 - Walnut Ridge Court - Lot 7 - Brooklyn Realty Holdings, LLC:** Environmental Protection Board Site Plan Review to allow the construction of a new single family dwelling, drive, drainage, utilities, and other related facilities pursuant to Condition Four (4) of Planning Board (Subdivision Application) No. 3955. The subject property lies along the north side of the new subdivision roadway identified as Walnut Ridge Court, just south and west of Walnut Ridge Lane, and is identified as Lot 7, List 004-4550, Card W040G, Block 359, Zone R-10, Map 97, and  $\pm 10,079$  s/f.

**#3955-8 - Walnut Ridge Court - Lot 8 - Brooklyn Realty Holdings, LLC:** Environmental Protection Board Site Plan Review to allow the construction of a new single family dwelling, drive, drainage, utilities, and other related facilities pursuant to Condition Four (4) of Planning Board (Subdivision Application) No. 3955. The subject property lies along the north side of the new subdivision roadway identified as Walnut Ridge Court, just south and west of Walnut Ridge Lane, and is identified as Lot 8, List 004-4551, Card W040H, Block 359, Zone R-10, Map 97, and  $\pm 10,278$  s/f.

Reference is made to an EPB Staff Memo, dated September 20, 2017.

**In Attendance:** David Ginter, P.E., Redniss and Mead

**Discussion:** Mr. Talamelli summarized the applications for the Board. Mr. Talamelli reminded the members that the eleven (11) lot subdivision that created Lots 6, 7 and 8 received considerable attention by the City Boards in 2007. The Planning Board's approval included provisions for the filing of a "Conservation Agreement" for 48,294 square feet of wetlands, non-watershed buffers, sloping woodlands, and plantable perimeter strips, the posting and pinning of the proposed conservation areas, the protection of significant trees and stone walls to the extent feasible, submission of standard landscape and drainage maintenance agreements, submission of necessary sediment and erosion control plans, a prohibition on the use of in-ground fuel oil storage, and the submission of a performance bond. Essential to the approval was an additional condition that required EPB Site Plan Review for all individual parcels to ensure that important drainage, water quality, resource protection, and conservation enhancement issues raised at the time of subdivision are addressed.

Mr. Talamelli reported that the properties subject to Site Plan Review Applications 3955-6, 3955-7, and 3955-8 lie along the north side of the subdivision roadway identified as Walnut Ridge Court, just south and west of Walnut Ridge Lane. All properties are currently "undeveloped" and are characterized by gently to moderately sloping uplands, a few trees, stone walls, and portions of the designated conservation easement. The conservation easement consists of a strip 5-10 feet in width, which borders the north property boundaries. There are no wetlands or watercourses on these properties.

Mr. Talamelli noted that under the Site Plan Review process, the applicant is required to demonstrate that the plans are generally consistent with those supplied at the time of subdivision, resources of value remain protected, proper drainage attenuating measures are applied, erosion and water quality controls are implemented, and functional conservation enhancements are employed.

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Mr. Talamelli stated that the proposed site development plans generally conform to the subdivision concept. Development is confined to uplands outside of the designated conservation easement on all lots. Grade alterations remain in the low to moderate range with the less intensive changes occurring on Lot 8, and the more dramatic changes on Lots 6 and 7. Retaining walls are proposed to support some of the more abrupt changes to grade, particularly on Lots 6 and 7. Most of the trees lying within the bodies of the lots have already been removed. Although each parcel supports a dwelling with a larger footprint, the project engineer has confirmed that the development remains consistent with the overall subdivision drainage concept, where drainage from the dwellings, drives, and other select areas on each lot shall be directed to individual galleries or lined detention systems. The overflow from these systems shall then be routed through the subdivision road drainage system to a larger “retain-it” detention system found in the eastern reaches of Lot 1. Ultimately, overflow from this system is directed to the storm in High Ridge Road. Post-construction, a reduction in the peak rates of runoff for the 1, 2, 5, 10 and 25-year storms shall be realized. Accordingly, the engineer has concluded that with proper implementation of the design drawings, the development of Lots 6-8 will not adversely impact adjacent or downstream properties or drainage facilities. Mr. Talamelli reported that the Stamford Engineering Bureau endorsed the conclusions, study methodology and design with minor alterations both on and off the individual parcels. To reduce the potential for water quality impacts, the applicant has provided erosion control plans, prohibited the use of in-ground fuel oil storage, and utilizes infiltration to seize upon the soil’s natural ability to treat and cool runoff prior to discharge. Note that all dwellings shall be served by natural gas service. To mitigate for some of the prior tree loss and address the overall conservation needs of both the conservation easement and properties, the applicant has provided for the staking/posting of conservation easement boundary, and has supplied planting plan that provides for both the removal of invasives, and the installation of numerous functional and conservation-valued trees and shrubs.

In response to a question by Mr. Rosenfeld, Mr. Ginter stated that landscaping to screen the subdivision activity from High Ridge Road shall be applied as part of the future development of Parcels 1 and 2. He reminded the Board that the development of those parcels will also be subject to the Board’s site plan review process.

Mr. Ginter confirmed the receipt of the EPB Staff Memo, and offered no objection to the stated findings or conditions.

**Motion/Vote:** Upon a motion by Mr. Levine, seconded by Rosenfeld, the Board voted to **APPROVE** Site Plan Review Applications No. 3955-6, 3955-7, and 3955-8 with the conditions outlined in the Agenda Summary Report, dated September 20, 2017.

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

**SUBDIVISION REVIEWS:** None

**ENFORCEMENT– STATUS REPORTS & SHOW CAUSE HEARINGS:** None

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**OTHER BUSINESS:**

**#1639 – 360 Westover Road – Lot 13 – A. Violi:** To construct residential additions, a 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 ±1.157 Acres.

Reference is made to an EPB Staff Agenda Summary Report, dated September 22, 2017.

**In Attendance:** Antoinette Violi  
Milo Ceci

**Discussion:** Mr. Talamelli summarized the modification proposal for the Board. He noted that the Board, under EPB Application No. 1639, previously approved the construction of several additions, a deck, pergola, propane tank and other related features on this property. The applicant seeks the Board's permission to install three (3) additional air conditioner condenser units in the upland review area along the south plane of the dwelling. The work shall impact approximately twenty-seven (27) square feet of the buffer applied to properties situated in the drinking water supply watershed buffer. In the report issued by Staff Analyst Pam Fausty, it was noted that that the additional encroachments shall be confined to previously developed space, and that the anticipated level of disturbance is low. Staff offered no objection to the modification proposal, noting that all terms and conditions of the original permit remain in full force and effect.

**Motion/Vote:** Upon a motion by Mr. Rosenfeld, seconded by Mr. Levine, the Board voted to **APPROVE** a proposed modification of EPB Permit No. 1639 to allow for the installation of three (3) air conditioner condensers in the upland review area. Reference was made to an EPB Staff Agenda Summary Report, dated September 22, 2017.

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

**#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 September 21, 2017.

**In Attendance:** None

**Discussion:** Mr. Stone acknowledged the receipt of correspondence from David Cappello (August 31, 2017) requesting an extension of EPB Permit No. 2910 for a period of one (1) year. He further acknowledged the receipt of correspondence from David Cappello and Femi Olowosoyo, Stamford Mill Development, LLC (July 12, 2007) requesting a transfer of EPB Permit No. 2910.

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Mr. Stone reported that Staff found that that were no outstanding violations on the property, that conditions on the site have not changed as to warrant re-evaluation of the permit, and that the permit was routinely and legally issued by the Board.

**Motion/Vote:** Upon a Motion by Mr. Levine, seconded by Mr. Rosenfeld, the Board voted to **APPROVE** the extension of EPB Permit No. 2910 for a period of one (1) year until August 21, 2018.

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

Upon a Motion by Mr. Levine, seconded by Mr. Rosenfeld, the Board voted to **APPROVE** the transfer of EPB Permit No. 2910 from David Cappello of 105 Dulan Drive, Stamford, Connecticut 06903 to Stamford Mill Development, LLC 1 Grand Street Bridgeport, Connecticut 06604.

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

**#1006 – East Middle Patent Road – Lot 11 - ZL Holdings, LLC: Construction of a new single family dwelling, with associated septic system, driveway, swimming pool, drainage improvements, stone walls, and site grading in and/or proximate to wetlands and watercourses situated in the drinking water supply watershed of the Bargh Reservoir/Mianus River. The property lies along the north side of East Middle Patent Road, approximately 350 east of Taconic Road, and is identified as Lot 11, List 002-1314, Card W002, Block 400, Zone RA-3, and ±2.02 Acres.**

Reference is made to an EPB Staff Memo, dated September 21, 2017.

**In Attendance:** None

**Discussion:** Mr. Stone acknowledged the receipt of correspondence from Richard Lukaj of ZL Holdings, LLC and Safet and Ermire Salaj (September 21, 2017) requesting an extension of EPB Permit No. 1006 for a period of one (1) year and a transfer of permit.

Mr. Stone reported that Staff found that that were no outstanding violations on the property, that conditions on the site have not changed as to warrant re-evaluation of the permit, and that the permit was routinely and legally issued by the Board.

**Motion/Vote:** Upon a Motion by Mr. Rosenfeld, seconded by Mr. Levine, the Board voted to **APPROVE** the extension of EPB Permit No. 1006 for a period of one (1) year until June 29, 2018.

In Favor: Stone, Levine, Shemitz, Rosenfeld, and Ley  
Opposed: None

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Abstaining: None  
Not Voting: Spaulding, Tessier and Gordon

Upon a Motion by Mr. Rosenfeld, seconded by Dr. Shemitz, the Board voted to **APPROVE** the transfer of EPB Permit No. 1006 from Richard Lukaj of ZL Holdings, LLC of 3 Wyckham Hill Lane, Greenwich, Connecticut 06831 to Safet and Ermire Salaj of 201 Commons Park South, Stamford, Connecticut 06902.

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

**ADJOURN:**

**Adjourn the Special Meeting of September 28, 2017:**

Upon a motion by Mr. Levine, seconded by Ms. Ley, the Board voted to **ADJOURN** the Special Meeting of September 28, 2017.

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

Meeting adjourned at 8:36 PM.

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Gary H. Stone  
Chairman, Environmental Protection Board