

**ENVIRONMENTAL PROTECTION BOARD
CITY OF STAMFORD
MINUTES OF THE APRIL 19, 2018
REGULAR MEETING**

Board Members Present:

Gary H. Stone, Chairman
Louis P. Levine, Member
Dr. Leigh Shemitz, Member (Arrived at 7:37 PM)
Ashley A. Ley, Member
Bradford K. Spaulding, Alternate Member
Laura Tessier, Alternate Member
Emily Gordon, Alternate Member

Board Members Not Present:

Richard Rosenfeld, Esq., Member

Staff Members Present:

Richard H. Talamelli, Executive Director/Environmental Planner
Pam Fausty, Environmental Analyst

The meeting was called to order by Mr. Stone at 7:30 PM.

MINUTES:

Minutes of the EPB Regular Meeting of March 15, 2018:

The Board considered the minutes of the EPB's March 15, 2018 Regular Meeting. Members present and eligible to vote were Mr. Stone, Mr. Levine, Ms. Ley, Mr. Spaulding, Ms. Tessier, and Ms. Gordon. No corrections were proposed/recommended.

Upon a motion by Mr. Levine and seconded by Ms. Ley, the Board voted to **APPROVE** the Minutes of the March 15, 2018 Regular Meeting as presented.

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

APPLICATIONS AND PERMITS:

Acceptances/Extensions/Withdrawals:

#1803 – 546 Wire Mill Road – Parcel A – G. Backman: To construct/relocate propane tanks and generator within special flood hazard areas situated in the non-drinking water supply watershed of the Rippowam River/Haviland Brook. The property lies along the north side of Wire Mill Road, approximately 335 west of Blackwood Lane, and is identified as Parcel A, Block 377, Zone RA-1, Card N-011, Account 001-0785, Map 67, Zone RA-1, and ±2.35.

Minutes
Regular Meeting of April 19, 2018
Page 2

Reference is made to an EPB Staff Memo, dated April 16, 2018.

In Attendance: None

Discussion: Mr. Stone acknowledged the receipt of correspondence from Gerald S. Backman, dated April 3, 2018 granting the Board an extension of the statutory deadline for decision on EPB Permit Application No. 1803 for a period of sixty-five (65) days. Accordingly, a decision of this application shall be rendered on or before June 25, 2018.

Motion/Vote: None

#1804 – 63 Richmond Hill Avenue and 0, 10, 24, 32, 36, 40, 46, and 52 Greenwich Avenue - Lots 4, B, B, 7, 8, 9, 10, 11 and A - Mill River Park Collaborative for the City of Stamford – Mill River

Park Middle Corridor Project: To construct walls, walkways, lighting, and other related features, implement grading, and install certain landscape enhancements/recreational facilities in and/or within close proximity to wetlands, watercourses, and special flood hazard areas in the non-drinking water supply watershed of the Rippowam River. The project area, which is generally bounded by Tresser Boulevard to the north, Richmond Hill Avenue to the south, the Rippowam River to the east, and Greenwich Avenue to the west, is more accurately defined as follows:

<u>Address</u>	<u>Account</u>	<u>Area</u>	<u>Card</u>	<u>Map</u>	<u>Block</u>	<u>Lot</u>	<u>Zone</u>
10 Greenwich Avenue	002-6246	24,000 s/f	E-003	127	7	B	P
24 Greenwich Avenue	000-6803	7,071 s/f	E-004	127	7	7	R-5
32 Greenwich Avenue	002-0281	5,472 s/f	E-005	127	7	8	R-5
36 Greenwich Avenue	002-0282	2,850 s/f	E-006	127	7	9	R-5
40 Greenwich Avenue	000-7267	4,160 s/f	E-007	127	7	10	R-5
46 Greenwich Avenue	002-4957	2,168 s/f	E-009	127	7	11	R-5
52 Greenwich Avenue	001-5047	4,920 s/f	E-010	127	7	A	R-5
0 Greenwich Avenue	001-5049	5,796 s/f	E-012	127	7	B	R-5
63 Richmond Hill Avenue	001-6936	21,859 s/f	N-006	127	7	4	C-L

Reference is made to an EPB Staff Memo, dated April 11, 2018.

In Attendance: None

Discussion: Mr. Stone acknowledged the receipt of correspondence from Michael Stake, Director of Capital Planning and Construction, Mill River Park Collaborative, dated April 11, 2018 granting the Board an extension of the statutory deadline for decision on EPB Permit Application No. 1804 for a period of sixty-five (65) days. Accordingly, a decision of this application shall be rendered on or before June 25, 2018.

Motion/Vote: None

#1809 - 125 Wedgemere Road - Lot 3C - W. Wolff: To demolish existing wood decks and construct a new wood deck, patio and other related features proximate to wetlands and watercourses situated in the non-drinking water supply watershed of Springdale Brook. The property lies along the cul-de-sac of Wedgemere Road, approximately 1,375 feet east of Newfield Avenue and is identified

Minutes
Regular Meeting of April 19, 2018
Page 3

as Lot 3C, Account 001-9014, Card N-011Z, Map 69, Block 380, Zone RA-1 and ± 0.913 Acres.

#1810 – 209 Cascade Road – Lot 3 – P. and W. Cecio: To construct a residential addition, drive, drainage, and other related features proximate 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, approximately 800 feet south of Michael Road, and is identified as Lot 3, Account 001-3574, Card S-019, Map 36, Block 384, Zone RA-1 and ± 1.67 Acres.

#1811 – Division Street and 4, 6, and 10 Division Street and 69 and 75 Clinton Avenue – Lots 1,2,3,14 and 15 – City of Stamford for RBS Americas Property Corp. and Clinton Court - A Condominium Association, Inc.: To remove and abandon existing outfalls, drainage structures, roadway surfaces, and other features, and construct a new outfall, drainage structures, parking, and other related facilities proximate to a watercourse and within the base floodplain of the Rippowam River. Areas affected by the project lie along the west side of Clinton Avenue, and include a portion of Division Street and several properties situated to the north of Division Street including the following:

<u>Address/Owner</u>	<u>Lot No.</u>	<u>Account</u>	<u>Card</u>	<u>Area</u>
4 Division Street RBS Americas Property Corp.	1	001-9314	N-010Z	$\pm 6,380$ s/f
6 Division Street RBS Americas Property Corp.	2	002-4699	N-009	$\pm 7,441$ s/f
10 Division Street RBS Americas Property Corp.	3	002-5791	N-008	$\pm 8,483$ s/f
69 Clinton Avenue Clinton Court – A Condominium Association Inc.	14	999-0171 (Main)	NA	$\pm 21,399$ s/f
75 Clinton Avenue RBS Americas Property Corp.	15	000-0970	W-035	$\pm 7,260$ s/f

Reference is made to an EPB Staff Memo, dated April 16, 2018 for Applications No. 1809, 1810 and 1811.

In Attendance: None

Discussion: Mr. Stone acknowledged the receipt of the minimum information necessary to accept EPB Permit Applications No. 1809, 1810 and 1811.

Motion/Vote: Upon a motion by Mr. Levine and seconded by Ms. Ley, the Board voted to **ACCEPT** EPB Permit Applications No. 1809, 1810, and 1811.

In Favor: Stone, Levine, Ley, Tessier, and Gordon

Minutes

Regular Meeting of April 19, 2018

Page 4

Opposed: None
Abstaining: None
Not Voting: Spaulding

Action Items:

#1736 – 125 Turn of River Road – Lot 9 – A. Lipsker for Tap Capital Partners, LLC: To construct a new single family dwelling, drive, and other related facilities proximate to wetlands and watercourses situated in the non-drinking water supply watershed of Ayres Brook/Rippowam River. The property lies along the east side of Turn of River Road, approximately 215 feet north of Talmadge Lane, and is identified as Lot 9, Account 002-2741, Block 379, Map 77, Card E-024, Zone R-10 and ±0.1362 Acres.

Reference is made to an EPB Staff Agenda Summary Report, dated April 12, 2018.

In Attendance: None

Discussion: Ms. Fausty summarized the application for the Board. She reported that the evaluation was conducted by Environmental Analyst, Leigh DeMarco. Ms. Fausty stated that the applicant proposes to demolish the existing residence and construct a new single family dwelling, drive, drainage and related facilities proximate to the wetlands and watercourses found on this property.

The property, which lies along the east side of Turn of River Road, currently supports a dwelling, detached garage, gravel drive, public water, sewer, and other related facilities. The site is characterized by gently sloping uplands and a narrow wetland/watercourse system that generally parallels the south property boundary. Most of the “edge” has been modified by the placement of stones and coarse wall.

Issues pertinent to the application including general resource impacts, drainage, and water quality, have been addressed through the review process. There are no direct encroachments on the wetlands and watercourses. Grade change is minimal and impacts upon existing vegetation may be limited to two (2) moderately sized trees. The applicant reports that approximately 131 square feet of the setback shall be affected by the project, primarily by a new, but reduced, driveway. The project engineer has confirmed the absence of drainage impact, temporary/permanent sediment and erosion controls shall be installed/maintained, the dwelling shall be served by sanitary sewer, and numerous native shrubs shall be installed in the newly created, plantable space along the edge of the wetlands/watercourses. Staff reported that the planting plan is appropriate given the scope of the project, and will serve to define the limits of encroachment, filter runoff, and enhance the overall conservation values of the property. Ms. Fausty noted that the findings relative to drainage impact have been endorsed by the Stamford Engineering Bureau.

There were no questions or comments by Board Members.

Motion/Vote: Upon a motion by Mr. Levine and seconded by Ms. Ley, the Board voted to **APPROVE** EPB Permit Application No. 1736 with the conditions outlined in the Agenda Summary Report, dated April 12, 2018.

Minutes
Regular Meeting of April 19, 2018
Page 5

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

Note that Dr. Shemitz arrived at the meeting following the discussion of this item at approximately 7:37 PM.

#1801 – 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 ± 2.002 Acres. The subject property is located behind the existing dwelling at 3 Juniper Hill Road.

Reference is made to an EPB Staff Agenda Summary Report, dated April 13, 2018.

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

Discussion: Ms. Fausty summarized the application for the Board. She reported that the applicant proposes to construct a new single family dwelling, drive, drainage, septic, well and other related facilities in and or proximate to the wetlands, watercourses, and the designated conservation easement on the parcel. The property, which lies along the east side of Juniper Hill Road, south of Guinea Road, is currently “undeveloped” with the exception of a single outbuilding. The primary dwelling was razed several years ago. The site is characterized by gently to moderately sloping uplands, wooded wetlands, a small pond, rock outcroppings, and many large trees.

Ms. Fausty reminded the members that in 2016, the Board evaluated and endorsed the proposed two (2) lot subdivision that created this parcel. Development issues pertinent to this application include the project’s overall consistency with the subdivision concept, resource impacts, drainage, water quality, and the significance of the measures proposed to mitigate development impacts or enhance the conservation value of both the regulated areas and property.

Ms. Fausty noted that although the dwelling and drive have been slightly enlarged under this application, the project generally conforms to the concept outlined during the subdivision phase. The applicant reports that approximately 12,951 square feet of the watershed buffer and 150 square feet of the conservation easement shall be affected, the latter primarily associated with a new drainage outfall. A detailed sediment and erosion control plan has been provided, drainage structures have been equipped with deep sumps and outlet controls, infiltration has been introduced into the drainage system, and a septic system capable of supporting a six (6) bedroom dwelling has gained a preliminary endorsement from the Health Department. Drainage impacts have been addressed with the submission of a plan that includes provisions for the installation of a structured system consisting of catch basins, pipes, infiltrators and stabilized outfalls. The engineer has confirmed the absence of impact on drainage, soils and the adjoining properties. The Stamford Engineering Bureau has confirmed the engineer’s statements, study methodology, and design. The mitigation plan has been

Minutes
Regular Meeting of April 19, 2018
Page 6

expanded over that supplied at the time of subdivision. Native plantings shall displace lawn currently found in the conservation easement proximate to the pond, and a demarcation feature consisting of embedded boulders and standard posts/signage shall be applied to the easement boundary. Ms. Fausty stated that the mitigation plan is appropriate for the site and circumstances of this application.

Mr. Pugliesi acknowledged the receipt of the Staff Agenda Summary Report. In response to his question concerning the surety requirement, Mr. Talamelli stated that the surety requirement would not be duplicated between City Departments, but the value of the surety would need to be upwardly adjusted to include the costs associated with the enhanced planting plan.

Motion/Vote: Upon a motion by Mr. Levine and seconded by Ms. Ley, the Board voted to **APPROVE** EPB Permit Application No. 1801 with the conditions outlined in an EPB Agenda Summary Report, dated April 13, 2018.

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

#1805 – 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 Agenda Summary Report, dated April 11, 2018.

In Attendance: Josh Hannant, P.E., D'Andrea Surveying and Engineering, LLC

Discussion: Ms. Fausty summarized the application for the Board. She reported that the City of Stamford seeks to implement a comprehensive roadway and drainage improvements plan in and proximate to wetlands and watercourses as the means to remedy long-standing safety, drainage and icing issues that affect both the public roadway and private properties along this reach of Mill Road. Specifically, the project involves the widening and regrading of a 365 foot section of road surface, the addition of new storm water collection structures, installation of roadway under drains, creation of new swales, the replacement of undersized pipes, and the addition of stabilized outlets at new and existing storm water discharges. The project generally follows the existing drainage pathway, directing storm water north to south from Mill Road to a section of Miranda's Pond. It was noted that all structures on private properties shall be located within existing easements.

Identified development concerns relate to resource impact, drainage and water quality. The applicant reports that approximately 475 square feet of wetlands, 5,060 square feet of the upland review area and 60 linear feet of watercourse shall be temporarily or permanently affected by the project. Although several trees of size will be lost, the applicant has sought to avoid most of the existing trees by modifying the location of the proposed storm system within the existing easement. Fenced protection has been offered for several of the larger trees situated within close proximity to the work

Minutes
Regular Meeting of April 19, 2018
Page 7

zone. The project engineer has confirmed the absence of impact on drainage and properties. Engineering Bureau Staff has endorsed the conclusions and methodology described by the consulting engineer. To mitigate potential water quality affects, the applicant has provided a detailed sediment and erosion control plan, incorporated deep sumps and bells into the proposed collection structures and provided for stabilized outfalls. To mitigate for the anticipated tree loss, filter runoff and enhance the overall conservation values of the site, the applicant has provided a planting plan, primarily for the pond's edge. The planting plan replaces existing lawn surfaces with a collection of native shrubs and groundcovers. Ms. Fausty noted that she recommends, as a condition of any approval, that the planting plan be modified to further enhance the space adjoining the drainage outlets and swales.

Board members discussed the impact of the existing circular drive, the adequacy of the erosion control plan, and project monitoring.

Mr. Hannant acknowledged the receipt of the Agenda Summary Report and offered no objection to the recommended conditions.

Motion/Vote: Upon a motion by Mr. Spaulding and seconded by Mr. Levine, the Board voted to **APPROVE** EPB Permit Application No. 1805 with the conditions outlined in the Agenda Summary Report, dated April 11, 2018.

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

#1806 – Berrian Road and 914 Newfield Avenue – NA/Lot 21 – Aquarion Water Company for the City of Stamford and Bridgeport Roman Catholic Diocesan Corporation – Stamford Water Transmission Main (West) - To construct new ductile iron water transmission main and related facilities proximate to wetlands and watercourses situated in the non-drinking water supply watershed of Toilsome Brook. Under this application, the activities are confined to a section of Berrian Road, generally bordered to the west by Idlewood Road, and to the east by a private property situated at 914 Newfield Avenue. The private property, which is owned by the Bridgeport Roman Catholic Diocesan Corporation (“Trinity Catholic High School” and “Trinity Catholic Middle School”), is identified as Lot 21, Account 002-6652, Card W-052, Map 91, Block 324, Zones RA-1 and R-20, and ±25.91 Acres.

Reference is made to an EPB Staff Agenda Summary Report, dated April 12, 2018.

In Attendance: Maureen Crowley, P.E., AECOM

Discussion: Mr. Talamelli summarized the application for the Board. He noted that the analysis was conducted by Leigh DeMarco, Environmental Analyst. Aquarion Water Company seeks the Board's permission to construct a new 24 inch ductile iron water transmission main and related facilities proximate to known wetlands and watercourses. The regulated activities shall be confined to portions of Berrian Road and a private property owned by the Bridgeport Roman Catholic Diocesan Corporation at 914 Newfield Avenue (“Trinity Catholic High School” and “Trinity Catholic

Minutes
Regular Meeting of April 19, 2018
Page 8

Middle School"). The regulated areas in the vicinity of the project include a watercourse and narrow, vegetated, wetland fringe. In this area, the wetlands/watercourse flow north to south into twin 36 inch concrete pipes under a paved section of roadway. It is the applicant's intent to excavate under the roadway and pipe, lay and secure the water main, and then backfill and restore the pavement. The applicant reports that approximately 1,380 square feet of the upland review area will be temporarily affected by the development.

Development concerns relating to drainage and water quality have been addressed with the submission of a sediment and erosion control consisting of perimeter silt fences, catch basin protection, anti-tracking pads, final soil stabilizing measures, and seasonal limitations to reduce the potential for high groundwater and the necessity of pumping. A contingency plan for controlled pumping has also been supplied. Stamford Engineering Bureau Staff endorsed the project and is comfortable with the impact assessment. To stabilize the soil and enhance both the aesthetic and conservation values of the property, the applicant has provided a planting plan consisting of numerous conservation valued shrubs for the wetland edge.

Ms. Crowley acknowledged the receipt of the Agenda Summary Report, and offered no objection to the recommended conditions.

In response to a question by Dr. Shemitz, Ms. Crowley confirmed that the crossing technique proposed for this site is common, uncomplicated, and relatively swift.

Motion/Vote: Upon a motion by Mr. Levine and seconded by Ms. Tessier, the Board voted to **APPROVE** EPB Permit Application No. 1806 with the conditions outlined in the Agenda Summary Report, dated April 12, 2018.

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

#1808 – 11 North Street – Lot A – Redniss and Mead, Inc. for the Housing Authority of the City of Stamford: To implement certain building improvements, install drainage, repave a parking lot, and implement other related improvements proximate to wetlands and watercourses and within the base floodplain of the Rippowam River. The property, which currently supports the residential facility known as Rippowam Manor, lies along the south side of North Street, approximately 290 feet west of Hollywood Court, and is identified as Lot A, Account 003-6063, Card S-042Z, Map 121, Block 264, Zone R-5, and ±0.7601 Acres.

Reference is made to an EPB Agenda Summary Report, dated April 11, 2018.

In Attendance: Teodoro Milone, P.E., Redniss and Mead

Discussion: Mr. Talamelli summarized the application for the Board. He reported that the applicant proposes to implement certain building and site improvements in areas lying proximate to wetlands and watercourses and within the base floodplain of the Rippowam River. The property is highly urbanized, supporting a residential apartment building, accessways, parking, walkways, fences,

Minutes
Regular Meeting of April 19, 2018
Page 9

walls, pedestrian footbridge bridge, sanitary sewer, public water, and other related facilities. The site is characterized by gently to moderately sloping uplands, a ± 140 foot long reach of the Rippowam River, a narrow wetland fringe, special flood hazard areas, conservation easement areas, and a fairly typical collection of trees, shrubs, and groundcovers. He noted that most of the site's larger trees are confined to the site perimeter. He further noted that much of the area in the conservation easement and adjoining the river supports sparse, manicured lawn. Mr. Talamelli reported that the building and related facilities, including the pedestrian bridge, were constructed under an EPB Permit issued in August 1981. It was under this permit application that the conservation easement was established.

Given the nature of the project, the applicant is required to demonstrate that resource impacts are minimized, that drainage and adjoining properties are not adversely affected, that water quality is preserved/enhanced, and that the development is consistent with the "Flood Regulations" as they pertain to river rise, compensatory flood storage, the integrity of structures, and flood preparedness. Mr. Talamelli reported that the improvements specifically include renovation of the existing floodprone residential structure, installation and replacement of a substandard drainage system, regrading handicapped parking spaces, reconfiguring/repaving an existing parking lot, and the replacement of sidewalks/curbing.

Work is generally limited to uplands no less than forty-three (43) feet to the edge of the wetlands/watercourses. Minor changes to the existing grade are proposed primarily to regrade parking and/or to provide necessary compensatory flood storage. Vegetation loss shall be limited to two (2) of the site's larger trees to accommodate the proposed drainage and parking improvements. The applicant reports that approximately 20,665 square feet of the floodplain, 49 square feet of the upland review areas and 45 square feet of the conservation area will be temporarily/permanently impacted by the project.

Drainage matters were addressed through the application process. Prior inspections of the on-site drainage resulted in a determination that much of the existing system was in disrepair and in need of replacement. Furthermore, the existing drainage system supported a sub-standard connection to the City storm in North Street. To better collect, manage and treat the storm water, the applicant proposes to install a new structured drainage system consisting of catch basins, trench drains, pipes, manholes, and an oil/grit separator. The storm water collected from the roof, parking and other associated areas shall be directed to a new manhole in North Street. The engineer has confirmed that drainage patterns and coverage shall remain essentially unchanged, that there will be no increase in the peak rates of runoff, that the deficient storm connection will be remedied, and that the proposed construction will not cause any adverse drainage impacts on neighboring or downstream properties.

In regards to hydraulic impact, the project engineer notes that the proposed improvements will not substantially alter the grade and will have no impact to the base flood elevation or the river's water surface elevation. Compensatory flood storage requirements have been similarly been addressed. The 44 cubic yards of "fill" installed to both regrade handicapped parking spaces and to level a coarse, trap rock walk/storage area, have been offset with 44 cubic yards of new cut proposed for existing developed space under the building.

To protect and preserve water quality during and post construction, the applicant has provided a detailed sediment and erosion control plan and has modified the drainage concept to provide both deep sumps and bell traps in the collection structures and an oil and grit separator. It is noted that the existing storm system lacked features to treat the site's storm water prior to discharge. In addition, the

Minutes
Regular Meeting of April 19, 2018
Page 10

building shall remain connected to both the sanitary sewer and natural gas. Mr. Talamelli noted that the applicant has further committed to retrofit the building with a new natural gas generator, and to abandon and/or remove an existing in-ground fuel oil tank that currently exists on the parcel. The tank work shall be conducted in accordance with the applicable regulations and requirements. Mr. Talamelli further noted that the drainage impact/hydraulic statements, methodology and design have been endorsed by the Stamford Engineering Bureau Staff.

The cost of the building improvements lie below the “substantial improvement threshold”, meaning that the structure does not have to be reconstructed to meet the strict elevation and structural improvement requirements outlined in the regulations at this time. In addition, a flood preparedness plan has been prepared to confirm the scope of flooding on the site, provide recommended measures to limit hazards to persons and property, and depict a probable pedestrian and vehicular evacuation route.

Finally, Mr. Talamelli reported that the applicant provided landscape/mitigation plans to better protect resources, filter runoff, stabilize the soil, and enhance the overall conservation values of the property. The plan provides for the protection of trees in the construction zone, and the removal of lawn grass, eradication of invasives, removal of debris, pruning of dead branches, and the installation of numerous conservation-valued plantings along the river’s edge and conservation easement.

Mr. Milone acknowledged the prior receipt of the Agenda Summary Report and offered no objection to any of the recommended conditions.

In response to a question posed by Ms. Ley concerning alternative, low impact, parking and drainage designs, Mr. Milone noted that LID design alternatives, such as porous pavement, were not pursued given the nature of the project, the anticipated cost, long term maintenance requirements, and the substantial water quality enhancements already proposed by the owners as part of this EPB application. Ms. Ley noted that although low impact design alternatives may not be a good fit on this particular project, the Board should work with both applicants and Engineering Bureau Staff to encourage LID concepts on projects where parking and drainage are new or substantially improved.

Mr. Stone then sought to clarify the scope of work necessary to properly mitigate the existing in-ground fuel storage tank and any soil contamination. Following extensive discussion, the Board members suggested an additional condition requiring the submission of soil test data and other pertinent information from a qualified environmental professional to better define the scope of work necessary to remediate the existing in-ground fuel oil tank and any associated soil contamination. This data shall be provided as the project advances towards a building permit.

Motion/Vote: Upon a motion by Mr. Levine and seconded by Ms. Ley, the Board voted to **APPROVE** EPB Permit Application No. 1808 with the conditions outlined in the Agenda Summary Report, dated April 11, 2018 modified to include a condition requiring, prior to the start of any site activity and issuance of a building permit, the submission of soil test data and other pertinent information from a qualified environmental professional to better define the scope of work necessary to remediate the existing in-ground fuel oil tank prior and any associated soil contamination.

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

SUBDIVISION REVIEWS:

ENFORCEMENT- STATUS REPORTS & SHOW CAUSE HEARINGS:

OTHER BUSINESS:

#3982-1 – Pakenmer Road – Lot 1 – N. Alpino: To construct a new single family dwelling, drive, drainage, utilities within close proximity to a designated conservation easement situated in the non-drinking water supply watershed of the Rippowam River. An EPB Site Plan Review is required for this property by a Condition of Planning Board (Subdivision) No. 3982. The parcel is situated along the west side of Pakenmer Road, approximately 600 feet north of Doolittle Drive, and is identified as Lot 1, Account 000-1614, Card W-003, Map 82, Block 375, Zone RA-1, and \pm 1.13 Acres.

Reference is made to an EPB Agenda Summary Report, dated April 11, 2018 (Revised).

In Attendance: Derek Daunais, P.E., D'Andrea Surveying and Engineering, P.C.
Nicholas Alpino
Charles Pia

Discussion: Mr. Talamelli summarized the site plan review application for the Board. He reminded the Members that the proposed residential development was the subject of extensive discussion at the March 15, 2018 meeting. Major development issues relating to the project's overall consistency with the subdivision concept, drainage, water quality, and conservation enhancement were addressed. However, Members remained concerned by the potential impacts the construction and future maintenance of the drive, drainage and other related features may have on the large Oak situated to the east of the dwelling. Note that the Oak was identified at the time of subdivision as a significant natural resource worthy of protection. Numerous alternatives were discussed including greater development setbacks to the tree, limiting development activities to a single side of the tree, reduced grading, reconfiguring the proposed house/driveway designs, and providing additional construction supervision and control. Although the project engineer asserted that certain modifications to the drive and drainage systems could be addressed as a condition of approval and with a prior Staff endorsement, the Board felt strongly that revised civil drawings, altered in response to an arborist's current assessment/recommendations, were necessary before the Board could render a decision on this application. Accordingly, the Board determined to defer action pending the submission of a report, as prepared by a Connecticut licensed arborist, assessing the condition of the Oak and outlining specific recommendations to ensure that the proposed development (during and post construction) would not adversely impact the tree.

Mr. Talamelli reported that in response to the Board's request, the applicant submitted a revised arborist's report and tree protection plan. The report asserted that the 38" DBH Black Oak remained in good condition and outlined specific recommendations to preserve and protect the tree including relocation of the proposed temporary construction access, driveway, and storm drain to areas further from the trunk, removal of all dead limbs/vines prior to the start of construction, the addition of protective fencing along the newly established limits of development, the use of low impact excavation methods for the installation of the storm drain, and pro-active root pruning prior to the construction of the drive/drainage. Recommendations have been fully incorporated into the site

Minutes
Regular Meeting of April 19, 2018
Page 12

development plans

In response to a question by Ms. Ley concerning the possibility of confining the development to a single side of the tree, Mr. Daunais responded that the matter was specifically addressed during his discussions with the arborist, and it was determined that given the new protections incorporated into the plan, that the tree would be adequately protected. He further stated that from an engineering perspective, the drain, as proposed, is situated in a “better” location given the grade and the location of the receiving junction box.

Motion/Vote: Upon a motion by Mr. Spaulding and seconded by Ms. Ley, the Board voted to **APPROVE** EPB Site Plan Review Application No. 3982-1 with the conditions outlined in the EPB Staff Agenda Summary Report, dated April 11, 2018.

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

ADJOURN:

Adjourn the Regular Meeting of April 19, 2018:

There being no further business, and upon a motion by Mr. Levine, seconded by Ms. Ley, the voted to **ADJOURN** the Regular Meeting of April 19, 2018.

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

Meeting adjourned at 8:22 PM.

Gary H. Stone, Chairman
Environmental Protection Board

Minutes prepared for meeting notes taken by Richard H. Talamelli, Executive Director/Environmental Planner

Dated/Revised: May 7, 2018 (Version 1)
May 9, 20-18 (Version 2)
May 17, 2018 (Version 3)