

**DRAFT
ENVIRONMENTAL PROTECTION BOARD
CITY OF STAMFORD
MINUTES OF THE SEPTEMBER 20, 2018
REGULAR MEETING**

BOARD MEMBERS PRESENT:

Gary H. Stone, Chairman
Louis P. Levine, Member
Dr. Leigh Shemitz, Member
Richard Rosenfeld, Esq., Member
Ashley A. Ley, Member (Arrived 7:38PM)
Emily Gordon, Alternate Member

BOARD MEMBERS NOT PRESENT:

Laura Tessier, Alternate Member

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, 4th Floor, Stamford Government Center, 888 Washington Boulevard, Stamford, Connecticut, 06904-2152. The meeting was video recorded.

MINUTES:

Minutes of the EPB Regular Meeting of July 19, 2018:

Mr. Stone noted that a discussion and vote on the minutes would be deferred to a future meeting given the absence of eligible voting members.

APPLICATIONS AND PERMITS:

Acceptances/Extensions/Withdrawals:

#1813 – 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 ±2.019 Acres.

Reference is made to EPB Staff Memo, dated September 13, 2018.

In Attendance: None

Discussion: Mr. Stone acknowledged the receipt of correspondence from Wayne D'Avanzo,

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P.E., Fairfield County Engineering, dated September 13, 2018 withdrawing EPB Permit Application No. 1813 from further consideration.

Motion/Vote: None

#1816 - Green Street, Hanrahan Street, Adams Avenue, and West North Street – NA – City of Stamford, Mill River Greenway Phase II: To construct a 12 foot wide, 2,300 liner foot long multi-use trail including storm water drainage, a pedestrian bridge, sidewalks, and other related improvements in and/or proximate to wetlands, watercourses and special flood hazard areas in the non-drinking water supply watershed of the Rippowam River. The project begins at the intersection of Green and Hanrahan Streets, extends north along the west side of the Rippowam River across the Hart Magnet Elementary School property, across West North Street, and through the Cloonan Middle School property, ending in the vicinity of the Scalzi Park sidewalks, just south of the existing pedestrian bridge over the river.

Reference is made to an EPB Staff Memo, dated September 19, 2018.

In Attendance: None

Discussion: Mr. Stone acknowledged the receipt of correspondence from Michael Joyce, P.E., Milone and MacBroom, dated September 18, 2018 granting the Board an extension of the statutory deadline for decision on EPB Permit Application No.1816 for a period of sixty-five (65) days. Accordingly, a decision shall be rendered on or before November 26, 2018.

Motion/Vote: None

#1819 – 1333 Rock Rimmon Road – Lot 13 - J. and E. Holm: To construct residential additions and other related features within close proximity to wetlands and watercourses situated in the drinking water supply watershed of the East Branch of the Mianus River. The property lies along the north side of Rock Rimmon Road, approximately 765 feet east of Old Long Ridge Road, and is identified Lot 13, Account 000-5438, Card E-083, Map 7, Block 403, Zone RA-2 and ± 0.911 Acres.

Reference is made to an EPB Staff Memo, dated September 10, 2018.

#1820 – 38 Tall Oaks Court – Lot 24 - M. DeGiorgio: To maintain a stone patio, staircase, retaining wall, playset and other related features within close proximity to wetlands and watercourses situated in the drinking water supply watershed of the East Branch of the Mianus River. The property lies along the west side of Tall Oaks Court, approximately 1000 feet south of Tall Oaks Road, and is identified Lot 24, Account 000-2433, Card W-003, Map 32, Block 399, Zone RA-1 and ± 1.08 Acres.

#1821 – 152 Harpsichord Turnpike – Lot 4 - P. Wong: To remove a stone patio and foundation, construct a wood landing and steps, and install above ground propane tanks, air conditioning condenser units, and other related features within close proximity to wetlands situated in the drinking water supply watershed of the East Branch of the Mianus River. The property lies along the south side of Harpsichord Turnpike, just east of Riverbank Road, and is identified Lot 4, Account 001-1766, Card S-10Z, Map 40, Block 398, Zone RA-1 and ± 1.246 Acres.

#1822 – 88 Farms Road – Lot 1 – Frangione Engineering, LLC for M. E. Simpson: To replace an

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existing fence and maintain a shed within close proximity to wetlands situated in the drinking water supply watershed of the Mianus River. The property is situated along the south side of Farms Road, approximately 1000 feet west of Riverbank Road, and is identified Lot 1, Account 000-3456, Card S-004, Map 47, Block 395, Zone RA-2 and ± 2.016 Acres.

#1823 – 15 Dann Drive – Lot 88 – Frangione Engineering for W. J. Britt – Trustee to I. F.

Apicella: To install streambank stabilization measures, a fence and other related features within close proximity to wetlands and watercourses and within the base floodplain of Toilsome Brook. The property lies along the east side of Dann Drive, approximately 200 feet north of Oaklawn Avenue, and is identified Lot 88, Account 002-4840, Card E-017, Map 104, Block 324, Zone R-7.5 and ± 0.22 Acres.

#1824 – 57 Acre View Drive – Lot 27 - Redniss and Mead, Inc. for MONS, LLC:

To remove a failing septic system, implement slope stabilization measures, modify drainage, and install other related feature in and proximate to wetlands situated in the non-drinking water supply watershed of Poorhouse Brook. The property lies along the east side of Acre View Drive, approximately 775 feet north of High Ridge Road, and is identified Lot 27, Account 000-8282, Card E-004, Map 27, Block 388, Zone RA-1 and ± 1.036 Acres.

Reference is made to an EPB Staff Memo, dated September 17, 2018 as to Applications No. 1820-1824.

In Attendance: None

Discussion: Mr. Stone acknowledged the receipt of the minimum information necessary to accept EPB Permit Application No. 1819, 1820, 1821, 1822, 1823, and 1824.

Motion/Vote: Upon a motion by Mr. Levine, and seconded by Mr. Rosenfeld, the EPB voted to **ACCEPT** EPB Permit Applications No. 1819, 1820, 1821, 1822, 1823 and 1824.

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

Note: Board Member Ley arrived at the meeting during the discussion of EPB Permit Application No. 1815 at approximately 7:38PM.

Action Items:

#1815 – 0 Woodway Road – Lot 9 - Aquarion Water Company for Woodway Country Club: To construct a new 24" ductile iron water transmission main in and proximate to wetlands, watercourses and special flood hazard areas in the non-drinking water supply watershed of the Noroton River. The project area lies along a reach of Woodway Road, and is generally bound by Hoyt Street to the east and Regent Court to the west. Specifically, the property affected by this application is identified as 0 Woodway Road, Lot 9, Account 002-5425, Card N-016Z, Map 79, Block 381, Zone RA-1 and ± 3.16 Acres.

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

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

Discussion: Staff Member Talamelli summarized the application for the Board. He reported that the Aquarion Water Company, on the behalf of the Woodway Country Club, seeks the Board's permission to construct a new 24" ductile iron water transmission main in and proximate to wetlands, watercourses and special flood hazard areas in the non-drinking water supply watershed of the Noroton River. The transmission line is proposed to provide additional capacity and improve the reliability of the water supply in the area.

Mr. Talamelli reported that the project lies along a section of Woodway Road, in an area generally bound by Hoyt Street to the east and Regent Court to the west. The area affected by the proposed development is characterized by the presence of gently to moderately sloping uplands, a reach of the Noroton River, narrow wetland fringe, and special flood hazard areas. The uplands support vegetation ranging from manicured lawn to light woods. Wetlands have been maintained primarily as lawn.

Mr. Talamelli stated that the applicant is required to address potential resource impacts, provide erosion/construction controls, institute water quality measures, assess and mitigate any potential drainage impacts, and ensure compliance with the hydraulic impact, storage and structural floodproofing requirements outlined in the "Flood Prone Area Regulations of the City of Stamford". In addition, the applicant is expected to supply a mitigation proposal to restore/enhance those portions of the regulated areas impacted by the project.

Mr. Talamelli noted that the project will temporarily/permanently affect approximately 685 square feet of wetlands, 70 liner feet of the watercourse, 3,218 square feet of the floodplain, and 1,080 square feet of the upland review area. Little or no grade change is proposed, and approximately seven (7) of the site's larger trees are expected to be lost as a result of the construction.

The excavation shall be implemented as to minimize the impact upon the regulated areas with the organic components of the wetland soils excavated and separately stockpiled from the underlying soils. Upon the completion of the pipe installation, the soil profile and grade shall be restored. A drainage impact statement was prepared by the project engineer. The engineer noted there will be no increase in impervious surface, no changes to the overall drainage pattern, and no anticipated negative effects to the soils, infrastructure or adjoining properties. Similarly, a hydraulic statement was provided by the project engineer. The engineer noted that the project area lies within both the regulatory floodway and floodplain of the Noroton River. It is the applicant's intent to install the pipe and then restore the existing grade. There will be no net increase in fill or loss of floodplain storage. Accordingly, the engineer has concluded that the river hydraulics shall remain the same and there will be no increase in the river's water surface elevation. In regards to structural floodproofing, the project engineer noted that the pipeline shall be ductile iron with "restrained joints" encased in low strength concrete. The encasement has been provided to eliminate the potential for pipeline flotation or movement, preclude groundwater migration along the pipe bedding, provide additional pipeline protection against potential stream scour, and provide support for an electrical conduit that will run parallel to the pipe. If constructed to the design plan, the engineer has stated that the facilities shall be capable of withstanding the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base flood.

Mr. Talamelli went on to report that important water concerns have been addressed with a temporary sediment erosion control plan that provides for a perimeter silt fence, pavement sweeping, catch basin protection, stabilized entryways, and the establishment of protected stockpile areas outside of regulated

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areas. In addition a temporary water diversion plan has been submitted that provides for the placement of twin 36" pipes (sized to pass low stream flow with approximately one (1) foot of freeboard) that will be stabilized with sandbags. The facilities will allow for the passage of the river during the relatively short duration of the construction, and have been sited to compensate for stormwater flows associated with two (2) additional storm outlets found in the area. The excavation for the waterline will occur under the piped diversion. Downstream, stone check dams shall be installed to further protect the watercourse from the effects of erosion/sedimentation. Note that it is the applicant's intent to remove the temporary crossing immediately upon the completion of the project, restoring the channel to its original grade and configuration. If dewatering is necessary, it is the applicant's intent to pump into a stable settling basin prior to discharge. Finally, implementation shall be limited to low flow periods. Emergency storm provisions have been outlined. Machinery, vehicles, and materials shall be parked/staged off site in non-regulated areas. Weather conditions shall be closely monitored during the construction. If a significant storm is predicted, contractors shall remove the diversion and secure the site.

Lastly, to mitigate the impacts of the project, including the expected tree removals, the applicant has provided fenced protection for several large trees proximate to the construction zone, and a basic wetlands landscape/mitigation plan has been supplied. The plan provides for the installation of a suitable number of shrubs and groundcovers, most of which have conservation value. Although an improvement over the current conditions, Mr. Talamelli expressed his intent to work with the designer to secure additional detail and improve plant selection.

Extensive discussion ensued between Board members, staff and the project engineer, Maureen Crowley, on matters concerning the timing of the project, the details of the emergency action plan, the intensity of the tree removal, and the scope of the landscape mitigation plan. Ms. Ley stated that in her view, additional information is warranted to confirm the applicant's examination of alternatives, such as directional drilling, that may be available further reduce impacts upon the regulated areas.

Motion/Vote: Upon a motion by Ms. Ley, and seconded by Dr. Shemitz, the Board voted to **DEFER** action on EPB Permit Application No. 1815 pending the submission of additional information concerning the availability of "alternatives" having less of a potential impact on "regulated areas." The alternative discussion shall include comments on design and construction practice

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

#1817 – 91 Westover Avenue – Plot C – S. and E. Flaherty: To construct a garage addition, expand a drive, install drainage, replace a septic system and implement other related improvements proximate to wetlands and watercourses situated in the drinking water supply watershed of the Mianus River. The property generally lies along the north side of Westover Avenue, approximately 1,200 feet west of Westover Road, and is identified as Plot C, Account 001-3276, Card N-008, Map 107, Block 367, Zone RA-1 and ±1.10 Acres.

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

In Attendance: Richard Regan, P.E., D'Andrea Surveying and Engineering, LLC

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Discussion: Mr. Talamelli summarized the application for the Board. He noted that the Agenda Summary Report was prepared by Leigh DeMarco, Environmental Analyst. Mr. Talamelli stated that the applicant seeks the Board's permission to construct a garage addition, expand a driveway, install drainage, replace a septic system, and implement other related improvements proximate to wetlands and watercourses situated in the drinking water supply watershed of the Mianus River.

The property currently supports a single family dwelling, drive, septic system, well and other related facilities. The site is characterized by the presence of gently to moderately sloping upland areas, wetlands and a small perennial watercourse. The uplands, which are generally confined to the southern and western reaches of the site, support both manicured space and light woods. The wetlands and watercourses, which occupy the northern and eastern portions of the property, have been impacted through the historic placement of fill, installation/maintenance of manicured surfaces and additional of boulder rip rap or walls. The largest area of wetland (east) has been historically been maintained as lawn.

Given the scope and nature of the proposed activities, the applicant is expected to demonstrate that the development will not have an adverse impact on wetlands, watercourses, valued resources, drainage, or water quality. In addition, the measures proposed to mitigate encroachments or improve the function/values of the regulated areas will also be evaluated. Mr. Talamelli reported that all proposed activities shall be confined to developed upland space. There are no direct wetland or watercourse impacts proposed. The applicant reports that approximately 25,043 square feet of the upland review area shall be temporarily/permanently affected by the project. Grade change is minimal, with the expected cuts/fills not expected to exceed 1.5 feet. To address the expected increase in storm water runoff resulting from the additional 1,824 square feet of new impervious coverage, the applicant proposes to install a structured drainage system consisting of a catch basin, pipes, overflow, and ten (10) Cultec Recharger 330XLHD infiltrator units. The system shall collect a portion of the proposed drive and roof drains associated with the new addition. If implemented to the plan, the project engineer has confirmed that the project will not have an adverse impact on local drainage patterns or adjoining properties. The Stamford Engineering Bureau has reviewed the submitted plans and reports and has confirmed both the impact assessment and design. To enhance water quality, the applicant has proposed to install temporary sedimentation and erosion controls, equip drainage collection structures with deep sumps/outlet controls, and provide an infiltration system to cool and filter runoff prior to discharge. To mitigate for the encroachments and restore regulated areas to a more native and functional condition, the applicant has proposed to install protective fences at the base of valued trees, remove boulder rip rap and walls from some of the more channelized sections of the watercourse, repair areas of substantial erosion in and about the watercourse with hand set stones, and install a significant number of native plantings to stabilize the soil, filter/cool runoff, improve the aesthetics, and otherwise further the overall conservation values of the space.

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

Motion/Vote: Upon a motion by Dr. Shemitz, and seconded by Mr. Levine, the Board voted to **APPROVE** EPB Permit Application No. 1817 with the conditions outlined in the EPB Staff Agenda Summary Report, dated September 12, 2018.

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

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Abstaining: None
Not Voting: Gordon

#1818 - 50 Friar's Lane – Lot A – M. Soos: To remove and replace existing stone walls and property entrance gates in an open space preserve/conservation easement and proximate to wetlands situated in the non-drinking water supply watershed of Springdale Brook. The property generally lies along the west side of Friar's Lane, approximately 725 feet north of Eden Road, and is identified as Lot A, Account 004-2313, Card W-005, Map 70, Block 382, Zone RA-1 and ± 1.78 Acres.

Reference is made to an EPB Staff Memo, dated September 13, 2018.

In Attendance: None

Discussion: Mr. Talamelli summarized the application for the Board. He noted that the Agenda Summary Report was prepared by Leigh DeMarco, Environmental Analyst. Mr. Talamelli stated that the applicant seeks the Board's permission to remove and replace existing stone walls and property entrance gates in and proximate to wetlands and a designated space/conservation easement. The property is situated in the non-drinking water supply watershed of Springdale Brook.

The site currently supports a single family dwelling, detached garage, drives, walkways, walls, sanitary sewer and other related facilities. The property is characterized by gently sloping manicured space, wooded wetlands and numerous stonewalls. In 1998, a portion of the property was established as an "Open Space Preserve/Conservation Easement" as a condition of Planning Board (Subdivision) No. 3725. The conservation easement area includes wetlands and adjoining upland buffers. It is noted that both the wetlands and conservation areas lie in the eastern reaches of the property by Friars Lane.

The applicant seeks the Board's permission to relocate existing stone walls, piers, and entrance gates in a westerly direction, eliminating an encroachment into roadway easement and ensuring the space necessary to install a more advanced and secure driveway gate. Mr. Talamelli reported that the development will impact approximately 420 square feet of the upland review area and 183 square feet of the conservation easement. No activities are proposed for the mapped wetlands. No trees will be affected and grade changes are not proposed. A sediment and erosion control plan has been submitted that includes perimeter silt fence, protection for existing catch basins, stockpile areas, and final soil stabilization measures. Engineering Bureau Staff has confirmed the absence of any adverse drainage impacts and has endorsed the project. Although one of the proposed walls and entrance gates is located within the conservation easement area, the relocated structures are expected to provide a permanent demarcation feature to define and protect the wetland from encroachment. In addition, standard conservation pins, post and signage shall be reinstalled along the easement boundary at property boundaries and turning points to further define the limits of the conservation easement.

Motion/Vote: Upon a motion by Mr. Levine, seconded by Mr. Rosenfeld, the Board voted to **APPROVE** EPB Permit Application No. 1818 with the conditions outlined in the Agenda Summary Report of September 13, 2018.

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

Abstaining: None
Not Voting: Gordon

Site Plan Reviews:

#3955-9 – 47 Walnut Ridge Court - Lot 9 - 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 9, List 004-4552, Card W040I, Block 359, Zone R-10, Map 97, and $\pm 20,703$ s/f.

#3955-10 – 49 Walnut Ridge Court - Lot 10 - 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 10, List 004-4553, Card W040J, Block 359, Zone R-10, Map 97, and $\pm 11,831$ s/f.

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

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

Discussion: Mr. Talamelli summarized the site plan review applications for the Board. Mr. Talamelli reminded the Members that the eleven (11) lot subdivision that created Lots 9 and 10 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 3955-9, and 3955-10 lie along both the north side and terminus of the new subdivision roadway identified as Walnut Ridge Court. The properties are currently "undeveloped" and are characterized by gently to severely sloping uplands, many large trees, stone walls, and portions of a designated conservation easement. In general, the parcels support graded space accented with a few large trees to the east, and moderately dense woodlands to the west. The conservation easement, which was established at the time of subdivision, includes, a five (5) foot wide strip of land bordering the north boundary on Parcel 9 to preserve a few select trees, protect stone walls, and reserve space for plantings between parcels, and a 35-132 foot wide strip of land on the west side of Parcels 9 and 10, to protect steeply sloping woodlands, stone walls and other features of conservation value.

Under the EPB Site Plan Review process, the applicant is charged with the task of convincing the Board that the individual development plans are generally consistent with those supplied at the time of

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subdivision, that resources are adequately protected, that proper drainage attenuating measures are applied, that appropriate erosion and water quality controls are implemented, and that functional conservation enhancements are employed. Mr. Talamelli reported that individual site development plans were developed by the project engineer. In order to construct the dwellings, drives and other related facilities, grade alterations will be in the low to moderate range with the cuts/fills ranging from 0-4.45 feet. A short length of retaining wall may be necessary to support grade, particularly to the rear of Lot 9. Under these development proposals, the limits of the conservation easement shall be honored along with the trees and stone walls that occupy that space. Several of the trees lying within the body of the lots have or shall be removed.

The applicant provided an analysis to evaluate potential drainage impacts. Although it was noted that the parcels support dwellings that are somewhat larger than that shown at the time of subdivision. The engineer confirmed that the development remains generally consistent with the subdivision drainage design concept. Post construction drainage shall be managed by creating several post construction watersheds and by adding structured systems. Mr. Talamelli noted that runoff from the new dwellings shall be directed to individual concrete galleries proposed for each parcel. Overflow from the gallery systems along with any overland flows from the rear yard areas shall be directed to the sloping woodlands and offsite wetlands to the west. The remaining portion of the individual lots, including the proposed drives, walkways, and front/side yards, shall flow either overland to the south to the existing drainage system in Cooper's Pond Road or to the east the new subdivision road and drainage system in and along High Ridge Road. The engineer concludes that with proper implementation of the design drawings, the peak rates of runoff for the 1, 2, 5, 10 and 25-year storms shall be generally reduced, and that the development will not adversely impact adjacent or downstream properties or drainage facilities. Note that the lone exception is the 1-year storm in the west basin, where a de minimus increase was observed at the offsite wetlands. To reduce the potential for water quality impacts, the applicant has provided sediment/erosion control plans, prohibited the use of in-ground fuel oil storage, and utilized 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. No in-ground fuel oil storage has been proposed. To mitigate for 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, the addition of a permanent demarcation feature in the form of a split rail fence, an arborist's review of the final development layouts to ensure the absence of impact on trees abutting the development envelope and a landscape plan that provides for the removal of invasives, and the installation of numerous functional and conservation-valued trees and shrubs throughout the site.

In response to a question by Mr. Stone, Mr. Ginter clarified the location of anti-tracking pads on both parcels.

In response to a question by Mr. Rosenfeld, Mr. Talamelli asserted that the proposed planting plan was appropriate given the circumstances of the applications, again noting that the plantings shall serve to improve the conservation values of the site, buffer the adjoiners, improve the aesthetics, and restore the presence of trees to the body of the property.

Mr. Ginter acknowledged the receipt of the Agenda Summary Report, and offered no objection to its findings or recommended conditions.

Motion/Vote: Upon a motion by Mr. Rosenfeld, and seconded by Mr. Levine, the Board voted to **APPROVE** EPB Site Plan Review Applications No. 3955-9 and 3955-10 with the conditions outlined in the EPB Staff Memo, dated September 11, 2018.

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

Subdivision Reviews:

Enforcement– Status Reports & Show Cause Hearings:

Other Business:

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

Reference is made to an EPB Staff Memo, dated August 10, 2018

In Attendance: None

Discussion: Mr. Talamelli confirmed that there are no reported violations on the property, that the conditions on the site have not changed as to warrant a reevaluation, and that the permits were routinely and legally issued by the Board. Accordingly, Mr. Talamelli recommended that the Board approve the extension request for a period of one (1) year, until September 26, 2019.

Motion/Vote: Upon a motion by Mr. Levine, and seconded by Mr. Rosenfeld, the Board voted to **APPROVE** the extension of EPB Permit No. 1112 for a period of one (1) year. Accordingly, the permit shall remain in full force and effect until September 26, 2019. All terms and conditions remain in full force and effect.

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

Meeting Calendar for 2019 : Discussion of the proposed Meeting Calendar for 2019.

Reference is made to an EPB Staff Memo, dated September 13, 2018.

In Attendance: None

Discussion: Staff Member Talamelli presented the “Draft” Meeting Schedule for 2019. He stated that the document generally reflects a regular meeting schedule for the “Third Thursday” of each month. During its preparation, Staff sought to identify and eliminate potential conflicts with school vacations, graduations, holidays and other important events. Mr. Talamelli reminded the members that the calendar includes an additional meeting during the month of January to consider budget matters, and no meeting during the month of August to consider traditional vacation schedules.

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

Motion/Vote: Upon a motion by Dr. Shemitz, and seconded by Rosenfeld the Board voted to **APPROVE** the Regular Meeting Calendar for 2019 as proposed in an EPB Staff Memo (Draft), dated September 13, 2018.

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

ADJOURN:

Adjourn the Regular Meeting of September 20, 2018:

There being no further business, and upon a motion by Mr. Levine, and seconded by Ms. Ley, the board voted to **ADJOURN** the Regular Meeting of September 20, 2018.

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

Meeting adjourned at 8:39 PM.

Gary H. Stone, Chairman
Environmental Protection Board

Minutes prepared from meeting notes assembled by Richard H. Talamelli, Executive Director/Environmental Planner

Draft 1: 10/10/18