

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

**BOARD MEMBERS PRESENT:**

Gary H. Stone, Chairman  
Dr. Leigh Shemitz, Member  
Richard Rosenfeld, Esq., Member  
Ashley A. Ley, Member  
Laura Tessier, Alternate Member

**BOARD MEMBERS NOT PRESENT:**

Louis P. Levine, Member  
Emily Gordon, Alternate Member

**STAFF MEMBERS PRESENT:**

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

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:** None

**APPLICATIONS AND PERMITS:**

**Acceptances/Extensions/Withdrawals:**

**#1826 – 0 High Ridge Road – Lot 2 – High Ridge Developers, LLC:** To construct a new single-family dwelling, drive, drainage, septic and other related facilities in and proximate to wetlands and watercourses situated in the non-drinking water supply watershed of Poorhouse Brook. The property is situated along the east side of High Ridge, Road, approximately 200 feet south of Pinner Lane, and is identified as Lot 2, Account 002-3185, Card E-195, Map 27, Block 388, Zone RA-1, and ±1.0028 Acres.

Reference is made to an EPB Staff Memo, dated December 14, 2018.

**In Attendance:** None

**Discussion:** Mr. Stone acknowledged the receipt of correspondence from Leonard C. D'Andrea, P.E., D'Andrea Surveying and Engineering, P.C., dated December 14, 2018 granting the Board an extension of the statutory deadline for decision on EPB Permit Application No. 1826 for sixty-five (65) days. Accordingly a final decision shall be rendered on the subject application on or

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before February 25, 2019.

**Motion/Vote:** None

**#1829 – 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.

**#1830 – 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:

Address	Account	Area	Card	Map	Block	Lot	Zone
10 Greenwich Avenue	002-6246	24000 s/f	E-003	127	7	B	P
24 Greenwich Avenue	000-6803	7071 s/f	E-004	127	7	7	R-5
32 Greenwich Avenue	002-0281	5472 s/f	E-005	127	7	8	R-5
36 Greenwich Avenue	002-0282	2850 s/f	E-006	127	7	9	R-5
40 Greenwich Avenue	000-7267	4160 s/f	E-007	127	7	10	R-5
46 Greenwich Avenue	002-4957	2168 s/f	E-009	127	7	11	R-5
52 Greenwich Avenue	001-5047	4920 s/f	E-010	127	7	A	R-5
0 Greenwich Avenue	001-5049	5796 s/f	E-012	127	7	B	R-5
63 Richmond Hill Avenue	001-6936	21859 s/f	N-006	127	7	4	C-L

**#1831 - 2 Scofieldtown Road - Lots A1/A2 - Redniss and Mead, Inc. for Bethany Assembly:** To construct a new senior living facility with associated parking, walkways, walls, and other related improvements proximate to wetlands situated in the non-drinking water supply watershed of Poorhouse Brook/Rippowam River. The property is situated along the west side of Scofieldtown Road, just north of its intersection with High Ridge Road, and is identified as Lot A1/A2, Account No. 000-6831, Card W-002, Map 32, Block 377, Zone RA-1, and ±3.43 Acres.

**#1832 - 181 Turn of River Road – Unit 5 (aka 5 Sterling Lake Lane) - NA - J. Carter for R. Martino and M. Freed:** To install a standby emergency generator proximate to wetlands, watercourses and conservation easement areas situated in the non-drinking water supply watershed of Ayres Brook. The project area lies within the planned development known as “Sterling Lake” which is situated along the east side of Turn of River Road, approximately 415 feet north of Intervale Road. Reference is made to Account No. 004-0694.

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Reference is made to EPB Staff Memos, dated December 13, 2018 (No. 1829 and 1830) and December 20, 2018 (No. 1831 and 1832).

**In Attendance:** None

**Discussion:** Mr. Stone acknowledged the receipt of the minimum information necessary to accept EPB Permit Application Nos. 1829, 1830, 1831 and 1832.

**Motion/Vote:** Upon a motion by Mr. Rosenfeld, and seconded by Ms. Ley, the Board voted to **ACCEPT** EPB Permit Application Nos. 1829, 1830, 1831 and 1832.

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

#### **Action Items:**

**#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 EPB Staff Agenda Summary Report, dated December 12, 2018.

**In Attendance:** Elizabeth Holm

**Discussion:** Ms. Fausty summarized the application for the Board. She reported that the Agenda Summary Report was prepared by Environmental Analyst, Leigh DeMarco. Ms. Fausty reported that the applicant proposes to construct residential additions and other related features proximate to the site's wetlands and watercourses. The property, which currently supports a single-family dwelling, detached garage, subsurface sewage disposal system, well, patio and other related facilities, is characterized by manicured upland areas, scrub to lightly wooded wetlands, manicured wetlands and a stone lined watercourse. Given the nature and scope of the project, development issues relate to resource impact, sediment and erosion control, drainage and the value of the measures proposed to mitigate impacts or improve the overall function/value of the regulated areas.

Ms. Fausty reported that that the improvements shall be generally limited to historically developed upland space, involving about 2,010 square feet of the drinking water supply buffer. Grade change and vegetation losses are minimal. The expected increase in total site impervious surface is minor, enabling the project engineer to confirm the absence of impact on drainage, soils and adjoining properties. To protect water quality, a temporary erosion control plan consisting of perimeter silt fences, stockpile areas, anti-tracking pads, properly placed gutter outfall protection, and final soil stabilization measures has been provided. To assist in the filtering of runoff, stabilize the soil and enhance/restore wetland function, invasives shall be harvested and a collection of native planting

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shall be installed, particularly along the edge of the watercourse/channel. Ms Fausty reported that prior endorsements have been secured from both the Stamford Engineering Bureau and Health Department Staff.

A discussion ensued between Board members concerning wetland setbacks, consistency in the application of setback standards, and the need to potentially evaluate wetland impacts system wide.

Elizabeth Holmes acknowledged the prior receipt of the Agenda Summary Report, and offered no objection to the reported findings or recommended conditions of approval.

**Motion/Vote:** Upon a motion by Mr. Rosenfeld, and seconded by Ms. Ley, the Board voted to **APPROVE** EPB Permit Application No. 1819 with the conditions outlined in the EPB Staff Agenda Summary Report, dated December 12, 2018.

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

**#1822 – 88 Farms Road – Lot 1 – Frangione Engineering, LLC for M. E. Simpson:** To replace an 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  $\pm 2.016$  Acres.

Reference is made to an EPB Staff Agenda Summary Report, dated December 14, 2018.

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

**Discussion:** Ms. Fausty summarized the application for the Board. She reported that the applicant proposes to replace existing perimeter and paddock fences and maintain a shed proximate to known wetland resources. The property currently supports a single-family dwelling, riding stable, barn, fenced paddocks, subsurface sewage disposal system, well, and other related facilities. Certain structures/features associated with the parcel's agricultural uses were subject to a prior EPB Permit in 2007-8.

Ms. Fausty reported that that the activities will result in little or no additional disturbance of the soil, increases in site imperviousness, or losses of vegetation. Approximately 212 square feet of the drinking water supply setback shall be affected by the project. Given the minimal impact and success of the landscape enhancements installed as part of the prior permit, no additional environmental controls or mitigation plantings have been requested. Measures to further stabilize an existing walking path shall be addressed by the applicant.

Robert Frangione, P.E. acknowledged the prior receipt of the Agenda Summary Report, and offered no objection to the reported findings or recommended conditions of approval.

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**Motion/Vote:** Upon a motion by Dr. Shemitz, and seconded by Ms. Tessier, the Board voted to **APPROVE** EPB Permit Application No. 1822 with the conditions outlined in the EPB Staff Agenda Summary Report, dated December 14, 2018.

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

**#1825 – Clay Hill Road/Arden Lane/Crystal Lake Road - NA - City of Stamford and Heatherwood Condominium Association:** To construct certain storm drain improvements, install an emergency generator, and conduct other related activities in and within close proximity to wetlands, a pond, and watercourses situated in the non-drinking water supply watershed of the Rippowam River. The proposed work area lies within the public right of way at the intersection of Clay Hill Road, Arden Lane, and Crystal Lake Road (Unimproved) and on an adjoining private property to the south owned by the Heatherwood Condominium Association.

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

Note: Mr. Stone recused himself from both the discussion and vote on this application. Mr. Rosenfeld assumed the role of Chair for this application.

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

**Discussion:** Mr. Talamelli summarized the application for the Board. Mr. Talamelli reported that the City of Stamford proposes to install a generator to provide an emergency power for an existing sewer pump station, and supply a structured drainage system consisting of numerous catch basins, manholes, pipes, endwall, plunge pool, coir logs and vegetated swale to better collect and manage storm water runoff and remedy long-standing drainage and sediment/erosion control issues that negatively affects regulated areas.

The project area lies within the public right of way at the intersection of Clay Hill Road, Arden Lane, and Crystal Lake Road (Unimproved) and on an adjoining private property to the south owned by the Heatherwood Condominium Association. Regulated areas consist of wetlands, watercourses, open water ponds, non-watershed setbacks of twenty-five (25) feet and a designated open space preserve/conservation easement. The easement was established as part of a prior development approval. It was noted that several piles of brush and debris have been dumped in and proximate to the regulated areas.

Given the nature of the project, the applicant is required to minimize resource impacts, utilize measures to preserve water quality and effectively address potential drainage impacts. When encroachments into the regulated are unavoidable, mitigation may be offered to offset potential impacts. Mr. Talamelli indicated that the project is expected to temporarily/permanently affect up to 1400 square feet of wetlands, 1,500 square feet of the upland review area and 1900 feet of the open space preserve/conservation easement. Overall grade change is expected to be minimal, and only 1-2 of the area's larger trees may be lost as a result of this project. To preserve water quality, the applicant

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has provided a sediment and erosion control plan consisting of perimeter silt fences, basin protection, swept pavement, designated stockpile areas and final stabilizing groundcovers applied to the disturbed earth surfaces. Drainage structures shall be equipped with deep sumps (2-4 feet) and bell traps to assist in the collection of sands, silt and debris prior to discharge. In addition, a stone rip rap plunge pool shall be installed to further assist in the collection of sediments, stabilize the soil, and ensure that potentially damaging velocities are appropriately mitigated. Note that the deep sumps and plunge pool will act as a point of collection for future maintenance activities. An easement shall be sought from the association to allow for future maintenance and repair of the systems. The generator shall be served by an on-site supply of diesel fuel stored in a "belly tank". To prevent potential discharges of fuel oil to the regulated areas, advanced leak, spill, and overflow protection measures shall be applied including a double walled steel tank, spill box, spill box drain-back tubes, a lockable fuel cap, and a mobile link monitoring system. The project engineer notes that the project will serve to correct the known drainage/water quality issues, will properly convey flows associated with the twenty-five (25) year storm event, and if constructed per the submitted plans, will not adversely impact on local drainage patterns or adjacent properties. The Engineering Bureau has reviewed the submittals and has generally confirmed the study methods, conclusion and design. To protect/enhance existing resources, stabilize the soil, filter runoff, and enhance the overall conservation values of the regulated areas, the applicant has provided for the removal of accumulated debris, applied fenced protection of several large trees, and supplied a planting plan consisting of numerous conservation-valued trees/shrubs. The vegetation is generally confined to the space along the proposed swale and adjoining the pond/wetland edge. The plan appears appropriate for the site and circumstances of this application. Mr. Talamelli recommended that, as a condition of approval, access to the regulated areas be reasonably protected with boulders or other suitable measures to prevent further unrestricted access and dumping.

Ms. Tessier asserted that a permanent demarcation feature and signage should be required as a condition of approval to prevent future episodes of illicit dumping along the street and in the regulated areas.

Although recognizing the technologies applied to the proposed generator/fuel systems to limit and detect leaks and spills, Dr. Shemitz questioned the use of "diesel" to power the generator given the potential for surface and groundwater impacts. In response, Mr. D'Andrea noted that natural gas service is not available in the street, that natural gas often does not fulfill the power requirements of some of the larger commercial generators, and given the important purpose of this facility, diesel is preferred because its supply is considered to be "uninterrupted".

Further discussion ensued between Board members, Staff and the applicant's representative concerning alternative fuels, fuel storage, design storm frequencies, and other related matters.

Mr. D'Andrea acknowledged the prior receipt of the agenda summary report, and offered no objection to the findings or recommended conditions of approval.

**Motion/Vote:** Upon a motion by Ms. Ley, seconded by Ms. Tessier, the Board voted to **APPROVE** EPB Permit Application No. 1825 with the conditions outlined in the EPB Staff Agenda Summary Report, dated December 12, 2018 modified to include provisions for the posting of "No Dumping" signage and further discussion of the use of any alternative fuel systems for the on-site

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generator, such as propane, that may have less of a potential impact on regulated areas and groundwaters.

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

Note: Mr. Stone reassumed the role of Chair for the remainder of the meeting.

**Site Plan Reviews:** None

**Subdivision Reviews:** None

**Enforcement – Status Reports & Show Cause Hearings:** None

### **Other Business:**

**#2843 – Ingleside Drive – Lot B-1 – M. Innaurato:** To construct a new single-family residence, patio, pool, driveway, septic system, berm, and water control structure within and proximate to wetlands, watercourses, and designated conservation areas on property situated within the drinking water supply watershed of the Rippowam River and the non-drinking water supply watershed of Poorhouse Brook. The property lies along the west side of Ingleside Drive, just south of Spring Hill Lane East, and is identified as Lot B-1, List 004-5436, Card N-013B, Block 217, Zone RA-2, and  $\pm 2.21$  Acres.

**#2844 - Ingleside Drive – Lot B-2 – M. Innaurato:** To construct a new single-family residence, patio, pool, driveway, and septic system within and proximate to wetlands, watercourses, and designated conservation areas on property situated within the drinking water supply watershed of the Rippowam River and the non-drinking water supply watershed of Poorhouse Brook. The property lies along the west side of Ingleside Drive, approximately 125 feet south of Spring Hill Lane East, and is identified as Lot B-2, List 004-5435, Card N-013A, Block 217, Zone RA-2 and  $\pm 2.01$  Acres.

Reference is made to an EPB Staff Memo, dated December 7, 2018.

**In Attendance:** None

**Discussion:** Mr. Stone 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, Staff recommended in its December 7, 2018 Memo, that the Board approve the extension request for a period of one (1) year, until December 24, 2019.

**Motion/Vote:** Upon a motion by Mr. Rosenfeld, and seconded by Dr. Shemitz, the Board voted to **APPROVE** the extensions of EPB Permit Applications No. 2843 and 2844 for a period of one (1) year. Accordingly, the permits shall remain in full force and effect until December 24, 2019.

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

**ADJOURN:**

**Adjourn the Regular Meeting of December 20, 2018:**

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

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

Meeting adjourned at 8:08 PM.

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Gary H. Stone, Chairman  
Environmental Protection Board

Minutes Prepared from Meeting Notes assembled by Richard Talamelli, Executive Director/Environmental Planner.

Draft 1: December 27, 2018  
Draft 2: December 31, 2018