

**ENVIRONMENTAL PROTECTION BOARD  
CITY OF STAMFORD  
MINUTES OF THE MARCH 21, 2019  
REGULAR MEETING**

**BOARD MEMBERS PRESENT:**

Gary H. Stone, Chairman  
Ashley A. Ley, Member  
Laura Tessier, Alternate Member  
Emily Gordon, Alternate Member

**MEMBERS NOT PRESENT:**

Dr. Leigh Shemitz, Member  
Louis P. Levine, Member

**STAFF PRESENT:**

Richard 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:**

**Minutes of the EPB Special Meeting of February 28, 2019:**

Members present and eligible to vote were Stone, Ley, Tessier, and Gordon. No corrections were proposed/recommended.

Upon a motion by Ms. Ley, and seconded by Ms. Tessier, the Board voted to **APPROVE** the Minutes of the February 28, 2019 Special Meeting as presented.

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

**APPLICATIONS AND PERMITS:**

**Acceptances/Extensions/Withdrawals:**

**#1833 – 277 Blackberry Drive – Lot 34 – Fairfield County Engineering, LLC for S. and S. Swidler:** To construct a poured concrete retaining wall, drainage, and other related features

**Minutes**  
**Regular Meeting of March 21, 2019**  
**Page 2**

proximate to a watercourse and in a dedicated open space preserve situated in the drinking water supply watershed of the Mianus River (East Branch). The property is situated along the west side of Blackberry Drive, approximately 300 feet south of Mill Valley Lane, and is identified as Lot 34, Account 003-4100, Card N-027, Map 15, Block 402, Zone RA-3, and  $\pm$  1.00 Acres.

Reference is made to an EPB Staff Memo, dated March 18, 2019.

**#1901 – 47 Swampscott Road - Lot 29 – A. Geca:** To maintain a chicken coop, sheds and other related features situated in and proximate to wetlands and watercourses situated in the non-drinking water supply watershed of Ayres Brook. The property lies along the south side of Swampscott Road, approximately 350 feet west of High Ridge Road, and is identified as Lot 29, Account 000-3054, Card S-003, Map 83, Lock 359, Zone R-10, and  $\pm$ 0.37 Acres.

Reference is made to and EPB Staff Memo, dated March 19, 2019.

**In Attendance:** None

**Discussion:** Mr. Stone acknowledged the receipt of correspondence from Wayne D'Avanzo (March 14, 2019) and Aleksandra Moch (March 17, 2019) granting the Board extensions of the statutory deadlines for decision on EPB Permit Application Nos. 1833, and 1901.

**Motion/Vote:** None

**#1906 – 610 Rock Rimmon Road – Lot 2 – G. Pali for Mill Road, LLC:** To construct a new single family dwelling, septic, drive drainage and related features proximate to wetlands and watercourses situated in the non-drinking water supply watershed of Haviland Brook. The property is situated along the west side of Rock Rimmon Road, just south of Mill Road, and is identified as Lot 2, Account 001-0452, Card W-038, Map 16, Block 401, Zone RA-1, and  $\pm$ 1.1441 Acres.

Reference is made to an EPB Staff Memo, dated March 7, 2019.

**In Attendance:** None

**Discussion:** Mr. Stone acknowledged the receipt of the minimum information necessary to accept EPB Permit Application No. 1906.

**Motion/Vote:** Upon a motion by Ms. Ley, and seconded by Ms. Tessier, the Board voted to **ACCEPT** EPB Permit Application No. 1906.

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

**#1907 – 736 Den Road – Parcel B – Fairfield County Engineering, LLC for D. Broggi:** To construct a wood deck, drainage and related features in a conservation easement and proximate to

**Minutes**  
**Regular Meeting of March 21, 2019**  
**Page 3**

wetlands situated in the non-drinking water supply watershed of Haviland Brook. The property is situated along the north side of Den Road, approximately 700 feet west of Long Ridge Road, and is identified as Parcel B, Account 003-6993, Card N--007, Map 57, Block 394, Zone RA-1, and ±1.814 Acres.

Reference is made to an EPB Staff Memo, dated March 7, 2019.

**In Attendance:** None

**Discussion:** Mr. Stone acknowledged the receipt of the minimum information necessary to accept EPB Permit Application No. 1907.

**Motion/Vote:** Upon a motion by Ms. Ley, and seconded by Ms. Tessier, the Board voted to **ACCEPT** EPB Permit Application No. 1907.

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

**Action Items:**

**#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

Reference is made to an EPB Staff Agenda Summary Report dated March 12, 2019.

**In Attendance:** Michael Stake, Mill River Collaborative

**Minutes**  
**Regular Meeting of March 21, 2019**  
**Page 4**

**Discussion:** Staff Member Fausty presented the application to the Board. She reported that the project is an extension of the Mill River Greenway along the west bank of the Rippowam River from Tresser Boulevard to Richmond Hill Avenue. The applicant intends to construct/reconstruct walls along the watercourse, and install walkways, drainage, lighting, and certain recreational facilities in and/or within close proximity to the wetlands, watercourses, and the special flood hazard areas. The project area is tidally influenced. Development issues generally relate to potential resource impacts, hydraulic impact, structural floodproofing, drainage impact, sedimentation and water quality control and the value of the proposed conservation enhancements.

The applicant reports that the improvements will temporarily/permanently affect approximately 16,931 square feet of the non-drinking water supply watershed upland review areas and 33,020 square feet of the floodplain. Ms. Fausty reported that most of the project is confined to historically altered upland areas. The project engineer has verified that the proposed improvements will not cause a rise in flood heights per the City standards. Any structures affected by the flood have been designed to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base flood per Stamford's Flood Prone Area Regulations. The project engineer has further verified that there will be no adverse impacts on drainage or the abutting properties/infrastructure given the de minimus increase in paved surfaces and the addition of structures to better collect and manage storm water. The Engineering Bureau has endorsed the findings of the drainage report, hydraulic impact statement and design. Water quality will be enhanced with the implementation of an erosion control plan and the use of infiltration to treat a portion of the collected stormwater. Mitigative measures include provisions for the removal of debris, management of existing tree resources under the direction of a qualified arborist, and the displacement of lawn or areas of historic encroachment with a dense and diverse collection of native plantings.

In response to a question by Ms. Ley concerning the use of alternative, more environmentally friendly surface treatments for paved surfaces, Mike Stake, Mill River Collaborative, responded that, in this instance, the City of Stamford dictated the type of materials proposed for the primary walk and bikeways. Alternative, more porous surfaces have been applied to the recreational space. Ms. Ley noted that EPB Staff should encourage the City to explore the use of alternative surface treatments in future projects.

Mike Stake acknowledged the prior receipt of the EPB Staff Agenda Summary Report, and offered no objection to its findings and recommendations.

**Motion/Vote:** Upon a motion by Ms. Ley, and seconded by Ms. Tessier, the Board voted to **APPROVE** EPB Permit Application No. 1830 with the conditions outlined in the EPB Staff Agenda Summary Report, dated March 12, 2019.

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

**Site Plan Reviews:**

**#3702-10 - Konandreas Drive – Lot 10 - A. Howell:** Environmental Protection Board Site Plan Review to allow the construction of a new single family dwelling, drive, drainage, septic, utilities, and

**Minutes**  
**Regular Meeting of March 21, 2019**  
**Page 5**

other related facilities pursuant to Planning Board (Subdivision Application) No. 3702. The subject property lies along the south side of Konandreas Drive, approximately 765 feet east of Hunting Ridge Road, and is identified as Lot 10, List 004-2552, Card S-002, Block 392, Zone RA-1, Map 33, and ±1.0885 Acres.

Reference is made to an EPB Staff Agenda Summary Report, dated March 15, 2019.

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

**Discussion:** Ms. Fausty summarized the application for the Board. She noted that a condition of the prior subdivision approval required site plan approval for individual lot development to ensure consistency with the overall subdivision concept, guarantee the protection of resources of value, mitigate drainage impacts, utilize effective sediment and erosion and water quality controls, and provide valued conservation enhancements. Ms. Fausty reported that the parcel lies along the south side of the private subdivision roadway known as Konandreas Drive. The parcel is moderately to steeply sloped north to south, is treed in the central and southern portions of the site, and supports a narrow conservation strip to the south. The conservation area was established at the time of subdivision to preserve some of the wooded character on the site, maintain stone walls, and provide a natural buffer between parcels. It is noted that there are no wetlands and watercourse present on this site.

Ms. Fausty stated that the applicant has demonstrated that the proposed residential development is generally consistent with the concept outlined at the time of subdivision. The dwelling has been confined to a similar building envelope, with all grading and associated features remaining outside of the designated conservation space. All trees in the central portions of the site shall be removed as part of the project. However, according to the submitted arborist's report, these trees have limited conservation value given their invasiveness and/or declining health. Trees worthy of protection remain in the designated conservation easement and shall be preserved. To mitigate potential drainage impacts, the project engineer has proposed a post construction stormwater management plan that provides for grading and the implementation of a structured system consisting of catch basins, yard drains, junction boxes, pipes, infiltration units, and level spreaders. The engineer has confirmed that if constructed to the plan, the project will not have any adverse impact on drainage or adjoining properties. Ms. Fausty reported that the Stamford Engineering Bureau has endorsed both the drainage report and the submitted design. Water quality concerns have been addressed with the submission of a detailed sediment/erosion control plan, collection structures equipped with deep sumps and outlet controls, and stormwater infiltration units. A subsurface sewage disposal system septic system suitable for a five (5) bedroom dwelling has been endorsed by the Stamford Health Department. To mitigate for the prior tree loss and address the overall needs of both the conservation easement and property, the applicant has provided for the staking/posting of conservation easement boundary, the addition of a permanent demarcation feature, and a landscape plan that provides for the removal of debris, and the installation of numerous functional and conservation-valued trees and shrubs. Most of the trees/shrubs have been located in and along the conservation area.

Mr. Stone acknowledge the receipt of correspondence from John Harness, Esq., representing Paul and Ann Marie Anderson, owners of property situated at 44 Lawrence Hill Road, Stamford, Connecticut outlining certain drainage concerns. In response to questions by Mr. Stone, Ms. Ley and

**Minutes**  
**Regular Meeting of March 21, 2019**  
**Page 6**

Ms. Tessier concerning drainage impact, Richard Regan, P.E., D'Andrea Surveying and Engineering, P.C. stated that he was aware of the Anderson's concerns and that his office had reached out to both the owner's attorney and engineer in advance of this meeting, but did not meet. Mr. Regan indicated that drainage patterns south of the subdivision road have remained essentially unchanged since the subdivision was endorsed in 2000. To date, development has been confined to several parcels situated along the north side of the subdivision road, the drainage of which is generally directed to the large detention basin constructed in the extreme eastern regions of the property. He reiterated that drainage for Lot 10 shall be managed with the installation of structure drainage system that fully conforms to City standards, and if installed per the design, will control post development runoff so that there shall be no adverse impacts on the adjacent properties or local drainage patterns.

In response to a question by Ms. Tessier, Mr. Regan noted that the fills reflected on the site development plans were necessary to accommodate the septic and all other necessary features, and to provide a proper transition from the roadway to the conservation easement boundary.

Finally, both Ms. Tessier and Ley questioned the effectiveness of the proposed conservation demarcation feature given the expected twenty (20) foot spacing of boulders. Discussion ensued between the members of the Board and Staff concerning boulder size/spacing and the effectiveness of alternative features, such as low profile walls, split rail fences, plantings, and other related measures. Mr. Regan agreed to minimize the spacing between the proposed boulder feature to better define the easement boundary and limit future unauthorized encroachments into the protected space.

Mr. Regan acknowledged the prior receipt of the EPB Staff Agenda Summary Report, and offered no objection to its findings and recommendations.

**Motion/Vote:** Upon a motion by Ms. Ley, and seconded by Ms. Gordon, the Board voted to **APPROVE** EPB Site Plan Review Application No. 3702-10 with the conditions outlined in the EPB Staff Agenda Summary Report, dated March 15, 2019, modified to reduce the separation distance between elements of the demarcation feature from twenty (20) feet to ten (10) feet.

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

**Subdivision Reviews:** None

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

**Other Business:** None

**ADJOURN:**

**Adjourn the Regular Meeting of March 21, 2019:**

There being no further business, and upon a motion by a motion by Ms. Ley, and seconded by Ms.

**Minutes**  
**Regular Meeting of March 21, 2019**  
**Page 7**

Gordon, the Board voted to **ADJOURN** the Regular Meeting of March 21, 2019.

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

Meeting adjourned at 8:03 PM.

-----  
Gary H. Stone, Chairman  
Environmental Protection Board

Draft 1: 3/28/19