

**ENVIRONMENTAL PROTECTION BOARD
CITY OF STAMFORD
FINAL MINUTES OF THE OCTOBER 21, 2021
REGULAR MEETING
CONDUCTED VIA INTERNET AND CONFERENCE CALL**

MEMBERS PRESENT:

Gary H. Stone, Chairman
Laura Tessier, Member
Ashley A. Ley, Member
David J. Kozlowski, Alternate Member
Stephen J. Schneider, Alternate Member (Joined the Meeting at 7:31 p.m.)

MEMBERS NOT PRESENT:

Joseph Todd Gambino, Member
Dr. Leigh Shemitz, Member
Thomas C. Romas, Alternate Member

STAFF PRESENT:

Ralph Blessing, Land Use Bureau Chief
Pam Fausty, Environmental Analyst
Lindsay Tomaszewski, Environmental Analyst
Lesley Capp, OSS, Land Use Bureau

The meeting was called to order by Mr. Stone at 7:30 p.m. Seated for the meeting were Mr. Stone, Ms. Tessier, Ms. Ley, Mr. Kozlowski and Mr. Schneider.

Mr. Stone began by announcing the retirement of Richard Talamelli, Executive Director. Mr. Stone acknowledged Mr. Talamelli's long standing career with the City of Stamford and wished him well on behalf of the Board.

Mr. Stone introduced Ralph Blessing, Land Use Bureau Chief.

Mr. Blessing formerly introduced himself and made comments agreeing with Mr. Stone on Mr. Talamelli's departure and reassured the Board that going forward, business will continue as usual. Mr. Blessing stated that a replacement will be hired as soon as possible and that an additional Environmental Analyst will also be hired. Mr. Blessing stated if there are any questions in the meantime, to please feel free to contact his office.

MINUTES:

No Meeting Minutes for approval.

APPLICATIONS AND PERMITS:

Acceptances/Extensions/Withdrawals:

#2021-18 - Main Street - City of Stamford/Engineering Bureau - Main Street Pedestrian Bridge:

Construction of a pre-fabricated pedestrian bridge, drainage, utilities, grading, and other related activities within the base floodplain and both in and proximate to wetlands and watercourses situated in the non-drinking water supply watershed of the Rippowam River (Non-drinking water supply watershed). The new bridge lies just north of the existing Main Street Bridge. The project area lies along a section of Main Street, and is generally bordered by property N/F owned by the Stamford Housing Authority to the north, City/Town of Stamford to the South, Clinton Avenue to the east, and West Main Street/Mill River Street/Greenwood Hill Street to the west.

#2021-19 - 175 South Lake Drive-Lot 42 - Fairfield County Engineering, LLC for Laura Healy:

To construct a new in-ground pool, and associated fencing, equipment, patio, grading, drainage improvements, landscaping, and other related site work within and proximate to wetlands, a pond and Conservation Easement on property situated within the drinking water supply watershed of the Mianus River. The property is situated along the east side of South Lake Drive, approximately 190 feet north of the intersection with Wallenberg Drive, and is identified as Lot 42, Account 003-7980, Card N-009, Map 13, Block 400, Zone RA-3, and is ± 2.029 Acres.

#2021-20 - 47 Old Well Road-Lot 12A - Redniss & Mead, Inc. for Marc & Alison Wisniewski:

To construct a new in-ground pool, and associated fencing, equipment, patio, grading, drainage improvements, landscaping, and other related site work proximate to wetlands and Conservation Easement on property situated within the non-drinking water supply watershed of the Springdale Brook. The property is situated along the east side of Old Well Road, approximately 300 feet south of the intersection with Eden Road, and is identified as Lot 12A, Account 004-4298, Card E-002A, Map 70, Block 380, Zone RA-1, and is ± 1.00 Acre.

Discussion: Mr. Stone acknowledged the receipt of the minimum information necessary to accept EPB Permit Application Nos. 2021-18, 2021-19 and 2021-20.

Motion/Vote: Upon a motion by Ms. Ley and seconded by Ms. Tessier, the Board voted to **ACCEPT** EPB Permit Application Nos. 2021-18, 2021-19 and 2021-20.

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

ACTION ITEMS:

#2021-04 - 130 Shelter Rock Road-Lot N-27 - Joseph Risoli, P.E. representing Frank LaFauci:

To install four (4) above ground propane tanks and maintain a terrace proximate to wetlands and a watercourse on property situated within the drinking water supply watershed of the Mianus River (East Branch). The property is situated along the south side of Shelter Rock Road, approximately 430 feet north of the intersection of Shelter Rock and Rising Rock Roads, and is identified as Lot N27, Account 001-2563, Card E-014, Map 48, Block 394, Zone RA-1, and ± 1.14 Acres.

Reference is made to an EPB Agenda Summary Report, dated May 14, 2021/Revised October 15, 2021.

In Attendance: Thomas Cassone
Joseph Risoli, P.E.
Frank & Josephine LaFauci

Discussion: A brief summary of the application status was offered by Ms. Fausty. Ms. Fausty stated this application was deferred from the May 20, 2021 meeting where the applicant was asked to submit additional information to address the Board's concerns. Ms. Fausty provided details on the four main issues that needed to be addressed.

Mr. Stone asked the Board if they had any questions or comments.

Ms. Tessier suggested removal of the southwest corner steps that go down close to the two trees located in that area and provided explanation about the suggestion.

Ms. Ley stated she appreciated the responsiveness of the applicant with the revised planting plan and removal of the additional shed.

Mr. Schneider had no questions.

Mr. Stone called for the representative of the applicant.

Mr. Thomas Cassone made a presentation to the Board providing details of the revisions made per the comments and recommendations from the May 20, 2021 meeting.

Mr. Stone asked if Mr. Kozlowski was present. Mr. Kozlowski stated he was.

Mr. Stone asked if he had any questions or comments. Mr. Kozlowski responded he did not.

Mr. Stone stated that Ms. Tessier's concerns had not been addressed and did not want to leave them open.

Mr. Cassone explained the two lower steps would be removed if required by the Board. Mrs. LaFauci feels there is a safety issue with drop off and would be better if the steps remain but if the steps need to be removed for approval, it will be done but hoping it will not be necessary.

Mr. Stone asked the Board if there were any further questions, comments or concerns. There was no response.

Mr. Stone ask Mr. Cassone if there were any further questions or comments.

Mr. Cassone stated that this is one of those circumstances where asking for forgiveness rather than permission will enhance this area of North Stamford and the lake and the watercourse.

Mr. Stone asked for confirmation that the Agenda Summary Report containing the 13 conditions was received and there were no issues on behalf of the client.

Mr. Cassone confirmed receipt and agreement.

Motion/Vote: Upon a motion by Ms. Ley and seconded by Mr. Kozlowski, the Board voted to **APPROVE** EPB Permit No. 2021-04 with the conditions outlined in the EPB Agenda Summary Report, dated May 14, 2021/Revised October 15, 2021 subject to the review and approval of EPB Staff.

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

#2021-09 - Cedar Heights Road - City of Stamford - Replacement of Bridge 04067 Cedar Heights Road Over the Rippowam River: Demolition of an existing vehicular bridge, construct a new bridge, drainage, grading, and other related activities within the base floodplain and in proximate to wetlands and watercourses situated in the non-drinking water supply watershed of the Rippowam River. The project provides for the replacement of a structurally obsolete structure as the means to improve safety, increase flood resistance, and improve both the hydraulic and environmental effects.

Reference is made to an EPB Agenda Summary Report, dated October 10, 2021.

In Attendance: Lou Casolo, Engineering Bureau Chief/City Engineer
Andre St. Germain, AECOM
Ryan Apanovitch, AECOM
Thomas Welden, State of Connecticut

Discussion: A summary of the application status was offered by Ms. Tomaszewski providing details of the project and impacts to the area from the work to be performed.

Mr. Stone asked the Board for any questions or comments.

Ms. Ley stated she feels the bridge is critical infrastructure as it is a highly traveled bridge and feels it is important to be replaced and agrees with the recommended mitigation measures.

Mr. Kozlowski had no questions.

Mr. Schneider asked about the 100 year vs. 500 year design of the bridge. There was then a discussion between the Board and Andre St. Germain, of AECOM, regarding the bridge design and also concerns about outlet controls.

Mr. Stone called for any additional questions or comments from the Board.

Mr. Stone asked for confirmation that the Agenda Summary Report with the 11 conditions was received and agreed to.

Mr. St. Germain responded, yes.

Mr. Stone called for a motion from the Board.

Motion/Vote: Upon a motion by Ms. Tessier and seconded by Ms. Ley, the Board voted to **APPROVE** EPB Permit No. 2021-09 with the 11 conditions outlined in the EPB Agenda Summary Report, dated October 10, 2021 subject to the review and approval of EPB Staff.

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

#2021-13 - 265 Cascade Road-Lot 1 - North Ridge Contractors, LLC: To construct a single-family dwelling, driveway, septic, well, drainage and other related facilities proximate to wetlands, watercourses and designated conservation easement areas situated within the drinking water supply watershed of the Rippowam River. The property is situated along the east side of Cascade Road, approximately 320 feet south of North Ridge Road, and is identified as Lot 1, Account 002-4916, Card S-023, Map 27, Block 384, Zone RA-1, and ± 1.1938 Acres.

Reference is made to EPB Agenda Summary Report, dated September 17, 2021/Revised October 15, 2021.

In Attendance: Robert Rondano, North Ridge Contractors, LLC.
John Leydon, Esq.
Bryan Muller, P.E., Muller Engineering
John Pugliesi, P.E., Edward J. Frattaroli, Inc.
Matthew Popp, Environmental Land Solutions

Discussion: A brief summary of the application status was offered by Ms. Fausty. Mr. Fausty stated this item was deferred from the September 23, 2021 updating the project and impacts to the area from the work to be performed.

Mr. Stone called for the applicant's representative.

Mr. Leydon introduced himself and the others in attendance.

Mr. Stone stated that at the September meeting the Board expressed a number of concerns on this application. Mr. Stone asked Mr. Leydon or a member of the team to go through the issues and how they have been addressed.

Mr. Leydon introduced Mr. Popp to address the Board on the landscaping issues. Mr. Leydon further stated that the Agenda Summary Report had been received and there were no objections to the 18 conditions.

Mr. Popp made a presentation to the Board providing details on the changes made to address the Board's concerns and Mr. Popp answered questions from the Board.

Mr. Stone asked Mr. Leydon if there were any other issues to address from the September meeting.

Mr. Leydon stated he believed all concerns had been addressed and discussed with Ms. Fausty.

Mr. Stone asked Mr. Schneider if he had any questions or comments.

Mr. Schneider asked about the reserve septic system in the regulated area.

A discussion ensued between Board Members and the applicant's representatives, Mr. Popp and Mr. Muller, concerning placement, the availability of alternative designs and impacts of the reserve septic system.

Mr. Stone asked Mr. Kozlowski for questions or comments. Mr. Kozlowski did not have any.

Mr. Stone asked Ms. Tessier for questions or comments.

Ms. Tessier made comments with regard to Mr. Schneider's concern.

Mr. Stone asked the applicant for any further comments.

Mr. Leydon respectfully requested approval.

Mr. Stone called for a motion. As there was no immediate response, Mr. Stone asked if Mr. Kozlowski was still present? Mr. Kozlowski responded, yes but stated he did not have access to the documentation.

Mr. Stone asked if he was familiar with the presentation and application from prior review? Mr. Kozlowski responded, yes, and would be happy to make a motion as he is in favor, if Mr. Stone made the motion.

Motion/Vote: Upon a motion by Mr. Kozlowski and seconded by Mr. Stone, the Board voted on the motion to **APPROVE** EPB Permit Application No 2021-13 with the conditions outlined in the EPB Agenda Summary Report dated September 17, 2021/Revised October 15, 2021 subject to the review and approval of EPB Staff.

In Favor: Stone and Kozlowski
Opposed: Tessier and Ley
Abstaining: Schneider
Not Voting: None

Mr. Stone announced that as there are two (2) In Favor and two (2) Opposed, the motion does not carry.

Mr. Leydon requested the application be deferred to the November 18, 2021 meeting.

Mr. Kozlowski made a motion to **Defer** Application 2021-13 to the November 18, 2021 meeting.

Mr. Schneider asked to make a comment before seconding the motion. Mr. Stone responded, yes.

Mr. Schneider stated he would be willing to approve the application with the removal of the pool or at least an investigation of that and would like to see the septic systems taken out of the regulated areas. It seems like that is a worthwhile trade-off although maybe not to the applicant but that is where I would draw the line.

Considerable discussion followed between the Board members and the applicant's representatives, Mr. Muller and Mr. Pugliesi, on the placement and impacts to the regulated areas of the septic system.

Mr. Schneider stated his position would still be to Defer this application and to reevaluate if the septic system could be moved slightly and the implications for the pool and for the applicant to think a little more creatively on the house.

Mr. Stone asked Mr. Schneider to make a motion to Defer to the next meeting and have Mr. Kozlowski to withdraw his prior motion.

Mr. Kozlowski stated that since the prior motion was not approved there was no withdrawal needed and he would second Mr. Schneider's motion to Defer.

Motion/Vote: Upon a motion by Mr. Schneider to Defer Application #2021-13 to the November 18, 2021 meeting due to the existing impacts to the wetland area, in particular the septic systems, and allowing the applicant to return with either a reason why the soils closer to the road are unsuitable or configurations for adjustments and seconded by Mr. Kozlowski, the Board voted to **DEFER** EPB Permit Application No 2021-13 to the November 18, 2021 meeting.

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

Site Plan Review: None

Subdivision Review: None

Show Cause Hearings/Enforcement: None

ADJOURN:

Adjourn the Regular Meeting of October 21, 2021:

Motion/Vote: Upon a motion by Mr. Kozlowski and seconded by Ms. Tessier, the Board voted to **ADJOURN** the Regular Meeting of October 21, 2021.

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

Meeting adjourned at 8:50 p.m.

Gary H. Stone, Chairman
Environmental Protection Board