

**ENVIRONMENTAL PROTECTION BOARD
CITY OF STAMFORD
FINAL MINUTES OF THE JANUARY 20, 2022
REGULAR MEETING
CONDUCTED VIA INTERNET AND CONFERENCE CALL**

MEMBERS PRESENT:

Gary H. Stone, Chairman
Dr. Leigh Shemitz, Member
Laura Tessier, Member
David J. Kozlowski, Alternate Member
Thomas C. Romas, Alternate Member
Stephen J. Schneider, Alternate Member

MEMBERS NOT PRESENT:

Joseph Todd Gambino, Member

STAFF PRESENT:

Pamela Fausty, 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, Dr. Shemitz, Ms. Tessier, Mr. Kozlowski, Mr. Romas and Mr. Schneider.

Mr. Stone introduced the first item on the agenda.

➤ **MINUTES:**

December 16, 2021 Regular Meeting Draft Minutes.

The Board considered the minutes of the December 16, 2021 Regular Meeting. Members present and eligible to vote were Mr. Stone, Dr. Shemitz, Ms. Tessier, Mr. Kozlowski and Mr. Schneider.

There were no comments or modifications recommended.

Motion/Vote: Upon a motion by Ms. Tessier and seconded by Dr. Shemitz, the Board voted to **ACCEPT** the Regular Meeting Minutes of December 16, 2021.

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

January 6, 2022 Special Budget Meeting Draft Minutes.

The Board considered the minutes of the January 6, 2022 Special Budget Meeting. Members present and eligible to vote were Mr. Stone, Dr. Shemitz, Ms. Tessier, Mr. Romas and Mr. Schneider.

There were no comments or modifications recommended.

Motion/Vote: Upon a motion by Ms. Tessier and seconded by Mr. Romas, the Board voted to **ACCEPT** the Special Budget Meeting Minutes of January 6, 2022.

In Favor: Stone, Shemitz, Tessier, Romas and Schneider.
Opposed: None
Abstaining: None
Not Voting: None

Mr. Stone stated those voting for the meeting would be Mr. Stone, Dr. Shemitz, Ms. Tessier, Mr. Kozlowski and Mr. Schneider.

Mr. Stone asked Ms. Fausty if there were any changes to the agenda with regard to emails sent.

Ms. Fausty explained there were some administrative items added and the agenda had been updated.

➤ **APPLICATIONS & PERMITS:**

Acceptances/Extensions/Withdrawals:

#2021-21 - 9 West Bank Lane-Lot 10 - Robert Frangione, Frangione Engineering, LLC for Alfonso & Maria Tagliavia: To install a new septic system within a special flood hazard area on property situated within the drinking water supply watershed of the Mianus River. The property is situated along the east side of West Bank Lane, 85 feet to the north of the intersection with West Glen Drive, and is identified as Lot 10, Account 002-4426, Card E-002, Map 101, Block 373, Zone RA-1 and is ± 1.0262 acres.

#2022-01 - 198 Cold Spring Road-Lot 2 - Taylor Sekelsky: To install a new fence within the special flood hazard area on property situated within the non-drinking water supply watershed of the Rippowam River. The property is situated along the east side of Cold Spring Road, at the intersection of Cold Spring Road and Severance Drive, and is identified as Lot 2, Account 000-4531, Card S-130, Map 109, Block 251, Zone R-75, and is $\pm 6,085$ Square Feet.

#2022-02 - Greenwich Avenue & Washington Blvd. - City of Stamford: To install a new pedestrian bridge over the Rippowam River within the non-drinking water supply watershed of the Rippowam River. The area of work is situated between Greenwich Avenue & Washington Blvd. and is north of Pulaski Street. The primary address, 172 Greenwich Avenue, is identified as Lot C, Account 002-5965, Card E-020, Map 133, Block 18, Zone R-5, and is ± 1.47 acres.

Discussion: Mr. Stone acknowledged the receipt of the minimum information necessary to accept EPB Permit Application Nos. 2021-21, 2022-01 and 2022-02.

Motion/Vote: Upon a motion by Mr. Kozlowski and seconded by Dr. Shemitz, the Board voted to **ACCEPT** EPB Permit Application Nos. 2021-21, 2022-01 and 2022-02.

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

Action Items:

#2021-18 - Main Street Pedestrian Bridge - City of Stamford Engineering Bureau: To construct a pedestrian bridge across the Rippowam River between Main Street and Mill River Street proximate to wetlands, watercourses, and special flood hazard areas located within the non-drinking water supply watershed of the Rippowam River. Approximately 5,675 square feet of wetlands setback, 3,205 square feet of floodplain will be impacted by the proposed activities according to the applicant. The project area is situated within the base floodplain and floodway of the Rippowam River ("Flood Insurance Rate Map", 09001C-0516G, dated July 8, 2013, Zone AE, elevation 12.3 feet NAVD 88).

Reference is made to EPB Agenda Summary Report dated January 13, 2022.

In Attendance: Lou Casolo, Engineering Bureau Chief/City Engineer
John Wengell, Project Engineer, WMC Engineers

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

Mr. Stone asked the Board for comments and/or questions.

Ms. Tessier requested background on the LOMR and had a question with regard to requiring a freeboard above the base flood elevation.

There was a brief discussion with information provided by Ms. Fausty and Mr. Casolo.

Dr. Shemitz made some general comments about the project and asked about the piers on the structure, which was answered by Mr. Casolo.

Mr. Casolo also stated he had received the Agenda Summary Report and was in agreement with the 11 conditions.

Mr. Stone asked Mr. Casolo if there was any other comments he would like to make.

Mr. Casolo and Mr. Wengell provided an update on the project.

Mr. Stone asked if any members of the public were in attendance and would like to speak; there was no response.

Mr. Stone called for a motion from the Board.

Motion/Vote: Upon a motion by Ms. Tessier and seconded by Mr. Kozlowski, the Board voted to **APPROVE** EPB Permit No. 2021-18 with the 11 conditions outlined in the EPB Agenda Summary Report dated January 13, 2022 subject to the review and approval of EPB Staff.

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

➤ **SITE PLAN REVIEWS:**

#3400 - 805 Rock Rimmon Road-Lot 2R - Willard Terrace, LLC: The applicant is proposing to construct a new single-family dwelling, driveway, drainage, septic system and appurtenances within the non-drinking water supply watershed of the Haviland Brook. The subject lot was created as part of a three (3) lot subdivision #3400, approved by the Planning Board in 1987. As part of this subdivision a Conservation Easement was established in the northeastern portion of the property to encompass the onsite wetlands and most of the 25-foot setback. The current proposed development for this lot is generally consistent with the Subdivision approval although as was typical of the time, little details of construction were provided. Except for some disturbance that occurred recently and will be restored, all of the activities associated with the site development will occur outside of regulated areas.

Reference is made to EPB Agenda Summary dated January 13, 2022.

In Attendance: Leonard D'Andrea, D'Andrea Surveying & Engineering, P.C.

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

Mr. Stone asked the Board for comments and/or questions.

Dr. Shemitz asked about the arborist's report and if all the issues raised in the report were incorporated into the plan.

There was a brief discussion regarding revising Condition #2 in the Agenda Summary Report.

Mr. Stone asked Mr. D'Andrea if he had any comments and if he received the Agenda Summary Report.

Mr. D'Andrea stated he had received the Agenda Summary Report and discussed it with the applicant. Mr. D'Andrea also made some brief comments on the project.

Mr. Stone called for any last questions or comments from the Board; there was no response.

Mr. Stone called for a motion from the Board.

Motion/Vote: Upon a motion by Ms. Tessier and seconded by Mr. Kozlowski, the Board voted to **APPROVE** EPB Permit No. #3400 with the 13 conditions outlined in the EPB Agenda Summary Report dated January 13, 2022 as revised with Dr. Shemitz's comments and subject to the review and approval of EPB Staff.

In Favor: Stone, Shemitz, Tessier, Kozlowski and Schneider

Opposed: None

Abstaining: None

Not Voting: None

➤ **SUBDIVISION REVIEWS:** None.

➤ **SHOW CAUSE HEARINGS/ENFORCEMENT:** None.

➤ **OTHER BUSINESS:**

#1816 - Mill River Greenway-Phase II (Green Street to Scalzi Park) - City of Stamford - Permit Extension

Mr. Stone stated the inclusion on the agenda is verified by Ms. Fausty and there are no adverse conditions on the site which would prevent the Board from granting the permit extension.

Mr. Stone asked Ms. Fausty to provide the last extension date and status of that timeline.

Ms. Fausty explained this is the first request, which will expire on December 7, 2022.

Mr. Stone asked if the permit is expired?

Ms. Fausty stated the permit is expired and the request was received after expiration.

Mr. Stone expressed concerns regarding any legal ramifications of granting an extension after the permit has expired.

Mr. Stone called for a motion to grant the permit extension for EPB Permit #1816 through December 7, 2022.

Motion/Vote: Upon a motion by Mr. Kozlowski and seconded by Dr. Shemitz, the Board voted to **APPROVE** the permit extension of EPB Permit No. #1816 to December 7, 2022 subject to confirmation there will be no adverse legal impacts.

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

➤ **ADJOURN**

Adjourn the Regular Meeting of January 20, 2022:

Motion/Vote: Upon a motion by Ms. Tessier and seconded by Mr. Kozlowski, the Board voted to **ADJOURN** the Regular Meeting of January 20, 2022.

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

Meeting adjourned at 8:10 p.m.

Gary H. Stone, Chairman
Environmental Protection Board