

**ENVIRONMENTAL PROTECTION BOARD  
CITY OF STAMFORD  
FINAL MINUTES OF THE MARCH 17, 2022  
REGULAR MEETING  
CONDUCTED VIA INTERNET AND CONFERENCE CALL**

**MEMBERS PRESENT:**

Gary H. Stone, Chairman  
Laura Tessier, Member  
David J. Kozlowski, Alternate Member  
Thomas C. Romas, Alternate Member

**MEMBERS NOT PRESENT:**

Joseph Todd Gambino, Member  
Dr. Leigh Shemitz, Member  
Stephen J. Schneider, Alternate Member

**STAFF PRESENT:**

Lindsay Tomaszewski, Environmental Analyst  
Jaclyn Chapman, 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, Mr. Kozlowski and Mr. Romas.

Mr. Stone introduced the first item on the agenda.

➤ ***MINUTES:***

**January 20, 2022 Regular Meeting Draft Minutes:**

The Board considered the minutes of the January 20, 2022 Regular Meeting. Members present and eligible to vote were Mr. Stone, Ms. Tessier, Mr. Kozlowski and Mr. Romas.

There were no comments or modifications recommended.

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

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

**February 17, 2022 Regular Meeting Draft Minutes:**

The Board considered the minutes of the February 17, 2022 Regular Meeting. Members present and eligible to vote were Mr. Stone, Ms. Tessier, Mr. Kozlowski and Mr. Romas.

There were no comments or modifications recommended.

**Motion/Vote:** Upon a motion by Mr. Kozlowski and seconded by Mr. Romas, the Board voted to **ACCEPT** the Regular Meeting Minutes of February 17, 2022.

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

**March 1, 2022 Special Meeting Draft Minutes:**

The Board considered the minutes of the March 1, 2022 Special Meeting, but the item was carried over the April 21, 2022 Regular Meeting since only two members were present who were eligible to vote.

➤ **APPLICATIONS & PERMITS:**

**ACCEPTANCES / EXTENSIONS / WITHDRAWALS:**

**#2022-05 - 105 Old Long Ridge Road-Lots 49, 50 & 51 - Andy Soumelidis, LANDTECH representing Giovanni's Country Market, LLC:** To construct a new septic system partially within the floodplain on a property situated within the drinking water supply watersheds of the Mianus River East Branch. The property is situated along the east side of Old Long Ridge Road, approximately 260 feet south of the intersection with Hunting Ridge Road, and is identified as Lots 49, 50, 51, Account 001-6181, Card E 018, Map 23, Block 397, Zone RA-1, and is  $\pm$ .74 Acres.

**#2022-06 - 1528 Riverbank Road-Lot 12A - Redniss & Mead, Inc. representing Helio & Lucia Lima:** To construct a new single-family residence, new septic system, drainage, and other related improvements proximate to wetlands and watercourses on a property situated within the drinking water supply watershed of the Mianus River East Branch. The property is situated within a private community, approximately 260 feet to the north-northwest of the intersection of Riverbank Road and Long Ridge Road, and is identified as Lot 2, Account 004-3033, Card W-138A, Map 32, Block 399, Zone RA-2 and is  $\pm$ 4.02 acres.

**#2022-07 - 242 Old Long Ridge Road-Lot X-1 & Y-1 - Stephanie Becker:** To renovate a structure with new patio, driveway, propane, drainage maintenance, and related features proximate to wetlands and watercourses on a property situated within the drinking water supply watershed of the Mianus River (East Branch). The property is situated along the west side of Old Long Ridge Road, at the intersection of Old Long Ridge Road and Shagbark Road, and is identified as Lot X-1 & Y-1, Account 004-0359, Card W-013, Map 23, Block 399, Zone RA-1, and is  $\pm$  2.0014 Acres.

**#2022-08 - 373 Riverbank Road-Lot 2B-2-B - S.E. Minor & Co. representing George Ackert & Sopia Segal:** To legalize a fenced in garden and planting beds proximate to wetlands and watercourses and construct a fence within regulated areas on a property situated within the drinking water supply watershed of the Mianus River East Branch. The property is situated along the east side of Riverbank Road, approximately 1,800 feet north of the intersection of Riverbank Road and June Road, and is identified as Lot 2B-2B, Account 004-2535, Card E 012B, Map 65, Block 394, Zone RA-2, and is  $\pm$  8.13 Acres.

**#2021-21 - 9 West Bank Lane-Lot 10 - Frangione Engineering, LLC representing Alfonso & Maria**

**Tagliavia:** To install a new septic system within a special flood hazard area on a 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  $\pm 1.0262$  acres.

**Discussion:** Mr. Stone acknowledged the receipt of the minimum information necessary to accept EPB Permit Application Nos. 2022-05, 2022-06, 2022-07 and 2022-08 and the extension of EPB Permit Application #2021-21.

**Motion/Vote:** Upon a motion by Ms. Tessier and seconded by Mr. Kozlowski, the Board voted to **ACCEPT** EPB Permit Application Nos. 2022-05, 2022-06, 2022-07 and 2022-08.

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

**ACTION ITEMS:**

**#2021-20 - 47 Old Well Road-Lot 12A - Redniss & Mead, Inc. representing 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 a 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  $\pm 1.00$  Acre.

Reference is made to EPB Agenda Summary Report dated March 11, 2022.

**In Attendance:** Brian McMahon, PE, Redniss & Mead, Inc. and Marc Wisniewski

**Discussion:** A summary of the application 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 comments and/or questions.

Mr. Romas asked if the applicant will plant trees of equal diameter to the five trees that have been removed from the site since it was first developed. Brian McMahon spoke on behalf of the applicant and stated the applicant is prepared to replace these trees, which died, but requested flexibility to work with staff on their placement in relation to the proposed pool.

Ms. Tessier asked for staff and the applicant to provide details as to the permanent alterations that have occurred in the on-site wetland. Ms. Tomaszewski stated the subject property and several adjoining properties were developed simultaneously in the mid-2010s. As part of its review of these activities, the EPB allowed for the filling of a "horseshoe-shaped" area of wetland that used to connect the west end of the on-site wetland to wetland flag #9 on the adjacent property to the north in return for a larger conservation easement area on one of the nearby lots. Mr. Wisniewski, the property owner, corroborated this account.

Ms. Tessier asked why the dashed line on the site plan labeled "Limit of wetland as depicted on Map 14543 SLR" does not correspond with the cross-hatched wetland included on the site plan. Ms. Tomaszewski stated the note on the plan is misleading and the dashed line shows the 25-foot setback from the flagged wetland.

Ms. Tessier expressed concern about the potential impact on the wetland if the pool is drained on-site. Mr. Wisniewski stated he does not intend to drain the pool and Mr. McMahon noted the pool vendor who has been retained is aware the pool is not to be drained. Mr. McMahon added the pool will be filtered through a closed cartridge system. Ms. Tessier recommended a condition be added to those proposed by staff that if the pool is drained the water will be disposed of off-site.

In response to a question posed by Ms. Tessier whether the pool could be closer to the house, Mr. McMahon stated the pool on the design before the Board is approximately 4.5 feet closer to the house than what was originally proposed. The drainage system prohibits any further shift toward the house.

Hearing no further questions or comments from the Board, Mr. McMahon stated he and his client have no objection to the 15 recommended conditions of approval in the Agenda Summary Report or the additional condition concerning draining the pool.

**Motion/Vote:** Upon a motion by Mr. Kozlowski and seconded by Ms. Tessier, the Board voted to **APPROVE** EPB Permit No. 2021-20 with the 15 conditions outlined in the EPB Agenda Summary Report dated March 11, 2022 and the additional condition concerning draining the pool, subject to the review and approval of EPB Staff.

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

**#2022-03 - 165 Blackberry Drive-Lot 2 - George Bate:** To install a new generator and three 100-gallon above ground propane tanks proximate to wetlands and watercourses on a property situated within the drinking water supply watershed of the Mianus River East Branch. The property is situated along the west side of Blackberry Drive, approximately 650 feet southwest of the intersection of Blackberry Drive and Blackberry Drive East, and is identified as Lot 2, Account 003-0891, Card N 017, Map 15, Block 402, Zone RA-1, and is  $\pm$ 1.540 Acres.

Reference is made to EPB Agenda Summary Report dated March 11, 2022.

**In Attendance:** Brian Carey, LandTech Consultants, Inc.

**Discussion:** A summary of the application 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 comments and/or questions.

Mr. Kozlowski asked why the description of the activity location as being just outside a sliding door does not match the photograph in the Agenda Summary Report. Mr. Carey, speaking on behalf of the applicant, stated the sliding door have been replaced with windows, as is shown in the photo. Hearing no further questions or comments from the Board, Mr. Carey also stated he and his client have no objection to the 7 recommended conditions of approval in the Agenda Summary Report.

**Motion/Vote:** Upon a motion by Mr. Kozlowski and seconded by Ms. Tessier, the Board voted to **APPROVE** EPB Permit No. 2022-03 with the 7 conditions outlined in the EPB Agenda Summary Report dated March 11, 2022 subject to the review and approval of EPB Staff.

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

➤ **SITE PLAN REVIEWS:** None

➤ **SUBDIVISION REVIEWS:** None

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

➤ **OTHER BUSINESS:**

Mr. Romas stated that having access to aerial photos while reviewing several recent applications would have been helpful to Board members. Ms. Tessier supported having applicants provide information like this if it would be useful and directed the members to a US Fish & Wildlife website that includes aeriels. Ms. Tessier stressed the importance of having location insets on application plans and added she would like to see uniform color-coding of wetland and setback lines on application plans. Mr. Stone reviewed an idea he had put forth at a previous meeting that a checklist be developed to guide the materials submitted with applications. Ms. Tomaszewski and Ms. Chapman acknowledged these suggestions.

➤ **ADJOURN:**

**Motion/Vote:** Upon a motion by Mr. Kozlowski and seconded by Ms. Tessier, the Board voted to **ADJOURN** the Regular Meeting of March 17, 2022.

In Favor: Stone, Tessier, Kozlowski and Romas.  
Opposed; None  
Abstaining: None  
Not Voting: None

Meeting adjourned at 8:13 p.m.

Gary H. Stone, Chairman  
Environmental Protection Board