

**FINAL**  
**ENVIRONMENTAL PROTECTION BOARD**  
**CITY OF STAMFORD**  
**FINAL MINUTES OF THE JUNE 16, 2022**  
**REGULAR MEETING**  
**CONDUCTED VIA INTERNET AND CONFERENCE CALL**

**MEMBERS PRESENT:**

Gary H. Stone, Chairman  
Joseph Todd Gambino, Member  
Leigh Shemitz, Member  
Laura Tessier, Member  
Thomas C. Romas, Alternate Member  
David J. Kozlowski, Alternate Member (Arrived at 8:00 p.m.)

**MEMBERS NOT PRESENT:**

Stephen J. Schneider, Alternate Member

**STAFF PRESENT:**

Robert Clausi, Executive Director  
Jaclyn Chapman, Environmental Analyst  
Pamela Fausty, Environmental Analyst  
Lindsay Tomaszewski, Environmental Analyst  
Courtney Fahan, 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, Mr. Gambino, Dr. Shemitz, Ms. Tessier, Mr. Gambino, and Mr. Romas.

Mr. Stone introduced the first item on the agenda.

➤ ***MINUTES:***

**May 19, 2022 Regular Meeting Draft Minutes:**

The Board considered the minutes of the May 19, 2022 Regular Meeting. Members present and eligible to vote were Mr. Stone, Mr. Gambino, and Mr. Romas.

There were no comments or modifications recommended.

**Motion/Vote:** Upon a motion by Mr. Gambino and second by Mr. Romas, the Board voted to **ACCEPT** the Regular Meeting Minutes of May 19, 2022.

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

➤ **APPLICATIONS & PERMITS:**

**Acceptances/Extensions/Withdrawals:**

**#2022-13 – 46 Shagbark Road – Lot 6 – Northeast Generator for Livigni:** To install a new generator proximate to wetlands and watercourses areas on property situated within the drinking water supply watershed of the Mianus River East Branch. The property is situated in the cul-de-sac of Shagbark Road, approximately 525 feet north of the intersection of Shagbark Road and Old Long Ridge Road, and is identified as Lot 6, Account 003-3335, Card W-003, Map 14, Block 402, Zone RA-1, and is  $\pm$  1.00 Acres.

**#2022-14 – 322 Wildwood Road – Lot 4 – Devore Associates:** To replace stone steps, construct a 180 square foot viewing platform, and install a mulch path walkway to a pond for recreational access proximate to wetlands and watercourses on a property located within the drinking water supply watershed of the Mianus River (East Branch). The property is situated on the south side of Wildwood Road, and is identified as Lot 4, Account 003-5482, Card S-023, Map 40, Block 394, Zone RA-1, and is  $\pm$  2.4800 Acres.

**#2022-15 – 333 Westover Road – Lot 3 – Rick & Patricia Servaitis:** To relocate a propane tank and construct a fence proximate to a watercourse and wetlands on a property located within the drinking water supply watershed of the Mianus River. The property is situated on a corner lot along the east side of Westover Road and the north side of West View Lane, and is identified as Lot 3, Account 001-5448, Card E-025, Map 108, Block 368, Zone RA-1, and is  $\pm$  1.3700 Acres.

**Discussion:** Mr. Stone acknowledged the receipt of the minimum information necessary to accept EPB Permit Application Nos. 2022-13, 2022-14, and 2022-15.

**Motion/Vote:** Upon a motion by Mr. Romas and second by Mr. Gambino, the Board voted to **ACCEPT** EPB Permit Application Nos. 2022-13, 2022-14, and 2022-15.

**Action Items:**

**#2022-04 – 1349 Newfield Avenue – Lot A – Sterling Farms Golf Course – City of Stamford:** To hydro-rake two ponds on property situated within the non-drinking water supply watersheds of the Springdale Brook, Ayers Brook, and Noroton River. The property is situated along the east side of Newfield Avenue, approximately 50 east of the intersection of Newfield Avenue and Newfield Drive, and is identified as Lot A, Account 002-6063, Card E 073, Map 78, Block 380, Zone P, and is  $\pm$  132.500 Acres.

**In Attendance:** Jeffrey Castellani, SOLitude Lake Management.

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

Mr. Stone asked the Board if there were any questions or comments.

Dr. Shemitz expressed a concern that the applicant had not provided a mitigation planting plan for the Board to review, stating it is important to improve water quality in this challenged watershed. She also asked whether the material to be dredged had been tested for contaminants and where the applicant proposes to take this material.

Ms. Tessier agreed that the information noted by Dr. Shemitz is needed in order for the Board to fully assess this application, and added that shrubs should be included in the planting plan.

Mr. Castellani stated the material that is to be hydro-raked has not been tested for contaminants.

The board had a considerable discussion regarding their concern that the application was insufficiently complete to approve. Ms. Fausty noted the application has reached the end of the statutory review period. Mr. Stone suggested the Board could either approve the application with conditions requiring submission of the outstanding information prior to the commencement of site work or could deny the application citing their concerns about wetland and watercourse impacts likely to occur in the absence of the outstanding information. Mr. Stone also suggested the applicant could withdraw the application and resubmit with the information sought by the Board.

Mr. Castellani withdrew the application.

**#2022-06 – 1528 Riverbank Road – Lot 2 – Redniss & Mead, Inc. for Lima:** To construct a new single-family residence, septic system, drainage, and other related improvements proximate to wetlands and watercourses on 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 Rd 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.

**In Attendance:** Brian McMahon, Professional Engineer, Redniss & Mead Inc.  
Edward Napierkowski, Project Architect, Robert A. Cardello  
Michael Mitchell, Landscape Architect, Eckerson Design

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

Mr. Stone asked the Board if there were any questions or comments.

Ms. Tessier asked if there is any way for the northwest side of the proposed garage motor court to be pulled back so it will not encroach into the upland review area.

Mr. McMahon stated slopes on the opposite side of the house and the proposed septic system limit relocation of the house, but felt the garage motor court could be shortened somewhat and still provide enough utility for cars.

Dr. Shemitz asked whether the garage motor court can be constructed with a pervious surface, to which Mr. McMahon answered in the affirmative.

Mr. McMahon stated he had reviewed the Agenda Summary Report and had no objection the conditions contained in the report or the additional conditions suggested by the Board.

Not hearing any further comments from the members, Mr. Stone called for a motion from the Board.

**Motion/Vote:** Upon a motion by Ms. Tessier and second by Mr. Gambino, the Board voted to **APPROVE** EPB Permit No. 2022-06 with the 17 conditions outlined in the EPB Agenda Summary Report dated June 10, 2022, plus an added condition that the upland review area encroachment of the garage motor court on the northwest side of the house shall be reduced by a minimum of 30%

and the motor court shall be constructed with a pervious surface. The Board found implementation of this project as approved poses minimal likely environmental impact.

In Favor: Stone, Gambino, Shemitz, Tessier, and Romas  
Opposed: None

Abstaining: None

Not Voting: None

**#2022-09 – 110 Pond Road – Lot 110, Parcel “B” – G&T Pond LLC:** To construct a single-family residence with driveway, drainage, and landscaping proximate to a conservation easement on an undeveloped property. Additionally, the project will include the construction stream channel to facilitate flow of the existing drainage swale, as stipulated in the subdivision approval. The property is located within the Rippowam River watershed and lies outside of the drinking water supply watershed. The property is situated along the south side of Pond Road, and is identified as Lot 110, Parcel “B”, Account 004-4305, Card W-006A, Map 102, Block 360, Zone R-20, and is  $\pm$  0.7289 Acres.

**In Attendance:** Matt Kivijarv, D’Andrea Surveying and Engineering

**Discussion:** A summary of the application offered by Ms. Chapman provided details of the project and reviewed impacts to the area from the work to be performed.

Mr. Stone asked the Board if there were any questions or comments.

Ms. Tessier asked for clarification as to the status of Parcel B in relation to the two adjoining lots that front on Pond Road. Ms. Chapman stated these three lots were created through a subdivision that was reviewed by the EPB, houses are currently be built on the front lots, and this application is only for development of Parcel B.

Ms. Tessier recommended that shrubs should be planted along the new channel slopes in addition to the grass proposed by the applicant.

Mr. Kivijarv stated he had reviewed the Agenda Summary Report and had no objection the conditions contained in the report or the additional condition suggested by Ms. Tessier.

Mr. Stone called for a motion from the Board.

**Motion/Vote:** Upon a motion by Ms. Tessier and second by Dr. Shemitz, the Board voted to **APPROVE** EPB Permit No. 2022-09 with the 13 conditions outlined in the EPB Agenda Summary Report dated June 10, 2022 and with an additional condition that the plantings along the slopes of the new channel will include native shrubs and wild grasses to benefit water quality. The Board found implementation of this project as approved poses minimal likely environmental impact.

In Favor: Stone, Gambino, Shemitz, Tessier, and Romas  
Opposed: None

Abstaining: None

Not Voting: None

**#2022-10 – 2517 Long Ridge Road – Lot A – Infinity Group DBA for Kingdom Full Tabernacle International Ministries:** To redevelop an existing tennis club into a religious institution with associated amenities 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 Long Ridge Road, approximately 500 feet north of the intersection of Graybirch and Long Ridge Roads, and is identified as Lot A, Account 001-3577, Card W 147, Map 23, Block 399, Zone RA-2, and is ±14.93 Acres.

**In Attendance:** Blake Leonard, Applicant's Agent, Infinity Group  
Brandon Handfield, Professional Engineer, Yantic River Consultants  
John Leydon, Attorney, Law Office of John Leydon  
Lesley and Dominic Osei, Pastors, Kingdom Full Tabernacle

**Discussion:** A summary of the application offered by Ms. Tomaszewski provided details of the project and reviewed impacts to the area from the work to be performed.

Mr. Stone asked the Board if there were any questions or comments.

Ms. Tessier asked if rain gardens could be incorporated into the parking lot design. Mr. Handfield responded that existing parking pavement is being removed immediately adjacent to the wetland, which has led to a parking layout with narrow unpaved strips between the parking bays. Establishing rain gardens in these unpaved strips will also be a challenge because grade changes have been concentrated in the strips in order to level each parking bay on the 5-6% west to east slope where the lot will be rebuilt. Mr. Handfield explained that as currently proposed, the stormwater management system provides a series of water quality treatments that are compliant with the Stamford drainage standards and overall site impervious coverage is being reduced, which will yield reductions in peak runoff rates compared to existing conditions. Mr. Handfield also described in some detail the restoration work that will be done in the area immediately adjacent to the wetland where two tennis courts are proposed to be removed.

Later in the discussion and after conferring with his design team, Mr. Handfield stated two of the unpaved strips appear to be wide and flat enough to accommodate rain gardens.

Dr. Shemitz asked if portions of the parking lot could be surfaced with a pervious material. Mr. Handfield indicated that may be possible in some areas.

Following a discussion among board members and staff as to how larger scale redevelopment projects of this nature ought to be approached in the future, the members had no further comments.

Mr. Stone called for a motion from the Board after the applicant's representatives voiced no objections the conditions contained in the Agenda Summary Report or the additional measures suggested by the members.

**Motion/Vote:** Upon a motion by Ms. Tessier and second by Dr. Shemitz, the Board voted to **APPROVE** EPB Permit No. 2022-10 with the 12 conditions outlined in the EPB Agenda Summary Report dated June 10, 2022 with an additional condition that the applicant shall explore and implement two rain gardens within the reconstructed parking area and use pervious surfaces on those portions of the parking area within the upland review area, if allowable under City Engineering regulations.

In Favor: Stone, Gambino, Shemitz, Tessier, and Romas  
Opposed: None

Abstaining: None

Not Voting: None

**#2022-11 – 154 Pepper Ridge Rd (Unit 7) – Account #004-2721 – Mary Baliotti:** Addition of 124 square feet of new decking to an existing wooden deck proximate to wetlands. Unit 7 is part of a residential condominium association of 14 units and is located in the southwest corner of the developed portion of the parcel. The property is located within the Toilsome Brook watershed and lies outside of the drinking water supply watershed. The property is located along the west side of Pepper Ridge Road and is identified as Unit 7, Account 004-2721, Map 98, Block 324, and Zone RD.

**In Attendance:** Steven Danzer, Soil and Wetlands Scientist.

**Note:** Mr. Stone seated Mr. Kozlowski in the temporary absence of Mr. Gambino.

**Discussion:** A summary of the application offered by Ms. Chapman provided details of the project and reviewed impacts to the area from the work to be performed.

Mr. Stone asked the Board if there were any questions or comments. No comments were offered.

In response to a statement made by Ms. Chapman, Dr. Danzer clarified the proposed addition to the deck will extend along the back of the residence and will not encroach any closer to the wetlands than does the existing deck.

Dr. Danzer stated he had reviewed the Agenda Summary Report and had no objection the conditions contained in the report.

Mr. Stone called for a motion from the Board.

**Motion/Vote:** Upon a motion by Ms. Tessier and second by Mr. Kozlowski the Board voted to **APPROVE** EPB Permit No. 2022-11 with the 8 conditions outlined in the EPB Agenda Summary Report dated June 10, 2022, as this project poses minimal likelihood of environmental impact if implemented as approved.

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

Opposed: None

Abstaining: None

Not Voting: None

➤ **SITE PLAN REVIEWS:** None

➤ **SUBDIVISION REVIEWS:** None

➤ **SHOW CAUSE HEARINGS/ENFORCEMENT:**

146 Minivale Road

Lot 3

Muralles

Failure to correct Violations

**In Attendance:** John Mallozzi, Professional Engineer

**Note:** Mr. Gambino returned and was re-seated by Mr. Stone.

**Discussion:** Mr. Clausi provided a summary of the unresolved violations on the property.

Mr. Kozlowski stated it was his understanding that at the May 20, 2021 Cease and Desist Hearing, the Board directed EPB staff to file a notice of violation on the Land Records, publish the notice in the

newspaper, and notify the corporation counsel to pursue all actions necessary to gain compliance.

Mr. Clausi clarified that those steps were to be set in motion only if an application was not submitted by June 11, 2021, and an application was submitted by that date. However, the applicants never submitted additional information they were subsequently told was required to complete the application and the statutory review period for the application has expired.

Mr. Mallozzi stated the owner is willing to do whatever is required to restore the property and that they will submit everything that is needed by July 31, 2022.

Considerable discussion ensued regarding how to handle this situation, with Mr. Clausi recommending that the Board grant the Muralles through the end of July to provide the Board with information it can use to craft an Order to correct the violations.

**Motion/Vote:** Upon a motion by Mr. Gambino and second by Mr. Romas the Board voted to maintain the Cease and Desist Order that was issued May 10, 2021 and set a deadline of July 31, 2022 for submission of the additional information itemized in a letter the Executive Director sent to the property owner on June 28, 2021. The Board further directed EPB staff to proceed with the three further enforcement actions if the required information is not submitted by the deadline.

In Favor: Stone, Gambino, Shemitz, Tessier and Romas

Opposed: None

Abstaining: None

Not Voting: None

➤ **OTHER BUSINESS:** None.

➤ **ADJOURN:**

**Motion/Vote:** Upon a motion by Ms. Tessier and second by Mr. Romas, the Board voted to **ADJOURN** the Regular Meeting of June 16, 2022.

In Favor: Stone, Gambino, Shemitz, Tessier, and Romas.

Opposed: None

Abstaining: None

Not Voting: None

Meeting adjourned at 9:56 p.m.

Gary H. Stone, Chairman  
Environmental Protection Board