

Application # #030-22

**CITY OF STAMFORD
ZONING BOARD OF APPEALS**

Stamford Government Center
888 Washington Blvd.
P.O. Box 10152
Stamford, CT 06904-2152

Telephone 203.977.4160 - Fax 203.977.4100 - E-mail mjudge@stamfordct.gov

PLEASE PRINT ALL INFORMATION IN INK

1. I/we hereby apply to the Zoning Board of Appeals for:

- Variance(s)
- Special Permit
- Appeal from Decision of Zoning Enforcement Officer
- Extension of Time
- Gasoline Station Site Approval
- Motor Vehicle Approval:

New Car Dealer Used Car Dealer General Repairer Limited Repairer

2. Address of affected premises:

9 West Bank Lane

06902

street

zip code

Property is located on the north south east west side of the street.

Block: 373 Zone: RA-1 Sewered Property yes no

Is the structure 50 years or older yes No

Corner Lots Only: Intersecting Street: _____

Within 500 feet of another municipality: No Yes Town of _____

3. Owner of Property: Alfonso & Maria Tagliavia

Address of Owner: 9 West Bank Lane, Stamford, CT Zip 06902

Applicant Name: Frangione Engineering, LLC

Address of Applicant 15 Snowberry Lane, New Canaan, CT Zip 06840

Agent Name: Frangione Engineering, LLC - Rob Frangione, P.E.

Address of Agent: 15 Snowberry Lane, New Canaan, CT Zip 06840

EMAIL ADDRESS: ROB.FRANGIONE@FRANGIONE.NET

(Must be provided to receive comments from letters of referral)

Telephone # of Agent 203-554-9551 Telephone # of Owner 203-359-1291

(CONTACT IS MADE WITH AGENT, IF ONE)

4. List all structures and uses presently existing on the affected property:

Single-family residence, detached garage, swimming pool & shed. All Residential use

5. Describe in detail the proposed use and give pertinent linear and area dimensions:

Proposed use will remain single family residential.

VARIANCES (complete this section for variance requests only) See a Zoning Enforcement Officer for help in completing this section

Variance(s) of the following section(s) of the Zoning Regulations is requested (provide detail of what is sought per the applicable section(s) of the Zoning Regulations):

Section 15.B.4(8) - Compensatory Flood Storage. Refer to enclosed project narrative.

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Variations of the Zoning Regulations **may** be granted where there is unusual hardship in the way of carrying out the strict letter of the Regulations solely with respect to a parcel of land where conditions especially affect such parcel but do not affect generally the district in which it is situated. In your own words:

A. Describe the unusual hardship in being unable to carry out the strict letter of the Zoning Regulations:

See enclosed narrative

B. Explain why the variance(s) is/are the minimum necessary to afford relief:

See enclosed narrative.

C. Explain why granting of the variance(s) would not be injurious to the neighborhood.

See enclosed narrative

SPECIAL PERMIT

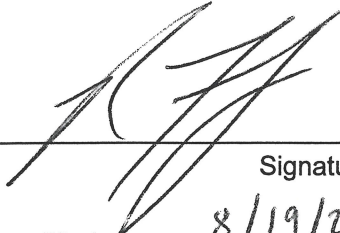
(Complete this section **only** for special exceptions)

SPECIAL EXCEPTION is requested as authorized by Section(s) _____ of the Zoning Regulations.
Provide details of what is being sought:

MOTOR VEHICLE APPLICATIONS

(Complete this section only for Motor Vehicle/Service Dealers Applications) Provide details of what is being sought.

SIGNATURE REQUIRED FOR ALL APPLICATONS



Signature of : Agent () Applicant () Owner

Date Filed: 8/19/22

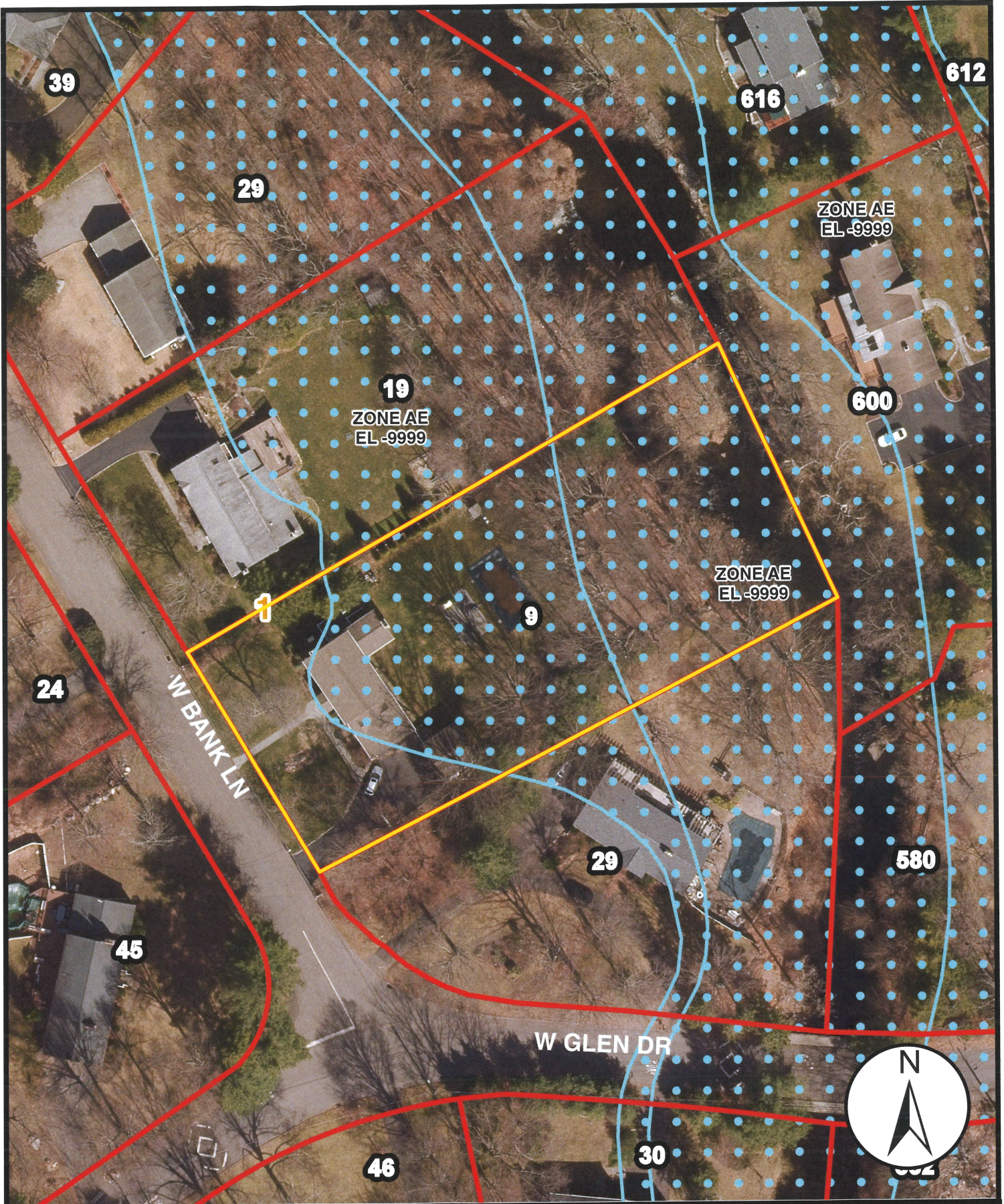
Zoning Enforcement Officer Comments:

DECISION OF THE ZONING ENFORCEMENT OFFICER

(Complete this section **only** for appeals of zoning enforcement officer decision)

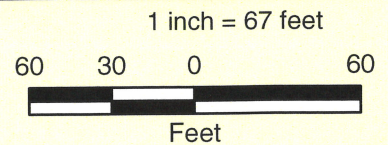
DECISION OF THE ZONING ENFORCEMENT OFFICER dated _____ is appealed because:

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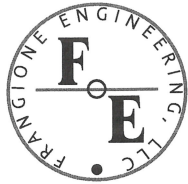


ZBA Application #030-22
9 West Bank Lane

Date: 10/11/2022



#030-22



Frangione Engineering, LLC
15 Snowberry Lane
New Canaan, CT 06840
Phone: 203.554.9551
Web: www.frangione.net

Project Narrative Alfonso & Maria Tagliavia – 9 West Bank Lane

The following narrative responds to items “A”, “B”, and “C” under “Variances” of the City of Stamford Zoning Board of Appeals Application Packet.

The owners propose replacing the failing septic system on their property at 9 West Bank Lane. Because of constraints imposed by the State of Connecticut Public Health Code (“The Code”) and existing groundwater conditions, the septic system leaching area must be constructed entirely in fill. We have proposed using S-Box SB-7-72 units, which are only 7” high. The units have a 2” PVC distribution pipe atop them, and by Code there must be a minimum of six (6) inches of cover over the units. Therefore the grade must be raised approximately fifteen (15) inches in the vicinity of the proposed leaching area. The proposed system will be in the flood plain of the Mianus River – Flood Zone AE-77.

As part of the Environmental Protection Board (“EPB”) Application for this project, we were asked by the City of Stamford Engineering Department to prove that by replacing the septic system we will not increase the flood plain elevation by more than 0.00 feet, and that we will not increase the floodway elevation. Our office prepared a HEC-RAS analysis of the adjacent section of the Mianus River that shows that the septic system fill pack will increase neither the floodway nor the flood plain elevation at all. This analysis was accepted by the City as part of EPB Permit No. 2022-12.

One of the conditions of the EPB Permit is to obtain a variance from the City of Stamford Zoning Board of Appeals of Section 15.B.4(8) of the City of Stamford Zoning Regulations - “Compensatory Flood Storage”. As we have proven a 0.00 foot increase in flood elevation for both the floodway and floodplain, Compensatory Flood Storage (“CFS”) is unnecessary. Furthermore, attempting to create CFS on this site would be environmentally destructive to the floodplain, floodway, and wetlands. The location of the proposed leaching area is in the only location on the property in which it could go. The topographic hardship imposed by the flood plain location and elevation proximate to the location of the proposed septic system repair is why the owners must seek a variance.

As stated above, this site is restricted based on the existing soil conditions. As the test holes indicate mottling (or seasonal high groundwater) 18”-20” both in the system and down-gradient of the system, the Code prohibits removing soil within the “Hydraulic Window” fifty (50) feet down-gradient of the leaching area, or else surface break-out of the effluent could occur in this area. Therefore, any CFS can only begin outside the Hydraulic Window, within the flood plain and down-gradient of the system.

Because approximately 100 CY of material is needed for the leaching area, 100 CY of soil would need to be removed as CFS volume. Based on the shallow seasonal high groundwater table, we can only remove 6”-8” of soil without turning the rear yard into a constantly saturated area. We also need to maintain positive pitch away from the pool and house towards the Mianus River. This

means nearly 8,000 SF of area adjacent to the wetlands would need to be disturbed, and seven (7) large trees would need to be removed in order to achieve the CFS volume.

It is our professional opinion that the construction of the proposed septic system leaching area will not adversely affect adjacent or downstream properties, nor will it be injurious to the neighborhood. It is also our professional opinion that since there will be no increase in both the floodway and floodplain elevation by 0.00 feet that Compensatory Flood Storage downgradient from the septic system leaching area should not be required. Granting of a variance of this section of the Zoning Regulations – in effect, doing nothing as far as site disturbance is concerned – is the minimum necessary to afford relief for this property. We therefore seek a variance of Section 15.B.4(8) of the City of Stamford Zoning Regulations which would avoid the need for Compensatory Flood Storage.

Please refer to the enclosed calculations and plans for further details.

Respectfully submitted,
Frangione Engineering, LLC



A handwritten signature in black ink, appearing to read "R. Frangione", written over the typed name below.

Robert M. Frangione, P.E.
Owner & Chief Engineer
July 15, 2022

Enclosures