

FINAL

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

MEMBERS PRESENT:

Gary H. Stone, Chairman
Joseph Todd Gambino, Member
Laura Tessier, Member
David Kozlowski, Alternate Member
Stephen Schneider, Alternate Member

MEMBERS NOT PRESENT:

Leigh Shemitz, Member
Thomas C. Romas, Alternate Member

STAFF PRESENT:

Robert Clausi, Executive Director
Courtney Fahan, OSS, Land Use Bureau

Mr. Stone called the meeting to order 7:30 p.m. Seated to vote for the meeting were Mr. Stone, Mr. Gambino, Ms. Tessier, Mr. Kozlowski and Mr. Schneider.

Mr. Stone introduced the first item on the agenda.

➤ MINUTES:

September 21, 2022 Special Meeting Draft Minutes:

Consideration of the minutes of the September 21, 2022 Special Meeting was carried over to the December 15, 2022 Regular Meeting since only one member was present who was eligible to vote.

October 20, 2022 Regular Meeting Draft Minutes:

The Board considered the minutes of the October 20, 2022 Regular Meeting. Members present and eligible to vote were Mr. Stone, Ms. Tessier, Mr. Gambino and Mr. Schneider.

There were no comments or modifications recommended.

Motion/Vote: Upon a motion by Mr. Gambino and second by Mr. Schneider, the Board voted to **ACCEPT** the Regular Meeting Minutes of October 20, 2022.

In Favor: Stone, Gambino, Tessier, and Schneider

Opposed / Abstaining / Not Voting: None

APPLICATIONS & PERMITS:

Acceptances/Extensions/Withdrawals:

#2022-22 – 352 Bayberrie Drive – Lot 24 – Jacquelyn Fortuna: To construct an in-ground pool, fencing, and associated drainage system proximate to wetlands on a property located within the non-public drinking water supply watershed of the Rippowam River. The property is situated along the west side of Bayberrie Drive, and is identified as Lot 24, Account 001-9123, Card N-010, Map 113, Block 361, Zone R-20, and is \pm 1.10 Acres.

#2022-23 – 120 Shelter Rock Road – Lot N-25 – Melinda Clooback: To install a new generator and underground propane tank within the wetlands and watercourses upland review area on a 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 550 feet north of the intersection of Shelter Rock and Rising Rock Roads, and is identified as Lot N-25, Account 002-4420, Card E-013, Map 56, Block 394, Zone RA-1, and is \pm 1.4042 Acres.

#2022-24 – 76 Emerald Lane – Lot 4A – Ahneman Kirby, LLC for Divaraniya: Install an in-ground pool, patio, and retaining wall within a Conservation Easement Area and revise a wetland boundary on property situated within the non-drinking water supply watershed of Springdale Brook. The property is situated at the terminus of Emerald Lane and is identified as Lot 4A, Account 003-8955, Card S 004Z, Map 69, Block 380, Zone RA-1, and is \pm 2.819 acres.

Discussion: Mr. Stone acknowledged the receipt of the minimum information necessary to accept EPB Permit Application Nos. 2022-22, 2022-23 and 2022-24.

Motion/Vote: Upon a motion by Ms. Tessier and second by Mr. Kozlowski, the Board voted to **ACCEPT** EPB Permit Application Nos. 2022-22, 2022-23 and 2022-24.

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

Action Items:

#2022-19 – 18 Studio Road – Lot 1B – Ken Nixon for Dicosola: To install a new deck proximate to wetlands and watercourses and 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 Studio Road, approximately 200 feet south of the intersection of Studio and Wire Mill Roads, and is identified as Lot 1B, Account 001-2959, Card E 002, Map 67, Block 378, Zone RA-1, and is \pm 1.89 Acres.

In Attendance: Susan Dicosola, Owner
Ken Nixon, Archadeck, Agent

Discussion: Mr. Clausi summarized the application on behalf of Environmental Analyst Lindsay Tomaszewski, and provided details of the project and impacts to the area from the work proposed.

Mr. Stone asked the board members if there were any questions.

Mr. Gambino questioned whether the flood-proof certification letter dated December 6, 2021 submitted as part of this application is acceptable almost a year later. Mr. Clausi confirmed it is acceptable.

Hearing no further questions from the members or the public, Mr. Stone called for a motion from the Board.

Motion/Vote: Upon a motion by Mr. Kozlowski and second by Mr. Gambino, the Board voted to **APPROVE** EPB Permit No. 2022-19 with the 11 conditions outlined in the EPB Agenda Summary Report dated November 10, 2022 as there will be minimal environmental impact and subject to the review and approval of EPB Staff.

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

#2022-20 – 470 Sawmill Road – Lot B7 – Quesited Consulting LLC for Richard E. Coleman: To construct an in-ground pool, drainage, and fencing proximate to a watercourse and wetlands on a property located within the drinking water supply watershed of the Mianus River (East branch). The property is situated along the east side of Sawmill Road, and is identified as Lot B7, Account 002-4352, Card S-025, Map 57, Block 394, Zone RA-1, and is \pm 1.38 Acres.

In Attendance: Richard Coleman, Owner
Katie Wagner, Quesited Consulting LLC, Agent

Discussion: Mr. Clausi summarized the application on behalf of Environmental Analyst Jaclyn Chapman, and provided details of the project and impacts to the area from the work proposed. Mr. Clausi recommended the Board specify in Condition #3 the types and quantities of mitigation plantings that it decides to require and add protection of the spot where the infiltration galleries are proposed and the setting the eastern section of silt fencing completely inside the septic tank locations as part of Condition #7.

Mr. Stone asked the board members if there were any questions.

Mr. Gambino asked if there is an established tree replacement ratio. Mr. Clausi stated he is not aware of the Board having established any policy or standards for mitigation plantings. Ms. Tessier noted the important role trees play in storing carbon and the stress our native species are under from climate change. Ms. Tessier recommended the Board standardize its mitigation requirements.

Mr. Coleman introduced himself, described efforts he has made to preserve trees on his property, and asked why the neighbors he shares his pond with are able to maintain grass right down to the water's edge. Mr. Clausi speculated some of these properties might have been in this condition since before the wetland regulations came into effect or some may have been cleared without EPB approval but staff were not notified as the clearing took place. Mr. Clausi stated that historical aerial photos are checked by staff as part of application reviews and restoration is required if unauthorized clearing is noted as having taken place in wetlands, upland review areas, or conservation easements.

Hearing no further questions from the members or the public, 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. 2022-20 with the 10 conditions outlined in the EPB Agenda Summary

Report dated November 10, 2022 with the revisions of conditions #3 and #7 as recommended by Mr. Clausi, as there will be minimal environmental impact and subject to the review and approval of EPB Staff.

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

- **SITE PLAN REVIEWS:** None.
- **SUBDIVISION REVIEWS:** None.
- **SHOW CAUSE HEARINGS/ENFORCEMENT:**
- **OTHER BUSINESS:** Discussion of the EPB Meeting time.

Ms. Tessier raised the question of whether the Board members are able to accommodate an earlier start time for the meetings than 7:30 p.m. After some discussion, the consensus reached was to keep the meeting time at 7:30 since most of the members present had other obligations that would conflict with an earlier start time.

ADJOURN:

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

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

Meeting adjourned at 8:03 p.m.

Gary H. Stone, Chairman
Environmental Protection Board