AGENDA SUMMARY REPORT
ENVIRONMENTAL PROTECTION BOARD

APPLICATION: #2023-16, Mastera for Todrin

DATE: October 12, 2023

LOCATION: 94 Bentwood Drive – Lot 11

ZONE: RA-3

WATERSHED: Mianus River (West Branch)

AREA: ±2.001 Acres

ACCOUNT: 000-7700

CARD: S-004

BLOCK: 400

MAP: 39

FLOOD MAP & DATE: 09001C0363F, 6/18/2010

ZONE: X

WETLAND SOILS: Leicester fine sandy loam
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REFERENCES:

- "Proposed Site Plan," for Todrin, 94 Bentwood Drive, Stamford, CT, by John Mastera, Architects & Associates, last revised July 24, 2023, from a survey by Sound View Engineers and Land Surveyors.
- "Wetlands Mitigation Plan," for Todrin, 94 Bentwood Drive, Stamford, CT, by John Mastera, Architects & Associates, last revised July 24, 2023.
- "Improvement Location Survey," for David Todrin, 94 Bentwood Drive, Stamford, CT, by Aidan McCann LS 70154, Soundview Engineers & Land Surveyors, dated May 3, 2023.
- "Wetland Delineation for 94 Bentwood Drive, Stamford, CT, buy Aleksandra Moch, dated April 13, 2022.

PROPOSAL: The applicant is proposing to replace a deck, install stone pavers, generator, and propane tank proximate to wetland areas.

Approximately 344 square feet of upland review area will be altered by the proposed activities according to the applicant.

This application for permit was filed on September 15, 2023, and ACCEPTED by the Board at its meeting held on September 21, 2023.

Property Description: The property is situated along the south side of Bentwood Drive, approximately 1,100 feet southwest of the intersection of Bentwood Drive and Erskine Road.

The site is currently developed with a single-family residence, deck, and driveway. It is currently serviced by septic and a private well.

Onsite wetlands consist of a man-made pond that is fed by a culvert from the street and drains into a larger wetland swamp. Wetland soils extend east and south of the pond. This area is deciduously vegetated with many trees such as Ash and Oak. Groundcover consists of shrubs, ferns, and skunk cabbage. The northern portion of the wetlands and back yard upland review area is currently lawn. The backyard and eastern wetlands slope gently toward the pond. Based on available aerials, as far back as 1992, staff can confirm that the lawn in the back yard has existed and there has been no encroachment on the rear wetlands. The front yard contains an isolated wetland system currently vegetated with spruce and ash trees, mountain laurel, and a few shrubs.

The subject property lies within the public drinking water supply watershed of the Mianus River (West Branch). The Environmental Protection Board typically regulates a minimum of 50 feet to wetlands and 100 feet to watercourses situated within the public drinking water supply watersheds.

This property is not in an area of concern according to the CT DEEP Natural Diversity Database.

ISSUES/DISCUSSION: The applicant seeks the board's permission to reconstruct a deck, install stone pavers, generator, and propane tank which will encroach on the upland review area. Given the scope and nature of the project, the applicant is expected to demonstrate that impacts to resources and regulated areas, drainage, and water quality are avoided or minimized to the greatest extent possible. The applicant seeks to address these requirements as follows:

A site development plan has been provided by the applicant. The disturbance will be limited to existing lawn area. The area of the pavers is currently used as a firepit and seating area. No change in grade is proposed. There will be a net increase of 181 square feet of impervious surface according to the applicant. The proposal and exemption request form have been reviewed and approved by the Engineering Bureau. The Stamford Health Department and Aquarion have offered no objection to the plan as proposed.

The applicant has provided a sedimentation and erosion control plan to reduce potential impacts to water quality. This includes silt fencing, stockpile area, note to sweep the driveway, and final stabilization measures. Machinery will be limited to a backhoe for the installation of the propane tank and a drill for the deck footings. The current location of silt fencing is just at the wetlands line or within the wetlands. Prior to approval for a building permit, EPB will require the plan be updated to bring the silt fencing completely out of the wetland area.

Upon inspection staff noted that the wetland in the front yard had no groundcover and was covered in woodchips. Review of google Streetview showed that this area was vegetated with more shrubs and native grasses. As with the backyard, the front lawn around the wetland area has been present in available aerials. It appears that trees and large shrubs and the stone wall were kept. The applicant has submitted a plan to remove the wood chips, replant Swamp aster, and add seed for Fowl bluegrass, Big bluestem, and Annual ryegrass to re-establish native groundcover.

RECOMMENDATIONS: If the Board confirms that the proposed deck, pavers, generator, and propane tank will not have significant wetland impact, and an appropriate range of conservation enhancements have been applied, and enhance the overall conservation values of the site, the Board may determine to **APPROVE** EPB Permit Application No. 2023-16 with the following conditions.

1. Work shall comply with the following plans and correspondence:

    - "Proposed Site Plan," for Todrin, 94 Bentwood Drive, Stamford, CT, by John Mastera, Architects & Associates, last revised July 24, 2023, from a survey by Sound View Engineers and Land Surveyors.
    - "Wetlands Mitigation Plan," for Todrin, 94 Bentwood Drive, Stamford, CT, by John Mastera, Architects & Associates, last revised July 24, 2023.
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2. Submission of a permit filing fee in the amount of $65.00 within fifteen days of the decision's publication (on or about November 17, 2023).

3. "Permit Compliance Fee" in the amount of $200.00 shall be filed with the Environmental Protection Board. The initial fee shall be submitted to the EPB prior to the start of any site activity and issuance of building permit. Subsequent fees shall be submitted on an annual basis on or before the anniversary of the permit's effective date until the project is satisfactorily completed. Said fee is required pursuant to Section 5.10b of the "Inland Wetland and Watercourse Regulations."

4. A Contractor's Compliance Statement completed by the contractor engaged to perform the regulated activities shall be submitted to EPB staff no less than 48 hours prior to the start of work. (https://stamfordct.seamlessdocs.com/f/contractors_compliance_statement).

5. An updated Site Plan with silt fencing moved completely out of the wetlands must be submitted to the EPB Prior to the start of any site activity and issuance of building permit.

6. Sediment and erosion controls shall be installed in the manner and location shown on the permit plans prior to the start of any site activity and approved in writing by EPB Staff.

7. Submission of a performance bond or certified check to secure the timely and proper performance of temporary and permanent sediment and erosion controls, mitigation activities, and supervision/certifications. A detailed estimate of cost shall be supplied to EPB staff for approval prior to the submission of the performance surety. The performance surety shall be submitted to EPB staff prior to the start of any on-site activities and issuance of a building permit.

8. All landscaping shall be implemented under the supervision of a certified landscaping professional with written certifications (signed/letterhead) submitted to EPB Staff prior to the issuance of a certificate of occupancy and release of surety.

9. Filing of a standard, City of Stamford, landscape maintenance agreement to ensure the survival of all proposed landscape enhancements prior to the issuance of a certificate of occupancy/completion and release of the performance surety.

10. All disturbed areas shall be stabilized with topsoil, seed and mulch, sod or other suitable alternatives prior to the issuance of a certificate of occupancy/completion and release of the performance surety.

11. The portion of the performance surety connected to the wetland mitigation shall be eligible for release two years after EPB staff determine restoration activities have been satisfactorily completed and if at least 80% of the restoration plantings remain alive and thriving.

Lindsay Tomaszewski

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