ENFORCEMENT STATUS REPORT
ENVIRONMENTAL PROTECTION BOARD

Date: April 9, 2024

Location: 103 South Lake Drive **Owner:** Stacy Haase

Watershed: Mianus River **Account:** 003-7976

Flood Map: 09001C0363F (6/18/2010) **Flood Zone:** X – Minimal Chance Flood

Area: ~2.01 acres **Map/Block/Lot:** 13/400/57

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References

- Plan entitled "Erosion Mitigation Planting" prepared by Daryl Beyers Landscape Design & Development, dated April 2024
- "Wetland Remediation Plan" narrative prepared by Daryl Beyers Landscape Design & Development, dated April 4, 2024

Unauthorized Regulated Activities
Clearing of trees and other vegetation from wetland, watercourse buffer, and conservation easement areas.

Issues/Discussion/Recommendation
The Environmental Protection Board held a Show Cause Hearing on March 19, 2024 to consider the unauthorized clearing that recently took place at 103 South Lake Drive. After listening to the testimony of staff and the property owner's husband, David Greenstein, the Board voted unanimously to maintain the Cease and Desist Order that was issued on March 15, 2024 and require submission of a professionally prepared draft restoration plan by April 12, 2024.

In response to these instructions, Mr. Greenstein and Ms. Haase retained the services of Daryl Beyers, who prepared the above-referenced plan for seeding the 2,500 square feet of pond bank that was cleared with Tussock Sedge then planting a mix of 29 shrubs and about two dozen Common Rush in this area. Mr. Beyers also prepared the referenced narrative describing the objectives of this plan based on his assessment of the site. Notably, it is Mr. Beyers' professional opinion that the Smooth Alder stumps along the bank will sprout and grow several feet high by the end of the summer, which will significantly shorten the period required for site restoration.

The plan submitted by Mr. Greenstein and Ms. Haase seems appropriate. Staff has therefore provided the attached suggested conditions of an Order to Correct for the Board's consideration. The Board may question Mr. Beyers' suggestion that a shade-tolerant turf grass be sown among the large trees left in the area from which small to medium sized (3 – 8") trees were cleared beyond the top of the bank since much of the rear yard is in the conservation easement and appears to have been maintained with a rough herbaceous ground cover rather than manicured turf. The Board may wish to add a condition specifying the restoration and maintenance of the upland conservation easement areas.

Robert E. Clausi

Order to Correct with conditions and deadlines
103 South Lake Drive, Stamford CT

1. A standard Contractor's Compliance Statement shall be completed and submitted to EPB staff no less than 48 hours prior to the start of work.
   (https://stamfordct.seamlessdocs.com/f/contractors_compliance_statement)

2. The approved restoration plan shall be implemented by June 1, 2024.

3. The markers that are missing from the edge of the on-site conservation easement area shall be restored to their survey-accurate locations as approved by staff by July 1, 2024.

4. Failure to meet any of the deadlines set in this Order shall result in a Notice of Violation being filed on the Stamford Land Records and may lead to additional enforcement action.

5. The Cease & Desist Order shall be eligible for release three (3) years after completion of the restoration planting provided EPB staff determine at least 90% of the restoration plantings remain alive and thriving. Mortality of more than 10% shall be replaced before lifting of the Cease & Desist Order.