

**ENVIRONMENTAL PROTECTION BOARD  
CITY OF STAMFORD  
MINUTES OF THE JANUARY 17, 2013  
REGULAR MEETING**

**Members Present:**

Gary Stone, Chairman  
Louis Levine, Member  
Leigh Shemitz, Member  
Peter Conetta, Member

**Members Not Present:**

Stephen Wayne, Alternate Member

**Staff Present:**

Richard H. Talamelli, Environmental Planner  
Pam Fausty, Environmental Analyst

The Regular Meeting, which was called to order by Chairman Stone at 7:30 PM, was held in the Planning Board Conference Area, 7<sup>th</sup> Floor, Stamford, Government Center, 888 Washington Boulevard, Stamford, Connecticut, 06904-2152. The meeting was tape recorded.

**MINUTES**

**Minutes of the December 20, 2012 Regular Meeting of the Environmental Protection Board:**

The Board considered the minutes of the EPB's December 20, 2012 Regular Meeting. Chairman Stone and Board Members Levine, and Conetta were present and eligible to vote.

Upon a motion by Board Member Levine, the Board voted to **Approve** the Minutes of the December 20, 2012 Regular Meeting as presented.

In Favor: Stone, Levine, and Conetta.  
Opposed: None  
Abstaining: None  
Not Voting: None

**APPLICATIONS AND PERMITS**

**#1222 – Carriage Drive, Carriage Drive South, Stony Brook Drive, Green Tree Lane, and West Hill Road – City of Stamford - WPCA - Carriage Drive Area Sewers:** To install sanitary sewers, drainage, and other related facilities in and proximate to wetlands and watercourses situated in both the drinking water supply watershed of the Mianus River and non-drinking water supply watershed of the Rippowam River. The project affects both public and private properties in an area generally bounded by Carriage Drive to both the north and west, Stony Brook Drive to the south and Green Tree Lane/West Hill Road to the east. Reference is made to and EPB Staff Agenda Summary

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Report, dated January 12, 2013. Note that Board Member Shemitz joined the meeting during the discussion of this matter.

**In Attendance:** None

**Discussion:** Staff Member Fausty summarized the application for the Board. Ms. Fausty noted that the City of Stamford intends to install sanitary sewers, rebuild drainage and improve general roadway conditions in the vicinity of Carriage Drive, Carriage Drive South, Stony Brook Drive, Green Tree Lane and Westhill Road. The project, which affects both public and private lands, is expected to impact nearly 2,356 square feet of wetlands, 20 linear feet of watercourse, and 35,471 square feet of wetland/watercourse buffer.

Ms. Fausty reported that staff concerns relating to direct resource impacts, drainage effects, sediment and erosion control, and water quality have been addressed with the submission of detailed erosion control, dewatering and construction phasing plans. In wetland areas, the applicant has committed to the stakeout of construction easements, selective removal of trees, organized removal and stockpile of soils, the installation of necessary piping, the restoration of soils and grades to their pre-construction conditions, and replanting/stabilization of disturbed earth surfaces per the direction of EPB Staff. Watercourse crossings shall occur only when significant rainfall is not anticipated for at least 72 hours, and will incorporate measures to prevent downstream impacts such as the use of cofferdams, sandbags, and flow diversions.

**Motion/Vote:** Upon a motion by Board Member Levine, the Board voted to **APPROVE** EPB Permit Application No. 1222 with the conditions outlined in the Agenda Summary Report, dated January 12, 2013.

In Favor: Stone, Levine, Shemitz, and Conetta.  
Opposed: None  
Abstaining: None  
Not Voting: None

**#1234 – Brookdale Road – Lot A – City of Stamford – Engineering Bureau - Bartlett Arboretum**

**Remediation:** To remove vegetation, excavate, deposit fill and conduct other related work in the performance of certain soil remediation activities proximate to wetlands/watercourses situated in the non-drinking water supply watershed of Poorhouse Brook. The property is located along the north side of Brookdale Road, approximately 1030 feet west of High Ridge Road, and is identified as Lot A, List 002-583, Card N-004, Zone RA-2, Block 387 and 54.07 Acres. Reference is made to an EPB Staff Agenda Summary Report, dated January 9, 2013.

**In Attendance:** Domenic Tramantozzi, P.E., Stamford Engineering Bureau

**Discussion:** Staff Member Talamelli summarized the application for the Board. Mr. Talamelli reported that the property, which is situated along the north side of Brookdale Road, approximately 1030 feet west of High Ridge Road, is City owned and occupied by the Bartlett Arboretum. The remediation project has been proposed to address certain contaminated soil impacts identified at the

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site over the last several years. The applicant reports that it seeks to mitigate potential environmental impacts by reducing the concentrations of contaminants in the soils situated above the groundwater table, to achieve compliance with acceptable CTDEEP remediation standards, to protect the health of the general public, and to minimize the potential for adverse impact to the environment during implementation of specific remediation activities. Although several areas of concern were identified on the parcel, the three (3) sites of interest to the EPB lie in the southern reaches of the property, in space bordering the Poorhouse Brook Stream Corridor. It is reported that these areas were affected by one or more pesticides, likely associated with topical applications near what was formerly the Bartlett Tree Surgery School.

Based on many factors, including the physical and biological properties of the contaminants, site accessibility, and volume of the material requiring action, it was determined that soil removal was the best method of treatment. Accordingly, a detailed removals plan was developed. The plan provides for the excavation and removal of the impacted soils, the collection and testing of confirmatory samples, the proper disposal and treatment of impacted soils, and site restoration all performed by a licensed remediation contractor and supervised/documentated by the environmental consultant.

The applicant reports that implementation of the project will affect approximately 200 square feet of wetlands, 8 linear feet of watercourse, and 300 square feet of the non-watershed setback. Note that the anticipated wetland/watercourse impacts are expected to be temporary - necessary only to provide access to the remediation sites. The remediation areas lie in woodlands, approximately 10-20 feet to the mapped wetland resources. Access to the single site west of Poorhouse Brook shall be gained over an existing driveway. Access to the two sites east of the stream corridor shall be gained over a small tributary, plated to limit site disturbance. The point of access depicted on the plans constitutes an alternative established thorough the preliminary review process to minimize impacts upon the regulated areas and other important resources. It is anticipated that the required excavating equipment can negotiate access to the remediation site and complete the project with minimal impacts upon tree resources. To define the anticipated limits of disturbance and protect the nearby waterways, a preliminary sediment and erosion control plan has been supplied. The applicant notes that upon the completion of the site remediation activities, clean fill shall be imported, and the sites shall be returned to original grade. It is the applicant's intent to stabilize disturbed earth surfaces with stabilizing groundcovers and native planting. Although a concise planting mitigation plan has yet to be provided, the applicant shall be working with the Bartlett Arboretum to prepare a landscape planting/mitigation proposal consistent with the master planting schedule developed for the property.

Board Member Shemitz noted that confirmatory sampling conducted in and about the excavation could result additional soils removal and impact upon the regulated areas. Accordingly, she recommended consideration of an additional condition requiring notification of EPB Staff if sampling revealed the need for additional excavation and remedial action, particularly in regulated areas.

**Motion/Vote:** Upon a motion by Board Member Levine, the Board voted to **APPROVE** EPB Permit Application No. 1234 with the conditions outlined in the Agenda Summary Report, dated January 9, 2013, modified to include an additional condition requiring the applicant to advise EPB

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Staff of any necessary excavation beyond the disturbance limits depicted on the permit plans.

In Favor: Stone, Levine, Shemitz, and Conetta.  
Opposed: None  
Abstaining: None  
Not Voting: None

**#1236 – 90 Westover Avenue – Lot 2 – A. Fisher:** To install a replacement shed proximate to wetlands, watercourses and conservation easement areas situated in the drinking water supply watershed of the Mianus River. The site lies along east side of Westover Avenue, approximately 1290 feet south of Westover Road, and is identified as Lot 2, List 001-3383, Card S-006, Zone RA-1, Block 107, 1.1147 Acres. Reference is made to an EPB Agenda Summary Report, dated January 13, 2013.

**In Attendance:** Alison Fisher

**Discussion:** Staff Member Fausty summarized the application Board. Ms. Fausty noted that the applicant proposes to install a shed proximate to the wetlands, watercourses and conservation areas on the subject property. The new shed replaces an older, slightly smaller storage structure. Minimal impacts are anticipated. The new shed is expected to be installed in previously developed space between the existing drive and older shed, and no new excavation is proposed. The old shed shall be removed by hand for proper offsite disposal. To mitigate potential impacts, the applicant has committed to providing a planting plan to stabilize areas of disturbance and further the conservation values of the property.

**Motion/Vote:** Upon a motion by Board Member Levine, the Board voted to **APPROVE** EPB Permit Application No. 1236 with the conditions outlined in the Agenda Summary Report, dated January 13, 2013.

In Favor: Stone, Levine, Shemitz, and Conetta.  
Opposed: None  
Abstaining: None  
Not Voting: None

**#1240 – 76/86 Viaduct Road – Lot A1 – IRG Environmental, LLC for Isisters, LLC:** In association with a proposed soil remediation project, excavate, install fill, and restore paved parking areas situated within the base floodplain of the Noroton River. The property lies along the cul-de-sac of Viaduct Road, approximately 800 feet north of the railroad underpass, and is identified as Lot A1, List 003-8205, Card N004A, Zone M-G, 2.76 Acres. Reference is made to an EPB Staff Memo, dated January 10, 2013, and

**#1241 – 156 Rocky Rapids Road – Tract K-19 – R.J. Leavy:** To install an emergency generator and propane tanks proximate to wetlands and watercourses and within the base floodplain of the Mianus River (East Branch). The property lies along the east side of Rocky Rapids Road,

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approximately 525 feet north of Shelter Rock Road, and is identified as Tract K-19, List 000-9889, Card E-009, Block 394, Zone RA-1, 1.0037 Acres. Reference is made to an EPB Staff Memo, dated January 10, 2013.

**In Attendance:** None

**Discussion:** Chairman Stone acknowledged the receipt of the minimum information necessary to initiate the permit application review process for EPB Applications No. 1240 and 1241.

**Motion/Vote:** Upon a motion by Board Member Conetta, the Board voted to **ACCEPT** EPB Permit Applications No. 1240 and 1241.

In Favor: Stone, Levine, Shemitz, and Conetta.  
Opposed: None  
Abstaining: None  
Not Voting: None

**SITE PLAN REVIEWS:**

**SUBDIVISION REVIEWS:**

**#4004 – 1086 Long Ridge Road – Parcels 1/2 - GR Capital, LLC:** Resubdivision of two (2) existing parcels to create two (2) new lots having alternative configurations and land areas. Reference is made to an EPB Agenda Summary Report, dated January 8, 2013.

**In Attendance:** Leonard C. D'Andrea, P.E., Rocco V. D'Andrea, Inc.  
George Pali

**Discussion:** Staff Member Talamelli summarized the subdivision application for the Board. Mr. Talamelli noted that the applicant proposes to resubdivide the two (2) existing parcels to create two (2) new lots having alternative configurations and apportionments of land area. The properties lie along the west side of Long Ridge Road, approximately 800 feet north of the Merritt Parkway. Currently the properties support a single family dwelling, drive, parking, walls, well, subsurface sewage disposal system and other related facilities, and are characterized by gently to moderately sloping uplands, an intermittent watercourse, and wetlands. The site abuts portions of an open water pond known as Hoth's Pond or Hoth's Ice Pond. The applicant reported that the larger parcel better conforms to the Zoning Regulations in terms of shape, minimum lot area and minimum frontage. The smaller parcel would not support development and would be defined as "Not a Building Lot" on the final subdivision map. At this time, the project engineer has been able to confirm that the subdivision would not adversely impact drainage, that a feasible septic area has been established, that a basic erosion control plan has been provided, and that the conservation needs of the City have been addressed with the submission of an open space designation for approximately 8000 square feet of space including wetlands, the intermittent watercourse and buffers ranging from 19-40 feet.

Leonard C. D'Andrea noted that although the action appears to be a simple adjustment of lot lines,

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Stamford's Subdivision Regulations view this proposal as a subdivision, given the commercial zone designation and the resultant lot configuration that allows for more intense development.

Mr. D'Andrea acknowledge the receipt of the Agenda Summary Report and offers no objection to the Staff recommendation requesting adjustment of the proposed open space/conservation easement to include all wetlands, watercourses and upland buffers of no less than twenty-five (25) feet to both adequately protect resources and ensure consistency with similar applications for properties situated in non-watershed areas.

In response to Board Member Shemitz, Mr. D'Andrea confirmed that although the new lot to the north will be defined as "Not a Building Lot", the zoning regulations, given the commercial nature of the property, do allow for the construction of future parking on such a parcel. He further confirmed that new structures would not be permitted on the lot.

Board Member Levine confirmed his agreement with the conclusions of the Agenda Summary Report that the proposed subdivision will not adversely impact resources, drainage and adjoining properties, and provided that the applicant adjusts the limits of the proposed open space/conservation easement to include all areas situated within the non-watershed buffer, that he could offer his support for the subdivision proposal.

**Motion/Vote:** Upon a motion by Board Member Levine the Board determined to **OFFER NO OBJECTION** to PB Application No. 4004 with the conditions outlined in the Agenda Summary Report dated January 8, 2013.

In Favor: Stone, Levine, Shemitz, and Conetta.  
Opposed: None  
Abstaining: None  
Not Voting: None

**ENFORCEMENT – STATUS REPORTS AND SHOW CAUSE HEARINGS:**

**OTHER BUSINESS:**

**#2537 – 410 Courtland Avenue - Lot 34 - M. Czamanski:** Extension Request. To construct residential units and associated parking and drainage improvements within and proximate to wetland areas on property situated within the non-drinking water supply watershed of the Southwest Shoreline (Long Island Sound). The property lies along the west side of Courtland Avenue, approximately 440 feet south of Glenbrook Road and is identified as Lot 34 List 000-4857, Card W75, Block 315, Zone R-5, 0.321 Acres. Reference is made to an EPB Staff Memo, dated January 10, 2013.

**In Attendance:** None

**Discussion:** Chairman Stone acknowledged to the receipt of a letter from Mark Czamanski

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(December 8, 2012) requesting an extension of the effective period of EPB Permits No. 2537. Staff Member Talamelli confirmed that the request has been submitted in accordance with Section 7.4 of the Regulations, that there were no reported violations on the property, that conditions have not changed as to warrant a reevaluation, and that the permits were routinely and legally issued. Accordingly, it was recommended that the Board approve this extension request for a period of one (1) year.

**Motion/Vote:** Upon a motion by Board Member Conetta, the Board voted to **EXTEND** the effective period of EPB Permit No. 2537 for one (1) year. Accordingly, the permit shall remain in full force and effect until January 27, 2014.

In Favor: Stone, Levine, Shemitz, and Conetta.  
Opposed: None  
Abstaining: None  
Not Voting: None

**ADJOURN:**

**Adjourn the Regular Meeting of January 17, 2013**

There being no further business, the Board, upon a motion by Board Member Conetta, voted to **ADJOURN** the Regular Meeting of January 17, 2013.

In Favor: Stone, Levine, Shemitz, and Conetta.  
Opposed: None  
Abstaining: None  
Not Voting: None

Meeting adjourned at 7:57 PM.

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Gary Stone, Chairman  
Environmental Protection Board

Minutes: Prepared from meeting notes taken by Richard H. Talamelli, Environmental Planner

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1/30/13  
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