

**ENVIRONMENTAL PROTECTION BOARD
CITY OF STAMFORD
MINUTES OF THE JUNE 13, 2013
SPECIAL MEETING**

Members Present:

Gary Stone, Chairman
Louis Levine, Member
Peter Conetta, Member
Stephen Wayne, Alternate Member
Bradford Kent Spaulding, Alternate Member

Members Not Present:

None

Staff Present:

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

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

Chairman Stone welcomed Alternate Member Bradford Kent Spaulding to the Environmental Protection Board.

MINUTES

Minutes of the May 16, 2013 Regular Meeting of the Environmental Protection Board: The Board considered the minutes of the Board's Regular Meeting of May 16, 2013. Chairman Stone, and Members Levine, Conetta and Wayne were present and eligible to vote.

Upon a motion by Board Member Levine, the Board voted to **APPROVE** the Minutes of the May 16, 2013 Regular Meeting as presented.

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

APPLICATIONS AND PERMITS

#1301 – 635 Glenbrook Road – Lot 42 – Redniss and Mead for The Little Workers of Sacred Hearts of Jesus and Mary, Inc.: Construction of a gymnasium, drainage, and other related facilities within the base floodplain and proximate to wetlands situated in the non-drinking water supply watershed of the Norton River. The property lies along the east side of Glenbrook Road, approximately 500 feet north of Courtland Avenue, and is designated as Lot 42, List 002-6596, Card E-438, Block 314, Zone R-7.5 and ± 1.58 Acres. Reference is made to an EPB Staff Memo, dated June 6, 2013.

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In Attendance: None

Discussion: Chairman Stone acknowledged the receipt of written correspondence from Brian McMahon, P.E., Redniss and Mead, dated June 6, 2013 requesting that the aforementioned permit application be withdrawn from further consideration.

Motion/Vote: None

#1305 - 531 Hunting Ridge Road - Lot 2 - JMMJ, LLC: To construct a garage and other related facilities proximate to wetlands and watercourses situated in the drinking water supply watershed of the Mianus River (East Branch). The property lies along the east side of Hunting Ridge Road, approximately 580 feet north of Foxwood Road, and is identified as Lot 2, List 002-9025, Card E-040, Block 401, Zone RA-1, and ± 1.76 Acres. Reference is made to an EPB Staff Agenda Summary Report, dated June 8, 2013.

In Attendance: Josh Hannant, P.E., Rocco V. D'Andrea, Inc.

Discussion: Staff Member Fausty summarized the application for the Board. She noted that the applicant intends to construct a detached garage to replace a similar structure that was significantly damaged during Super-storm Sandy. Following the event, the structure was razed, leaving behind only the existing concrete foundation and slab. A temporary shed had been introduced onto the parcel to house the contents of the garage until such time that the structure was restored. Both the garage and temporary shed had been sited within close proximity to the wetlands, watercourses, and a pond that lie on and proximate to the property.

It is the applicant's intent to reconstruct the garage on the existing foundation and then remove the temporary shed. Excavation and other land disturbances are expected to be limited. Concerns relating to possible impacts upon water quality and the long term viability of the wetland system have been addressed with the submission of a temporary sediment and erosion control plan, application of rip rap to stabilize eroded bank sections, and the implementation of a planting plan to further stabilize the soil, displace manicured lawn in select areas adjoining the pond, restore space impacted by the placement of the temporary shed, and enhance the overall conservation values of the property. Ms. Fausty noted that approximately 800 square feet of the upland review area would be affected by the project.

Prompted by a question by Chairman Stone, Josh Hannant acknowledged the receipt of the EPB Staff Report and offered no objection to its conclusions and recommendations.

Motion/Vote: Upon a motion by Board Member Levine, the Board voted to **APPROVE** EPB Permit Application No. 1305 with the conditions outlined in the EPB Staff Agenda Summary Report, dated June 8, 2013.

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

#1310 - Wallenberg Drive - Lot R-32 - S. Klein: To construct a tennis court, bocce court, accessory building, drainage and other related facilities within a designated open space/conservation easement and proximate to wetlands situated in the drinking water supply watershed of the Mianus River. The property lies along the cul-de-sac of Wallenberg Drive, approximately 675 feet south of North Lake Drive, and is identified as Lot R-32, List 004-2937, Card E-004Z, Block 400, Zone RA-3, and ± 4.767 Acres. Reference is made to an EPB Staff Agenda Summary Report, dated June 6, 2013.

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In Attendance: John Pugliesi, P.E., E.J. Frattaroli, Inc.

Discussion: Staff Member Fausty provided a brief overview of the project. The property currently supports a single family dwelling, in-ground pool, cabana, drive, drainage, septic system, well and other related facilities. The parcel is characterized by densely wooded uplands, wooded wetlands, and designated open space/conservation easement areas. The applicant proposes to construct a tennis court, bocce court, small accessory structure, walls, drainage and other related facilities within close proximity to known wetlands, and in portions of the designated open space preserve/conservation easement. It has been reported that approximately 1,655 square feet of the open space/conservation easement will be affected by the development. Given the wooded nature of the site, a significant number of trees are expected to be lost.

Ms. Fausty reported that Staff concerns relating to sediment and erosion control, water quality, resource protection, drainage impact, and general environmental effect have been addressed with the submission of detailed erosion control, drainage, and planting mitigation plans. Code compliant areas have been established and approved by the Stamford Health Department. The drainage concept has received a favorable endorsement from the Stamford Engineering Bureau. Storm water control is expected to include provisions for positive grading and the installation of structures, including trench drains, piping, junctions and an expanded stabilized outlet. It was noted that the applicant, although impacting a portion of the open space/conservation easement, maintains a full fifty (50) foot, vegetated setback to the designated wetland areas. Native planting shall be employed to further define the regulated areas, filter runoff and enhance the overall conservation values of the parcel.

Mr. Pugliesi acknowledged the receipt of the Agenda Summary Report, and offered no objection to the recommendations.

Board Member Spaulding sought further clarification as to the methods employed to site and restore the proposed construction accessway. Mr. Pugliesi noted that the proposed accessway lies in its entirety outside of regulated areas, and has been sited as to avoid as many of the larger trees possible. He noted that further adjustments could be made in the field to further limit impacts on vegetation. Upon the completion of the project, excess fill shall be removed, and the areas of disturbance shall be stabilized with topsoil, seed and mulch or with additional plantings at the discretion of the owner.

Motion/Vote: Upon a motion by Board Member Wayne, the Board voted to **APPROVE** EPB Permit Application No. 1310 with the conditions outlined in the Agenda Summary Report, dated June 6, 2013.

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

#1311 – 8 Saddle Hill Lane – Lot 1A – A. Rapaport: To construct a detached garage with covered walkway and relocate a propane tank proximate to wetlands and ponds on property situated within the non-drinking water supply watershed of Haviland Brook. The site lies along the west side of Saddle Hill Lane, just north of Saddle Hill Road, and is identified as Lot 1A, List 000-5140, Zone RA-1, Block 401, \pm 1.290 Acres. Reference is made to an EPB Staff Memo, dated June 10, 2013.

In Attendance: None

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Discussion: Chairman Stone acknowledged the receipt of correspondence from Alec C. Rapaport, dated June 7, 2013 granting the Board an extension of the decision deadline for this application for a period of sixty-five (65) days. Accordingly, a final decision on EPB Application No. 1311 shall be made on or before August 26, 2013.

Motion/Vote: None

#1312 – 301 Haviland Road – Parcel 1 – A. Loglisci: Removal of an existing drive, construct a new drive and parking areas, install drainage and implement certain conservation enhancements in and proximate to wetlands, watercourses and designated conservation easement areas situated in the non-drinking water supply watershed of Haviland Brook. The property lies along the north side of Haviland Road, just east of East Hunting Ridge Road, and is identified as Parcel 1, List 002-2478, Zone RA-1, Block 391, and ±1.46 Acres. Reference is made to an EPB Staff Agenda Summary Report, dated June 10, 2013.

In Attendance: John Pugliesi, P.E., E.J. Frattaroli, Inc.

Discussion: Staff Member Talamelli summarized the application for the Board. Mr. Talamelli reminded the Board that the lot was the result of a proposed three (3) lot subdivision of property approved by the Planning Board in 2009. A condition of that approval required that certain drive, drainage and mitigation activities proposed for the parcel be subject to an EPB permit and implemented prior to the development of the adjoining sites. The work has important implications for subdivision drainage and the environment.

The applicant proposes to remove an existing drive, construct a new drive/turn around area, replace/install approximately 52 linear feet of pipe, and implement certain conservation enhancements in and proximate to the wetlands, a pond and designated conservation easement areas. It was noted that under the permit application process, the applicant was expected to demonstrate that impacts to existing resources are minimized, confirm consistency with the subdivision drainage scheme, utilize erosion and other water quality controls, and apply appropriate enhancements to restore and promote the function of the regulated areas.

Mr. Talamelli reported that approximately 230 square feet of wetlands, 2,240 square feet of the buffer and 2,132 square feet of the open space/conservation area shall be temporarily/permanently affected by the development, that grade change appears to be minimal, and no significant vegetation loss is anticipated. During the prior review process, the project engineer determined to mitigate potential subdivision drainage impacts through a combination of pavement removal, the development/ management of several post construction watersheds, pond detention, and/or the installation of structured collection/retention facilities on individual parcels. Mr. Talamelli noted that the focus of the EPB Permit was to implement the drainage improvements necessary to mitigate impacts in one (1) of the three (3) post development watersheds, taking advantage of the pond's ability to store and otherwise mitigate storm water impacts. By improving the pipe, removing the circular drive and grading on this property, the engineer determined that, when combined with other improvements on the newly created parcels, there would be a negligible impact on both the peak rate of runoff and pond elevation. The project engineer has confirmed that the proposed drainage improvements outlined on these permit application plans are consistent with that prepared at the time of subdivision, and that implementation will not result in adverse impacts upon drainage, soils, the street or abutting parcels. A positive endorsement of the drainage concept has been secured from the Engineering Bureau. To advance the cause of water quality, the applicant has provided for a temporary/permanent sediment and erosion control/dewatering plan, and supplied a site development plan that provides for an overall reduction in driveway pavement and usage. Conservation enhancements include the establishment of a meadow environment in most of the conservation easement area adjoining the pond, provisions for seasonal mowing and maintenance, the installation of additional tree/shrub planting throughout the wetland and conservation easement to improve both the aesthetic and the overall conservation values of the

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parcel, and the posting of the easement boundary with standard EPB signage/pins.

Mr. Pugliesi acknowledged the receipt of the agenda summary report and offered no objection to the content or recommended conditions of approval.

Motion/Vote: Upon a motion by Board Member Levine, the Board voted to **APPROVE** EPB Permit Application No. 1312 with the conditions outlined in the EPB Staff Agenda Summary Report, dated June 10, 2013.

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

#1314 – 635 Glenbrook Road – Lot 42 – Redniss and Mead for The Little Workers of Sacred Hearts of Jesus and Mary, Inc.: Construction of a gymnasium, drainage, and other related facilities within the base floodplain and proximate to wetlands situated in the non-drinking water supply watershed of the Norton River Watershed. The property lies along the east side of Glenbrook Road, approximately 500 feet north of Courtland Avenue, and is designated as Lot 42, List 002-6596, Card E-438, Block 314, Zone R-7.5 and ± 1.58 Acres. Reference is made to an EPB Staff Agenda Summary Report, dated June 6, 2013

In Attendance: None

Discussion: Chairman Stone acknowledged the receipt of the minimum information necessary to initiate the permit application review process.

Motion/Vote: Upon a motion by Board Member Conetta, the Board voted to **ACCEPT** EPB Permit Application No. 1314.

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

#1315 – Haviland Road – Parcel 1 – Sunset Holdings, LLC.: Construction of a new single family dwelling, drainage, drive, septic system and other related facilities in and/or proximate to a designated open space preserve/conservation areas situated in the non-drinking water supply watershed of Haviland Brook. The property lies along the south side of Haviland Road, approximately 1200 feet east of Hunting Ridge Road, and is designated as Parcel 1, List 004-0979, Card S038, Block 392, Zone RA-1, and ± 1.23 Acres. Reference is made to an EPB Staff Agenda Summary Report, dated June 6, 2013

In Attendance: None

Discussion: Chairman Stone acknowledged the receipt of the minimum information necessary to initiate the permit application review process.

Motion/Vote: Upon a motion by Board Member Conetta, the Board voted to **ACCEPT** EPB Permit Application No. 1315.

In Favor:	Stone, Levine, Conetta, Wayne, and Spaulding.
Opposed:	None

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Abstaining: None
Not Voting: None

SITE PLAN REVIEWS:

SUBDIVISION REVIEWS:

ENFORCEMENT – STATUS REPORTS AND SHOW CAUSE HEARINGS:

OTHER BUSINESS:

Personnel Matters: Chairman Stone summarized the matter for the Board. He reported that discussions with the Land Use Bureau Chief resulted in a determination the Board could utilize the services of Tyler Theder, a Land Use Inspector, amounting to approximately fifty (50) percent of his time, to assist in the completion of certain tasks pertinent to the operation of the EPB. The proposal would broaden the role of the Land Use Inspector to include additional tasking and decision making on behalf of the Board, particularly in the absence of senior EPB Staff Members. This matter had been placed on the agenda for consideration, since the controlling Ordinance specifies that the Environmental Protection Board shall be the sole appointing authority for its director and staff.

Extensive discussion ensued between Board Members. Issues pertinent to the discussion included the necessity of “clarity” in terms of duties and assignments, training, supervision, performance assessment, and the duration of any appointment.

Motion/Vote: Upon a motion by Board Member Wayne, the Board voted to **APPROVE** the appointment of Tyler Theder, Land Use Inspector, to assist in the completion of certain tasks pertinent to the operation of the EPB with the following conditions:

- The appointment is authorized for a period of six (6) months. At the end of the six (6) month period, the appointment shall be automatically reauthorized unless otherwise determined by the Board.
- The appointee shall be subject to the supervision of the Board and Senior EPB Staff during the assignment.
- The appointee shall work on behalf of the EPB during regularly pre-assigned (to the EPB) hours such work taking place within the confines of the EPB Offices, except when carrying out site inspections.
- The appointee shall perform routine functions during regularly assigned hours, and at such other times when all other EPB Staff members are absent during regular morning, posted walk-in hours, to conduct ordinary and routine business of the EPB.

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

ADJOURN:

Adjourn the Special Meeting of June 13, 2013.

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There being no more business, the Board, upon a motion by Board Member Levine, voted to **ADJOURN** the Special Meeting of June 13, 2013.

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

Meeting adjourned at 8:18 PM.

Gary Stone, Chairman
Environmental Protection Board

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