

**ENVIRONMENTAL PROTECTION BOARD
CITY OF STAMFORD
MINUTES OF THE MARCH 20, 2014
REGULAR MEETING**

Members Present:

Gary Stone, Chairman
Louis Levine, Member
Peter Conetta, Member
Bradford Spaulding, Alternate Member
Nathanial Bowler, Alternate 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, 7th Floor, Stamford, Government Center, 888 Washington Boulevard, Stamford, Connecticut, 06904-2152. The meeting was recorded.

MINUTES

Minutes of the January 9, 2014 Special Meeting of the Environmental Protection Board:

Given the absence of members eligible to vote on this matter, Chairman Stone established that action would be deferred to the next regularly scheduled meeting.

Minutes of the February 20, 2014 Regular Meeting of the Environmental Protection Board:

The Board considered the minutes of the EPB's February 20, 2014 Regular Meeting. No changes or alterations were discussed or recommended. Accordingly, upon a motion by Board Member Levine, the Board voted to **APPROVE** the Minutes of the February 20, 2014 Regular Meeting as presented.

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

APPLICATIONS AND PERMITS

#1330 – 30 Windmill Circle – Lot A-24 – X. Kastrati: To construct an in-ground pool, walls,

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drainage, and other related facilities proximate to wetlands, watercourses and special flood hazard areas situated in the drinking water supply watershed of the Mianus River (East Branch). The subject property lies along the south side of Wind Mill Circle, approximately 150 feet west of Saw Mill Road and is identified as Lot A-24, List 001-6339, Card W-002, Block 394, and ± 1.18 Acres.

Reference is made to an EPB Staff Agenda Summary Report, dated March 13, 2014.

In Attendance: Douglas Alderman
Xhavit Kastrati
John Pugliesi, P.E., E.J. Frattaroli, Inc.
Willy Sander

Discussion: Staff member Fausty summarized the details of the application for the Board. Ms. Fausty noted that the applicant proposes to construct an in-ground pool, fence, necessary pool equipment, drainage and other related facilities on the parcel. The activities are expected to take place proximate to wetlands, watercourses and the floodplain of the Mianus River. She reminded the Board that development had been the subject of a prior EPB Permit in 2008 in which a new five (5) bedroom, single family dwelling, septic, drive, drainage and other related facilities had been constructed on the property. With the exception of the final driveway overlay and a handful of plantings proposed for the general pool area, the project had been successfully completed in 2013.

The pool is proposed for previously developed upland space not less than 45 feet to the top of riverbank and outside of known wetland and floodplain areas. Approximately 4,229 square feet of the upland review area is expected to be affected by the development. Staff concerns relating to water quality, drainage impact, and the integrity of the edge environments along the river have been addressed under this application with the provision of a detailed erosion control plan, an Engineering Bureau endorsed drainage scheme, and commitment to implement the elements of the conservation planting plan endorsed under the prior EPB Permit Application. In response to a neighbor's concerns relating to "blasting" and the potential for impact on the yields of nearby wells, the applicant has provided written correspondence committing to a "No Blast" development, relying on the use of alternative measures should rock/ledge need to be removed.

When questioned by Chairman Stone, the owner's representative, John Pugliesi, P.E., E.J. Frattaroli, Inc., acknowledged the receipt of the Staff Agenda Summary Report and confirmed that his client offered no objection to the conclusions and recommendations contained therein.

Willy Sander, the owner of an adjoining parcel, commented on the application. Although not opposed to the activities, he expressed deep concern that rock removal accomplished by blasting may adversely impact his water supply well. He noted that several years ago, blasting associated with the development of another nearby parcel affected his well. Accordingly, he requested that a condition be added to any permit issued by the Board prohibiting the use of blasting. Chairman Stone noted, after significant discussion, that enforcement of such as a condition stands outside of the Board's jurisdiction and would be difficult to enforce. However, correspondence offered by the applicant committing to the use of alternative rock/ledge removal measures would be added to the record.

Motion/Vote: Upon a motion by Board Member Levine, the Board voted to **APPROVE** EPB Permit Application No. 1330 with the conditions outlined in the EPB Staff Agenda Summary Report dated March 13, 2014 and to specifically include, as part of the record, correspondence from the

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applicant committing to site preparation practices that do not include blasting.

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

#1402 – 86 Eden Road – Lot 1 – J.P. Ryan for A.R. Ryan: To construct a bridge, accessway, drainage, utilities and other related facilities in and proximate to wetlands and watercourses situated in the non-drinking water supply watershed of Springdale Brook. The property lies along the north side of Eden Road, approximately ± 650 feet west of Parry Road, and is designated as Lot 1, List 004-5457, Card N-008B, Block 382, Zone RA-1 and ± 1.2882 Acres.

#1403 – 86 Eden Road – Lot 3 – J.P. Ryan for A.R. Ryan: To construct an accessway, drainage and other related facilities in and proximate to wetlands and watercourses situated in the non-drinking water supply watershed of Springdale Brook. The property lies along the north side of Eden Road, approximately ± 500 feet west of Parry Road, and is designated as Lot 3, List 002-3150, Card N-008, Block 382, Zone RA-1 and ± 1.4915 Acres.

Reference is made to an EPB Staff Memo, dated March 19, 2014 as to both applications.

In Attendance: None

Discussion: Chairman Stone acknowledged the receipt of written correspondence from the applicant (J. Ryan, 3/13/14) granting the Board an extension of the statutory deadline for decision on EPB Permit Applications No. 1402 and 1403 for a period of sixty-five (65) days to allow for the development of the information necessary to properly evaluate these applications.

Motion/Vote: None

#1404 – 612 Scofieldtown Road – Scofieldtown Park/Yard - Landfill Capping Project – Lot 15 – City of Stamford/Engineering Bureau: To remove existing vegetation in advance of a proposed landfill capping project. Activities are proposed in and/or proximate to wetlands and watercourses situated in the non-drinking water supply watershed of Poorhouse Brook. The site lies along the west side of Scofieldtown Road, just north of Rock Rimmon Road, and is identified as Lot 15, List 002-5936, Card W-35, Zone RA-2, Block 390, and ± 18.1 Acres.

Reference is made to an EPB Staff Agenda Summary Report dated March 13, 2014.

In Attendance: Jeff Brown, City of Stamford
Representative Gail Okun
Representative Susan Nabel

Discussion: Staff Member Talamelli described the application for the Board. He noted that the subject property lies along the west side of Scofieldtown Road, just north of Rock Rimmon Road and currently supports the facilities associated with the operation and use of "Scofieldtown Park and Maintenance Yard." The parcel is characterized by gently to severely sloping uplands, wetlands

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watercourses, a small man-made pond, and many large trees.

Mr. Talamelli noted that the property was utilized as a municipal solid waste landfill until 1968. The City of Stamford, under the provisions of a consent order issued by the State of Connecticut, Department of Energy and Environmental Protection (DEEP), has been directed to develop and implement a closure plan for the parcel. In response, a plan developed by a Connecticut Engineer/Environmental Professional on the behalf of the City provides for the installation of a suitable "cap" to reduce infiltration and the potential for water quality impacts. The "capping" generally requires the City to modify existing drainage facilities, implement certain topographic changes, install a geotextile membrane, replace soil cover, and revegetate areas of disturbance. Under this permit application, the applicant seeks approval of Phase I, the cutting of vegetation from those portions of the site subject to the capping. Both regulated and non-regulated areas shall be affected. The applicant reports that approximately 34,220 square feet of wetlands and 62,969 square feet of the upland review area shall be impacted by this project.

Mr. Talamelli reported that tree professionals will spend approximately four (4) weeks cutting all trees greater than four (4) inches in diameter, leaving three (3) foot high stumps to allow for future stump removal/grubbing. Felled trees shall be allowed to remain in place until the next phase of development. All work shall generally be accomplished by hand. In advance of the proposed clearing, snow fence protection shall be provided to trees expected to be incorporated into the post construction landscape. Following the clearing, temporary erosion controls (silt fence) shall be installed per the direction of EPB Staff to prevent potential water quality impacts. The removal of the trees is time sensitive. The DEEP requires the removal of the trees prior to the start of the roosting period for several species of bat (Hoary Bat, Red Bat and Silver Haired Bat) that may take up residence in the area. The roosting period is generally considered to start on or about May 1.

Under the consent order, there is little ability of the Board to modify the terms of the agreement or the scope of the closure plan. Mr. Talamelli noted that the applicant has modified the project to the extent allowable to preserve a greater number of trees along the site's perimeter, and provide for the installation of a basic collection of construction/erosion control measures/procedures to limit potential impacts on both resources and water quality. Measures to mitigate the impact of development or further enhance the overall conservation values of the site, such as the reintroduction of trees capable of addressing the specific roosting habits of the species displaced by the project, and an arborist's review of trees situated along the site's perimeter, may best be addressed during the Board's review of future, detailed capping/end use plans.

Jeff Brown, City of Stamford, acknowledged the receipt of the Agenda Summary Report and offered no objection to the terms or conditions.

Susan Nabel, Representative of the 20th District thanked Engineering Bureau Staff for their efforts to implement the project, and to modify the plans to the extent feasible to preserve perimeter trees to the extent feasible.

Motion/Vote: Upon a motion by Board Member Levine, the Board voted to **APPROVE** EPB Permit Application No. 1404 with the conditions outlined in the EPB Staff Agenda Summary Report, dated March 13, 2014.

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In Favor: Stone, Levine, Conetta, Spaulding, and Bowler

Opposed: None

Abstaining: None

Not Voting: None

#1406 – Burwood Avenue – Lot 27 - J. Pozuelo: To construct a new two (2) family dwelling, drive, drainage, and other related facilities in known flood hazard areas and proximate to wetlands situated in the non-drinking water supply watershed of the Southwest Shoreline. The site lies along the south side of Burwood Avenue, approximately 375 feet west of Southfield Avenue, and is identified as Lot 27, List 002-5993, Card S-023, Zone R-6, Block 25, and 6,085 square feet.

Reference is made to an EPB Staff Memo, dated March 13, 2014.

#1407 – 2440 Long Ridge Road – Parcel B – M. Mroz for D. Hart: To reconstruct a storm damaged detached garage proximate to wetlands on property situated within the drinking water supply watershed of the Mianus River. The property lies along the west side of Long Ridge Road, approximately 675 feet south of Grey Birch Road, and is identified as Parcel B, List 003-7743, Card W142, Block 399, Zone RA-2 and ± 1.414 acres.

Reference is made to an EPB Staff Agenda Summary Report, dated March 14, 2014

#1408 – 2228 Summer Street – Lots 1/2 - BL Companies for Estate of M. Giordano: To install a utility shed for equipment storage associated with a proposed air sparging/soil vapor extraction system. The utility shed is proposed for areas affected by the base floodplain of the Rippowam River. The site lies along the west side of Summer Street, just north of Bridge Street, and is identified as Lot 1/2, List 000-9427, Card W-416, Zone CL, Block 251, and $\pm 10,555$ square feet.

Reference is made to an EPB Staff Memo, dated March 17, 2014.

#1409 – 914-926 Newfield Avenue – Lot 21 – The Bridgeport Roman Catholic Diocesan Corporation (Trinity Catholic High School):

To construct a new synthetic turf multi-purpose athletic field, renovate an existing natural turf softball field, install drainage, and erect other related facilities proximate to wetlands and watercourses situated in the non-drinking water supply watershed of Toilsome Brook. The site lies along the west side of Newfield Avenue, approximately 1200 feet south of Vine Road, and is identified as Lot 21, List 002-6637, Card W-052, Zone RA-1/R-20, Block 324, and ± 23.3 Acres.

Reference is made to an EPB Staff Memo, dated March 17, 2014.

In Attendance: None

Discussion: Chairman Stone acknowledged the receipt of the minimum information necessary to initiate the permit application review process for EPB Permit Applications No. 1406, 1407, 1408 and 1409.

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Motion/Vote: Upon a motion by Board Member Conetta, the Board voted to **ACCEPT** EPB Permit Applications No. 1406, 1407, 1408 and 1409.

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

#1407 – 2440 Long Ridge Road – Parcel B – M. Mroz for D. Hart: To reconstruct a storm damaged detached garage proximate to wetlands on property situated within the drinking water supply watershed of the Mianus River. The property lies along the west side of Long Ridge Road, approximately 675 feet south of Grey Birch Road, and is identified as Parcel B, List 003-7743, Card W142, Block 399, Zone RA-2 and ± 1.414 acres.

Reference is made to an EPB Staff Agenda Summary Report dated March 14, 2014.

In Attendance: Marek Mroz
Bill Gilbert

Discussion: Staff Member Fausty described the application for the Board. She noted that the applicant proposes to reconstruct a storm damaged, detached garage that lies proximate to known wetland resources. The project provides for the reconstruction of the garage on the existing foundation. There are no provisions for an expansion of the building or associated driveway surfaces. Approximately 400 square feet of the upland review area shall be impacted by the project.

Staff concerns regarding water and environmental quality, particularly as they relate to existing encroachments, have been addressed under the permit review process with the applicant's commitment to remove all accumulated brush and debris from regulated areas, a limitation on the storage of any hazardous substances in the restored garage, the removal of a separate shed that had been installed within regulated areas without the prior written authorization of the Board, and the submission of a landscaping plan to restore and stabilize space affected by the unpermitted encroachments.

There were no questions or comments by the Board regarding this application. When questioned by Chairman Stone, the owner's representative, Bill Gilbert, acknowledged the receipt of the Staff Agenda Summary Report, and confirmed no objection to its conclusions or recommendations.

Motion/Vote: Upon a motion by Board Member Levine, the Board voted to **APPROVE** EPB Permit Application No. 1407 with the conditions outlined in the EPB Staff Agenda Summary Report, dated March 14, 2014.

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

SITE PLAN REVIEWS:

SUBDIVISION REVIEWS:

ENFORCEMENT – STATUS REPORTS AND SHOW CAUSE HEARINGS:

OTHER BUSINESS:

ADJOURN:

Adjourn the Regular Meeting of March 20, 2014.

There being no more business, the Board, upon a motion by Board Member Levine, voted to **ADJOURN** the Regular Meeting of March 20, 2014.

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

Meeting adjourned at 7:48 PM.

Gary Stone, Chairman
Environmental Protection Board

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