

**ENVIRONMENTAL PROTECTION BOARD
CITY OF STAMFORD
MINUTES OF THE APRIL 21, 2016
REGULAR MEETING**

Members Present:

Gary H. Stone, Chairman
Louis P. Levine, Member
Dr. Leigh Shemitz, Member
Richard Rosenfeld, Esq., Member
Ashley A. Ley, Member
Bradford Spaulding, Alternate Member

Members Not Present:

Nathanial Bowler, Alternate Member

Staff Present:

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

The Regular Meeting, which was called to order by the Chair at 7:30 PM, was held in the Cafeteria, 4th Floor, Stamford, Government Center, 888 Washington Boulevard, Stamford, Connecticut, 06904-2152. The meeting was video recorded.

MINUTES

Minutes of the March 24, 2016 Regular Meeting of the Environmental Protection Board: The Board considered the minutes of the EPB's March 24, 2016 Regular Meeting. No changes or alterations were recommended or discussed. Accordingly, upon a motion by Mr. Levine, the Board voted to **APPROVE** the Minutes of the March 24, 2016 Regular Meeting as presented.

In Favor:	Stone, Levine, Shemitz, Ley, and Spaulding
Opposed:	None
Abstaining:	None
Not Voting:	Rosenfeld

APPLICATIONS AND PERMITS

#1522 - 23 Barry Place (aka 50 Barry Place) – Lots A/B – Barry Place Ventures, LLC: To construct storm water drainage and other related facilities within close proximity to wetlands situated in the non-drinking water supply watershed of the Southwest Shoreline. The property lies along the west side of Barry Place, approximately 365 feet north of Fairfield Avenue, and is identified as Lots A/B, List 003-1399, Card W-002, Block 35, M-G Zone, and ± 11.7733 Acres.

Reference is made to an EPB Staff Memo, dated April 19, 2016.

In Attendance: None

Discussion: Mr. Stone acknowledged the receipt of correspondence from Derek Daunais, P.E., D'Andrea Surveying and Engineering, P.C., dated April 18, 2016 withdrawing EPB Permit Application No. 1522

Minutes
Environmental Protection Board
Regular Meeting of April 21, 2016

from further consideration.

Motion/Vote: None

#1603 - 23 Burwood Avenue – Lot 8 - A. Smeriglio: To reconstruct a porch within close proximity to wetlands situated in the non-drinking water supply watershed of the Southwest Shoreline. The property lies along the south side of Burwood Avenue, approximately 290 feet east of Fairfield Avenue, and is identified as Lot 8, List 000-3848, Card S-005, Block 25, Zone R-6, and ±6682 square feet.

Reference is made to an EPB Staff Agenda Summary Report, dated April 15, 2016.

In Attendance: Antonio Smeriglio.

Discussion: In advance of the presentation, Mr. Stone recused himself from the discussion. Mr. Levine assumed the role as Chair for this matter.

Staff Member Fausty summarized the application for the Board. Ms. Fausty reported that the applicant proposes to reconstruct an enclosed porch within close proximity to a small freshwater wetland situated on the parcel. The wetland, which occupies space in the southeastern portions of the lot, has historically been maintained as manicured lawn, and is impacted by the placement of stockpiled brush and debris. The porch reconstruction, which affects approximately 41 square feet of the upland review area, necessitates both the replacement of footings and structure. Concerns relating to water quality and the anticipated long term impact of the proposal have been addressed with the submission of a detailed erosion/construction control plan, and the owner's commitment to supply a mitigation plan that provides for the removal of stockpiled debris and installation of conservation planting.

In response to a question by Mr. Levine, Mr. Smeriglio acknowledged the receipt of the Agenda Summary Report and offered no objection to the findings or recommended conditions. He did note, however, that although committed to the development of a mitigation planting plan, he hoped to work closely with staff to develop an appropriate design to minimize cost.

Motion/Vote: Upon a motion by Mr. Spaulding, the Board voted to **APPROVE** EPB Permit Application No. 1603 with the conditions outlined in an EPB Staff Agenda Summary Report, dated April 15, 2016:

In Favor:	Levine, Shemitz, Rosenfeld, Ley, and Spaulding
Opposed:	None
Abstaining:	None
Not Voting:	Stone

#1604 - Clinton Avenue, Division Street, West Main Street, and Greenwich Avenue – NA - City of Stamford/Land Use Bureau – Mill River Park, Phase II, Middle Corridor Project: Construction of pathways, boardwalks, scenic overlooks, fishing piers, walls, drainage and other related facilities in and within close proximity to a reach of the Rippowam River and associated wetland and floodplain areas. The project affects both public and private properties on both sides of the river from Main Street to Richmond Hill Avenue along the east bank, and Main Street to the West Stamford Cemetery along the west bank.

Reference is made to an EPB Staff Memo, dated April 13, 2016

In Attendance: None

Minutes
Environmental Protection Board
Regular Meeting of April 21, 2016

Discussion: Mr. Stone acknowledged the receipt of correspondence from Norman Cole, Land Use Bureau Chief, dated April 13, 2016 granting the Board an additional sixty-five (65) days to consider EPB Permit Application No. 1604. The extension is granted to allow for the development of necessary additional information.

Motion/Vote: None

#1605 - Merriebrook Lane - NA - City of Stamford/Engineering Bureau - Merriebrook Lane Bridge Project: Construction of a new vehicular bridge, temporary pedestrian bridge, approaches, and other related features in and within close proximity to wetlands, watercourses and special flood hazard areas associated with the Mianus River. The project area, which lies within a drinking water supply watershed, is situated along a portion of Merriebrook Lane, approximately 1150 feet west of Westover Road.

Reference is made to an EPB Staff Memo, dated April 13, 2016

In Attendance: None

Discussion: Mr. Stone acknowledged the receipt of correspondence from Louis Casolo, Jr., P.E., City Engineer, dated April 8, 2016 granting the Board an additional sixty-five (65) days to consider EPB Permit Application No. 1605. The extension is granted to allow for the development of necessary additional information.

Motion/Vote: None

#1606 - 38 Westover Avenue - Parcel A - K. and J. Bitzonis: Construction of residential additions within close proximity to wetlands and watercourses situated in the drinking water supply watershed of the Mianus River. The property lies along the south side of Westover Avenue, approximately 480 feet west of Westover Road, and is identified as Parcel A, List 002-0617, Card S-002, Block 366, Zone RA-1, and ± 1.184 Acres.

Reference is made to an EPB Staff Memo, dated April 19, 2016

In Attendance: None

Discussion: Mr. Stone acknowledged the receipt of correspondence from Kirsten J. Bitzonis, dated April 14, 2016 granting the Board an additional sixty-five (65) days to consider EPB Permit Application No. 1606. The extension is granted to allow for the development of necessary additional information.

Motion/Vote: None

#1607 - 193 Shelter Rock Road - Lot N-30 - R. Wordell for K. Lubash: Construction of a shed and other related features within close proximity to wetlands and watercourses situated in the drinking water supply watershed of the Mianus River (East Branch). The property lies along the west side of Shelter Rock Road, approximately 480 feet north of Riverbank Drive, and is identified as Lot N-30, List 001-0045, Card W-016, Block 394, Zone RA-1, and ± 1.0002 Acres.

Reference is made to an EPB Staff Memo, dated April 21, 2016

In Attendance: None

Discussion: Mr. Stone acknowledged the receipt of correspondence from Robert S. Wordell, ASLA,

Minutes
Environmental Protection Board
Regular Meeting of April 21, 2016

dated April 19, 2016 granting the Board an additional sixty-five (65) days to consider EPB Permit Application No. 1607. The extension is granted to allow for the development of necessary additional information.

Motion/Vote: None

#1608 - 152 Harpsichord Turnpike - Lot 4 - J. Matthews for P. Wong: To reconstruct patios, walkways, and stoops and other related features situated within close proximity to wetlands and watercourses situated in the drinking water supply watershed of the Mianus River (East Branch) . The property lies along the south side of Harpsichord Turnpike, just east of Riverbank Road, and is identified as Lot 4, List 001-1766, Card S-010Z, Block 398, Zone RA-1, and ± 1.246 Acres.

Reference is made to an EPB Staff Memo, dated April 19, 2016

In Attendance: None

Discussion: Mr. Stone acknowledged the receipt of correspondence from John Matthews, Building Permit Services, dated April 15, 2016 granting the Board an additional sixty-five (65) days to consider EPB Permit Application No. 1608. The extension is granted to allow for the development of necessary additional information.

Motion/Vote: None

#1609 – 260-292 Long Ridge Road – Lot A1 – 260 Long Ridge Land, LLC: To regrade an existing paved parking area and conduct other related improvements within the base floodplain of the Rippowam River. This property lies in a non-drinking water supply watershed. The property lies along the west side of Long Ridge Road, approximately 450 feet south of River Ridge Court, and is identified as Lot A1, List 000-7241, Card W-018, Block 247, Zone C-D, and ± 17.60 Acres.

Reference is made to an EPB Agenda Summary Report, dated April 14, 2016.

In Attendance: William Buckley, P.E.

Discussion: Staff member Talamelli summarized the application for the Board members. He reported that the applicant seeks the Board's permission to regrade an existing paved parking area and conduct other related improvements within the base floodplain of the Rippowam River with the purpose of reducing exposure of an existing commercial building to potential flooding and flood hazards.

Mr. Talamelli noted that the ± 17.60 acre parcel currently supports two (2) large commercial buildings, paved parking, accessways, drainage, utilities and other related facilities. The site is characterized by gently to moderately sloping upland areas, a $\pm 1,600$ foot long reach of the Rippowam River, a band of riparian wetlands, a pocket wetland, special flood hazard areas, and a designated conservation easement. Uplands generally transition from manicured space, to coarse field, to light/moderate woods, east to west across the property. Wetlands generally support light to moderate woods. He reported that the smaller commercial building situated in the northern reaches of the property remains essentially free of flooding during a base flood event. The exception is a lower level loading dock area, which is affected by floodwaters flowing over a low lying portion of the existing asphalt drive/parking area and/or by surcharge through an existing trench drain that is situated along the base of the opening.

The applicant seeks the Board's permission to eliminate the building's exposure to flooding by adjusting the grade of the paved accessway/parking area and installing a tide-flex valve within the drainage system. Upon the

Minutes
Environmental Protection Board
Regular Meeting of April 21, 2016

completion of the project, it is the applicant's intent to seek a Letter of Map Revision to formally remove the structure from the flood zone. Given the nature of the project, the applicant is required to demonstrate that any resource impacts are minimized, that drainage is not adversely affected, that water quality is preserved, and that the development is consistent with the "Flood Regulations" as they pertain to river rise, and compensatory flood storage. Grade change is associated with the filling of the drive/parking areas and the excavation necessary to provide the required compensatory flood storage. Overall, the proposed grade alteration remains less than two (2) feet, with the least pronounced change found in the vicinity of paved accessway/parking areas. In the area dedicated to "flood storage," lawn, scrub growth, and perhaps three (3) trees shall be impacted. Substantial setbacks to both the river and known areas of wetland have been maintained. The engineer has confirmed that the alterations shall to be confined to the "ineffective flow area" and there is no rise in flood heights. Although approximately 67 cubic yards of flood storage shall be lost as a result of the drive/parking fill, an excavation just north of the building shall be executed to provide approximately 82 cubic feet of storage, or a net increase of 15 cubic yards. The project engineer has confirmed the absence of drainage impact, and erosion controls, both temporary and permanent, have been provided to reduce the potential for water quality impact. The applicant reports that approximately 8,000 square feet of the floodplain shall be affected by the project.

In response to a question by Dr. Shemitz, Mr. Talamelli reaffirmed that the project will not increase flood heights, and noted that the Stamford Engineering Bureau had confirmed the conclusions of the submitted studies, study methodology and design.

William Buckley, P.E. was in attendance representing the applicant. Mr. Buckley acknowledged the receipt of the Agenda Summary Report, and offered no objection to the findings or recommended conditions.

Motion/Vote: Upon a motion by Mr. Levine, the Board voted to **APPROVE** EPB Permit Application No. 1609 with the conditions outlined in an EPB Staff Agenda Summary Report, dated April 14, 2016:

In Favor:	Stone, Levine, Shemitz, Rosenfeld, and Ley
Opposed:	None
Abstaining:	None
Not Voting:	Spaulding

#1614 – 631 Long Ridge Road – Lot 1 – Land Tech for River Oaks Homeowner's Association, Inc.: To remove invasive plant species, trim and remove overgrown shrubs and remove dead or declining trees in and/or within close proximity to wetlands, watercourses and conservation easement areas situated in the non-drinking water supply watershed of the Rippowam River. The property lies along the east side of Long Ridge Road, access of which lies approximately 1000 feet north of Buckingham Drive, and is identified as Lot 1, Block 359, Zone R-D, and \pm 28.29 Acres.

Reference is made to an EPB Agenda Summary Report, dated April 14, 2016.

In Attendance: Tom Ryder, Senior Biologist, Land Tech Consultants
Dave Roach, All Habitat Services

Discussion: In advance of the presentation, Mr. Stone recused himself from the discussion. Mr. Levine assumed the role as Chair for this matter.

Ms. Fausty summarized the application for the Board members. She noted that the townhouse community had been the subject of a prior permit from the Environmental Protection Board. Important areas of resource, including a reach of the Rippowam River, wetlands, ponds, watercourses, special flood hazard areas, adjoining

Minutes
Environmental Protection Board
Regular Meeting of April 21, 2016

areas of slope, and other related space had been afforded permanent protection under the terms of a standard, City of Stamford, conservation easement agreement. Ms. Fausty reported that the homeowner's association, under this permit application seeks the Board's permission to implement certain management activities in the conservation easement areas, the purpose of which is to control invasive plant species and restore both the prior function and aesthetics of the areas. She noted that the applicant proposes to meet these objectives by implementing a concise plan that provides for select tree removals, the pruning of shrubs, targeted herbicide applications, and the installation of native planting. The applicant reports that approximately 1,350 square feet of wetlands, 1,350 square feet of the floodplain, and 6,500 square feet of upland review areas/conservation easement area shall be impacted by the project.

Tom Ryder, Senior Biologist for Land Tech then provided a detailed presentation. He noted that the property supports three (3) separate conservation easement areas. The first easement is located in the western portion of the site and includes a reach of the Rippowam River, riparian wetlands, floodplain, sloping uplands, and a wetland/basin that was installed during the construction phase to assist in the treatment of storm water. The second easement area lies to the south and east and includes both wooded and manicured upland areas preserved to buffer the development from the abutting residences. The third easement area lies to the north and east and includes a pond, wetlands, and a series of swales, rain gardens, and other features to assist in the treatment of storm water. Mr. Ryder noted that portions of the easement areas, particularly those along the river and pond, are virtually "unrecognizable" given the overgrowth and proliferation of certain invasive plant species.

Mr. Ryder reported that aside from the general aesthetic impacts, the growth has diminished the value of the conservation areas, reduced access/recreational opportunities, and impeded the function of the storm water treatment facilities. He noted that the proposed treatments/maintenance activities vary in each of the easement areas based on the intensity of the degradation. In the first easement area, an aggressive Cattail population situated along the river and within the storm water treatment wetland shall be spot treated with an environmentally friendly herbicide, and bare or sparsely vegetated spaces shall be reseeded with a prescribed meadow mix. In the second conservation easement, spot herbicide treatments shall be applied to the limited number of invasives observed in the area. In the third easement area, more significant action is required given the significance of the encroachment. Recommended restoration activities include the removal of several tall Alders and Maples, the pruning of existing Arrowwood, Rhododendron and Dogwood shrubs, and the physical removal and/or spot herbicide treatment of known invasive populations of Euonymus, Garlic Mustard, Japanese Barberry, Multiflora Rose, Wineberry and Cattail. Other work includes spot herbicide treatments, selective mowing, reseeded with predetermined grass/wildflower mixes, cutting of hazardous trees, removal of accumulated debris, and the installation of several pedestrian pathways to provide better access to the pond for residents. The pathways shall be composed of "low grow" vegetation. Mr. Ryder noted that the herbicide applications shall be administered by a qualified and licensed applicator versed in the treatment of invasives found in sensitive environments. Environmental monitoring services shall be provided by Land Tech.

Dr. Shemitz questioned the purpose and value of the activity, noting that the project may be more of a landscaping exercise to improve aesthetics than to enhance the environmental values of the conservation easement areas. She noted that many of these systems are dynamic, transitioning to environments having greater productivity. She further noted that the space undergoing a transition may be less visually appealing, and are likely to be the focus of a relandscaping project.

Mr. Ryder stated that although the project was initiated to restore visual access to the pond and improve the overall aesthetics of the community, the association recognized the importance of maintaining the conservation resources and restoring the water quality systems to a functional condition. Accordingly, the project was modified to "reset the clock" - restoring the diverse and purposeful environments preserved/enhanced as part of the original construction and re-establishing the conditions that would maximize the filtering and water quality functions of the

Minutes
Environmental Protection Board
Regular Meeting of April 21, 2016

various swales, rain-gardens and other related systems.

Dave Roach from All Habitat Services briefly addressed the Board to review the herbicide application procedures. He noted that the herbicides will be responsibly applied - meaning that the sprays will be focused, limited in duration, and specifically chosen for their approved use in these sensitive environments.

Motion/Vote: Upon a motion by Mr. Rosenfeld, the Board voted to **APPROVE** EPB Permit Application No. 1614 with the conditions outlined in an EPB Staff Agenda Summary Report, dated April 15, 2016:

In Favor:	Levine, Rosenfeld, Ley, and Spaulding
Opposed:	Shemitz
Abstaining:	None
Not Voting:	Stone

#1615 – Cascade Road – Revised Plot A-1 and B-1 – North Ridge Contractors, LLC.: To construct an in-ground pool, patio, fence, and other related facilities within close proximity to wetlands and watercourses situated in the drinking water supply watershed of the Rippowam River. The property lies along the east side of Cascade Road, approximately 500 feet south of Michael Road, and is identified as Revised Plot A-1 and B-1, List 002-4915, Card S-022, Block 384, Zone RA-1, and ± 1.2524 Acres.

Acceptance: Reference is made to an EPB Staff Memo, dated April 11, 2016.

#1616 – Skymeadow Drive – NA – City of Stamford/Engineering Bureau- Skymeadow Drive Roadway and Drainage Improvements (West): To install drainage and implement certain roadway improvements in and/or proximate to wetlands and watercourses situated in the non-drinking water supply watershed of Poorhouse Brook. The project affects property in an area generally bounded by Skymeadow Drive to the north, Hannahs Road to south, Larkspur Road to the east, and Scofieldtown Road to the west.

Acceptance: Reference is made to an EPB Staff Memo, dated April 19, 2016.

#1617 – 18-22 Taylor Street – Lots A/24 - Taylor Mission, LLC for Taylor Mission LLC and O. and W. Hopp: To maintain and renovate a historic dwelling and construct fifteen (15) additional single family attached units in four (4) multi-family buildings, parking, drainage, utilities and other related facilities proximate to wetlands situated in the non-drinking water supply watershed of the Rippowam River. The project area affects two properties: 18 Taylor Street, lies along the east side of Taylor Street, approximately 240 feet south of Richmond Hill Avenue, and is identified as Lot A, Account 004-1371, Card E-003, Map 126, Block 15, Zone R-MF, and $\pm 15,187$ square feet, and 22 Taylor Street, lies along the east side of Taylor Street, approximately 280 feet south of Richmond Hill Avenue, and is identified as Lot 24, Account 000-5084, Card E-004, Map 126, Block 15, Zone R-MF, and $\pm 6,800$ square feet.

Acceptance: Reference is made to an EPB Staff Memo, dated April 19, 2016.

#1618 – 200 Strawberry Hill Avenue – Parcel B – City of Stamford – Rogers Inter-District Magnet Extension, Phase 3: To construct additions, play areas, parking, access drives, drainage, utilities, and other related facilities in and/or proximate to wetlands and an intermittent watercourse situated in the non-drinking water supply watershed of the Southwest Shoreline. Improvements are related to the creation of a new K-8 Magnet School. The property lies along the west side of Strawberry Hill Avenue, just south of Fifth Street, and is identified as Parcel B, Account 002-6611, Card W-426, Map 111, Block 223, Zone R-7.5, and ± 10.84 Acres.

Minutes
Environmental Protection Board
Regular Meeting of April 21, 2016

Acceptance: Reference is made to an EPB Staff Memo, dated April 19, 2016.

Discussion: Mr. Stone acknowledged the receipt of the minimum information necessary to initiate the permit application review process for EPB Permit Applications No. 1615, 1616, 1617, and 1618.

Motion/Vote: Upon a Motion by Ms. Ley, the Board voted to **ACCEPT** EPB Permit Applications No. 1615, 1616, 1617, and 1618.

In Favor:	Stone, Levine, Shemitz, Rosenfeld, and Ley.
Opposed:	None
Abstaining:	None
Not Voting:	Spaulding

SITE PLAN REVIEWS:

SUBDIVISION REVIEWS:

ENFORCEMENT – STATUS REPORTS AND SHOW CAUSE HEARINGS:

OTHER BUSINESS:

#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 \pm 1.58 Acres.

Reference is made to an EPB Staff Memo, dated April 13, 2016.

Discussion: Mr. Stone acknowledged the receipt of correspondence from Brian McMahon, P.E., Redniss and Mead, dated March 30, 2016 requesting and extension of EPB Permit No. 1314 on the behalf of the client, The Little Workers of Sacred Hearts of Jesus and Mary, Inc.

In response to questioning from Mr. Stone, Mr. Talamelli confirmed that there were no outstanding violations on the property, that conditions on the site have not changed as to warrant re-evaluation of the permit, and that the permit was routinely and legally issued by the Board. Accordingly, Mr. Talamelli recommended that the Board grant the extension request, allowing the permit to remaining in full force and effect until July 30, 2017.

Motion/Vote: Upon a Motion by Mr. Levine, the Board voted to **APPROVE** the extension of EPB Permit No. 1314 for a period of one (1) year until July 30, 2017.

In Favor:	Stone, Levine, Shemitz, Rosenfeld, and Ley
Opposed:	None
Abstaining:	None
Not Voting:	Spaulding

ADJOURN:

Adjourn the Regular Meeting of April 21, 2016.

Minutes
Environmental Protection Board
Regular Meeting of April 21, 2016

There being no further business, the Board, upon a motion by Mr. Levine, voted to **ADJOURN** the Regular Meeting of April 21, 2016.

In Favor:	Stone, Levine, Shemitz, Rosenfeld and Ley
Opposed:	None
Abstaining:	None
Not Voting:	Spaulding

The meeting was adjourned at 8:42 PM.

Gary H. Stone, Chairman
Environmental Protection Board

Meeting Minutes Assembled from Notes Prepared By Richard Talamelli, Environmental Planner