

**ENVIRONMENTAL PROTECTION BOARD  
CITY OF STAMFORD  
MINUTES OF THE SEPTEMBER 15, 2016  
REGULAR MEETING**

**Members Present:**

Gary H. Stone, Chairman  
Louis P. Levine, Member  
Richard Rosenfeld, Esq., Member  
Ashley A. Ley, Member  
Laura Tessier, Alternate Member

**Members Not Present:**

Dr. Leigh Shemitz, Member  
Bradford Spaulding, Alternate Member  
Nathaniel 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, 4<sup>th</sup> Floor, Stamford, Government Center, 888 Washington Boulevard, Stamford, Connecticut, 06904-2152. The meeting was video recorded.

**MINUTES:**

**ACCEPTANCES:**

**ACTION ITEMS:**

**#1623 – 24 Linwood Lane – Lot 1A – T. Villani:** To modify a driveway and remove and/or regrade fill and drainage structures installed in and proximate to wetlands, watercourses and the base floodplain of the Rippowam River. The property lies along the north side of Linwood Lane, approximately 400 feet east of Wire Mill Road, and is identified as Lot 1A, List 000-7371, Card E-002, Block 378, Zone RA-1, and ±1.3328 Acres.

Reference is made to an EPB Staff Memo, dated September 9, 2016.

**In Attendance:** None

**Discussion:** Mr. Stone acknowledged the receipt of correspondence from Joshua K. Hannant, P.E., D'Andrea Surveying and Engineering, P.C., dated September 8, 2016 withdrawing the subject application from further consideration.

**Motion/Vote:** None

**#1624 – 1430 Washington Boulevard (aka 1450 Washington Boulevard) – Lot A – Amore Montessori/M. Jacobsen for T-C Newbury Common, LLC:** To construct a pre-school and infant/toddler playgrounds with the base floodplain of the Rippowam River. The property lies along the west side of Washington Boulevard, just north

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of North Street, and is identified as Lot A, List 003-6715, Card W-058, Block 262, Zones P-D, R-H, and R-5, and  $\pm 3.17$  Acres.

Reference is made to an EPB Staff Memo, dated September 14, 2016.

**In Attendance:** None

**Discussion:** Mr. Stone acknowledged the receipt of correspondence from Jacqueline O. Kaufman, Esq., Carmody, Torrance, Sandak and Hennessey, LLP., dated September 12, 2016 withdrawing the subject application from further consideration.

**Motion/Vote:** None

**#1625 - Wallenberg Drive - Lot 34 - Wallenberg, LLC:** To construct a new single family dwelling with associated septic system, site grading and drainage in and proximate to wetlands, watercourses, and designated conservation/open space areas on property situated within the drinking water supply watershed of the Bargh Reservoir (Mianus River). The property lies along the east side of Wallenberg Drive, approximately 150 feet south of South Lake Drive, and is identified as Lot 34, List 003-7997, Card E-003, Block 400, Zone RA-3, 2.04 Acres.

Reference is made to an EPB Staff Memo, dated September 9, 2016.

**In Attendance:** None

**Discussion:** Mr. Stone acknowledged the receipt of correspondence from Jacqueline O. Kaufman, Esq., Carmody, Torrance, Sandak and Hennessey, LLP, dated September 9, 2016 granting the Board an additional sixty-five (65) days to consider EPB Permit Application No. 1625. The extension is granted to allow for the development of necessary additional information. A final decision shall be made on the subject application on or before October 29, 2016.

**Motion/Vote:** None

**#1626 – 733 Long Ridge Road – Lot A – B. Defreese:** To construct a wood deck, stair, propane tank and other related facilities proximate to wetlands and watercourses and within the base floodplain of the Rippowam River. The property lies along the east side of Long Ridge Road, just north of Barnes Road, and is identified as Lot A, List 002-4369, Card E-058, Block 359, Zone R-20, and  $\pm 0.81$  Acres.

**#1628 – 490 Scofieldtown Road - Lot 10E – Estate of Timothy Kennedy:** To construct a driveway, walls, drainage, utilities, and other related facilities in and proximate to wetlands situated in the non-drinking water supply watershed of Haviland Brook. The activities are associated with a proposed two (2) lot subdivision of property. The property lies along the west side of Scofieldtown Road, approximately 700 feet north of Chestnut Hill Road, and is identified as Lot 10E, List 001-1631, Card W-026, Block 372, Zone RA-1, and  $\pm 3.7271$  Acres.

**#1629 – 57 Acre View Drive – Lot 27 – P. Sarkar and D. Basu:** To maintain a subsurface sewage disposal system, reconstruct drainage and grade in and within close proximity to wetlands situated in the non-drinking water supply watershed of Poorhouse Brook. The property lies along the east side of Acre View Drive, approximately 800 feet north and east of High Ridge Road, and is identified as Lot 27, List 000-8282, Card E-004, Block 388, Zone RA-1, and  $\pm 1.00$  Acres.

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Reference is made to an EPB Staff Memo, dated September 9, 2016.

**In Attendance:** None

**Discussion:** Mr. Stone acknowledged the receipt of correspondence from Brian DeFreese, dated September 9, 2016, Joseph J. Capalbo, II, Esq., dated September 7, 2016 and Debarti Sarkar, dated September 9, 2016 granting the Board an additional sixty-five (65) days to consider EPB Permit Applications No. 1626, 1628 and 1629. The extensions are granted to allow for the development of necessary additional information. Final decisions shall be made on the subject applications on or before November 28, 2016.

**Motion/Vote:** None

**SITE PLAN REVIEWS:**

**SUBDIVISION REVIEWS:**

**#4026 – 3 Juniper Hill Road – Lot 2 – M. Grunberg:** Subdivision of an existing 3.65 acre site into two (2) parcels capable of supporting residential development. The property generally lies along the east side of Guinea Road, just north of Juniper Hill Road and is identified as Lot 2, Account 002-9402, Card S-022, Map 80, Block 373, Zone RA-2, and  $\pm 2.63$  Acres ( $\pm 3.65$  acre total includes that situated within the Town of Greenwich).

Reference is made to an EPB Staff Memo, dated August 30, 2016.

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

**Discussion:** Ms. Fausty summarized the subdivision application for the Board. She reported that the  $\pm 3.65$  acre site currently supports a single family dwelling, detached garage, pool, several accessory structures, drive, and other related facilities. The parcel is served by both a private well and subsurface sewage disposal system. This drinking water supply watershed property is characterized by the presence of manicured uplands, forested uplands, a pond, wetlands, areas of exposed ledge, and many large trees. The municipal boundary that separates Stamford from Greenwich segments the site.

The applicant proposes to subdivide the property into two (2) parcels capable of supporting residential development. New development is generally confined to lands in the City of Stamford. Ms. Fausty reported that the applicant had submitted plans and related data to confirm that the subdivision was technically feasible by establishing a viable septic area, attenuating drainage impacts with a structured system, and addressing the basic requirements of zoning. It was noted that the Stamford Engineering Bureau, Health Department and Zoning Enforcement Officer offered no objection to the project. Grade and resource impacts have been minimized with the development confined to gently to moderately sloping uplands in historically altered space. Modifications to the proposal were evaluated by the applicant resulting in the reconfiguration and relocation of an accessway to minimize cuts/fills, reduce imperviousness, and avoid the removal of several mature trees. A plan of basic sediment and erosion controls has been provided to assist in the protection of water quality. To address the resource protection and conservation requirements of the subdivision, the applicant has provided a "Conservation Easement Agreement" for all wetlands and buffers located in the southern portions of the property. The easement is linked to other conservation lands already established on adjoining properties. Conservation plantings have been proposed for portions of the pond and buffer areas currently maintained as lawn.

In response to questioning by Ms. Ley, Ms. Fausty reported that further subdivision of Parcel B was not a possibility, noting that a variance granted for land area included a condition that prohibited further subdivision. Ms.

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Fausty further responded that additional mitigation planting could be sought for areas along the drive. However, an expanded mitigation plan may not be warranted given the fact that the space was made available by a driveway alternative that preserved mature trees.

Mr. Pugliesi acknowledged the receipt of the Agenda Summary Report, and offered no objection to its conclusions or recommended conditions of approval. A brief discussion ensued on the terms of the conservation easement agreement as it affects passive recreational uses for the pond and other portions of the proposed conservation easement area.

**Motion/Vote:** Upon a motion by Mr. Levine, the Board voted to **OFFER NO OBJECTION** to Planning Board No. 4026 with the conditions outlined in an EPB Staff Agenda Summary Report, dated August 30, 2016.

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

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

**OTHER BUSINESS:**

**#1414 – 1214 Long Ridge Road (aka 1222 Long Ridge Road)- Lot 33C – I. Strezoski:** To construct a deck and other related facilities proximate to wetlands on property situated within the non-drinking water watershed of the Rippowam River. The site lies along the west side of Long Ridge Road, approximately 90 feet south of Midrocks Drive, and is identified as Lot 33C, List 000-1447, Zone RA-1, Block 375, and  $\pm 1.000$  acre.

Reference is made to an EPB Staff Memo, dated September 9, 2016.

**In Attendance:** Ilya Strezoski

**Discussion:** Mr. Talamelli summarized the applicant's proposal to modify an existing EPB Permit to maintain an alternatively constructed parking/turnaround area on the property. He noted that in July 2014, the Environmental Protection Board approved EPB Permit No. 1414, allowing construction of several residential additions/deck, a new septic system, drainage system, and other related improvements proximate to wetlands/watercourses. A building permit was secured and the construction progressed towards completion over the last two (2) years. In April, 2016, an inspection conducted by EPB/Engineering Bureau Staff resulted in a determination that several items needed to be addressed to comply with the permit and therefore, qualify for signatures authorizing the issuance of a final certificate of occupancy/completion. It was noted that one item, an expanded parking turn around, resulted in additional imperviousness and a diminished setback to the wetlands/watercourses. The permittee was advised to restore the space to the permitted condition or to seek a modification of permit.

Mr. Talamelli reported that the expanded pavement lies at the existing grade and no less than seventeen (17) feet to the wetlands/watercourses. Under the original approval, the edge of pavement was expected to lie no less than twenty-two (22) feet to the corridor. An engineer engaged by the owner has stated that given the condition of the remaining setback, and the minimal change to the total impervious area, the modified parking and turn around will not impact adversely impact drainage or the wetland/watercourse corridor. Mr. Talamelli stated that the originally approved turnaround proved to be too narrow, ill-placed, and unworkable in the field. The as-built condition, although allowing pavement to occupy areas closer to the wetlands/watercourses, provides more safe and useful

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space. The ability to expand the parking/pavement in the direction of the roadway was limited due to setbacks and other constraints. He noted that the area between the pavement and the wetlands/watercourse currently supports a mix of lawn grass and certain invasive species. He noted that any approval of the modification proposal should include provisions for a professionally developed landscape plan, subject to staff approval, to better define regulated areas, enhance habitat values, and bolster the filtering/pollutant attenuating functions of the buffer. All other terms and conditions of the prior permit remain shall remain in full force and effect.

Ilya Strezoski acknowledged the receipt of the EPB Staff Memo, and offered no objection to the statements/conditions contained therein.

**Motion/Vote:** Upon a motion by Mr. Levine, the Board voted to **APPROVE** the proposed Modification of EPB Permit Application No. 1414 with the conditions outlined in an EPB Staff Agenda Summary Report, dated September 9, 2016.

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

**ADJOURN:**

**Adjourn the Regular Meeting of September 15, 2016:**

There being no further business, the Board, upon a motion by Mr. Levine, voted to **ADJOURN** the Regular Meeting of September 15, 2016.

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

The meeting was adjourned at 7:50 PM.

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Gary H. Stone, Chairman  
Environmental Protection Board

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