

**ENVIRONMENTAL PROTECTION BOARD
CITY OF STAMFORD
MINUTES OF THE DECEMBER 17, 2020
REGULAR MEETING
CONDUCTED VIA INTERNET AND CONFERENCE CALL**

MEMBERS PRESENT:

Gary H. Stone, Chairman
Dr. Leigh Shemitz, Member
Ashley A. Ley, Member
Laura Tessier, Member
David J. Kozlowski, Alternate Member
Stephen J. Schneider, Alternate Member
Thomas C. Romas, Alternate Member

MEMBERS NOT PRESENT:

Joseph Todd Gambino, Member

STAFF PRESENT:

Richard Talamelli, Executive Director/Environmental Planner
Pamela Fausty, Environmental Analyst
Lindsay Tomaszewski, Environmental Analyst

The meeting was called to order by Mr. Stone at 7:31 PM. The Chair confirmed that Mr. Stone, Dr. Shemitz, Ms. Ley, Ms. Tessier, and Mr. Schneider would be seated for the Regular Meeting.

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Minutes of the Regular Meeting of November 19, 2020

Members present and eligible to vote were Mr. Stone, Dr. Shemitz, Ms. Tessier, Mr. Kozlowski, Mr. Schneider, and Mr. Romas. There were no comments or modifications recommended.

Motion/Vote: Upon a motion by Ms. Tessier and seconded by Dr. Shemitz, the Board voted to **APPROVE** the Minutes of the November 19, 2020 Regular Meeting as presented.

In Favor: Stone, Shemitz, Tessier, Schneider and Romas
Opposed: None
Abstaining: None
Not Voting: Ley and Kozlowski

APPLICATIONS AND PERMITS:

Acceptances/Extensions/Withdrawals:

#2020-17 – 130 Shelter Rock Road – Lot N27 – F. LaFauci and J. LaFauci: To install four (4) above ground propane tanks and maintain a terrace proximate to wetlands and a watercourse on property

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situated within the drinking water supply watershed of the Mianus River (East Branch). The property is situated along the south side of Shelter Rock Road, approximately 430 feet north of the intersection of Shelter Rock and Rising Rock Roads, and is identified as Lot N27, Account 001-2563, Card E-014, Map 48, Block 394, Zone RA-1, and + 1.14 Acres.

Reference is made to an EPB Staff Memo, dated December 10, 2020.

#2020-18 - Merriebrook Lane, Mill Brook Road, and Highline Trail - NA - Mianus Trout Unlimited for the City of Stamford – Mianus River Cold Water Habitat Improvement Project: To implement certain in-water and terrestrial activities to stabilize banks, trap sediments, and generally improve trout habitat within a reach of the Mianus River. The project affects wetlands, watercourses, upland review areas, and special flood hazard areas. The project area is generally bordered by Mill Brook Road to the north, Highline Trail to the east and Mianus River Park to both the south and west.

Reference is made to an EPB Staff Memo, dated December 11, 2020.

In Attendance: Frank LaFauci

Discussion: Mr. Stone acknowledged the receipt of correspondence from Frank LaFauci (December 10, 2020) and Jeffrey Yates (December 11, 2020) Withdrawing EPB Permit Application Nos. 2020-17 and 2020-18 from further consideration.

Motion/Vote: None

#2020-28 – 35 Bird Song Lane – Lot 4 - City of Stamford Engineering Bureau for G. Moore – Bird Song Lane Roadway and Drainage Improvements: To implement certain roadway and drainage improvements in and proximate to wetlands situated in the non-drinking water supply watershed of Poorhouse Brook. The activities lie within both a portion of Bird Song Lane and a proposed drainage easement on property situated at 35 Bird Song Lane, Lot 4, Account 000-6588, Card N-022Z, Map 44, Block 386, Zone RA-2, and +1.025 Acres.

#2020-29 – 80 Halliwell Drive – Lot 2 – Quesited Consulting, LLC for A. Hart: To construct a private, replacement driveway bridge in and proximate to wetlands and watercourses situated in the non-drinking water supply watershed of the Southwest Shoreline/Rippowam River. The property lies along the south side of Halliwell Drive, approximately 180 feet east of Sycamore Terrace, and is identified as Lot 2, Account 001-9788, Card S-007, Map 113, Block 361, Zone R-10 and + 0.42 Acres.

Reference is made to an EPB Staff Memo, dated December 11, 2020 as to both applications.

In Attendance: None

Discussion: Mr. Stone acknowledged the receipt of the minimum information necessary to accept EPB Permit Applications No. 2020-28 and 2020-29.

Motion/Vote: Upon a motion by Ms. Ley and seconded by Mr. Schneider, the Board voted to **ACCEPT** EPB Permit Application Nos. 2020-28 and 2020-29.

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In Favor: Stone, Shemitz, Ley, Tessier and Schneider
Opposed: None
Abstaining: None
Not Voting: Kozlowski and Romas

Action Items:

#2020-23 - 12 Eastover Road – Lot 14 – R. Mazzeo and J. Mazzeo: Installation of a sewer lateral within twenty-five (25) feet of wetlands situated in the non-drinking water supply watershed of the Rippowam River/Ayres Brook. The property is situated along the west side of Eastover Road at the intersection of Intervale Road East, and is identified as Lot 14, Card W-001, Account 000-1354, Map 68, Block 338, Zone RA-1 and +1.0121 Acres.

Reference is made to an EPB Agenda Summary Report, dated December 10, 2020.

In Attendance: Raymond Mazzeo

Discussion: Staff Member Fausty summarized the application for the Board. She reported that the applicant seeks the Board's permission to install a sewer lateral connection and abandon and existing septic system within close proximity to a known wetland area. The property, which lies along the west side of Eastover Road at the intersection of Intervale Road East, currently supports a residence, drive, walkways, walls, septic and other related features. Wetlands occupy most of the western one-half of the property and are largely undisturbed. The proposed sanitary lateral installation will impact approximately 465 square feet of the upland review area. The regulated areas affected by the development are highly manicured, gently sloping, and separated by the wetland by a well maintained stone wall. Erosion controls have been proposed to any potential impacts posed by the lateral installation.

Ms. Fausty reported that a small wooden shed also occupies the wetland setback, but based on a review of available aerial data, appears to have been in place for more than twenty (20) years and predates occupancy by the current owner. She further reported, however, that a play feature was more recently added to the upland review area by this owner. The owner has committed to the relocation of this feature and the installation of mitigation plantings if required.

Dr. Shemitz, Ms. Ley and Mr. Schneider each voiced the opinion that the playscape encroachment seemed acceptable given the historic use of the site, the minor impact, and presence of the hardened line of demarcation posed by the stone wall. Ms. Ley went on to note that the benefits of the sanitary sewer installation far outweighed the long term impacts of the playscape encroachment. Modifications to the recommended permit conditions were then discussed by Board members.

Mr. Mazzeo acknowledged the prior receipt of the agenda summary report and offer no objection to its findings or the modified conditions of approval.

Motion/Vote: Upon a motion by Ms. Ley and seconded by Ms. Tessier, the Board voted to **APPROVE** EPB Permit Application No. 2020-23 with conditions outlined in the Agenda Summary Report, dated December 10, 2020, modified to allow the play feature to remain in its current location and the removal of proposed conditions relating to the installation of mitigation plantings and the execution/filing of a landscape maintenance agreement.

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In Favor: Stone, Shemitz, Ley, Tessier and Schneider
Opposed: None
Abstaining: None
Not Voting: Kozlowski and Romas

#2020-26 - 746 Riverbank Road – Parcel A – G. Werlinich and K. Werlinich: To raze an existing in-ground pool and patio, construct a new in-ground pool and patio, construct a temporary haul road and implement other related activities proximate to a pond, wetlands, and watercourses situated in the drinking water supply watershed of the Mianus River. The property lies along the west side of Riverbank Road, approximately 600 feet north of Riverbank Drive, and is identified as Parcel A, List 001-0119, Card W-025, Block 395, Map 64, Zone RA-3, and +10.219 Acres.

Reference is made to an EPB Agenda Summary Report, dated December 11, 2020.

In Attendance: Leonard D'Andrea, P.E., D'Andrea Surveying and Engineering, P.C.

Discussion: Staff Member Tomaszewski summarized the application for the Board. She reported that the applicant seeks the Board's permission to demolish an existing in-ground pool and patio and install a new in-ground pool, patio, temporary haul road and other related improvements proximate to a pond, wetlands, and watercourses situated in the drinking water supply watershed of the Mianus River.

The 10+ acre property, which lies the west side of Riverbank Road, approximately 600 feet north of Riverbank Drive, currently supports a residence, detached garage, barn, pool house, pool, drive, walkways, septic, and other related features. Regulated areas include a reach of the Mianus River, wetlands, watercourses, open water pond, special flood hazard areas and the fifty (50) foot and one hundred (100) foot regulatory setbacks typically associated with drinking water supply watersheds

Activities are generally confined to space situated along the west side of the pond, wetland and watercourse corridor that divides the property. The applicant intends to construct a haul road and utilize the existing bridge to access the development envelope. The existing pool shall be demolished and the debris removed from the property. The new pool, patio, drainage system and related features shall be installed in the approximate same location as the existing, some 44 feet from the pond and wetland fringe areas. Grade change and vegetation loss has been minimized. The applicant reports that approximately 3,319 square feet of the upland review area shall be impacted by the project. There are no projected encroachments into wetlands, watercourses or known special flood hazard areas.

Ms. Tomaszewski stated that the engineer has confirmed that the project will not adversely impact drainage and adjoining properties, and that water quality controls, including an infiltration system and a collection of temporary/permanent erosion controls shall be implemented to protect/preserve water quality. The vegetated wetland fringe shall remain essentially unchanged. Although confirming both the design and conclusions of the drainage and water quality statements, the Stamford Engineering Bureau has requested a structural analysis to confirm the bridge's ability to sustain the loads associated with the installation of stabilizing metal plates and machine access. Ms. Tomaszewski went on to note that based on a review of available aeriels and other file data, that the regulated areas had appeared essentially unchanged since the pool house and related features were first

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erected in the early 1980's.

Dr. Shemitz offered support for the project and acknowledged the owners' commitment to maintain the regulated areas in a natural condition.

Mr. D'Andrea confirmed the prior receipt of the Staff Agenda Summary Report, and offered no objection to its finding or the recommended conditions of approval.

Motion/Vote: Upon a motion by Ms. Ley and seconded by Dr. Shemitz, the Board voted to **APPROVE** EPB Permit Application No. 2020-26 with the conditions outlined in the Agenda Summary Report of December 11, 2020.

In Favor: Stone, Shemitz, Ley, Tessier, and Schneider
Opposed: None
Abstaining: None
Not Voting: Kozlowski and Romas

Site Plan Review:

None

Other Business:

None

ADJOURN:

Adjourn the Regular Meeting of December 17, 2020:

Motion/Vote: Upon a motion by Ms. Ley and seconded by Mr. Schneider, the Board voted to **ADJOURN** the Regular Meeting of December 17, 2020.

In Favor: Stone, Shemitz, Ley, Tessier, and Schneider
Opposed: None
Abstaining: None
Not Voting: Kozlowski and Romas

Meeting adjourned at 7:57 PM.

Gary H. Stone, Chairman
Environmental Protection Board