

EPB AGENDA SUMMARY

APPLICATION: #2919, David Viera

DATE: November 12, 2009

LOCATION: 66 Shelter Rock Road - Lot N15 **ZONE:** RA-1

WATERSHED: Mianus River East Branch

AREA: 1.04 Acres

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MAP AND OTHER REFERENCES:

"Zoning Location Survey Map of Property", Prepared for David Viera, 66 Shelter Rock Road, Stamford, Connecticut, prepared by: Walter H. Skidd - Land Surveyor LLC, dated: July 3, 2009, revised October 1, 2009;

PROPOSAL: The applicant is proposing to maintain an existing concrete patio and to construct a new deck and staircase above proximate to wetlands on property located within the drinking water supply watershed of the Mianus River East Branch at 66 Shelter Rock Road.

Approximately 237 square feet of wetland setback will be impacted by the proposed activities according to the applicant.

This application for permit was filed on October 13, 2009 and ACCEPTED by the Board at its meeting held on October 22nd.

DISCUSSION: The property is currently developed with a residential dwelling and appurtenances and is serviced by a private well and septic system. The applicant is requesting to maintain an existing concrete patio, over which a deck and stairs down to grade will be constructed. The existing concrete patio was recently inadvertently poured in conjunction with an addition that is under construction. The addition was proposed outside of regulated areas and therefore received EPB's endorsement for a building permit. The patio, proposed deck and stairs are located within a portion of the property historically occupied by manicured lawn, partially within the 50-foot wetland buffer/setback, and no less than approximately 37 feet from the wetlands. The wetlands on the property are associated with a brook that flows southeasterly through the central portion of the property and discharges offsite into the Mianus River East Branch.

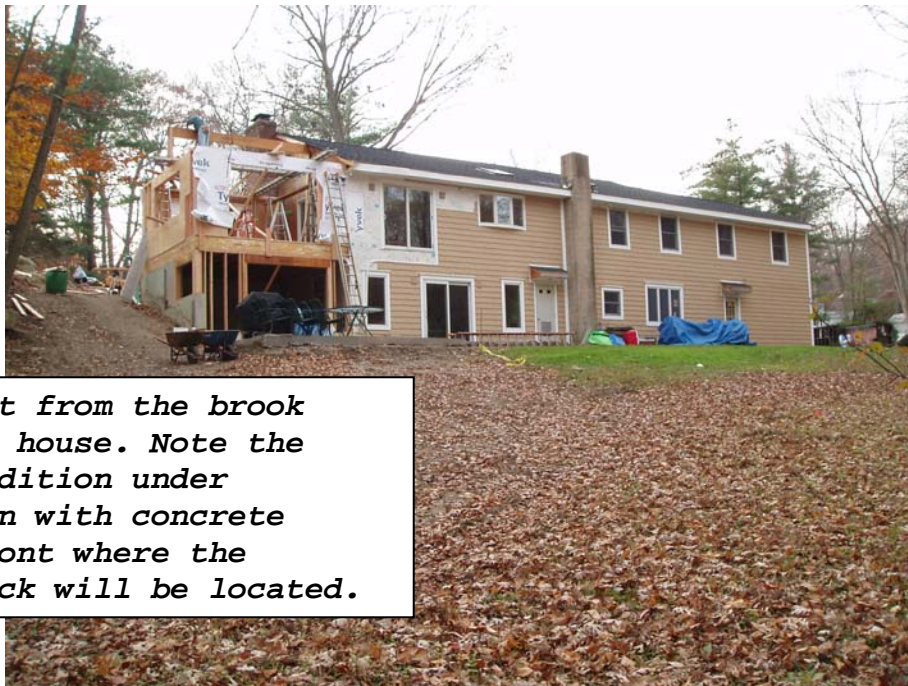
EPB staff is concerned with the long term impact on nearby wetlands from the proposed activities and the effective control of erosion and sedimentation during and immediately following the installation of the deck and stairs. These concerns are adequately addressed in the following paragraph.

The long term impact from the approximately 240-square-foot area of disturbance is expected to be negligible. However, the western portion of the wetlands and buffer is almost void of vegetation. Therefore, a planting plan for the enhancement of this area is warranted and should be made a condition of approval.



Looking east across the rear lawn from the concrete patio towards the brook and wetlands.

Photos taken 11/9/2009



Looking west from the brook towards the house. Note the building addition under construction with concrete patio in front where the proposed deck will be located.

The proposed deck footings will be anchored into the existing concrete patio. Therefore, no additional land disturbance that would warrant soil erosion controls will occur.

An application of this type provides the Board with the opportunity to seek an enhancement of the functional and conservation values of

Enhancement is achieved through implementation of mitigation measures such as landscaping and water quality/watershed improvements that are designed to provide a more diverse array of naturalized vegetation as well as long-term meaningful protections to important resources.

Plantings when so utilized are most useful, from a conservation perspective, when they are located within and along the edges of wetlands and watercourses.

The designated wetlands and buffer located west of the brook slope moderately towards the brook and are occupied primarily by manicured lawn. The area east of the brook is characterized as a wooded hill sloping moderately west towards the brook. The brook that runs through the site discharges to the Mianus River East Branch located approximately 190 feet to the southeast of the property. An enhancement planting plan should be submitted to EPB Staff for review.

RECOMMENDATION: If the Board elects to approve the application, staff recommends the following conditions for consideration:

- 1.) Submission of a planting plan to EPB staff for review and approval;
- 2.) All landscaping improvements to be completed under the supervision of qualified professionals with certification of proper completion provided to EPB staff prior to inspection;
- 3.) Standard bond or other acceptable surety for the installation of erosion controls, landscaping, and professional certifications, with a 15 percent contingency, to be filed with the EPB. An estimate is to be prepared by the permittee and submitted to EPB staff for review and approval;
- 4.) Notification of staff no less than 48 hours prior to the start of work, and submittal of a standard Contractor's Compliance form;
- 5.) A Standard Landscape Maintenance Agreement to be filed on the Stamford Land Records;
- 6.) A Permit Filing Fee of \$53.00, and Annual Permit Compliance Fee of \$200.00 to be submitted to staff within 15 days.

Pamela B. Fausty