

## **EPB AGENDA SUMMARY**

**APPLICATION:** #2922, Wordell (for Lubash)    **DATE:** March 12, 2010

**LOCATION:**        193 Shelter Rock Road -            **ZONE:** RA-1  
                     Lot N30

**WATERSHED:**    Mianus East Branch                    **AREA:** 1.0 Acres

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### **MAP AND OTHER REFERENCES:**

"Site Plan", 193 Shelter Rock Road, Stamford, CT, Prepared by: Edward J. Frattaroli, Inc., dated: October 2, 2009, **last revised March 15, 2010;**

"Grading and Utility Plan" and "Soil Erosion Plan (including plantings)", 193 Shelter Rock Road, Stamford, CT, Prepared by: Edward J. Frattaroli, Inc., dated: October 2, 2009, **last revised December 9, 2009;**

"Stormwater Summary Report", Prepared for Kenneth Lubash, 193 Shelter Rock Road, Stamford, CT, Prepared by: John E. Pugliesi, P.E., dated: December 27, 2009;

Correspondence from Edward L. Gentile Jr., P.E., Deputy City Engineer, (Gentile to Fausty, February 18, 2010).

**PROPOSAL:** The applicant is proposing to construct retaining walls, to implement drainage improvements, with associated grading, a pagoda, steps, a concrete patio, renovate a front porch, and to maintain an existing storage canopy, stone pillars, and a shed, all proximate to wetlands, on property located within the drinking water supply watershed of the Mianus East Branch at 193 Shelter Rock Road.

Approximately 4,100 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 22<sup>nd</sup>.

**DISCUSSION:** The property is currently developed with a residential dwelling and appurtenances and is serviced by a private well and septic system. The proposed activities involve the construction of a series of retaining walls to replace existing walls that have deteriorated, the installation of yard drains and rip-rap along the brook to improve drainage, associated grading, a pagoda, stairs and a new concrete patio around the existing swimming pool, to renovate the front porch, and to maintain an existing storage canopy, wood framed shed, and stone pillars located at the driveway entrance, all located proximate to wetlands. The wood framed shed will be

193 Shelter Rock Road

removed if the required variance is not granted.

A small brook and associated wetlands are located on the northern portion of the property and a small wetland pocket is located just south of the property.



*View of brook and northwest corner of storage canopy.*

*Photos taken 1/22/2010*



*Looking north at area where walls, steps, pagoda and patio are to be reconstructed.*

EPB staff concerns regarding the proposed activities include the effective control of erosion and sedimentation during and immediately following construction, the long term impact to wetlands, and impacts on drainage to adjacent properties. These concerns have been adequately addressed by the applicant as

193 Shelter Rock Road

described in the following paragraphs.

A detailed soil erosion control plan has been included with the application, and is appropriate to the circumstances if properly implemented.

The proposed activities will occur within areas of the property currently occupied by retaining walls, existing patio, driveway and maintained lawn. The proposed drainage and grading is intended to correct existing drainage problems. Therefore, the impact to regulated areas is anticipated to be minimal. A planting plan has been submitted and is appropriate to the site and circumstances.

The Engineering Bureau is reviewing the drainage impacts as analyzed by the project engineer. Favorable review comments are anticipated.

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

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 stream and associated wetlands located throughout the eastern portion of the property are characterized as a steep, rocky and wooded slope. The majority of wetland buffer is maintained as lawn and driveway. A planting plan has been submitted and is appropriate to the site and circumstances.



*Looking north at the brook and wetlands located throughout the north of the property.*

*Photo taken 1/22/2010*

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

- 1.) Submit a revised plan that shows the pillars at the driveway entrance, relocate all fencing located on adjacent properties to within the subject property and show proposed locations, and includes the notation that the wood framed shed is to be removed if compliance with Building and/or Zoning cannot be obtained;
- 2.) Full endorsement by the City of Stamford Engineering Bureau is to be secured prior to the start of any site work;
- 3.) Standard bond or other acceptable surety for the installation of erosion controls, landscaping, and professional certifications, with a 15 percent contingency, is 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.) All landscaping improvements to be completed under the supervision of qualified professionals with certification of proper completion provided to EPB staff prior to the return of bond/surety;
- 6.) A Standard Landscape Maintenance Agreement to be filed on the Stamford Land Records;
- 7.) Upon the completion of the construction, submission of a final as-built plan in the form of an "Improvement Location Survey" is required, and a Connecticut registered professional Engineer shall submit written correspondence certifying (signed and sealed) that the wall construction, grading and final stabilization measures have been fully and properly completed per the approved plans and permit;
- 8.) A Permit Filing Fee of \$58.00, and an Annual Permit Compliance Fee of \$200.00 to be submitted to staff within 15 days.

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Pamela B. Fausty