

**ENVIRONMENTAL PROTECTION BOARD
CITY OF STAMFORD
April 17, 2008**

Present: Louis Levine, Chairman; Barbara Hicks, Member; William Morris, Member, Leigh Shemitz, Member; Gary Stone, Member; Larry Barron, Alternate Member.

Also present: David M. Emerson, Director; Richard Talamelli, Environmental Planner.

The regular meeting convened at 7:30 P.M. and adjourned at 9:40 P. M. and was tape recorded.

MINUTES:

Mr. Morris made the motion to approve the minutes of the March 13, 2008 meeting as presented.

The Board members voted on the motion as follows:

APPROVAL – YES – Ms. Hicks, Mr. Levine, Mr. Stone, Mr. Morris, Mr. Barron.

ABSTAIN – Ms. Shemitz.

APPLICATIONS & PERMITS:

#2736 – Blackwood Lane – Lot 2, L. Salamone.

The applicant is proposing to install fencing for the keeping of a horse proximate to wetland areas property within the non-drinking water supply watershed of the Haviland Brook at 165 Blackwood Lane.

In attendance were: Mr. and Ms. Salamone (owners/applicants).

Mr. Emerson summarized the application for the Board. Discussion focused on the tardy responses by the applicant to the permit filing and to requested information, and to the lack of a mitigation/landscaping plan. Ms. Salamone indicated that she hoped to prepare a plan herself rather than pay a consultant.

Motion By: Mr. Stone made the motion to defer consideration of the application to the May meeting pending submittal of a mitigation plan on or before May 5th.

The Board members voted on the motion as follows:

APPROVAL – YES –, Mr. Morris, Mr. Levine, Mr. Stone, Ms. Hicks, Ms. Shemitz.

Mr. Barron not voting.

#2737 – Klondike Avenue – Lot L, F. Gentile.

The applicant is proposing to maintain an above ground pool with deck and filter, gravel play area, stone curbing, and concrete pavers within and proximate to wetland areas property within the non-drinking water supply watershed of the Noroton River at 99 Klondike Avenue.

In attendance were: No one was in attendance concerning this matter.

Mr. Emerson summarized the site history for the Board, and noted the lack of apparent interest on the part of the property owner in resolving a host on unauthorized encroachments into regulated areas all done without required EPB, Zoning, and Building permits. It was noted that the property owner undertook the encroachments knowingly in violation of various regulations. The application was filed in an attempt to resolve the matter, but was allowed to languish with a failure to provide required information.

#2737 – Klondike Avenue – Lot L, F. Gentile (Cont.).

Motion By: Mr. Stone made the motion to direct staff to issue a Cease and Desist Order on or about May 12th with the required Show Cause Hearing to be scheduled for the next regular meeting on May 22nd.

The Board members voted on the motion as follows:

APPROVAL – YES –, Mr. Morris, Mr. Levine, Mr. Stone, Ms. Hicks, Ms. Shemitz.
Mr. Barron not voting.

#2740 – Fox Glen Drive – Lot 11, L. Gjuraj.

The applicant is proposing to maintain an existing shed and driveway/access within a designated Conservation Area on property within the drinking water supply watershed of the Mianus River at 56 Fox Glen Drive.

In attendance were: Mr. Richard Petrucci, Esq., McCabe & Petrucci (representing applicant); Mr. Derek Daunais, P.E., Rocco V. D’Andrea, Inc. (project Engineer); Mr. Robert Roberge and Ms. Lushe Gjuraj (owners/applicants); and Mr. and Mrs. Gadea (neighbors).

Mr. Petrucci summarized the application for the Board. Mr. Daunais presented his technical report, and described drainage/storm water management provisions incorporated into the development plan. Mr. Gadea identified his concerns pertaining to increased runoff and visual intrusion into the Conservation Area affecting his property.

Motion By: Mr. Stone made the motion to adopt the findings and recommendations of staff and approve the application with the conditions listed in the Agenda Summary report dated April 10, 2008 with an additional condition that the landscaping plan be amended to provide screening behind the storage building.

The Board members voted on the motion as follows:

APPROVAL – YES –, Mr. Morris, Mr. Levine, Mr. Stone, Ms. Hicks, Ms. Shemitz.
Mr. Barron not voting.

#2743 – Crestwood Drive – Lot 21, P. Amaya.

The applicant is proposing to construct a wall with associated filling within designated flood hazard areas, and within and proximate to wetlands and watercourse on property within the non-drinking water supply watershed of the Toilsome Brook at 86 Crestwood Drive.

In attendance was: No one was in attendance concerning this matter.

Mr. Emerson summarized the site and application history for the Board, and noted that the time for rendering a decision was expiring even with the extension granted by the applicant. He reported that the required hydraulic analysis had not even been started by the project engineer, and none of the required information identified in a letter to the applicant in November 2007 had been provided.

Motion By: Mr. Morris made the motion to deny the application based upon the failure to provide required information necessary to the evaluation of the proposed activities.

The Board members voted on the motion as follows:

APPROVAL – YES –, Mr. Morris, Mr. Levine, Mr. Stone, Ms. Hicks, Ms. Shemitz.
Mr. Barron not voting.

#2804 – Echo Hill Drive – Lot 9, P. Gass.

The applicant is proposing to construct an Inground swimming pool and associated appurtenances and site work proximate to wetland areas on property within the drinking water supply watershed of the Mianus River at 133 Echo Hill Drive.

In attendance were: Mr. and Ms. Gass (owners/applicants); Mr. Ken Land, Landmark Pools (contractor).

Mr. Emerson summarized the application for the Board.

Motion By: Mr. Stone made the motion to adopt the findings and recommendations of staff and approve the application with the conditions listed in the Agenda Summary report dated April 8, 2008.

The Board members voted on the motion as follows:

APPROVAL – YES –, Mr. Morris, Mr. Levine, Mr. Stone, Ms. Hicks, Ms. Shemitz.
Mr. Barron not voting.

#2805 – Cherry Hill Road – Lot 2, S. Caputo.

The applicant is proposing to construct a new single-family home and appurtenances proximate to wetlands and watercourses on property within the drinking water supply watershed of the Mianus River at 108 Cherry Hill Road.

In attendance were: Craig Flaherty, P.E., Redniss & Mead, Inc. (project engineer).

Mr. Flaherty summarized the application for the Board.

Motion By: Ms. Hicks made the motion to adopt the findings and recommendations of staff and approve the application with the conditions listed in the Agenda Summary report dated April 4, 2008.

The Board members voted on the motion as follows:

APPROVAL – YES –, Mr. Morris, Mr. Levine, Mr. Stone, Ms. Hicks, Ms. Shemitz.
Mr. Barron not voting.

#2806 – Donald Road – Lot 16, Northwind Development Associates, LLC.

The applicant is proposing to construct a retaining wall, steps, pathway, and other features proximate to wetland areas on property within the non-drinking water supply watershed of the Southwest Shoreline (Long Island Sound) at 57 Donald Road.

In attendance were: Mr. Richard Kent, ALA, Environmental Design Associates (project planner); Douglas Alderman, Northwind Development Associates, LLC. (owners/applicants)
Pools (contractor).

Mr. Kent presented the application to the Board, and described the improvements to site use and wetland buffers that would result from the proposed enhancements.

#2806 – Donald Road – Lot 16, Northwind Development Associates, LLC. (Cont.).

Motion By: Ms. Shemitz made the motion to adopt the findings and recommendations of staff and approve the application with the conditions listed in the Agenda Summary report dated April 7, 2008.

The Board members voted on the motion as follows:

APPROVAL – YES –, Mr. Morris, Mr. Levine, Mr. Stone, Ms. Hicks, Ms. Shemitz.
Mr. Barron not voting.

The Board acknowledged receipt of the following new applications filed in a timely manner with all of the required minimum information.

#2807 – Fawnfield Road – Lot 5, T. Costello.

The applicant is proposing to reconstruct and relocate an Inground swimming pool and associated appurtenances proximate to wetlands and a watercourse on property within the drinking water supply watershed of the Mianus River at 90 Fawnfield Road.

#2808 – High Ridge Road – Lot 5, D. Mahar f/ G. Narine.

The applicant is proposing to replace drainage piping and to construct an outlet control structure within and proximate to wetlands and watercourses on property within the non-drinking water supply watershed of the Poorhouse Brook at 2374 High Ridge Road.

#2809 – High Ridge Road – Lot 6, D. Mahar.

The applicant is proposing to install drainage piping and to construct a retaining wall, storage shed and play area within and proximate to wetlands and watercourses on property within the non-drinking water supply watershed of the Poorhouse Brook at 2370 High Ridge Road.

#2810 – Thunder Hill Drive – Lot 12, W. DeMartino.

The applicant is proposing to install a replacement septic system and to construct an addition to the existing residence proximate to wetlands and watercourses on property within the drinking water supply watershed of the Mianus River at 99 Thunder Hill Drive.

Motion By: Mr. Stone made the motion to accept the applications based upon the determination that all required minimum information had been received.

The Board members voted on the motion as follows:

APPROVAL – YES –, Mr. Morris, Mr. Levine, Mr. Stone, Ms. Hicks, Ms. Shemitz.
Mr. Barron not voting.

OTHER BUSINESS:

Election of Chairman

Motion By: Mr. Morris made the motion to nominate Mr. Stone as the new chairman.

The Board members voted on the motion as follows:

APPROVAL – YES –, Mr. Morris, Mr. Levine, , Ms. Hicks, Ms. Shemitz.

ABSTAIN - Mr. Stone. Mr. Barron not voting.

Those present applauded Mr. Levine's tenure as chairman, and expressed their thanks for his thoughtful and insightful guidance of the Board.

There being no further business, the Board adjourned at 9:40 P.M.

Gary Stone, Chairman

Minutes prepared from meeting notes taken by David M. Emerson.