

**ENVIRONMENTAL PROTECTION BOARD
CITY OF STAMFORD
January 18, 2007**

Present: Louis Levine, Chairman; William Morris, Member; Gary Stone, Member; Leigh Shemitz, Member (arrived at 7:35 P.M.); Diane Longo, Alternate 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 9:00 P. M. and was tape recorded.

MINUTES:

Ms. Longo made the motion to approve the minutes of the December 14, 2006 meeting as presented.

The Board members voted on the motion as follows:

APPROVAL – YES –Mr. Barron, Ms. Longo, Mr. Levine. Mr. Morris and Mr. Stone not voting. Ms. Shemitz not present.

APPLICATIONS & PERMITS:

Ms. Shemitz joined the meeting at 7:35 P.M.

#2544 – Broad Street – Lots 19 & 20, 33 Broad Street Associates, LLC.

The applicant is proposing to modify the design of an approved mixed-use building and associated drives and drainage within designated flood hazard areas on properties in the non-drinking water supply watershed of the Rippowam River at 33 Broad Street.

In attendance were: William J. Hennessey, Jr., Esq., Sandak Hennessey & Greco (representing permittee); Brian McMahon, P.E., Redniss & Mead, Inc. (project engineer); John Lindell, F.D. Rich, Company (permittees).

Mr. Talamelli summarized the proposed changes to the site development plan for the Board. The design revisions resulted from the requirements of final Zoning Board approval for the project.

Motion By: Mr. Morris made the motion to adopt the findings and recommendations of staff and to approve the modification request with the conditions listed in the Agenda Summary Report dated January 11, 2007.

The Board members voted on the motion as follows:

APPROVAL – YES –Unanimous. Ms. Shemitz not voting.

#2653 – Westover Road – Lot 1, L. Constantini.

The applicant is proposing to maintain a portion of a retaining wall, chain link fence, and pool equipment proximate to wetland areas on property within the drinking water supply watershed of the Mianus River at 901 Westover Road.

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

Extension granted, 65 days, per letter dated January 9, 2007

#2654 – Nutmeg Lane – Lot 24, K. Scott.

The applicant is proposing to maintain a stone wall, grading, and associated alteration of vegetation proximate to wetland areas on property within the non-drinking water supply watershed of the Toilsome Brook at 68 Nutmeg Lane.

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

Extension granted, 65 days, per letter dated January 10, 2007

#2655 – Thornwood Road – Lot 62, R. Haggerty.

The applicant is proposing to construct a swimming pool and associated terrace, fencings, and equipment installation within and proximate to wetland areas and designated flood hazard areas on property within the drinking water supply watershed of the Rippowam River at 109 Thornwood Road.

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

Extension granted, 65 days, per letter dated January 10, 2007

#2656 – East Middle Patent Road – Lot 1, Buena Vista, LLC.

The applicant is proposing to maintain an access roadway and associated drainage within and proximate to wetlands and watercourses on property within the drinking water supply watershed of the Bargh Reservoir and Mianus River at 375 East Middle Patent Road.

In attendance was: Robert Jontos, Land-Tech Consultants, Inc. (representing applicant).

Mr. Jontos summarized the proposed project for the Board, and described the restoration plans for the site.

Mr. Emerson described the prior EPB involvement with the property, and summarized the status of unauthorized encroachments into the adjoining property owned by the Mianus Gorge Preserve. He reported that a restoration agreement had been finalized between the Preserve group and the property owner.

Motion By: Ms. Shemitz made the motion to defer action on the application to enable a site visit by interested Board members.

The Board members voted on the motion as follows:
APPROVAL – YES –Unanimous. Ms. Longo not voting.

#2660 – Riverbank Road – Lot B, Z. Mirjavadi.

Maintain a deck addition proximate to wetlands areas on property within the drinking water supply watershed of the Mianus River at 1078 Riverbank Road.

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

#2660 – Riverbank Road – Lot B, Z. Mirjavadi (Con't.).

Mr. Emerson summarized the project for the Board.

Motion By: Mr. Morris made the motion to adopt the findings and recommendations of staff and to approve the application with the condition listed in the Agenda Summary Report dated January 17, 2007.

The Board members voted on the motion as follows:
APPROVAL – YES –Unanimous. Mr. Stone not present.

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

#2701 – Highview Avenue – Lot 42, Murace Management.

The applicant is proposing to construct a new office/warehouse building with associated driveway, parking area, drainage, and associated facilities within designated flood-hazard areas and proximate to a watercourse on property within the non-drinking water supply watershed of the Springdale Brook at 22 Highview Avenue.

#2702 – Laurel Ledge Road – Lot 2, D. Walsh.

The proposed construction of an addition to the existing residence within and proximate to wetlands and watercourses on property within the drinking water supply watershed of the East Branch Mianus River at 43 Laurel Ledge Road.

#2703 – McIntosh Road – Lot 98, S. Mullen.

The proposed re-construction/repair of a failing septic system within and proximate to wetlands and watercourses on property within the non-drinking water supply watershed of the Haviland Brook at 130 McIntosh Road.

#2704 – Vine Place – Lot 16, P. Mihaleas.

The proposed construction of an addition to the existing residence and deck proximate to wetland areas on property within the non-drinking water supply watershed of the Ayers Brook at 64 Vine Place.

#2705 – June Road – Lot D1, L. Kelley.

The proposed construction of an addition to the existing residence and deck proximate to wetland and designated Conservation areas on property within the drinking water supply watershed of the Mianus River at 279 June Road.

Motion By: Mr. Morris 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 –Unanimous. Mr. Barron not voting.

#2703 – McIntosh Road – Lot 98, S. Mullen.

The proposed re-construction/repair of a failing septic system within and proximate to wetlands and watercourses on property within the non-drinking water supply watershed of the Haviland Brook at 130 McIntosh Road.

In attendance was: Dave Sposito, P.E., Edward J. Frattaroli, Inc. (project engineer).

Mr. Emerson summarized the project for the Board. He noted that consideration for a decision at the January meeting was appropriate as the project was designed to correct a failed septic system. Mr. Sposito described the design of the proposed “living filter” system.

Motion By: Mr. Stone made the motion to adopt the findings and recommendations of staff and to approve the application with the condition listed in the Agenda Summary Report dated January 16, 2007.

The Board members voted on the motion as follows:
APPROVAL – YES –Unanimous. Mr. Barron not voting.

SITE PLAN REVIEW:

#3935 - Nathan Hale Drive – Lot C, Nathan Hale, LLC.

Proposed is the single-family development of Lot C, which was created as the result of a 3-lot subdivision of property located along Nathan Hale Drive proximate to 949 Westover Road with associated drainage improvements, driveway, septic, and appurtenances. Site Plan Approval by the EPB is a condition of Subdivision #3935.

In attendance was: Dave Sposito, P.E., Edward J. Frattaroli, Inc. (project engineer).

Mr. Talamelli summarized the proposed activities for the Board.

Motion By: Mr. Stone made the motion to adopt the findings and recommendations of staff and to approve the application with the conditions listed in the Agenda Summary Report dated January 11, 2007.

The Board members voted on the motion as follows:
APPROVAL – YES –Unanimous. Ms. Longo not voting.

SUBDIVISION REVIEW:

#3951– Vineyard Lane – Lot 15, Vineyard Development Associates.

The applicant is proposing the 3-lot subdivision of property within the non-drinking water supply watershed of the Rippowam River located along the south side of Vineyard Lane at #43 and north of Maltbie Avenue.

In attendance was: Susan Kiskin, P.E., Redniss & Mead, Inc. (project engineer); Goitom Bellote, Vineyard Development Associates (applicant).

Ms. Kiskin summarized the proposed activities for the Board, and presented revised plans for consideration depicting proposed drainage, landscaping, and Conservation areas.

#3951– Vineyard Lane – Lot 15, Vineyard Development Associates (Con't.).

Motion By: Mr. Stone made the motion to adopt the findings and recommendations of staff and to report to the Planning Board that the EPB offered no objections to the subdivision as proposed subject to the conditions listed in the Agenda Summary Report dated January 16, 2007.

The Board members voted on the motion as follows:
APPROVAL – YES –Unanimous. Mr. Barron not voting.

ENFORCEMENT – STATUS REPORT:

East Middle Patent Road – Lot 11, Timothy Hanna.

The cutting and removal of trees and other vegetation from within and proximate to wetlands and watercourses on property within the drinking water supply watershed of the Bargh Reservoir and Mianus River on property located along the north side of East Middle Patent Road proximate to 133 Cherry Hill Road.

In attendance was: Timothy Hanna (respondent).

Mr. Emerson reported that all required corrective measures had been completed.

Motion By: Mr. Stone made the motion to withdraw the Cease and Desist Order due to the successful completion of required corrective measures.

The Board members voted on the motion as follows:
APPROVAL – YES –Unanimous. Ms. Shemitz not participating.

OTHER BUSINESS:

#2369 – Washington Boulevard – Lot A, P. Medoit.

Request for a one-year extension of the permit until February 25, 2008 pursuant to the provisions of Section 7.4c and 7.4d of the Regulations.

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

Mr. Talamelli reported no change in the status of the project or site conditions.

Motion By: Mr. Barron made the motion to approve the requested permit extension.

The Board members voted on the motion as follows:
APPROVAL – YES –Unanimous. Ms. Longo not voting.

There being no further business, the Board adjourned at 9:00 P.M.

Louis P. Levine, Chairman

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