

**ENVIRONMENTAL PROTECTION BOARD  
CITY OF STAMFORD  
November 20, 2008**

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

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

The regular meeting convened at 7:35 P.M. and adjourned at 8:45 P. M. and was tape recorded.

**MINUTES:**

Ms. Hicks made the motion to approve the minutes of the October 16, 2008 meeting as presented.

The Board members voted on the motion as follows:

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

**The Board acknowledged receipt of correspondence submitted on behalf of the following applications granting 65-day extensions of time:**

**#2833 – Wind Mill Circle – Lot A24, D. Origi.**

The applicant is seeking permission to construct a new five-bedroom single-family residence with associated septic system, appurtenances, driveway, and site grading proximate to wetlands, watercourses, and designated flood-hazard areas on property within the drinking water supply watershed of the East Branch Mianus River at 30 Wind Mill Circle.

**#2834 – Surrey Road – Lot C4, K. Wells.**

The applicant is seeking permission to maintain a culvert headwall, stone walls, fencing, footbridge, and structures within and to wetlands and watercourses on property within the non-drinking water supply watershed of the Haviland Brook at 96 Surrey Road.

**APPLICATIONS & PERMITS:**

**#2835 – Camp Avenue – Lot A, 72 Camp Avenue, LLC.**

The applicant is seeking permission to construct a play area for a day-care facility with play equipment, fencing, and a retaining wall within and proximate to designated flood hazard areas on property within the non-drinking water supply watershed of the Springdale Brook at 72 Camp Avenue.

**In attendance were:** Craig Flaherty, P.E., Redniss & Mead, Inc. (project engineer); Burt Hoffman, Esq. (representing applicant).

Mr. Flaherty described the site and summarized the application for the Board. Mr. Talamelli described the evacuation/flood-preparedness details.

**Motion By:** Mr. Levine 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 November 12, 2008 with the added condition that the evacuation route be posted within the child care center space.

The Board members voted on the motion as follows:

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

**#2836 – Jordan Lane – Lot 12, K. Smolarz.**

The applicant is proposing to maintain a fence proximate to wetlands on property within the non-drinking water supply watershed of Haviland Brook at 75 Jordan Lane.

**In attendance was:** Karl Smolarz (owner/applicant).

Mr. Emerson summarized the proposed activities for the Board, and described the planned landscaping/mitigation enhancements.

**Motion By:** Mr. Morris 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 November 12, 2008.

The Board members voted on the motion as follows:

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

**#2838 – Eljays Lane – Lots 4/5/13, Knopf/Motta/Peleschuk.**

The applicants are proposing the maintenance dredging of a portion of a small pond with associated site stabilization on property within the drinking water supply watershed of the Mianus River at and adjoining 17 Eljays Lane.

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

Mr. Emerson summarized the proposed activities for the Board, and described the planned method of silt removal and site restoration.

**Motion By:** Mr. Levine 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 November 18, 2008.

The Board members voted on the motion as follows:

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

**#2839 – Haviland Road – Lot A1, P. Venkatesh.**

The applicant is proposing to dredge the pond located on site, on property within the non-drinking water supply watershed of the Haviland Brook at 390 Haviland Road.

**In attendance was:** Kate Throckmorton, L.A., Environmental Land Solutions, LLC. (representing applicant).

Ms. Throckmorton summarized the proposed activities for the Board, and described the planned landscaping/mitigation enhancements.

Discussion focused on the adequacy of the proposed plantings, and the need to provide an ample buffer/filter zone between developed yard areas and the pond.

**#2839 – Haviland Road – Lot A1, P. Venkatesh (Cont.).**

**Motion By:** Ms. Shemitz made the motion to defer action pending receipt of an amended landscaping plan.

The Board members voted on the motion as follows:

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

ABSTAIN - Mr. Morris.

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

**#2846 – Lantern Circle – Lot 21, S. Gennrich.**

The applicant is proposing to maintain existing, and to install additional, fencing within and proximate to designated Conservation Areas, and proximate to designate wetland areas, on property within the non-drinking water supply watershed of the Toilsome Brook at 69 Lantern Circle.

**#2847 – Cow Path Drive – Lot 7, P. Waldron.**

The applicant is seeking permission to install a replacement septic system within and proximate to designated wetland areas on property within the drinking water supply watershed of the Mianus River at 53 Cow Path Drive.

**#2848 – Belltown Road – Lot 10, L. Hulaj.**

The applicant is proposing to maintain fencing and a storage shed within and proximate to designated wetland areas, on property within the non-drinking water supply watershed of the Southwest Shoreline (Long Island Sound) at 151 Belltown Road.

**#2849 – Old Well Road – Lot 12, D. Bosak and N. Ward.**

The applicant is proposing to construct a new single family residence with associated driveway, patio, stone walls, storm water detention, and associated grading within and proximate to designated Conservation Area, and proximate to designated wetland areas, on property within the drinking water supply watershed of the Springdale Brook at 37-57 Old Well Road.

**#2850 – Old Well Road – Lot 12A, D. Bosak and N. Ward.**

The applicant is proposing to construct a new single family residence with associated driveway, patio, stone walls, and associated grading within and proximate to designated wetland areas, and proximate to designated Conservation Area, on property within the non-drinking water supply watershed of the Springdale Brook at 37-57 Old Well Road.

**#2851 – Old Well Road – Lot 13, D. Bosak and N. Ward.**

The applicant is proposing to construct a new single family residence with associated driveway, patio, stone walls, storm water detention, and associated grading within and proximate to designated wetland areas, and proximate to designated Conservation Area, on property within the non-drinking water supply watershed of the Springdale Brook at 37-57 Old Well Road.

**#2852 – Revonah Avenue – Lot 1A, M. Neuhaus.**

The applicant is proposing to construct a retaining wall with associated drainage within designated Conservation Area on property within the non-drinking water supply watershed of the Toilsome Brook at 133 Revonah Avenue.

**#2853 – Hedge Brook Lane – Lot 3, M. Barkin.**

The applicant is proposing to construct a swimming pool, spa, retaining walls, patio, equipment installation, and associated grading within and proximate to designated flood hazard areas, and proximate to wetlands and watercourses, on property within the drinking water supply watershed of the East Branch Mianus River at 12 Hedge Brook Lane.

**Motion By:** Ms. Shemitz 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. Levine, Mr. Morris, Ms. Hicks, Ms. Shemitz; Mr. Stone.

**#2847 – Cow Path Drive – Lot 7, P. Waldron.**

The applicant is seeking permission to install a replacement septic system within and proximate to designated wetland areas on property within the drinking water supply watershed of the Mianus River at 53 Cow Path Drive.

**In attendance was:** Leonard C. D’Andrea, P.E., Rocco V. D’Andrea, Inc. (project engineer).

Mr. D’Andrea described the site and summarized the application for the Board. He noted that there was some immediacy to the circumstances caused by the failing of the existing septic system. Mr. D’Andrea reported that the proposed repair is the best attempt to fit a functioning system within the constraints of the site, and will require restrictions on usage because it will not meet all of the capacity requirements of the current Health Code.

**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 November 13, 2008 with the added condition (#9) that Engineering concerns pertaining to the correction of unauthorized associated drainage improvements/modifications be addressed.

The Board members voted on the motion as follows:

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

**SITE PLAN REVIEW:**

**#3573 – Hope Street – Lot 2, A. Gelonesi.**

The applicant is seeking permission to construct a new single-family house with associated drainage improvements, driveway, utility connections and landscaping on property within the non-drinking water supply watersheds of both the Noroton River (eastern half) and the Springdale Brook (western half) containing designated Open Space Areas located along the east side of Hope Street at #1365. Site Plan Approval is required by condition of Subdivision #3573, Hope Street, Gelonesi – May 1990.

**#3573 – Hope Street – Lot 2, A. Gelonesi (Cont.).**

**In attendance were:** John E. Pugliesi, P.E., Edward J. Frattaroli, Inc. (project engineer); and Anthony Gelonesi (owner/applicant).

Mr. Pugliesi summarized the proposed activities for the Board, and described the planned development including drainage, erosion control measures, and landscaping/mitigation enhancements.

**Motion By:** Mr. Morris 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 November 18, 2008.

The Board members voted on the motion as follows:

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

**SUBDIVISION REVIEW:**

**#3979 – Newfield Avenue – Lot 16, N. Dobbs.**

The applicant proposes to subdivide the existing 3.97 acre parcel into two properties capable of supporting residential development. The existing residence will remain, but requires the establishment of a new Code Compliance (septic reserve) Area. A new dwelling will be constructed on proposed Lot 2. The site is served by septic systems and public water.

**In attendance were:** David Ginter, P.E., Redniss & Mead, Inc. (project engineer); Liz Suchy, Esq., Sandak Hennessey & Greco (representing applicant).

Ms. Suchy presented a brief history of the property to the Board. Mr. Ginter described the site and summarized the application.

**Motion By:** Mr. Morris made the motion to direct staff to report to the Planning Board that the EPB offered no objection to the subdivision as proposed subject to the conditions listed in the Agenda Summary report dated November 18, 2008.

The Board members voted on the motion as follows:

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

**OTHER BUSINESS:**

**#2803 – Westhill Road - Lot 1, M. Negri.**

The applicant is proposing to modify Permit #2803, issued for the maintaining and restoration of unauthorized modification of vegetation, deposition of fill, and grading within and proximate to wetland areas on property within the drinking water supply watershed of the Mianus River at 398 Westhill Road. The modification request seeks permission to install fencing.

**In attendance were:** Leonard C. D'Andrea, P.E., Rocco V. D'Andrea, Inc. (project engineer); and Michael Negri (owner/permittee)

**#2803 – Westhill Road - Lot 1, M. Negri (Cont.).**

Mr. D’Andrea described the proposed changes to the Board, and noted that the fencing was needed to discourage the dumping of yard debris onto the Negri property.

**Motion By:** Mr. Levine made the motion to adopt the findings and recommendations of staff and approve the modification request with the conditions listed in the Agenda Summary report dated November 13, 2008.

The Board members voted on the motion as follows:

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

There being no further business, the Board adjourned at 8:45 P.M.

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Gary Stone, Chairman

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