

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

**Present:** Louis Levine, Chairman; Barbara Hicks, Member; Gary Stone, Member; William Morris, Member; Larry Barron, Alternate Member; and Peter Conetta, Alternate Member (arrived at 7:45 P.M.).

**Also present:** David M. Emerson, Director; Richard H. Talamelli, Environmental Planner. The regular meeting convened at 7:35 P.M. and adjourned at 9:05 P.M. and was tape recorded.

**MINUTES:**

Mr. Stone made the motion to approve the minutes of the September 20, 2007 meeting as presented.

The Board members voted on the motion as follows:

APPROVAL – YES – Ms. Hicks, Mr. Levine, Mr. Stone, Mr. Morris, Mr. Barron.  
Mr. Conetta not present.

**APPLICATIONS & PERMITS:**

**#2720 – West Bank Lane – Lot 10, A. Tagliavia.**

The applicant is proposing to construct a detached garage within designated flood hazard areas on property within the drinking water supply watershed of the Mianus River at 9 West Bank Lane.

**In attendance was:** Robert Frangione, P.E., (project engineer).

Mr. Conetta joined the meeting at 7:45 P.M.

Mr. Frangione described the project for the Board. He summarized the proposed design details demonstrating conformance with the requirements of Stamford's Flood Prone Areas Regulations, and the determination that there would be no measurable impacts on flood conditions or water elevations. Discussion focused on the adequacy of the proposed planting/mitigation plan, the details of the swimming pool reconstruction, and the potential for chemical spills affecting the Mianus River if fuels and pool chemicals are stored in the shed.

**Motion By:** Mr. Morris made the motion to adopt the findings and recommendations of staff and to approve application #2720 with the conditions listed in the Agenda Summary Report dated October 11, 2007, with the added condition that curbing be installed within the storage shed to provide containment of any spilled fuels or chemicals

The Board members voted on the motion as follows:

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

**#2721 – Hope Street – Lot 3, R. Gatto for J. Cappucci.**

The applicant is proposing to install a footing drain outlet and storm-drainage overflow proximate to wetlands and within a designated Conservation areas on property within the non-drinking water supply watershed of the Springdale Brook at 1360 Hope Street.

**In attendance were:** John Leydon, Esq., Brennan & Leydon (representing applicant); Greg Pidluski, P.E., Fuller Engineers (project engineer); John E. Pugliesi, P.E., Edward J. Frattaroli, Inc. (consulting engineer); John Ottaviano, Mondo Gatto (applicant); Joseph Cappucci (owner).

**Also present were:** Jeff Carswell (neighbor); Myron Porto (neighbor); and Charlotte Chidsey (neighbor).

Mr. Pugliesi described the project and summarized his findings pertaining to the storm water management plan and its impacts on adjoining properties for the Board. Mr. Pugliesi reported that he concurred with the conclusions of the project engineer and the Engineering Bureau that the development would not increase storm water runoff onto adjoining properties. He reminded the Board that the pending application was not about storm water management as that aspect of the project was previously addressed during the subdivision and site-development phases of the project, but was instead about the location of the overflow pipe from the detention galleries.

The neighbors expressed their concerns about flooding, tree removal, and the observed changes to grade within the designated Conservation area. A detailed review of the pre- and post-development drawings for the site indicated no significant or substantive differences.

**Motion By:** Mr. Stone made the motion to adopt the findings and recommendations of staff and to approve application #2721 with the conditions listed in the Agenda Summary Report dated October 10, 2007.

The Board members voted on the motion as follows:

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

Mr. Barron not voting.

**#2730 – Wellington Drive – Lot E6, C. Failla.**

The applicant is proposing to construct drainage improvements within and proximate to wetland areas property within the non-drinking water supply watershed of the Haviland Brook at 151 Wellington Drive.

**In attendance was:** Brian P. McMahon, P.E., Redniss & Mead, Inc. (project engineer); Lou DiMarzo, P.E., Redniss & Mead, Inc. (project engineer); Lisa Conroy, Esq. (representing applicant); Mr. Failla (owner/applicant).

Mr. McMahon described the project for the Board. He noted that the project spanned two properties, thus the filing of two applications, but the substantive work was within the Failla property.

**#2730 – Wellington Drive – Lot E6, C. Failla (Cont.).**

Discussion focused on the need for restoration/mitigation plantings in light of the proposed loss of designated wetlands. It was the consensus of the Board members that the details could be left to staff to determine.

**Motion By:** Mr. Morris made the motion to adopt the findings and recommendations of staff and to approve application #2730 with the conditions listed in the Agenda Summary Report dated October 15, 2007.

The Board members voted on the motion as follows:

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

**#2731 – Wellington Drive – Lot BT000C, J. Fleder.**

The applicant is proposing to construct drainage improvements within and proximate to wetland areas property within the non-drinking water supply watershed of the Haviland Brook at 165 Wellington Drive.

**In attendance was:** Brian P. McMahon, P.E., Redniss & Mead, Inc. (project engineer); Lou DiMarzo, P.E., Redniss & Mead, Inc. (project engineer); Lisa Conroy, Esq. (representing Mr. C. Failla); Mr. Failla (neighbor).

Mr. McMahon described the project for the Board. He noted that the project spanned two properties, thus the filing of two applications, but the substantive work was within the Failla property as described in the discussion of application #2730.

**Motion By:** Mr. Morris made the motion to adopt the findings and recommendations of staff and to approve application #2731 with the conditions listed in the Agenda Summary Report dated October 15, 2007 that pertained to the work that would be occurring on the Fleder property.

The Board members voted on the motion as follows:

APPROVAL – YES – Ms. Hicks, Mr. Levine, Mr. Stone, Mr. Morris, Mr. Conetta.  
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.**

**#2733 – Mill Spring Lane – Lot 23, D. Lasnick f/ Molen.**

The applicant is proposing to maintain a portion of a retaining wall and raised terrace proximate to designated wetlands on property within the non-drinking water supply watershed of the Haviland Brook at 117 Mill Spring Lane.

**#2734 – Maple tree Avenue – Lot 26, Rabita Development, LLC.**

The applicant is proposing to construct multi-family housing units and associated parking and drainage facilities on property within designated flood hazard areas within the non-drinking water supply watershed of the Noroton River at 88 Maple Tree Avenue.

### **New Applications (Cont.).**

**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 – Ms. Hicks, Mr. Levine, Mr. Stone, Mr. Morris, Ms. Shemitz.  
Mr. Barron and Mr. Conetta not voting.

### **ENFORCEMENT:**

Status Reports --

#### **352 Long Ridge Road – Lot B, M. Pinho.**

For the conducting of regulated activities without the required permits from the Environmental Protection Board including the alteration of vegetation, and encroachment into regulated flood-hazard and buffer/setback areas for the storage of vehicles, equipment, and materials on property within the non-drinking supply watershed of Rippowam River at 352 Long Ridge Road.

**In attendance were:** Manuel and Ms. Pinho (owners/respondents).

Mr. Emerson reported that the required restoration measures had been reported to be completed. Mr. Pinho submitted photographs. An inspection by staff will be scheduled. No further Board action needed at this time.

#### **56 Fox Glen Drive – Lot 11, L. Gjuraj.**

For the conducting of regulated activities without the required permits from the Environmental Protection Board including the construction of a stone wall, shed, and terrace; removal/alteration of natural vegetation, reconstruction/expansion of driveway, removal/alteration of drainage structures, and expansion of lawn areas within designated Conservation Areas on property within the drinking supply watershed of the East Branch Mianus River at 56 Fox Glen Drive.

**In attendance were:** Dan McCabe, Esq. (representing respondents); Mr. Roberge and Ms. Gjuraj (owner/respondent).

Mr. McCabe reported that Rocco V. D'Andrea, Inc. had been retained to prepared an application for permit, and that such application would be filed on or before the deadline for submittals for the November meeting of the Board.

**Motion By:** Mr. Morris made the motion to maintain the Cease and Desist Order in effect and to defer further action to the next scheduled meeting slated for November 15, 2007.

The Board members voted on the motion as follows:

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

**176 Barclay Drive – Lot 17, B. Natale.**

For the conducting of regulated activities without the required permits from the Environmental Protection Board including the cutting and clearing of vegetation, deposition of fill, and other alterations to the natural character of affected areas within and proximate to wetlands, watercourses, and buffer/setback areas on property within the non-drinking supply watershed of the Rippowam River at 176 Barclay Drive.

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

Mr. Emerson reported that Designs By Lee were nearly finished with the details of the required restoration plan. Implementation by the end of the planting season is expected. No further Board action needed at this time.

**117 Mill Spring Lane – Lot 23, T. and L. Molen.**

For the conducting of regulated activities without the required permits from the Environmental Protection Board including the construction of a wall and terrace within and proximate to buffer/setback areas on property within the non-drinking supply watershed of Haviland Brook at 117 Mill Spring Lane.

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

Mr. Emerson reported that the respondents had met their commitment to file an application with the Board (#2733). No further Board action needed at this time.

**OTHER BUSINESS:**

There being no further business, the Board adjourned at 9:05 P.M.

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Louis P. Levine, Chairman

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