



CITY OF DANBURY
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Environmental Impact Commission
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DRAFT MINUTES

April 27, 2011

Conference Room 3 C 7:00 pm

Next regularly scheduled meeting date May 11, 2011.

Chairman Bernard Gallo called the meeting order at 7:05 pm. Present were Gallo, Bruce R. Lees (late), William Mills, Mark Massoud, Alt. Michael Esposito, Matt Rose, Alt. Derek Roy (late). Absent were Alt. Josh Reilly, Jon Fagan, Craig D. Westney.

PLEDGE OF ALLEGIANCE:

SHOW CAUSE HEARING FOR CEASE & DESIST ORDERS:

OLD BUSINESS:

36 Sugar Hollow Road

Regulated Activity # 883

Danbury Elks Lodge #120

Assessor's Lot # G22003, LCI-40 Zone.

Date of Receipt: 2/23/11.

Replacement building, parking, septic, well.

First 65 Days: 4/29/11. Second 65 Days: 7/3/11. Artel Engineering Group, LLC. Site visit 3/22/11. Revised subsurface sewage disposal plan, site plan and drainage plan rec'd. 4/21/11. Landscape Plan rec'd. 4/25/11. Extension letter requested 4/26/11. Bernard Gallo introduced this application at 7:06 pm. Dainius Virbickas, PE, from Artel Engineering Group, LLC, opened the discussion and discussed eliminating the parking as requested by the commissioners at the last meeting, and we eliminated those wings. Now basically it is a linear plan running north - south. We result in a site plan that has 61 parking spaces, slightly fewer, and we reduced the size of the building. Everything has been compacted, Virbickas said. The existing concrete dock; the water was pretty high when we went out for our site walk, but it's lined up with what the surveyor indicated. The commission also asked that I show some walking plans. The Elks had indicated a layout to me; you would have to take the stairs. They asked that I put in a walkway, so I put it in over here by the garage; also for a rowboat. All these are within areas that are grassed or overgrown on the site currently. I've colored these up so you can see our reduced impacts with this

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plan (G and U plans). He showed the cabin locations, the main house. We tried to maintain everything to the west of where the existing cabins are. The septic system is a little bit smaller. The well stayed in the same spot. The storm drainage systems stayed in the same spots, with just one catch basin on the site; it drains to the river seal. It's for up to a 25 year storm, Virbickas said, and he explained what would happen in a 50 year storm. The galleries are underneath the grass swale. These pipes are only 6-inch diameter pipes. We also had our landscape architect prepare plans that maintains the existing overgrown wooded area here. Matt Popp (of Environmental Land Solutions, LLC) proposed we remove the vines from the trees and the invasive species; basically clean things up, Virbickas said. He also suggests that we mow this area once a year, in the fall or winter, and keep after the multiflora rose. Again, there is no way to get any kind of direct runoff from our development. I would be happy to answer any questions, Virbickas said. Lees said the applicant has come a long way, including a handicapped-accessible path; we are just waiting for a staff report. Dan Baroody said staff requests more time to review the plans. Virbickas said I just handed in the extension letter. Mills made a motion to **table**. Lees seconded the motion. The motion carried unanimously at 7:15 pm.

46 Beaver Brook Road

Regulated Activity # 785R

C & W Development, LLC

Assessor's Lot # K12176, IG-80 Zone.

Date of Receipt: 2/23/11.

Sewage treatment facility, phased construction.

First 65 Days: 4/29/11. Second 65 Days: 7/3/11. B. Doto, III, PE. Responses, revisions rec'd. 3/3/11. Spill Control Plans rec'd. 3/30/11. Extension letter requested 4/26/11. Gallo introduced this item as Benjamin V. Doto, III, PE, placed the plan on the easel. Gallo said this is not a Public Hearing tonight. Ben said there's been nothing added. I have an extension letter. Doto discussed the spill control plan, saying I feel we've addressed that. The concern was the phase II area that would not be protected, if there's a leak-off there. I looked at the possibility of forbidding pumper trucks back there. Mr. Coffey intends to keep his trucks at his existing facility down the road. Gallo said, if approved, that would be a condition of approval. Mr. Coffey is fine with no trucks being stored or parked here, Doto said. Mills said I'm concerned that we are getting a phase I and a phase II. It's unclear to me. I would like to do a site walk. Please stake it in red for Phase I. Stake Phase II in blue. The other question, Ben Doto, is what will be down by the river, Mills asked. Will there be some kind of fence? Doto said what we are here for is a change of use. One thing this commission required was a split rail fence, to come down, and basically come along the side of the building, as Doto pointed out on the plan. Mills said, as we've said in the past, some kind of fence. I would like to request that, and I would like to do a site walk on that. Doto said okay; notify Pat. Gallo asked are there any other questions or concerns. Lees made a motion to **table**. Rose seconded the motion. The motion carried unanimously at 7:21 pm. That's the end of this for tonight, Gallo announced to the audience members. You can speak about it in the hall if you like. Thank you for coming. Four audience members then exited the chambers.

72-80 Payne Road

Regulated Activity # 501R

LoStocco Development, LLC

Assessor's Lot # M12011, IG-80 Zone.

Date of Receipt: 1/26/11.

Truck garage & office.

First 65 Days: 4/1/11. Second 65 Days: 6/5/11. Bethel reviewed file 3/29/11. Plans to S. Danzer 2/23/11. Danzer comments received 3/7/11. Tabled to 4/13/11 pending revisions. Extension letter received 3/23/11. Comments from the Town of Bethel rec'd. 4/12/11. Chairman Gallo introduced this. No one came forward to the microphone. Mills made a motion to **table**. Lees seconded the motion. The motion carried unanimously at 7:23 pm.

5 Sugar Hollow Road & Backus Avenue Regulated Activity # 762R

The Shops at Marcus Dairy

Assessor's Lots # G17002,G17019, CG-20 Zone.

Date of Receipt: 3/9/11.

Revised site plan, single-story building.

First 65 Days: 5/13/11. Second 65 Days: 7/17/11. Artel Engineering Group, LLC. Danzer report rec'd. 3/31/11. Landscape plan rec'd. 4/20/11. Bridge cross section rec'd. 4/27/11. Chairman Gallo introduced this as Dainius Virbickas, PE, placed the plan on the easel and reintroduced himself, representing The Shops at Marcus Dairy. At the last meeting, we talked about our bridge crossing, which I showed you this drawing, Virbickas said; the arch structure spanning the wetlands and the Kissen Brook, now a 42-foot span across the wetlands and the brook. It reduces our impact to that crossing. That was in response to Steven Danzer's comments. We provided a landscape plan, Virbickas continued, at a smaller scale than the previously approved application. We asked the landscape architect to do the plan as required by our zoning regulations. More importantly, we told the landscape architect to mimic the plans before the prior application. We kept the same clusters, four areas, as shown in the management area chart. Virbickas discussed the recommendations for the four areas; the shrubs removal, the invasives, clogging the waterway system. The landscape architect (Camilla Landscape Design, LLC, of Brookfield, CT) proposed a number of plantings as enhancement to the brook, and Virbickas named some of the plants proposed. Plants that would be normally found along a wetland border, at least approximately 370 plants; a mix of trees, shrubs, and perennials as well. If you take a look at the plan, Virbickas continued, I'm sure you and Dr. Danzer would concur that our team did a pretty good job at providing what was requested. Virbickas said I would be happy to answer and questions. Mills asked where are you going to push the snow? Virbickas said good question. Virbickas described where the snow could be put for snow melt and runoff into the brook. Virbickas listed some other sites where things could be piled as well. We have a fairly large area. Mills said my concern, of course, is the runoff of salt and sand when the snow melts; you're just going to get the sand and salt that could very well kill those bushes. Virbickas replied I can certainly offer that all the runoff goes through some on-line Vortechnic units; if the commission would desire one, we could kind of hollow out the area. Mills said to him discuss that with staff. Mills asked about cleaning and sweeping. Paul Estefan (Airport Administrator) identified himself, saying he has not received a copy of these documents. Estefan requested two sets: one for me and one for my engineer; the map and the calculations. Virbickas said yes. Estefan said thank you very much. Baroody said we want to wait until we get the Airport

Authority comments before we make our staff report. Lees made a motion to **table**. Mills seconded the motion. The motion carried unanimously.

40A Payne Road

Regulated Activity # 885

MRF, LLC (David Tinker) Assessor's Lots# M13001, M13002, IG-80 Zone.

Date of Receipt: 3/23/11. Storage equipment, construction materials.

First 65 Days: 5/27/11. Second 65 Days: 7/31/11. R. J. Gallagher, Jr. & Associates. Bethel reviewed file 3/29/11. Comments from Bethel Inland-Wetlands Commission rec'd. 4/13/11. Extension letter rec'd. 4/18/11. Site visit 4/26/11. Dan, Bill and myself did an on-site, Chairman Gallo began, and he knows he needs a planting plan, but does not want to give us one, pay for one, until he knows he has approval. David Tinker introduced himself at 7:33 pm, and said I have access to a digitizer, so I digitized this plan as to the effected areas, and I think Ralph J. Gallagher, Jr., PE, on the application, said that 64 feet would be disturbed. But he did not include the detention basin, and we have to include the detention basin, so it's about 8000 sq.ft. In other words, we are disturbing this area here, but mitigating this area up here, Tinker said. We will remove that whole pile that's there, remove the driveway, the culvert, and place boulders there. We are kind of looking for feedback, Tinker said. There was a previous approval a number of years ago. Tinker described the expensive plans that were proposed. This would be less expensive and less expensive to maintain. Lees asked you are going to rehabilite that. Dan said that counts as mitigation. Lees said that's a great plan and he elaborated. Tinker said making this a rectangle makes is easier to run my business. Mills said I thought it was a very good plan, and I wish you had come up with it a lot sooner. It makes perfect sense, and you come back with a planting plan, and we can both say 'Job Well Done'. Tinker said to the commissioners I will provide you all that and at the next meeting we can vote on an approval. You got my money, Tinker said. Gall asked Baroody if he had anything to say. Baroody replied no. Mills made a motion to **table** this. Rose seconded the motion. The motion carried unanimously at 7:40 pm.

37 Executive Drive

Regulated Activity # 887

Seymour R. Powers Trustee Lots #L10013,L10015,L11019, IG-80 Zone.

Date of Receipt: 4/13/11. Parking area expansion, Pitney Bowes.

First 65 Days: 6/17/11. Second 65 Days: 8/21/11. Artel Engineering Group, LLC. 6,14,38 Executive Drive, % Powers Industries. Site visit 4/26/11. Gallo introduced this petition. Derek Roy arrived in the audience. Mark Kornhaas from Artel identified himself on behalf of Seymour Powers and Pitney Bowes. Kornhaas handed out Henry Moeller's soil report from April 15, 2011. Kornhaas reviewed the proposal using the existing conditions map and the grading and utility plan on the easel. Gallo said we did an on-site yesterday. Kornhaas described what you basically see here, and we are going to move the entrance. In terms of stormwater management, Kornhaas described the proposal, given the impervious surface proposed for the parking. On our site walk yesterday, the site was staked and flagged. One area we did look at, we want to save that fairly large tree. The edge, the curbing is in bad condition. It was suggested that we clean this up; put some plantings here. Down in the corner

here, we looked at parking; we're just making it perpendicular. There is some erosion occurring. We can armor this up a little more, a little nicer, and we will police the area for any trash and clean it up, Kornhaas said. Gallo asked are there any questions. Dan Baroody had no comment. Lees made a motion to **table # 877** to May 11, 2011. Mills seconded the motion. The motion carried unanimously at 7:44 pm. Lees said to Kornhaas thank you for putting those seals on there, and thank Dainius too. It makes the meetings shorter for Bernie. Mark Kornhaas noted that there must be a ballgame tonight.

NEW BUSINESS: None.

ADMINISTRATIVE STAFF ACTIONS:

Saw Mill Road & Reserve Road

Regulated Activity # 646RR

The Reserve – Phase 6 Revision

Assessor's Lot # B15001, PND Zone.

Toll Brothers / Tighe & Bond. Townhouse revisions, Permit amendment 4/27/11. What changed, Mills asked. Baroody explained change of ownership and to address some erosion.

VIOLATIONS: None.

ACCEPTANCE OF MINUTES: Motion to accept the 4/13/11 meeting minutes as presented by Lees. Second by Derek Roy. Motion carried unanimously. Mike Esposito said he was not here for the 4/13/11 meeting.

CORRESPONDENCE: None.

ADJOURNMENT:

Motion to adjourn by Roy. Second by Rose. Motion carried unanimously at 7:46 pm.

Next regularly scheduled DEIC meeting: May 11, 2011.