



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

ENVIRONMENTAL IMPACT COMMISSION
www.danbury-ct.gov

(203) 797-4525
(203) 797-4586 (FAX)

**ENVIRONMENTAL IMPACT COMMISSION
MINUTES
CITY HALL – 155 DEER HILL AVENUE
City Council Chambers
Wednesday, January 11, 2023
7:00 p.m.**

ROLL CALL:

Chairman Bernard Gallo called the meeting to order at 7:05 p.m. Present were Thomas Giegler, Geoff Herald, Mary Cronin, Mark Massoud, and Matt Rose. Absent were Elizabeth Falk and Alex Wolk. Staff present were Abby Lewis, Public Health Inspector, and Mary Larkin, Secretary.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Matt Rose.

ACCEPTANCE OF MINUTES: November 9, 2022

Motion to accept the Minutes of November 9, 2022 was made by Matt Rose; seconded by Mark Massoud. All in favor by those eligible to vote: Thomas Giegler, Mark Massoud, Alex Wolk, and Bernard Gallo.

Next regular meeting is scheduled for **January 25, 2023**

NEW BUSINESS:

#1183 40 Apple Ridge, Danbury, City of, Antonio Iadarola, P.E. Public Works Director/City Engineer, (E17061/E17061-1) RA-40 Zone.

Antonio Iadarola, Public Works Director and City Engineer, presented this application. Mr. Iadarola explained this is a conversion of the existing Cartus building to two schools, encompassing Grades 6 – 12, which will accommodate both middle school and high school--about 1400 student population. The Department is in the process of obtaining approvals in order to pursue permits. Matt

Ranando, P. E., from Martinez & Couch, prepared the application. Mr. Iadarola said that Evans Associates did the wetlands flagging, and Matt's firm located flags and indicated them on the map. Project will not have any direct impact to wetlands. The work consists of pavement milling, putting down some pavement, converting some pavement to grassy areas, and restoration to the original configuration of the currently overgrown stormwater basin. Overall project will reduce the impervious surface by 18,702 sq. ft. Mr. Iadarola, using a map, showed the three upland review areas to the Board. Bypass road will be constructed for emergency bypass when school buses and parent drop off takes place. Accessway to get traffic out and in during an emergency. Detention basins will be cleaned out and returned to their original design and dimensions.

Matt Ranando offered to answer questions although he felt Mr. Iadarola had presented everything. Commissioner Geoff Herald asked about the retention ponds--they apparently failed before and how long before they fail again? Mr. Ranando indicated the three detention ponds are not characterized as failed but in need maintenance and upkeep to restore their function. Commissioner Herald asked how often will the maintenance be needed? Mr. Ranando said it would depend on how the property is used and annual inspection would determine maintenance. Mr. Herald stated/suggested there would be nothing to increase the rapidity at which they need to be maintained. Mr. Ranando agreed.

Commissioner Mark Massoud asked Mr. Ranando to characterize the onsite wetland. Mr. Ranando said the type of soils are Ridgebury, Leicester, and Whitman, some standing water was found, some vegetation, not a lot of habitat due to location. Seeps and standing water noted. Commissioner Massoud then asked about the restrictions posed for development in the watershed areas. Mr. Ranando said portion is located in public supply watershed area, the zoning overlay roughly aligns with the aquifer protection overlay. They are not proposing anything that is restricted, such as car maintenance facilities or a chemical facility.

There being no further questions, an on-site review was suggested and will be scheduled.

Motion to table 40 Apple Ridge to January 25, 2022 was made by Matt Rose; seconded by Geoff Herald. All in favor with Ayes from Thomas Giegler, Geoff Herald, Mary Cronin, Mark Massoud, Matt Rose and Bernie Gallo.

#1180 141 Chambers Road, Parisi, Lawrence, (D07068), RA-40 Zone.
Proposed pool construction

Lawrence Parisi presented his application. Mr. Parisi explained that Hat City Pools said he needs an EIC permit. Mr. Parisi further explained this is not a big construction project, no fill will be added, and he will landscape around the pool. Commissioner Geoff Herald asked if the house was completely built and if the pool will go in behind the deck. Mr. Parisi replied that the house is completely built and the pool will be placed behind the deck. Commissioner Matt Rose inquired about the backwash, which Mr. Parisi wants it go under the deck in order to keep it away from the wetlands. Commissioner Mark Massoud asked if the backwash is code compliant and if there is already a lawn where the pool will be located. Mr. Parisi is relying on Hat City to know the rules, and he said there is lawn currently at the proposed pool location.

Motion to move #1180, 141 Chambers Road, to administrative approval was made by Geoff Herald. Second by Mark Massoud All in favor with Ayes from Thomas Giegler, Geoff Herald, Mary Cronin, Mark Massoud, Matt Rose, and Bernie Gallo.

#1181 11 Augusta Drive, Electroformers, LLC, Mike Antonetti, Agent, SE Technologies, (K12180), IG-80 Zone. Installation of groundwater pumping system.

Mr. Russ Richter, Chief Engineer at Electroformers, Inc., was present to explain the application. Mr. Richter said they wish to install a ground water pumping system from two wells at the rear of the property into the Still River. This water is contaminated with very low levels of copper and nickel waste but above aquatic life protection criteria should the groundwater come to the surface and pollute the area. Mr. Richter said the factory was built in 1963, and at that time you were able to pump waste to a lagoon in the back of the place, which they did from 1963 until about 1986. The State directed them to clean up the mess. They spent a substantial amount of money to dig it out and ship it to Canada for disposition. They filled it in with clean fill, installed a liner over the top, covered it with grass, and installed a fence. Some of the material still remains, and the groundwater does not move much through the area because it so flat, and they need to remediate. Best way is to pPump from ground to the river across the street. They have a permit from State of Connecticut DEEP to do the work, and they have permission (easement) from Mel Powers who owns the road, and permission (easement) from the neighbor across the street. They just need this one last approval.

Mr. Richter will send permit from DEEP. Geoff Herald asked if nickel and copper were from his property? Yes. There is no new material going into the ground, and it will take many more years for all of it to be gone.

Motion to table until 1-25-23 so that an on-site inspection and a Project Impact Report can be done was made by Geoff Herald; seconded by Mark Massoud. All in favor with Ayes from Thomas Giegler, Geoff Herald, Mary Cronin, Mark Massoud, Matt Rose, and Bernie Gallo.

#1182 39 Lindencrest Drive, Duncan, Donna, (D13104), RA-40 Zone.
Proposed new home construction.

Donna Duncan appeared on behalf of her application to request permission to construct a new home. She said, to the best of her knowledge, this is the last parcel on Lindencrest. Her parents owned the property, thinking one of their children might build a home on it someday. There are wetlands which start on Aunt Hack, continuing on Westwood, and to the back of this property. Soil Scientist James McManus flagged the wetlands. This is a 1.22 acre lot. Sydney Rapp Land Surveyors conducted a survey, noting the wetlands. Ralph Gallagher did a proposed building site indicating a building, well, and septic would not impact the wetlands. She is looking to build something commensurate with the neighborhood and put the dream her parents had in place. Commissioner Mark Massoud asked if there was soil report by McManus. Ms. Duncan thinks he just flagged it for Rapp to survey. Ms. Duncan said her parents lived at 41 Lindencrest--for 50 years, no problems with the

wetlands – a perfect buffer. Mr. Massoud said typically a soils report is done, and that will describe the nature of the wetlands.

Motion to table until the next regularly scheduled meeting on January 25, 2023 was made by Mark Massoud; seconded by Geoff Herald. All in favor with Ayes from from Thomas Giegler, Geoff Herald, Mary Cronin, Mark Massoud, Matt Rose, and Bernie Gallo.

#723RRR 193-207 Great Plain Road, Cordeiro Construction/Savannah Hills Subdivision
Request for extension.

No one was present to represent this application. Chairman Bernard Gallo explained this is beyond the extension period.

Mark Massoud made the motion to deny Application No. 723RRR; seconded by Geoff Herald. Mr. Herald asked how 19 years could possibly be the amount of time? Mr. Massoud explained that the legislature extended some permits because of the great recession and other poor economic times prior to that and explained that depending on the dates of the original approval some permits could be extended beyond the normal number of years. All in favor with Ayes from Thomas Giegler, Geoff Herald, Mary Cronin, Mark Massoud, Matt Rose, and Bernie Gallo.

#1184 7 Tanmar Drive, Resource 360 LLC, Gordon Hallas, (F20118), Site septic plan, construction and erosion controls for proposed dwelling.

Michael Mazzucco, P.E., representing the applicant. Mr. Mazzucco said there are no wetlands on the property; however, a watercourse was picked up by topography and aerial mapping, so they have some minor work in the regulated area with respect to installation of the septic system and grading for the driveway, and an onsite well. It is a moderately graded site, sloping westerly toward the watercourse. Mr. Mazzucco stated Tanmar Drive and the accessway to the site is not really improved; it's a gravel accessway. The pavement part of it stops further north of the site. Mr. Mazzucco said this is a pretty straight-forward application. Mr. Herald said the property does not actually touch the road – it's off the road. Mr. Mazzucco indicated how access is obtained on the map. Mr. Massoud asked if the driveway is in the regulated area. Mr. Mazzucco said it is not.

Motion to table until January 25, 2023 for a Project Impact Report was made by Matt Rose; seconded by Mark Massoud. All in favor with Ayes from Thomas Giegler, Geoff Herald, Mary Cronin, Mark Massoud, Matt Rose, and Bernie Gallo.

OLD BUSINESS:

#1178 21 Marion St., Cappell, Amy & Sylvain, Caetano Construction LLC, Agent,
(H22114) RA-20 Zone, deck expansion

Gleison Caetano is the contractor/agent. Mr. Gallo explained they have a report with six conditions. Mr. Caetano indicated he is aware of the conditions.

Motion to approve Application No. 1178, 21 Marion Street, with six conditions of approval, was made by Mark Massoud; seconded by Matt Rose. All in favor with Ayes from Thomas Giegler, Geoff Herald, Mary Cronin, Mark Massoud, Matt Rose, and Bernie Gallo.

#1179 26-40 East Starrs Plain Road, McKay, Paul, (H25022), RA-80 Zone, Single-family home

Michael Mazzucco, P.E. representing the applicant. Mr. Mazzucco received the Project Impact Report and after reviewing it with his client, they asked if Condition No. 6 (split-rail type fence) could be modified? He said there a lot of wetlands, some of which are on the other side of the property, and they would prefer to mark at each wetland flag and place fencing where they think is appropriate because of the typography – some of the fencing would be very far away and the foliage and terrain provide protection. The Commission agreed to change condition to accommodate request. Abby Lewis, Staff Liaison to EIC, indicated this was a reasonable request. Mr. Mazzucco provided a detail sheet and revisions showing markings to the map.

Motion to approve Application No. 1179, 26-40 E. Starrs Plain Road, with seven conditions and amended Condition No. 6 was made by Matt Rose; Mark Massoud would add “as approved and reviewed by staff”. Mr. Massoud seconded the motion. All in favor with Ayes from Thomas Giegler, Geoff Herald, Mary Cronin, Mark Massoud, Matt Rose, and Bernie Gallo.

PUBLIC HEARINGS: None

APPLICATION FOR ADMINISTRATIVE APPROVAL:

ADMINISTRATIVE STAFF ACTIONS: None

VIOLATIONS:

Barnum Road, Danbury, CT - Cease & Desist/Notice of Violation

No one was present to address the violation. Mr. Gallo said a second letter will go out. The attorney handling this matter for the City is Sharon Dornfeld, Esq. Mr. Gallo said if anyone was contacted regarding this matter, to please refer the call to either Mr. Gallo or Attorney Dornfeld.

OTHER MATTERS: Elections

Matt Rose nominated Bernard Gallo to serve as Chairman, seconded by Mark Massoud. All in favor with Ayes from from Thomas Giegler, Geoff Herald, Mary Cronin, Mark Massoud, Matt Rose, and Bernie Gallo.

Mark Massoud nominated Matt Rose to serve as Vice Chairman; seconded by Geoff Herald.

Mr. Gallo asked if there were any other other nominations. There being none, Mr. Gallo announced nominations are closed. All in favor with Ayes from Thomas Giegler, Geoff Herald, Mary Cronin, Mark Massoud, Matt Rose, and Bernie Gallo.

Matt Rose nominated Mark Massoud to serve as Secretary; seconded by Geoff Herald. Mr. Gallo asked if there were any other other nominations. There being none, Mr. Gallo announced nominations are closed. All in favor with Ayes from Thomas Giegler, Geoff Herald, Mary Cronin, Mark Massoud, Matt Rose, and Bernie Gallo.

CORRESPONDENCE:

EIC #1138: 17 Hillside/Maybrook-Housatonic Sewer Extension Update/Revision

Correspondence was acknowledged. There being no opposition to changes, motion to accept correspondence was made by Geoff Herald; seconded by Mary Cronin. All in favor with Ayes from Thomas Giegler, Geoff Herald, Mary Cronin, Mark Massoud, Matt Rose, and Bernie Gallo.

ADJOURNMENT:

Motion to adjourn was made by Matt Rose; seconded by Mary Cronin. All in favor with Ayes from Thomas Giegler, Geoff Herald, Mary Cronin, Mark Massoud, Matt Rose, and Bernie Gallo. Meeting adjourned at 7:55 p.m.

Respectfully submitted,

Mary S. Larkin, Recording Secretary