



**CITY OF DANBURY**  
155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

**ENVIRONMENTAL IMPACT COMMISSION**  
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**REGULAR MEETING**  
**ENVIRONMENTAL IMPACT COMMISSION**  
**MINUTES**  
**CITY HALL – 155 DEER HILL AVENUE**  
**City Council Chambers**  
**Wednesday, August 9, 2023**  
7:00 p.m.

**ROLL CALL:**

Chairman Bernard Gallo called the meeting to order at 7:05 p.m. Present by roll call: Geoff Herald, Mark Massoud, Elizabeth Falk, Mary Cronin, Matthew Rose, and Tom Giegler. Staff present was Melissa Llera, Secretary, and Abby Lewis, Public Health Inspector. Absent was Alex Wolk.

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Bernard Gallo.

**ACCEPTANCE OF MINUTES:** July 12, 2023

Motion to accept the minutes of July 12, 2023 as presented was made by Geoff Herald; seconded by Mary Cronin. No remarks. All in favor with Ayes from Geoff Herald, Mark Massoud, Elizabeth Falk, Tom Giegler, and Bernard Gallo.

Next regular meeting is scheduled for **August 23, 2023.**

**NEW BUSINESS:**

#1199 16 Marion St., Kutner, Bruce & Sharon, (H22119), RA-20 Zone, Proposed addition

Sharon Kutner, homeowner, was present. She had presented her plans to the commission and health department. She stated they are not performing construction outside of their current footprint. They want to go up one story to add more space to their small house. They will not be cutting down any trees, performing excavation or changing their septic system. Abby Lewis

questioned if they would be changing the bedroom count. Sharon stated they currently have two bedrooms, and it would remain as two bedrooms. Geoff Herald questioned reducing the front-yard setback from 30 ft. to 23 ft.; stating he believed the setback was 25 ft. Abby Lewis stated that would have to be verified with Zoning Department staff. Sharon said they would be extending into the front-yard setback for a front entryway. She was not familiar with the exact setback regulations as she had her surveyor assist with that part of the paperwork.

Motion to table No. 1199, 16 Marion St., pending confirmation of setback from Zoning was made by Geoff Herald; seconded by Mary Cronin. All in favor with Ayes from Geoff Herald, Mark Massoud, Elizabeth Falk, Mary Cronin, Matthew Rose, and Tom Giegler.

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#1200 43 Moody Ln., Ofer, Adam, Nicholas Yuschak, Jr., Agent, CCA, LLC, (I07007), RA-20 Zone, Proposed addition and grading

Nicholas Yuschak Jr., registered landscape architect with CCA in Brookfield, was present to represent the applicant. The current lot is .612 acre in an RA-20 zone on Candlewood Lake. There is 95 ft. of frontage to the lake. The proposed work is within 200 ft. of Candlewood Lake. The blue line by the roadway on the plan presented indicated the 200 ft. mark. There is currently a one-story framed house with three bedrooms, a basement, a rear deck, a concrete patio, a septic system, and a well in front. There is currently no garage. The site slopes down to the lake from right to left. It is a wooded site with no wetlands or watercourses besides the shoreline of Candlewood Lake.

The upland review disturbance area they are proposing is .33 acres. It includes a 1,312 sq. ft. addition. This includes a garage, increases the bedroom count to five, and a rear deck. They would relocate the septic to make room for the addition downhill to the west (indicated by orange on the plan presented). There will be roof drains which will discharge to a Cultec recharger further down the hill (indicated by green on the plan presented). The footing drains would discharge to a stone splash pad further down the hill, along with the Cultec overflow. They are also proposing a cart path from the house to the shoreline (approx. 250 ft.). The path is critical to provide accessibility for the homeowners, their elderly parents, and their guests; along with bringing equipment down to the shoreline. The path will be graded out to allow use by golf carts or John Deere gators which could carry passengers or equipment. The slopes would be no greater than two on one. The area will be topsoiled then have erosion control blanket with stakes placed. It will then be overseeded with conservation seed mix, inclusive of native grasses. The grass will be left to grow which is common when used by roadways to assist in maintaining slope. It will be recommended to be cut one time per year during the dormant season. At the bottom of the hill will be several retaining walls that will be terraced to not exceed 3 ft. in height, and will be separated by a minimum of 5 ft. On the sides of the hill they will use a more natural approach of different size boulders, soil pockets and plantings. The homeowners will also be putting a dock, catwalk, level seating area and storage shed by the shoreline.

The homeowners are hoping to achieve a view of the lake from the rear deck. Currently they have no lakeview from there. They have applied to First Light for an existing use permit, and will apply for an activity use permit upon approval of EIC.

Mark Massoud asked for clarification on the blue lines presented on the map. Nick stated the first blue line is the shoreline, followed by the 440 line and then the furthest being the 200 ft.

mark of the regulated area. Geoff Herald asked for confirmation that the path is 6 ft. wide. Nick confirmed, and stated this allows for maneuvering with the carts. They are only anticipating one way traffic despite the width. Mark Massoud asked for confirmation that the homeowners are agreeable to the conservation mix. Nick stated they are, and were not interested in the use of sod or turf. No further questions or remarks were made.

Motion to table No. 1200, 43 Moody Ln., for project impact report was made by Matthew Rose; seconded by Geoff Herald. All in favor with Ayes from Geoff Herald, Mark Massoud, Elizabeth Falk, Mary Cronin, Matthew Rose, and Tom Giegler.

OLD BUSINESS:

#1198 76 West Redding Rd., Stasio, Dan, (H24031), RA-80 Zone, Code-complying septic systems.

Motion to table No. 1198, 76 West Redding Rd., as no one was present was made by Geoff Herald, seconded by Mark Massoud. All in favor with Ayes from Geoff Herald, Mark Massoud, Elizabeth Falk, Mary Cronin, Matthew Rose, and Tom Giegler.

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#1188 1 Mariana Farms Dr., Piacente, Devin & Josemary, (B13048), RA-80, Feasibility of Subdivision

Bernard Gallo stated this application still had activity within other departments, and is not currently at the point of seeking EIC's approval.

Motion to table to No. 1188, 1 Mariana Farms Dr, for more information was made by Geoff Herald, seconded by Mark Massoud. All in favor with Ayes from Geoff Herald, Mark Massoud, Elizabeth Falk, Mary Cronin, Matthew Rose, and Tom Giegler.

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#1195 8 Pocono Point Rd., RARN Holdings, Shah, Roshan P., Nicholas Yuschak, Jr., Agent, CCA, LLC, (K02008), RA-20 Zone Construct single-family dwelling.

Nicholas Yuschak Jr. was present to represent the applicant. He acknowledged the project impact report and had no problems with the five conditions presented. There were no further remarks or questions.

Motion to approve No. 1195, 8 Pocono Point Rd., summary ruling with 5 conditions as present in report was made by Geoff Herald, seconded by Mary Cronin. All in favor with Ayes from Geoff Herald, Mark Massoud, Elizabeth Falk, Mary Cronin, Matthew Rose, and Tom Giegler.

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#1197 70 Carol St., Lynch, Dan & Gibson, Melissa, (I22009), RA-20. Proposed addition.

Dan Lynch, homeowner, was present. He was presented with the project impact report, as he had not reviewed it previously. Upon review, Dan Lynch accepted the report and had no problems with the five conditions presented. Bernard Gallo questioned Mr. Lynch on them stating in writing they were not going beyond the current footprint; when in fact they would be. Mr. Lynch clarified that they were not extending closer to the lake from the current footprint which is why they extended to the side of the property. No further remarks and questions.

Motion to approve No. 1197, 70 Carol St., summary ruling with 5 conditions as present in report was made by Geoff Herald, seconded by Mark Massoud. All in favor with Ayes from Geoff Herald, Mark Massoud, Elizabeth Falk, Mary Cronin, Matthew Rose, and Tom Giegler.

APPLICATION FOR ADMINISTRATIVE APPROVAL: None

ADMINISTRATIVE STAFF ACTIONS: None

VIOLATIONS: Barnum Road, Danbury, CT- Cease & Desist

Bernard Gallo stated that there has been some communication with Corporation Counsel. He has been told they are still dumping. He reiterated that the matter is with Corporatin Counsel, and there is nothing further for EIC to do. Abby Lewis did confirm she visited the site on July 27, 2023, and has photographs confirming the presence of additional debris in the wetlands. She stated that she recommended a fence to act as a barrier, but to date no fence had been installed.

OTHER MATTERS: None

CORRESPONDENCE: None

ADJOURNMENT:

Motion to adjourn was made by Matthew Rose; seconded by Mary Cronin. All in favor with Ayes from Geoff Herald, Mark Massoud, Elizabeth Falk, Mary Cronin, Matthew Rose, and Tom Giegler.

Meeting adjourned at 7:31 p.m.

Respectfully submitted,

Melissa Llera  
Recording Secretary