



CITY OF DANBURY
155 DEER HILL AVENUE
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ENVIRONMENTAL IMPACT COMMISSION
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REGULAR MEETING
ENVIRONMENTAL IMPACT COMMISSION
MINUTES
CITY HALL – 155 DEER HILL AVENUE
City Council Chambers
Wednesday, September 13, 2023
7:00 p.m.

ROLL CALL:

Chairman Bernard Gallo called the meeting to order at 7:03 p.m. Present by roll call: Tom Giegler, Mark Massoud, Geoff Herald, and Mary Cronin. Staff present was Melissa Llera, Secretary, and Abby Lewis, Public Health Inspector. Absent were Matthew Rose, Elizabeth Falk and Alex Wolk.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Mark Massoud

ACCEPTANCE OF MINUTES: August 23, 2023

Motion to accept the minutes of August 23, 2023 as presented was made by Geoff Herald; seconded by Mary Cronin. No remarks. All in favor with Ayes from Tom Giegler, Mark Massoud, Geoff Herald, and Mary Cronin.

Next regular meeting is scheduled for **September 27, 2023.**

NEW BUSINESS:

#1201 100 Aunt Hack Rd., Richter Golf Course, (C11047), RA-80 Zone, Storm drainage repairs.

Rob Dorsch of Richter Golf Course on site to present. They currently have 12", 18" and 36" old, aluminum corrugated drain pipes on site that carry water. The tops and bottoms have rotted out, and are now a liability. They are looking to replace pipes for holes 8, 12 and 16 this year. They would install new ADS pipe, along with some open ditches. They have provided

pictures of what the open ditches would look like. Abby Lewis stated she did a site walk, and agrees the work needs to be completed as it is a hazard. No further remarks or questions.

Motion to table to No. 1201, 100 Aunt Hack Rd., for project impact report was made by Geoff Herald, seconded by Mary Cronin. All in favor with Ayes from Tom Giegler, Mark Massoud, Geoff Herald, and Mary Cronin.

OLD BUSINESS:

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

Steve Trinkaus, engineer, was present to represent the application. Mr. Gallo stated that everyone received a copy of the response from Corporation Counsel stating that one application for the four cottages was acceptable. Mr. Trinkaus stated after the last meeting his client informed him he is pumping the current septic systems every 2-3 months. They are all on borrowed time. The systems were originally from the 1950s. The client doesn't know what cottages he would expand down the road. He wants to install the new septic systems now though, so that part of the project is done. He would then come back to EIC for a modification when he proceeds with the expansions of the cottages since that would still be in the 100 ft. upland review area. They want to put in the systems that would handle the four bedroom cottages. They are all Greenleach systems. The client would get a better economical deal to install all four at one time. The systems would be oversized for the current cottages. This would mean the effluent would be dispersed over a wider area, and would be better environmentally. He has installed oversized systems at other locations in the past.

Mr. Gallo clarifies that the systems they would install would in fact handle the proposed four bedroom cottages. Mr. Trinkaus confirmed they would, and stated that all cottages may not even be expanded in the future. The soil and gravel in the area is ideal for the systems, as was determined during the testing. The owner said most of the systems out there are just a septic tank going to a cess pool of concrete blocks with gravel around it. The systems would be a large upgrade from what is there. Mark Massoud asks if all of the systems are on borrowed time and being pumped frequently. Mr. Trinkaus states the cottage with only one person is being cleaned every four months, and the other three with two people are being pumped every 2 months.

Mr. Massoud states his concern about giving a blanket approval that could include expansion of the four cottages, along with the new septic systems. Mr. Trinkaus stated they are looking for just the approval for the septic systems, and leave the approval for the additions off the table. They will come back for another permit for the additions once they have exact plans.

Mr. Massoud asks if there are four separate septic systems. Mr. Trinkaus said yes. The systems will be as follows: Cottage A will have a septic tank to a Greenleach system via gravity, Cottage B (rear, left) will have a septic tank, pump chamber and Greenleach system by Cottage C, Cottage C will have a septic tank, pump chamber and Greenleach system there also, and Cottage D (bottom, right) will have a septic tank, pump chamber, and Greenleach system by Cottage A where the good soil is. Mr. Massoud asked if they looked into a community or combined system. Mr. Trinkaus said the leeching areas would be completely the same. You would just connect the two systems/ rows. He would then have to go through DEEP permitting

for it despite the low flow since it would be a community system. Mr. Massoud asked if the linear disturbance would be the same; Mr. Trinkaus confirmed yes.

Geoff Herald asked for clarification on being able to upsize the septic system i.e. you could have a two bedroom cottage and install a system for a six bedroom cottage. Mr. Trinkaus said there is no limitation, and provided a past example of a time he had upsized a system based on water usage/ volume. The current systems have lasted approx. 70 years. With the new systems, you shouldn't have to revisit for another 80-100 years.

Mr. Massoud wants to explore phasing or some way for the board to maintain control over the future developments on the site if they approve the application. Mr. Trinkaus states that he will amend his request to only include the septic systems and not the building expansions. Mr. Giegler expresses his approval of moving forward with the proposed septic, but that the building expansions should come back to the commission for approval. Abby Lewis clarifies that the approval going forward would only be for the B100a and not the building expansions. Mr. Trinkaus confirms.

Motion to table No. 1198, 76 West Redding Rd., for project impact report was made by Mark Massoud, seconded by Geoff Herald. All in favor with Ayes from Tom Giegler, Mark Massoud, Geoff Herald, and Mary Cronin.

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

Mr. Gallo stated that Abby Lewis spoke with Ralph Gallagher. He is willing to withdraw the application if he can reapply without paying a fee in the future. Mr. Gallo stated the board doesn't want it lingering on the agenda. Mark Massoud commented that they could deny it without prejudice, but Mr. Gallo stated that wouldn't address the fee. Mark Massoud comments the board could vote to waive the fee. Mr. Gallo said that he will look into options prior to the next meeting, but for now it will remain as is.

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

APPLICATION FOR ADMINISTRATIVE APPROVAL:

Mr. Gallo presents an application for 121 Aunt Hack to the board. The application came in after the agenda had been completed. There was an approval in 2022, and there are now a few changes to the plan. He would like to add application No. 1203 to the agenda.

Motion to add No. 1203, 121 Aunt Hack Rd., to the agenda was made by Mark Massoud, seconded by Geoff Herald. All in favor with Ayes from Tom Giegler, Mark Massoud, Geoff Herald, and Mary Cronin.

Abby Lewis presents the changes to the original plan for 121 Aunt Hack. It was originally approved under EIC permit 1157 last April 2022. There is a new owner for the property. It is an empty lot of approx. 2-3 acres. They have moved the single family home

slightly closer, so it is now 70 ft. away from the wetlands delineation line. They have also swapped the septic and septic reserve area. Therefore the septic will now be in the original septic reserve area and vice versa. Those are the only changes to the plan. The board expresses approval to present this as an Administrative Approval.

Motion to grant Administrative Approval to No. 1203, 121 Aunt Hack Rd., was made by Geoff Herald, seconded by Mark Massoud. All in favor with Ayes from Tom Giegler, Mark Massoud, Geoff Herald, and Mary Cronin.

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

Mr. Gallo states that everyone received a copy of another letter that was sent out. This is taking more time than they want it to, but they want to make sure they get it right so it sticks. The letter stated that he has until the next meeting to come before the commission. The action needs to be done through the Cease & Desist, and not through a new application which would give them five years to complete the actions. Mark Massoud supports that the final actions should be completed through the Cease & Desist, and the commission should put a time frame on the completion. He also expressed concern that the installation of the 160 ft. of chain link fence being required might be considered overkill. He questions if there may be an alternative that the applicant might be agreeable to like a split rail fence. Mr. Gallo stated that the idea of the fence would help prevent him from future dumping, which Mr. Herald also supports.

Motion to table Cease & Desist until next regularly scheduled meeting was made by Geoff Herald, seconded by Mark Massoud. All in favor with Ayes from Tom Giegler, Mark Massoud, Geoff Herald, and Mary Cronin.

ADJOURNMENT:

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

Meeting adjourned at 7:26 p.m.

Respectfully submitted,

Melissa Llera
Recording Secretary