



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, October 11, 2023
7:00 p.m.

ROLL CALL:

Chairman Bernard Gallo called the meeting to order at 7:06 p.m.. Present by roll call: Matthew Rose, Tom Giegler, Elizabeth Falk, and Mark Massoud. Staff present was Melissa Llera, Secretary, and Larry Liebman, Environmental Compliance Inspector. Absent were Geoff Herald, Mary Cronin and Alex Wolk.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Elizabeth Falk.

ACCEPTANCE OF MINUTES: September 27, 2023

Motion to accept the minutes of September 27, 2023 as presented was made by Matthew Rose; seconded by Tom Giegler. No remarks. All in favor with Ayes from Matthew Rose, Tom Giegler, Elizabeth Falk, and Bernard Gallo.

Next regular meeting is scheduled for **October 25, 2023.**

Motion made to add EIC Application No. 1205, City of Danbury, Rehabilitation/ Replacement of Franklin Street Extension bridge over Mercer's Pond Brook, to tonight's agenda was made by Elizabeth Falk; seconded by Mark Massoud. All in favor with Ayes from Matthew Rose, Tom Giegler, Elizabeth Falk, and Mark Massoud.

NEW BUSINESS:

#1204 4 Lee Mac Ave., J.A.R. Associates, Beecher, Thomas W. Esq., Agent; (K14122), IL-40 Zone, Construction of two new buildings and site improvements including parking and storm drainage.

Benjamin Doto, licensed professional engineer, was present to represent the application for J.A.R. Associates. The application was submitted by Attorney Thomas Beecher. The site is an existing 2.5 acre completely developed site which currently has a 10,000 sq. ft. industrial building. It has the Still River to the left, the railroad tracks in the rear, and the DMV to the right. The site is almost all impervious surface currently.

They are looking to add a 10,000 sq. ft. addition to the left of the front building; along with the construction of a 12,300 sq. ft. industrial warehouse in the rear of the property. They have submitted a Special Exception application to Planning & Zoning to allow the warehouse use.

The site would have very little grading. The site itself doesn't have any wetlands. The EIC approval is required since they are within 200 ft. of the Still River per the regulations. The 200 ft. line bisects the site. The Still River does contain a floodplain. The Army Corp improved this area years ago, so the floodplain is contained within the riverbanks. They do have a flood plain permit submitted as well since there was a small portion. They aren't doing anything in the floodplain.

Mr. Doto presents a plan depicting the site improvements. The 12,300 sq. ft. building in the rear will go in the current location of the DMV overflow parking area which is no longer used or required due to the DMV appointment system. They will be installing a fence between the DMV parking and this site, along with a landscape island to provide a buffer and screening of the property. The City of Danbury zoning regulations require you put a fence you can't see through if you will be storing any construction equipment to trucks. They would also be widening the main driveway to include a left and right turn lane, and will closing off the second driveway closest to the intersection.

Also, per the request of Planning, the front of the site will be cleaned up. Currently it is paved parking. They will be removing the ninety degree parking spaces, and will put plantings, along with fixing the missing curbing. They will be working with Ellen Hines, a landscape architect. She will plant the front, plant the islands and remove some invasive species by the riverbank. There is an area of asphalt in the area of the property line with the City of Danbury property that will be removed and planted. The City of Danbury needs access to this area because there is a 24" sewer main (Triangle Street trunk line) that runs along the top bank of the Still River on the City of Danbury property. This site is served by city water and city sewer. The rear building will have sprinklers, the front building does not, and the addition will not be because of the presence of a fire wall.

In terms of storm drainage, there is currently a two catch basin system which drains to the Still River. Parts of the current system will be kept, and other parts will be modified. A water quality unit will be added, so all drainage from the paved areas and rear building will drain there. The roof drains on the front building will continue to drain to the Still River. The flow will be reduced, as well, based on the reduction of impervious surface by approx. 9,000 sq. ft.

They will be keeping the fence that exists along the Still River, and will be modifying the fence in the front. There will also be a gate between the front building and rear area for security, so visitors will be kept to the front parking area.

Mr. Massoud asks what standards they would be using for the water quality system. Mr. Doto stated they are trying to remove 80% of the solids for the first mark. There is no detention on the site. The unit would be a 6 ft. diameter unit with an internal bypass. He offered to provide the spec's if desired. Mr. Massoud stated he would like the spec's, along with the maintenance schedule that will be implemented. Mr. Liebman asks what business would be in the rear warehouse. Mr. Doto said they do not have a tenant yet, but it will be constructed as a basic warehouse space. They will be installing floor drains in the rear building and addition in front which will discharge to an oil water separator. The current building doesn't have floor drains, and that will remain as-is. Mr. Massoud asked if the oil water separator will follow the CT DEEP standards. Mr. Doto said they will be 1,000 gal. units based on the low flow. They will be vented outside. The units will be registered with the City of Danbury Public Works department whom will inspect and certify them once installed; along with setting forth the required maintenance schedule.

Elizabeth Falk questioned the protocol that will be followed for the removal of invasive species. Mr. Doto states based on the plan that they would treat the woody stems with stump killer and monitor for regrowth. Ms. Falk is concerned about the invasive species or stump killer getting into the Still River during removal. Mr. Doto said we will get a report from the Landscape Architect on the protocol and provide to the Commission. Ms. Falk finds a report acceptable. She would like included the instructions that will be provided to the company doing the removal. Mr. Doto states they don't know who the landscape installer will be, as it will be one of the last things done, but they can certainly provide more information. He said they could also agree to a condition that they are required to come back towards the end to ensure it is being done according to EIC's standards. Mr. Giegler asks why there would need to be trees on the riverbank. Mr. Doto clarifies that the riverbank is actually City of Danbury property. They would just be leaving grass along that property line since the City of Danbury requires access to the area due the sewer main. The riverbanks in this area are grass and rip rap.

Motion to table No. 1204, 4 Lee Mac Ave., for additional information was made by Matthew Rose, seconded by Mark Massoud. All in favor with Ayes from Matthew Rose, Tom Giegler, Elizabeth Falk, and Mark Massoud.

#1205 Franklin Street Extension Bridge, City of Danbury; Rehabilitation/ Replacement of bridge located over Mercer's Pond Brook

Tom Altermatt, Senior Design Engineer with the City of Danbury, was present to represent the project. The current bridge has had pieces of the walls breaking off. They currently have concrete barriers in place to make the bridge safer, but it is restricting the flow of traffic. The Mayor and Director of Public Works have both expressed the urgency to get this done due to the safety concerns. The Franklin St Extension bridge in question is located a couple of hundred feet past the intersection with Gregory St. The current bridge was built in 1920, and is long overdue for repair. Franklin Street Extension is a heavily traveled road. Since the road is now restricted, it makes it more difficult for trucks and buses to pass. There was a temporary repair performed on the bridge about 20 years ago using steel beams.

The project is very involved in terms of permitting. They have been dealing with state agencies for the historic structure. The City was required to hire a consultant whom has prepared a report on the historic of the bridge. This report has been reviewed, and the State has accepted it for replacement of the bridge. The CT DEEP has also reviewed and accepted the design. The Army Corp has been working with the City on the sizing and design, but the City of Danbury is still working on the official submission to them.

The existing bridge is about 16 ft. wide. The new bridge would expand to 24 ft. wide to accommodate the 100 year storm events. Excavation of the channel would be performed to install the footings. During this excavation (2) 42” pipes would be used to divert the water that runs under the bridge. The bridge will be a precast, three-sided box culvert that will be set using cranes and heavy machinery. There will be no loss of wetlands with this project because the channel under the bridge is mostly ledge and very rocky. The application is because of the impact on a watercourse. They will ensure sediment and erosion controls are in place as well. The City is currently working on obtaining easements, which involved having surveys and appraisals completed, from four homeowners to allow this bridge replacement.

Mr. Gallo asked if this bridge is located by the nursing home in that area. Mr. Altermatt said it was. Mr. Gallo said some of the members have noticed work currently being done on the bridge. Mr. Altermatt clarified that the current work is just to put the safety barriers due to the safety concerns. Mr. Liebman asked if it would be a one-piece box. Mr. Altermatt said there would be multiple pieces that would be set because it is a 24 ft. span. In order to achieve that, overhead utilities would need to be moved, so they are also working with the utility companies. They will also have to have a gas main moved. They are hopeful this would be done in the spring. Mr. Altermatt also said that the new bridge would have sidewalks one each side for pedestrian traffic which is a huge increase in safety from the current situation. Mr. Giegler asked for clarification on the use of the 42” pipes. Mr. Altermatt said they are only temporary to divert the water during the work. Mr. Liebman asked about the length of the road closure. Mr. Altermatt said the contractor would be given a tight time line due to the length of the detour, but an exact timeline is not know now. Mr. Massoud asks for verification that Connecticut Fisheries had approved the plan; Mr. Altermatt confirmed. Mr. Massoud also asked for clarification that the bottom of the bridge will be open, and will be restored to natural conditions after the project; Mr. Altermatt confirmed. He also asked about a possible damn in Mercer’s Pond and if the pond still existed. Mr. Altermatt said the pond is still there and believes there is also a privately owned damn.

Motion to table No. 1205, Franklin Street Extension Bridge, until the next regular scheduled meeting was made by Elizabeth Falk; seconded by Mark Massoud. All in favor with Ayes from Matthew Rose, Tom Giegler, Elizabeth Falk, and Mark Massoud.

OLD BUSINESS:

#1202 28 Driftwood Rd., Maffini, Alex, (J03018), RA-20 Zone, Removal of existing deck(s) & Construct new deck

Alex Maffini was present and acknowledged receipt of staff report. He accepted the conditions of the report as presented.

Motion to approve No. 1202, 28 Driftwood Rd., with a summary ruling and 5 conditions as presented in staff report was made by Matthew Rose; seconded by Elizabeth Falk. All in favor with Ayes from Matthew Rose, Tom Giegler, Elizabeth Falk, and Mark Massoud.

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

Mr. Gallo informed the Commission that he has reached out to Ralph Gallagher regarding this application. He is hopeful to speak with him so the board can receive a status update.

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

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

Mr. Gallo informed the Commission that he is meeting with Corporation Counsel on October 12, 2023, and will have a report at the next meeting.

ADJOURNMENT:

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

Meeting adjourned at 7:45 p.m.

Respectfully submitted,

Melissa Llera
Recording Secretary