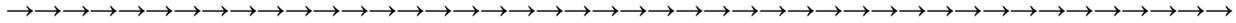




**CITY OF DANBURY**  
155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

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

**MINUTES**  
**AUGUST 1, 2012**

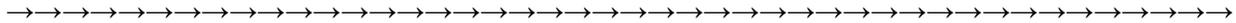


The meeting was called to order at 7:30 PM by Chairman Arnold Finaldi Jr.

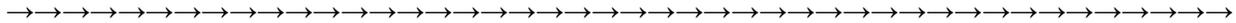
Present were Helen Hoffstaetter, Kenneth Keller, Joel Urice, Arnold Finaldi Jr. and Alternate Michael Ferguson. Also present was Associate Planner Jennifer Emminger.

Absent was Fil Cerminara.

Chairman Finaldi asked Mr. Ferguson to take Mr. Cerminara's place for the items on tonight's agenda.



Mr. Urice made a motion to accept the May 7, 2012 and the May 16, 2012 minutes. Mr. Keller seconded the motion and it was passed unanimously. Chairman Finaldi said they would table the acceptance of the June 6, 2012 minutes as they had not received them yet.



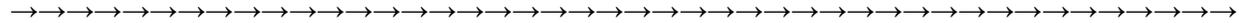
CONTINUATION OF PUBLIC HEARING

Shurgard Storage Centers Inc. - Application for new Special Exception/Revised Site Plan (1) for expansion of Existing Self-Service Storage (Originally approved as Site Plan) and (2) to allow use (Public Storage) generating over five-hundred (500) vehicle trips per day in the CA-80 Zone - 77-83 Mill Plain Rd. (#D14032) - SE #726.

Attorney Ken Slater from Halloran and Sage said they had received approval from the Environmental Impact Commission. Mark Kornhaas from Artel Engineering said they had received the final report from the Engineering Dept. Mrs. Emminger said she had a verbal okay from the Engineering Dept. last week and anything in the final report can be conditioned in the resolution. There were no questions from the Commission members.

Chairman Finaldi asked if there was anyone to speak in opposition to this and there was no one.

Mr. Urice made a motion to close the public hearing. Mr. Ferguson seconded the motion and it was passed unanimously. Mr. Urice then made a motion to move this matter to item two under the Old Business on tonight's agenda. Mr. Keller seconded the motion and it was passed unanimously.



PUBLIC HEARING

Town of Bethel – Application for Special Exception/Site Plan Approval for Water Storage Facility (“Eureka Lake Water Storage Tank”) in the RA-80 Zone – 37 Long Ridge Rd. (#120026) – SE #727.

Mr. Keller read the legal notice. Chairman Finaldi said they should have received the staff report by email.

Andrew Morosky, PE, Director of Public Works for Town of Bethel, spoke in favor of this application. He said presently the Town water levels are low and need to be supplemented. This location was selected because there already is an 80,000 gallon tank in service at the water treatment plant also located there. Since this location is at the same elevation as the treatment plant, they know it will maintain the same flow. He showed them a plan with all the piping that connects Maple Ave. to Chestnut St. to the plant. He said Best Management Practices (BMP) dictate that the water be on the opposite side of the system to keep the loads distributed. He explained that the previous denial led them to go to the Dept. of Public Utility Controls (DPUC), who told them to work with Danbury to resolve this. He said the City of Danbury hired an outside consultant to determine the best location for the tank and this was it.

He said it is not unusual for a water supply to be located in an adjoining town. Danbury has tanks in Bethel and he showed them a photo of the Crows Nest tank saying this provides safe drinking water for the Danbury system. He said this is similar construction to the previous application. The tank is almost entirely buried in the hill. It will be able to provide water to both Bethel and Danbury for emergencies, as the connection will work both ways. He said they had some meetings with the neighbors and City Council members to get their input prior to submitting the application. They also extended the invitation to anyone who could not attend the meeting, to come the Bethel Public Works office to voice their comments. At the second meeting with the neighbors, they reviewed and discussed all of the suggestions and proposed revisions. The biggest concern among the neighbors was that they wanted it not to be able to be seen. They wanted to maintain the rural character of the neighborhood. So this proposal includes more natural plantings that are similar to what already exists on the site. He added that they also are proposing to install a fire hydrant which will enhance the safety within the neighborhood. He said the Danbury Fire Marshal is in support of this idea.

Matt Knickerbocker, First Selectman, Town of Bethel, introduced Richard Straiton, who also is a selectman. He said there is one other selectman, but he was out of town this evening. Mr. Knickerbocker said he knows everyone here has seen this tank before and he understands that the neighbors don’t want the tank to be invisible; they want it to be located somewhere else. He continued saying that unfortunately, this is the best site for this. Each of the other sites they looked at had problems that were too big to overcome. This location is the best for service and they intend to bury it as much as possible in an effort to hide it. He said when they had the meetings with the neighbors; the one thing they all said was that they didn’t like the landscaping, so they changed it to what was suggested by the neighbors. He said then they had their Landscape Architect go over every detail to be sure these plantings were suitable for the area. Lastly he said they intend to paint it green so that after the first year it will be invisible from the road. He added that

this is not about wanting to put in a tank; they are here because there is a tremendous need for this tank.

Marius Jedchrowsky, PE from Wright–Pierce, said there are three service areas in Bethel, this one at Long Ridge, one at Chestnut Ridge and also one on Hoyts Hill. They want this tank to be able to provide enough pressure so the people can use the water. He said they have reviewed the size of the distribution mains to be sure that they can handle the flow. He added that it is best engineering practice to have the tank located on the opposite side of the major load center. This location would allow them to pull from here in case of emergency. He said it is important that the service area be as high as possible.

Mr. Morosky said they looked at whether it was possible to move the tank farther from Long Ridge Rd. while showing an aerial photo of the proposed site and two alternate sites. He said that both of the alternate sites would require extensive land disturbance and excavation and would also be a potential source of pollution to the Danbury water. The alternate locations also could require blasting whereas the proposed location requires a minimum amount of excavation, no rock blasting and is located outside the Class I watershed. He said it would be 85 feet from Long Ridge Rd. and 320 feet from the nearest residents. It was determined that the tank cannot be moved any farther back due to the location of the existing water plant infrastructure. He said the 750,000 gallon tank is 26 feet tall and 85 feet in diameter, although only 7 vertical feet of the tank will be exposed. It will be surrounded by a fence and the proposed plantings. Access will be from the access road; there will be no permanent access from Long Ridge Rd. The fire hydrant was added as an additional protection for the residents. They also plan to move the existing gate to a different location.

Mr. Urice asked why they can't bury it any further into ground. Mr. Morosky said they need to maintain a twenty foot radius around the tank for the construction area, so then you end up too close to water lines. Mr. Urice then asked why they can't move it further back into the hill. Mr. Jedchrowsky said if they could at all; it would only be a slight distance, not 50–60 feet. Mr. Urice asked why they can't put it behind the ridge. Mr. Jedchrowsky said that area is not high enough to achieve the same hydraulics as the proposed location.

The next person to speak was Jennifer Klaster, a Landscape Architect from Wright–Pierce. She mentioned the meetings with the neighbors and how they incorporated that feedback into the design. The neighbors wanted plantings that were more compatible with the existing on-site vegetation. They also wanted it to be woody. She based on that native species were added to provide screening and reduce the visual impact of the tank. They are also proposing a six foot tall chain link fence with brown slats in addition to the plantings. She said they considered all different methods including continuing the berm along Long Ridge Rd., but they felt this plan is the best one. She said there will be about 36 trees added with the taller ones planted on the berm and one tall tree in front of the tank so that all you see from the roadway is the tree. She said it also is intended that any large boulders from the excavation will be saved and reused on the site.

Selectman Richard Straiton said they are trying to be a good neighbor but this water tank is needed for survival in Bethel. He said they had hoped that providing the fire hydrant it would be a show of good faith. He said the humongous gate was put up after 9/11 to protect the water supply, but that could be replaced with a smaller one.

Mr. Urice said some of what is being proposed as cover is unnatural, why couldn't they cover the tank. Mr. Jedchrowsky they have to be able to access the tank through the hatch

so it is not safe to cover the tank. Mr. Urice asked how much of the sides they can cover safely and suggested that the fence could be made taller. Mr. Morosky said the fence is required by the public health department. Ms. Hoffstaetter asked how far around the tank area has to be dug up and how many trees have to be removed in order to install the tank. She then rephrased her question as how much area is there between the tank and Long Ridge Rd. Mr. Jedchrowsky said there is approximately forty to fifty feet. Ms. Hoffstaetter asked if the tank can be put any further down in the ground. Mr. Jedchrowsky said there is ledge under the existing tank so they want this one to be at the same elevation as the treatment plant. He added that most of the tank is buried; only seven feet is above ground on all sides. Mr. Urice asked if the fill line for the groundwater monitoring well could be flagged. Mr. Jedchrowsky said it was done for the previous application. He added that is it their intent to minimize the number of trees that are cut. Ms. Hoffstaetter asked if this is the same design tank as in the previous application. Mr. Jedchrowsky said it is. Ms. Hoffstaetter asked what the cost difference is between the two plans. Mr. Jedchrowsky said there is about one million dollars difference monetarily, but that is not taking into consideration the impact on the environment.

Chairman Finaldi said they have some letters to be read in favor this application. Mr. Ferguson read the letter from City of Danbury Fire Marshal James Johnson in support of the proposed fire hydrant. Mr. Keller read a letter from Eric Lifgrin of 188 Brushy Hill Rd. Chairman Finaldi read a letter from Stephen & Anita Jordan, 16 Long Ridge Rd.

Chairman Finaldi said they would take a five minute recess at 8:40 PM. At 8:45 PM, he called the meeting back to order.

Chairman Finaldi asked if there was anyone to speak in opposition to this application and several people came forward.

Elyse Marciano 179 Long Ridge Rd. said this has been going on since July 2009. She said they do not feel that the Town of Bethel has done anything to alleviate their concerns about this tank. They do not want to deprive the people of Bethel of their water supply, but this tank will be there from now until eternity. She said they are trying to hide the tank, rather than lowering it by putting dirt against the sidewall of the tank. This dirt will wash off after one good rainfall. She said White Pines may be natural and they grow fast but very sparse, so tank will not be camouflaged. She said she wishes the Town of Bethel would stop spending their money trying to get their way. They should just blast a little bit and the tank will disappear and no one will have to look at it. All they have done is put more dirt on it and add some more trees. Trees which could take ten years to fully mature. She then mentioned that problems associated with the construction, such as increased traffic including big trucks. In closing, she said does not want to look at the tank ever.

Emil Curran, 44 Long Ridge Rd., thanked Mr. Urice for visiting the site today. He said he is a licensed certified insurance consult in the State of CT and his first duty is to tell them that fire hydrant will not reduce homeowners' insurance costs. No one wants to deny them access to the water but this is too close to the road and will ruin the environment. He said they should just do the blasting and put it back farther where it cannot be seen. He suggested that this presentation is like an onion, once you peel back the layers, it is the same proposal as last time.

Robert Casperson, 24 Long Ridge Rd., said if this is a scenic road, they are going backwards by allowing this. He does not want to see the trucks and noise that will go along with it.

William Wickes, 199 Long Ridge Rd., said the proposal they are presenting has to do more with dollars and cents. They are hesitant to blast or move water lines because there are costs involved. This application is about money and how much they are willing to spend.

Clay Pierce, 103 Long Ridge Rd., said they have other options available to them and they are not willing to take any of them. The tank being located only fifty feet from the road is not acceptable.

Walter Isaacs, 28 Long Ridge Rd., said this is not much of a change from the previous application. He said there is not much they cannot do technologically today so he finds it hard to believe they cannot do anything engineering-wise to change this. He mentioned a cove of still water that is a health issue, saying it is filled with mosquitoes and mold, but no one seems to care. He said because he does not have faith in what they are saying because no one is doing anything about this cove situation.

Angela Branson, 155 Long Ridge Rd., said she is trying to understand this situation. This is a beautiful two acre zone and that is why they bought there. It seems unfair that the Town of Bethel would drag Danbury through all of this when there must be other options. After listening to them tonight, she feels their argument is gratuitous and that they ignored the residents of Long Ridge Rd. She asked how this will affect their land values and suggested there are other options that they could consider such as burying the tank.

Mike Jordan, 3 Long Ridge Rd, has major concerns about construction. Many people have suggested burying it deeper, but he does not believe this can be done without blasting. And blasting would be a major catastrophe for his well and his foundation. He does not know what recourse he will have if his property suffers damage. This will be an eyesore.

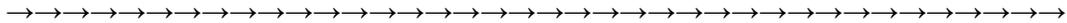
Steven Szurlei, 14 Long Ridge Rd, said he was not invited to any of the meetings with Bethel. He questioned "what part of no does Bethel not understand." The Superior Court and this commission both said no before and this application is nearly identical to previous application. They are not proposing to lower the tank; they are raising the ground around the tank. Since they own over fifty acres; why not proposed a different location. Danbury residents should not suffer for the convenience of Bethel. He said neither political influence nor greed should trump the law; and suggested the Commission just say no.

Duane Perkins, 22 Main St., said he had received a call from 1 Long Ridge Rd. asking him to express their opposition to this tank. He said the Crows Nest tank was built there before all of the houses were there, so that is different than what Bethel is trying to do here. He said someone brought up cost analysis; since this is a special exception, they should have some ideas of cost. He added that he has a problem with them proposing fire hydrants, because he believes the hydrants are being used as scare tactic. They are not needed because between the paid and volunteer firefighters, they can bring enough water to any fire. He said the applicant talked a lot about needing this for emergency services and water pressure, but he read somewhere that this tank is for Clarke Industrial park which needs more water.

Fred Visconti, 31 Mountainville Ave., said he has heard a lot of pros and cons. He said they have heard from both the folks who live in that area and the Town of Bethel. He said the Town of Bethel is entitled to look for water and the fire hydrant is a good idea for the neighborhood. He suggested the Commission review everything that has been said by both sides in order to make their decision.

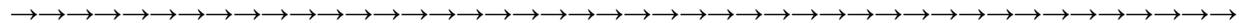


then said there is one change to be made to the resolution; one of the plan dates needs revision. Mr. Urice made a motion to approve this per the revised resolution. Mr. Ferguson seconded the motion and it was passed unanimously. Mr. Urice said he will be watching this site to be sure his parking concerns are addressed by these changes.



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Chairman Finaldi said again they should have received a draft resolution by e-mail. Mrs. Emminger reminded them that they had given her guidance at the previous meeting and she prepared a resolution knowing that some changes would need to be made. She then distributed a revised resolution explaining that she had removed one condition and added another regarding the Geo-tech certification. Mr. Keller asked if they needed to add any language about the neighbor who spoke at the first public hearing. Mrs. Emminger said she and Mark Kornhaas had done an on-site inspection of that property and made the determination that the problems there were not caused by anything on the subject property. They were just the result of the way that parcel was cut out. Mr. Keller made a motion to approve this application per the revised resolution. Ms. Hoffstaetter seconded the motion and it was passed unanimously.



Chairman Finaldi said there was nothing under Correspondence and there were two Floodplain applications and one Special Exception listed under For Reference Only.

At 9:45 PM, Mr. Urice made a motion to adjourn. Mr. Ferguson seconded the motion and it was passed unanimously.