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CITY OF DANBURY
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ENVIRONMENTAL IMPACT COMMISSION
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DRAFT MINUTES

October 27, 2010

Common Council Chambers 7:00 PM

Next regularly scheduled meeting date **November 10, 2010.**

Chairman Bernard Gallo called the meeting to order at 7:10 pm due to a problem with the laptop computer. Present were Gallo, Mark Massoud, Matthew Rose, Alt. Josh Reilly, Alt. Derek Roy. Absent were Craig D. Westney, William Mills, Jon Fagan, Bruce R. Lees. Staff present were Daniel Baroody, RS, MPH, Patricia Lee, Secretary.

The commissioners and all present recited the Pledge of Allegiance.

PUBLIC HEARINGS: NA

SHOW CAUSE HEARING FOR CEASE & DESIST ORDERS: NA

OLD BUSINESS:

East Spanish Congregation of Jehovah's Witnesses Regulated Activity # 873

9 New Street, 4 Terrace Place ± Assessor's Lots#14040, I14041, I14051, I14052

Date of Receipt: 9/22/10. Kingdom Hall House of Worship, CL-10, RH-3 Zones.

First 65 Days: 11/26/10. Second 65 Days: 1/30/11. Jeffrey N. Gordon, L.A. Staff report 10/26/10 by D. Baroody. Chairman Gallo introduced this Old Business, and Jeffrey Gordon, Landscape Architect, took the microphone at 7:13 pm. Gordon said we were before you at the previous meeting to show you the four small parcels. Blind Brook passes through them. At the last meeting, Gordon said, rain gardens were proposed which would take all of the roof runoff. I overnighted to you details on the added snout, a type of oil/ water separator. We met with Engineering. (Roy arrived at 7:15 pm, as Gallo noted.) The rain garden is pretty important to the design. At the easel, Gordon showed the snout detail and described

the product; a plastic filtering siphon. The catch basin will not discharge to the Blind Brook. Massoud asked did you say you incorporated a skirt? Gordon replied we could. It's a fibrous thing; it looks like a fiber skirt, a beard. It filters out things. Kelly (Green) in Engineering asked us to add this as a filter. Massoud said I'm all set. Dan Baroody took the mic, identified himself, and said Mr. Gordon has worked with us. A hooded catch basin can be added as condition 6. Staff recommends, Baroody said, a summary approval with an added oil snout. Rose made a motion to **approve** the proposal with six conditions of approval. Reilly seconded the motion, and the motion carried unanimously at 7:20 pm.

Ironwood Drive

Regulated Activity # 869

Alison Benincasa

Assessor's Lot # C11002, RA-40 Zone.

Date of Receipt: 7/14/10.

SF dwelling & septic.

First 65 Days: 9/17/10. Second 65 Days: 11/21/10. Michael Mazzucco, PE. Site staked 7/23/10. Engineer away; tabled 8/25/10 to 9/22/10. Site visit 8/24/10. Extension letter rec'd. 9/7/10. State DEP conditional approval for subsurface sewage disposal system rec'd. 9/13/10. Revised site/septic plan rec'd.; staff report by D. Baroody 9/22/10. Maintenance agreement requested 9/22/10. Site/septic design rec'd. 10/12/10. Screening report by Dan Baroody 10/13/10. Matt Rose recused himself from this discussion at 7:21 pm. Michael Mazzucco, PE, took the mic and identified himself, representing Alison Benincasa. At the previous meeting, you asked, and we did come up with a plunge pool and some mitigation before we get to the wetland. Using the easel, Mazzucco showed how it wraps around the house; a planting mix applicable to the wetland or the upland. We tried to keep it as low and close to the house as a natural barrier. Massoud asked Mazzucco about shifting the septic system. Mazzucco said that was part of the changes when we came in with this application. That was done I think in 2007. We were able to reduce that area. The net gain was 1000 sq.ft. due to the reduction of the septic system and \$1000 less in cost. Massoud said I recall the conditions of approval included a split rail fence and permanent (wetland) markers. I know it was in the original conditions of approval. Roy said are you suggesting that a split rail fence is not appropriate. Mazzucco said the plantings will be thick and 5 or 6 feet high. Roy said I'd refer it to staff. Baroody took the mic and said okay. The applicant, Baroody said, has done plantings as stated and reduced the square footage. Staff recommends that we leave the fence as we usually do. The fence keeps things from being dumped in the wetland in the future. Staff recommends a summary approval. Massoud said I agree; keep the fence and we can make planting adjustments in the field. Roy made a motion to **approve** with the 8 conditions of approval. Reilly seconded the motion. The motion carried unanimously at 7:28 pm.

12 George Street

Regulated Activity # 871

Tag I, LLC

Assessor's Lot # I15110, RMF-4 Zone.

Date of Receipt: 9/22/10.

3 two-family res. dwellings, parking.

First 65 Days: 11/26/10. Second 65 Days: 1/30/11. 0.74 acres. N. Buzaid. Site visit 10/20/10. Matt Rose returned to the panel. Michael Mazzucco, PE, identified himself again at 7:29 pm, and introduced the proposal for six multi-family residential units. Dan and I did

an on-site visit. Roy said I have not seen this. Mazzucco said the area map shows 500 feet around the site. You can see Deer Hill Arms on the existing conditions map. The previous dwelling was torn down. Formerly there was a barn and driveway. It is in the RMF-4 Zone, and because of Blind Brook within the 100 year flood plain. And we have to get a flood plain permit from the Planning Department. Mazzucco described the site, the limitations, the brook; so we looked at having the driveway on the east side, front two units and tuck two more units on the easterly side. We did it to compensate for some of the flood plain filling. We propose some grading in this area, so underneath would be open, as shown in the profile of that site plan (Drawing 08031B-S dated 6/29/10). There is City water and sewer. The lots are all on George Street, Mazzucco continued. He described the storm water detention system. The units will have a two-car garage underneath, and two floors above for each unit. Mazzucco described the existing tree which they will try to save and the tree planting schedule. The applicant does own the adjoining property to the east, but we looked at combining the two sites with a driveway from Deer Hill Avenue, but there were eight units proposed on this piece, so we're just offering that as an alternative that was looked at, but it's too much for the site. You are still in the 100 year flood plain, and Mazzucco discussed the elevation, keeping it down, the best alternative for the site. Roy asked does this allow the owner to tie the two together? Mazzucco replied no. He discussed the grades referring to the zoning location survey (dated 10/29/01 by P. Fagan), saying that would be much more difficult to do. Massoud asked Mazzucco to describe the storm water system in detail, which Mazzucco did. All the water from the units and driveway go into the gallery detention with a two-foot concrete sump and a hard bottom; which is good for cleaning out sediment; an outlet control pipe device, retaining wall, and drains to a small little pocket of wetlands, part of the old foundation or slab for the old barn that had been there. Mazzucco said there will be infiltration in response to Massoud's question; not down into the ground water. Massoud and Mazzucco discussed the functions of the galleries, the sump under the galleries, catching silt. Massoud asked for a detail of that plan. Mazzucco said I can get you one. Massoud said I'd like to see that, and I'm also thinking of the previous application's snout-type hood (EIC # 873) for the sediment, oil and greases. Mazzucco said we have a hood on the Ironwood Drive application; what is the purpose? Massoud replied to make it easier to clean out; to have a place to easily capture sediment, oil, grease and floatables. Mazzucco said certainly we could do something at the outlet; I'll have to think about that. There is not a lot of room heightwise. Mazzucco explained the elevation issues. Gallo asked is there anyone else (with questions)? Daniel Baroody came to the mic, and asked for time to review this application, and we need more detail on two of the issues. Roy made a motion to **table**. Reilly seconded the motion. The motion carried unanimously at 7:45 pm.

25± Reynolds Road

Regulated Activity # 872

Cornell Hills Taxing District

Assessor's Lot # H08108, RA-40 Zone.

Date of Receipt: 9/22/10.

Replacement staircase to Candlewood Lake.

First 65 Days: 11/26/10. Second 65 Days: 1/30/11. Gordon & Yestadt Architects; Candlewood Lake Authority response received 10/13/10. Staff report 10/26/10 by Dan Baroody. Chairman Gallo introduced this application, and Mike Frisbee stood and reviewed Baroody's staff report at 7:47 pm. Frisbee showed Drawing A-1, " Dock Stair For: Cornell Road Association", dated 8/11/10, prepared by Gordon & Yestadt Architects, on the easel.

Frisbee described the top of the structure, the footings, the landing, the railroad ties; a serpentine blending design. We will lose, Frisbee continued, 47 feet of elevation over 72 feet. The silt fence will be backed by straw bales. Frisbee described the grades and straw bales around the footings. He said the existing staircase wanders off on to someone else's property. We'll move it off his property. We were told we could take it be adverse possession. We don't want to do that. Baroody took the microphone saying we received a favorable letter from the Candlewood Lake Authority, and staff recommends a summary ruling with four conditions. Rose made a motion to **approve** the staircase with four conditions. Massoud seconded the motion. The motion carried unanimously at 7:51 pm.

Shelter Rock Lane

Regulated Activity # 874

Sympaug Properties, LLC

Assessor's Lots# L15001, IL-40 Zone.

Date of Receipt: 9/22/10.

Sympaug Properties, LLC / Shelter Rock Sportsplex.

First 65 Days: 11/26/10. Second 65 Days: 1/30/11. Artel Engineering Group, LLC. Staked 9/28/10. Site walk 10/7/10. Second site visit 11/9/10. Danzer report received 10/26/10. Dainius Virbickas, PE, of Artel Engineering Group, LLC, identified himself representing a proposed sports dome. At the last meeting, Virbickas said, several things needed to be done. We did two site walks on the site, and there were no real comments, so I took that as a positive outlook on the plan. There are 1.8 acres of upland review area. Zero wetlands are impacted directly. The day after our last meeting I met with Planning and the Traffic Engineer. Traffic thought we might need more parking. There is a similar facility in Mount Vernon, NY, and Virbickas discussed the parking there. But I have worked up another concept in response to Traffic, Virbickas said. First to address moving further from the wetland, we reduced that landscape strip and wall by four feet or five feet (Tape 1 flipped to side B). Now since the Traffic Engineer's input, we're kind of torn by security issues; putting the parking behind the building. By juggling and moving things, we were able to get 30 more parking spaces: 188 (total) parking spaces. But this Commission's concern is wetlands. The review by Steven Danzer, Ph.D., said straight out that there wasn't any significant impact, but he did make some suggestions, and we can look into that. Staff suggested we stake the parking field to see how close that is to the wetlands themselves. Yes, there will be some grading, but mostly cutting, Virbickas said. We are only filling at the western edge. Virbickas discussed the Grading & Utility Plan, filling at the east edges; again, mostly cutting, not filling. Another Danzer comment regarding the large willow trees, we can ask the surveyor to locate some of those trees and put them on our drawing. Roy said I agree with Dr. Danzer: show which trees are to be removed. Preserve as many as possible. Also, the lighting in the parking lot should not be directed toward the wetland. Virbickas discussed parking, security; keeping it simple and easy. Roy and Virbickas discussed keeping the buffer. Massoud said I intend to see the site, so do stake out the trees and parking. Baroody said, as a point of order, staff recommends that a Public Hearing would not be needed. Virbickas wanted to check on the time restraints. Secretary Lee said he is okay for time. Reilly made a motion to **table**. Roy seconded the motion, and the motion carried unanimously at 8:06 pm.

NEW BUSINESS:

8 Shore Road

Regulated Activity # 876

Thomas Montague

Assessor's Lot # K02096, RA-20 Zone.

Date of Receipt: 10/27/10.

Residential expansion & pool, 0.562 acres.

First 65 Days: 12/31/10. Second 65 Days: 3/6/11. B.V. Doto, III, PE. Chairman Gallo introduced this New Business as Benjamin V. Doto, III, PE, came forward and identified himself. Doto described the existing four-bedroom cottage on Shore Road. The plan is to replace it with a larger house that the owner will use fulltime. No changes are proposed below the 440 line. With the proposed plan SO1 on the easel, Doto discussed the house, the steep grades, the proposed swimming pool, the changes to the septic system, working with the Health Department, and getting new test data. There aren't many alternatives in a small lot in this zone, Doto said. The applicant also owns the vacant lot next door, and they already got a lot line revision. That allowed the applicant to get a larger footprint and pool. Doto described where the Regulated Activity will occur. We submitted the application to FirstLight; more of a documentation thing, Doto said. There are no changes there; we don't have to fill on FirstLight Power property. We also had to notify Brookfield and New Fairfield; all it is is notification. Here's the letter from New Fairfield. Doto explained the plan, the driveway, the new replacement septic system; an S-box system, and we did some confirmation testing with Peter Dunn. Doto explained the changes to the driveway, the garage; the storm water management system. Now it all sheet flows to the Lake. The new house will have no direct impacts to the Lake. There will be a manhole in the driveway, like a vertical detention system. We looked at a couple of options, Doto said, which he discussed, but we're limited by the septic system location, the existing tree line, the wooded buffer strip, the existing stone wall in the woods. Doto discussed the grade so the water will travel overland, the post detention flow, the six-inch pipe twenty feet long with a cap on it with a 4-inch hole drilled in it to travel 120 feet toward the Lake with some infiltration. There will be a two-foot sump in that manhole. We copied the Candlewood Lake Authority and Larry (Marsicano) will take a look at it. We sent it to FirstLight. Rose asked will it be a solid man-hole cover? Doto said it will be a circular manhole top with a grated top. Rose asked could you protect it somehow? Doto said something could be done in case of an accidental spill, such as a hood could be added relatively easily. Gallo said we will want to do an on-site visit. Doto said yes; it is unoccupied. Notify me. There is no need to stake it. Roy made a motion to **table**, and do an on-site. Reilly seconded the motion, and the motion carried unanimously at 7:22 pm.

APPLICATIONS FOR ADMINISTRATIVE APPROVAL: N.A.

ADMINISTRATIVE STAFF ACTIONS:

Chairman Gallo read the Administrative Staff Actions below, and noted there are no violations. Gallo asked were there any questions or remarks for Dan.

Hayestown Road Dam, Regulated Activity # **875**, FirstLight Power Resources, RA-20 Zone,

Danbury dike upgrade per FERC, Admin. Approval by D. Baroody 10/20/10.

33 East Franklin Street, Regulated Activity #867 R, Amphenol Corporation, Assessor's Lot #I13001, IL-40 Zone, soil & groundwater remediation, Admin. Approval by D. Baroody 10/20/10.

37/39 New Street, Regulated Activity # 308 R, Philadelphia Pentecostal Church, Assessor Lots# I14057, I14057-1, RH-3 Zone, retaining wall replacement, Admin. Approval by D. Baroody 10/20/10.

ACCEPTANCE OF MINUTES: 9/22/10 Meeting. Motion to accept these minutes as presented by Reilly. Second by Rose. Motion carried unanimously.

(10/13/10 No quorum, meeting cancelled.)

CORRESPONDENCE:

Notice from Ridgefield Waterside Properties, LLC of wetlands permit application within 500 feet of Danbury line, at 746 Danbury Road, Ridgefield, CT. There were no questions.

EIC ADMINISTRATION & FUTURE AGENDA ITEMS:

State of CT DEP New Training DVD available for loan to Commissioners: "An Introduction to Map Reading & Site Plan Review". The DVD was given to Reilly.

Chairman to appoint Nominating Committee. Chairman Gallo said in November I'm supposed to appoint a nominating committee for December EIC elections, with an odd number of people. The bylaws say you have to appoint a chairman and three officers, any way you want. Mills, Rose and Massoud were appointed.

ADJOURNMENT:

Motion to adjourn by Rose. Second by Reilly. The motion carried unanimously at 8:26 pm.

Next regularly scheduled meeting date is November 10, 2010.