



CITY OF DANBURY
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Environmental Impact Commission
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DRAFT MINUTES

November 10, 2010

7 pm - Common Council Chambers

Next regularly scheduled meeting December 8, 2010.

Present were Chairman Bernard Gallo, Bruce R. Lees, William Mills, Matthew N. Rose.
Absent were Craig D. Westney, Mark Massoud, Alt. Josh Reilly, Jon Fagan, Alt. Derek Roy.
Staff present were Daniel Baroody, RS, MPH, Secretary Patricia Lee. Gallo called the meeting to order at 7:04 pm
The Pledge of Allegiance was recited by everyone.

FOR DISCUSSION & POSSIBLE ACTION: NA

PUBLIC HEARINGS: NA

SHOW CAUSE HEARING FOR CEASE & DESIST ORDERS: NA

OLD BUSINESS:

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. Danzer & Baroody site visit 11/10/10. Chairman Gallo introduced this application as Michael Mazzucco, PE, took the mic. At the last meeting I presented the application and there were a couple things requested that I take a look at. The way the drainage, detention systems; a way to trap any oils. Mr. Baroody asked for more detail for what we're doing along the brook. I didn't submit anything formally, but I will respond to the questions that were raised. I'll flip to the colored version of the site plan. You can see the brook on the western side (Site Plan), two areas in the light blue. He described what the original galleries and hard sump previously proposed. Mark Massoud was concerned about that, Mazzucco said. He wanted to separate it before it got into the gallery system. We don't have a lot of room in terms

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of space; that would require a separate structure. I kicked the catch basins toward the building, and I've got a detail of that. Mazzucco described using the Construction and Erosion Sediment Control Details and Notes plan. Any silt and sediment would just fall into that, and we do do that quite often, in response to Mark's concern. We added more detail along the brook in response to Baroody, and we added more plantings, added to the white pines, winterberry; we continued them all the way along that whole corridor to George Street. Those were the two questions that were raised, Mazzucco said. We added the detail in response to that. Gallo asked are there any questions. Dan Baroody identified himself at the mic saying, just to remind the commissioners, if they have a chance to go out, it's an interesting site; I encourage site visits. Baroody sat down. Lees made a motion to **table**. Matt Rose seconded the motion. The motion carried unanimously at 7:11 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. Chairman Gallo introduced this application at 7:12 pm, Shelter Rock Lane. Dainius Virbickas, PE, came forward and identified himself at the microphone, and set the plan on the easel. At the last meeting the commission had looked at some of the provisions we had made to address some of the commissioners' comments. The willow trees are located, and the stakes are out in the field for the southern most, and I did walk the site with several Commissioners, and I went away from the site walk with a good feeling, Virbickas said. There are approximately 25 substantial willow trees, and some scraggly ones, and I also located one in the extreme western portion of the site. Basically in response to Danzer's comments we are trying to maintain a buffer. Virbickas summarized the trees on site. We stood on a line on the site, and saw how it was cutting through the site, which seemed to me a fairly good distance, Virbickas said. And I went away with a good feeling. What else we could possibly do to get further away from the wetland edge; there are no impacts to the wetland. Instead of eliminating the parking, I thought that we could make those spaces compact, giving us another 3 feet, making the parking row a little more compact as well. It is now 35 feet away from the w edge. We whittled away at it, and 37 feet is possible; a pretty decent buffer. This also accomplishes making our parking space area, which would be located right at the toe of that taper. What I'll do at this point is implement that little change, and pull our water quality trench a little further from the wetland, and talk to our landscape architect, and ask him to implement a buffer planting along the planting edge, so that we can make our buffer better. Rose asked have you considered something more of a barrier so a car could not drive into the wetland. Virbickas replied certainly a little guide rail, some sort of a rail system. Again, as an overview, we submitted 117,000 square feet. We kept our impervious areas the same, and by working within the confines of the footprint, we're up to about 182 parking spaces now. There is no impact to the wetland itself. We plan to make improvements to a site that's been vacant for the past 30 or 40 years. Mills asked about how much fill; I'm concerned about how high is that fill going to be. Virbickas said good question. The high points will be taken down with the parking the way that it's proposed with the compact spaces. We are not going to be filling in this area; maybe 3 to 6

inches of fill. We need to fill a little hollow on western edge of the driveway, and I propose that at a two to one slope, right to the wetland edge. I could propose a short retaining wall here, not more than maybe 3 feet tall. In the back of the site here, we are actually cutting into the slope, so we will keep the bermed-up area, Virbickas said. Mills said I would suggest a small retaining wall, and agreeing with Commissioner Rose, some kind of barrier. I look at snow plowing. What about some kind of a low barrier, so the cars don't roll and when it comes to snow plowing. Virbickas said in answer to the snow plowing, prior to coming to the Commission, we thought, holy cow, where are we going to put the snow. We thought we had to pare it back to something that would work on the site. This plan lends itself perfectly; we are going to use loaders. This is a giant dome, and the snow as it falls off the sides, the trucks pick it up and truck it, and let it melt. This area is left primarily just for snow storage. Mills reiterated, still, can we have some kind of a low railing and a retaining wall. Lees said, on the fencing, a four foot high metal fence, and the wetlands signage, a picture of a duck or something. A four foot high fence; very stylish, and put on the appropriate signage, at least on that one line up to that retaining wall. Signage always helps, Lees said. Virbickas said certainly we could place signs (denoting) the wetland area, the protected area. Lees made a motion to **table**. Mills seconded the motion. The motion carried unanimously at 7:26 pm. Motion carries, Gallo said.

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. Candlewood Lake Authority review rec'd. 11/8/10. Site visit 11/9/10. Chairman Gallo introduced this item at 7:27 pm. Benjamin Doto, III, PE, took the podium and set up plans on the easel, B100a Wastewater Disposal Plan. We had our site walk yesterday and I'd like to address a few more comments plus those asked at the last meeting. I'd like to go over these briefly. During the site walk yesterday, we got a sense of where the property line is, corresponding with the 440 line contour. In addition, we walked the property line where the storm water discharge was. I will go over Larry Marsicano's letter first, and hit the highlights, Doto said. He sites New Fairfield and Brookfield zoning regulations, and I don't think that applies, Doto said. He generally talks about impervious surface; he likes to see a storm water management plan. The volume of water that falls from the sky does not change; just how we manage it. Reducing velocities is a valid point, but where our discharge point is, our detention system is a very large storm water manhole. It's hard to get a sense of it. It's eight feet in diameter. There's a catch basin at the top with two-foot sump. Now all the water just flows to the Lake. We are going to catch all the water and put it into the system. The only water not caught is the top of the retaining walls, and some around the pool. I checked the velocity during the 25 year storm event. We just put it into a bigger flatter pipe; engineers do this all the time. Baroody said he'd like to see the direction changed, and that can be easily done. There's other things I could do here, Doto said. There is one cubic foot per second leaving the site; not tons of water leaving the site. The Lake Authority is asking us to discuss additional measures on the FirstLight Power property, but again, if we don't have to, we'd rather not use their land. There is a Jacuzzi tub in the house, but what should we do if the homeowner has to drain the pool. If you had to do the spa we could drain it into the pool, but I'd have to look at if we had to drain the pool water, Doto said.

We could have a tanker come. Matt Rose said they make a new system that prevents back wash. Marsicano's next comment had to do with the property line change, and that was basically done before I got involved in the project, and Doto showed where the lot line has changed. The Montague's own the adjacent lot too. It's done. It's filed. Larry (Marsicano) says they may need a variance. They don't. If that lot is ever developed, they would have to come back into the City for a permit. You have a viable lot on the Lake, and it meets zoning regulations, it makes no sense to combine those two lots. Doto said this is not an undersized lot under current zoning regulations in the City of Danbury. We are not filling on FirstLight's property. Remember on our site walk, we are intentionally trying not to deal with FirstLight Power; it's better to avoid having to put your septic on their property. Peter Dunn and I felt that an additional perc test is warranted. We went out, and part of the septic regulations have changed; we had done an additional perc test this summer, just to verify. Larry then talks about low impact development; it's an existing piece of property, and an existing house. I'd be happy to answer any questions. As far as storm water quality, currently there's nothing there, Doto said. I could look at a catch basin insert; I think there's something we could do that resolves a lot of this. The easiest thing to do is to look at the post development map. There will be no runoff from the swimming pool. I'm going to do that, Bernie, using a bigger pipe. The orifice will be the same, maybe a quarter percent. I'll run the numbers when I do it. Gallo asked are there any questions? Bill Mills said does the catch basin exist. Doto said we are putting that in. The City in the last couple of years redid Shore Road and Hawthorne Cove. They are discharging at 2 and 4 Shore Road. I think this was because of the limited area on the site, and limited ability of the soils. Our intent was to do it on site. Mills asked could you consider a fifty year storm analysis? Thank you, Mr. Chairman. Baroody asked on the B-100, the septic system is for the future? Doto replied it's going to be instituted; we often just reserve the area. The last one I did I think was the Kennedy house over by Richter Park. It's really a whole septic design. I call it a B-100 to be clear. It's not considered a new design. This is the reserve. Lees made a motion to table. Mills seconded the motion. The motion carried unanimously at 7:45 pm.

NEW BUSINESS: None

APPLICATIONS FOR ADMINISTRATIVE APPROVAL: None

ADMINISTRATIVE STAFF ACTIONS:

West Side Sanitary Sewer Interceptor, City of Danbury, EIC **732R**, Permit Modification by D. Baroody 11/8/10. Chairman Gallo read this into the record. There were no questions.

VIOLATIONS: Bernard Gallo stated that a neighbor at 42 Middle River Road called the mayor, and nothing is being done. But I've instructed Dan to go out and take a look at it. The woman called me, Mills said; he left the trees there, and he's supposed to replant trees where he cut City trees down. There have not been any trees planted, Mills said. Dan Baroody said we issued a Notice of Violation, they came in for a couple hearings, and the last time I inspected, he was progressing. So to say that this commission did not do anything, we issued the NOV, and he began the clean up. Mills said she's hinting that the land owner has not done what he was supposed to do, and she's concerned. Matt Rose mentioned the Ridgewood Country Club: it's quite a hole. That's what we approved, but that's a lot of work. Baroody said we have to send the inspector.

ACCEPTANCE OF MINUTES: 10/27/10 Meeting: Motion to accept these minutes as presented by Lees. Second by Rose. Motion carried unanimously.

CORRESPONDENCE: None.

EIC ADMINISTRATION & FUTURE AGENDA ITEMS: Election??

The nominating committee is supposed to report, Matt Rose said. Gallo said it has to be in December. The nominees are:

Bernard Gallo for Chairman, Bruce R. Lees for Vice Chairman, Jon Fagan for Secretary.

There is no secretary.

ADJOURNMENT:

Motion to adjourn by Mills. Second by Rose. Motion carried unanimously at 7:50 pm. Next regularly scheduled meeting is December 8, 2010.