



CITY OF DANBURY
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Environmental Impact Commission
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BY: 

DRAFT MINUTES

December 8, 2010 – 7:00 pm

Common Council Chambers

Chairman Bernard Gallo called the meeting to order at 7:04 pm. Present were Gallo, William Mills, Mark Massoud, Bruce R. Lees, Craig D. Westney, Alt. Derek Roy, Alt. Josh Reilly.

Absent were Matthew N. Rose, Jon Fagan.

Staff present were Daniel Baroody, RS, MPH, Patricia Lee, Secretary.

The Pledge of Allegiance led by Roy was recited by all.

FOR DISCUSSION & POSSIBLE ACTION: NA

PUBIC 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. Norman Buzaid. Site visit 10/20/10. Danzer & Baroody site visit 11/10/10. Extension letter rec'd. Chairman Gallo introduced this application and Michael Mazzucco, PE, took the mic, giving a history of the last meeting, which Massoud did not attend, and explaining how he had to move the water line, and Baroody asked the commissioners to walk the site. Gallo said someone put a lean-to there, a homeless guy, Gallo said to Massoud. Massoud asked if they had a permit. Mills had question on unit 4, the distance of the back deck. Mazzucco replied probably about 7 feet. Mills asked about the property line. Mazzucco described the location of the retaining wall and the quasi structure that was there; then it crosses the whole brook. Mills said I did a site walk on the other day, and there are lots of cement blocks and brick in the brook.

Could the applicant clean that up, especially the cement blocks? Mazzucco said there was also a tree lodged in there too. Mills asked will there be a fence going parallel from unit 1 through 5 and 6? Mazzucco said we certainly could entertain a fence, some sort of.... Mills continued, focusing on unit 4, I know they have to take the tree down, on the edge of the Blind Brook; there is one set of boulders on the very bottom, 6 or 7 feet. Maybe you could build it up a little bit. There's nothing. Mazzucco said we wanted to shave that back, rebuild this whole thing; replant the whole area. I could put the deck on the other side of the unit; that would almost double the distance. Mazzucco said to Mills that he is doing no filling, and Mazzucco explained some flood plain filling; we were able to maintain conveyance. It's really shallow in here. The eastern part of it will be on slab, so it will be able to convey flood waters. Mills asked again about putting up a fence; maybe staff could recommend what side the fence should be on. Gallo asked are there any other questions or remarks? All set with the drainage? Lees made a motion to **table**. Roy seconded the motion. The motion carried unanimously at 7:14 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 rec'd. 10/26/10. Extension letter received. The petitioner asked that we table this to our next meeting, Gallo said. Bruce R. Lees made a motion to **table**. Reilly seconded the motion. The motion carried unanimously.

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 received 11/8/10. Site visit 11/9/10. Revisions rec'd. 12/1/10. Mr. Doto was just here. He stepped out for a moment, Roy said. Dan Baroody identified himself at the mic, stating we worked with the developer. The engineer has worked with the Health Department, and has addressed the comments made by the Candlewood Lake Authority. Staff recommends a summary ruling to approve with four conditions, Baroody said. Chairman Gallo said we need time to read staff report, and commissioners did so at 7:16 pm. Ben Doto, PE, set the plans on the easel. Bruce R. Lees made a motion to **approve** by summary ruling with four conditions as stated by staff. Chairman Gallo asked are there any more remarks or questions. Massoud seconded the motion. The motion carried unanimously.

NEW BUSINESS:

Saw Mill Road

Regulated Activity # 607 RR

WRXIII, LLC

Assessor's Lots # C16012, PND Zone.

Date of Receipt: 11/10/10.

Reserve Phase 1B Grading Revision.

First 65 Days: 1/14/11. Second 65 Days: 3/20/11. Tighe & Bond. Anyone here from Saw Mill Road, Chairman Gallo asked. There was no response. Roy made a motion to **table**. Reilly seconded the motion. The motion carried unanimously at 7: 18 pm.

43 Old Ridgebury Road

Regulated Activity # 877

Fairway Asset Management II, LLC

Assessor's Lot #C16021, IL-40 Zone.

Date of Receipt: 11/10/10.

Belimo Air Controls Proposed Expansion.

First 65 Days: 1/14/11. Second 65 Days: 3/20/11. Benjamin V. Doto, III, PE, again put his plan on the easel, and identified himself and his address, representing Fairway Asset Management II, the site of Belimo Air Controls. We've been in front of this wetland commission 6 or 7 years ago, for an expansion, Doto said. The client has asked me to request an expansion of the approximately 7-acre site, opposite Benson Drive and Briar Ridge, an approximate 90,000 sq.ft. facility. The last application that we had done they had about a 45,000 sq.ft. addition. A similar expansion, roughly the same square feet, was considered but we could not accomplish it on site, and we're in the Lake Kenosia watershed. So my client purchased the adjacent approximate 18-acre parcel. I will show you the drainage area map; that's the easiest way to look at it, and Doto displayed the completely undeveloped site except for the sewer line. It is predominately wetland soils, and there is a conservation easement on it. Alternative reviews are included in your packet, and Doto reviewed those alternatives #1 and #2, and the issues with each of those alternatives. Doto discussed the parking on each alternative; we need just about 300 parking spaces, but there would be wetland disturbances on both alternatives. The conservation easement had some restrictions on it. Doto flipped to the Composite Map, Progress Print, and explained the location of the wetlands and they could only do drainage improvements. If you went to the master plan of The Reserve, there was an office building and parking lot, conceptual, in the master plan. This dark line here represents the edge of the conservation easement. This match line here, on non-wetland soils, but in the conservation easement. The end result was the alternative that we selected: about a 45,000 sq.ft. addition, which Doto described. The wetland loss was greatly reduced: 2300 sq. ft. lost. It did require some retaining walls, and he located those walls on the plan. We did everything we could to maximizing the parking while minimizing the wetland loss. There is very minimal grading in there as well; we tried to blend in the slopes as best we could. The existing Belimo driveway, we're shifting that down the hill about 40 to 45 feet, and we feel it's an appropriate design for the site, very similar to the last one. We have two drainage areas, and we want to take them to the detention basins. There are two sets of oil/ water separators here, and Doto explained where on the plan. It is in the Lake Kenosia watershed, so there are no options; they have to go in. Currently the site is served by water & sewer. Last time we simply (the easel fell down and Gary Michael helped restore it). Doto placed the plan on the seats, and gave Secretary Lee a copy of the notification to David Day, Superintendent of Danbury Public Utilities. Doto explained the watershed regulations, which he had discussed with Jennifer Emminger; no variance is allowed. Bruce

Lees asked do you have any proposed mitigation? Doto explained the yellow area on the plan for the proposed mitigation. The ratio is two to one; it's in the logical area. I am not putting it in my detention basin. It's intentionally outside of it; it's contiguous. Doto said I would like to get your input before I design a planting plan for my client. Doto explained the existing stone wall that runs through the woods. Lees asked for signage for the watershed, better to educate the public, for the catch basins and watershed for Kenosia. Doto replied not a problem. Discussing a site walk, Doto said Belimo is an industrial site, but they are a European company and you'll see when you go out there. Roy and Lees and Doto discussed the stencils and signage. Doto said we did purposely provide sidewalk and cross walks here and here; that is one of the concerns, because some of the parking had to get a little further away from the entrance. They put a lot of sidewalks in six years ago. Mills said he had a couple questions. Can you flag the wetlands? Your proposed parking goes down towards Old Ridgebury; I would think that you would get sheet flow from that parking lot. Doto replied yes, and went to the Post-developed Drainage Area Map. All the gray is pavement and roof. We've taken as much area from here; we're catching it in our piping system. It is all sent to this basin, Doto continued. The whole site is not being sent through detention, Doto explained, and I can look at the numbers here presented in the Drainage Analysis. Doto stated the numbers in the analysis. A detention system in here would have hampered the size of the parking lot. It all flows downhill. Mills and Doto discussed the required fill. Mills asked for cuts and fills in that back part. Doto said it's not that much, I can tell you right now, and he cited the measurements; not a monstrous massive wall. At the same time, we're keeping the parking lot at a positive grade. Doto said if you get bored and want to look at the grading plan, you'll see, he said to Mills. You could get a vehicle to go on that berm if you had too. Mills asked about snow and sand removal. It will go onto the islands and off the edge basically, just like it does now, Doto said. Doto said there's a little bit of fencing in the woods that runs along a sewer line, and he traced the manhole lids on the plan on C01. We could not do any major grading around that sewer line. Mills asked you said you'd address a planting plan later? Doto replied yes, that's a requirement for the Planning Department. We are going to schedule a site walk. Mills stated flag the wetlands. Lees said want to flag the detention basins too? Doto said we may be able to figure that out; it's right here. Lees said regarding site walks, if we got 24 hours notice, so that I can arrange my schedule to attend, three or four days before. Roy said I'll second that motion. Pat, please invite me. Massoud asked about the purpose of the conservation easement. Doto and client said we will have to get back to you on that. The reality is that most of the site is wetlands. Most of that is in wetlands, Doto said. Massoud said you can look at it both ways. Doto said I don't know if there was a wildlife corridor. Mills said they showed it to us. Massoud asked about the two detention basins. It will be replaced by one large one, Doto said. We just put a lot of this stuff in. Everything has to be contiguous for a manufacturing facility. The site is a little steep to do that; you'll see when you go there. I had some challenges designing the parking; last time there was a lot of cut on the high side, and it was not balanced with the low side. We must keep the finished floor at a level grade. Massoud asked about the design standards for the detention basin. Doto answered it's a dry bottom mostly; I have to check. I ran it for the SES 24 hour event; the basin does dry. It has a plunge pool. It's not a true wet-bottom basin. Massoud and Doto discussed looking for an extended detention basin. Doto said yeah, we could look at that. We are tight on everything else, except the basin. Massoud and Doto continued discussing possible extended detention. Dan said I'm all set. Bruce R. Lees made a motion to **table**. Roy seconded the motion. The motion carried unanimously at 7:50 pm.

5 Advocate Place

Regulated Activity # 878

Orlando Chang / R. Rosiello

Assessor's Lot # C17065, RA-40 Zone.

Date of Receipt: 12/8/10.

NOV: 7/29/09

First 65 Days: 2/11/11. Second 65 Days: 4/17/11. Rosiello Designs, LLC. Rich Rosiello identified himself and his address at the microphone. (Tape one flipped to side B.) Rosiello said this property is on a Cease & Desist Order; activity taking place without a permit, and the owner called me in October to come out. Rosiello explained what he provided to the commissioners for the client. Whoever flagged the wetland, he estimated where the wetland was. It's pretty straight forward where the wetland probably was. Rosiello explained what wetlands markers he concentrated on, proposing a mitigation planting plan, and an extensive wetland planting plan. He enumerated the plants. I want to give them somewhat of a level lawn for some activities for their kids. There seemed to be some invasive Japanese stilt grass that could be raked out in the spring. Mills asked how far are you going to go; how much fill? Rosiello explained the measurements, approximately 135 cubic yards, plus or minus, of fill. Mills asked about the size of the shed or garage. Rosiello gave the size of the shed as 15' by 22', and then there's an overhang. I do not believe a permit was granted for that. Mills asked about the distance to the shed from the wetland flag (#8). That's the closest point. Let the record show there was not building permit for that shed, Mills said. Dan Baroody said we just received the plan. We have not reviewed it yet. We need more time. Rosiello said the wetland is flagged, you'll see. Should I flag where we'll take the fill off? The commissioners replied yes. Roy made a motion to **table** to the January 12th meeting, and we'll do a site walk. Mills said notify Pat Lee. Bruce Lees seconded the motion. The motion carried unanimously at 7:59 pm. Have a good holiday, Rosiello said.

APPLICATIONS FOR ADMINISTRATIVE APPROVAL:

ADMINISTRATIVE STAFF ACTIONS:

VIOLATIONS:

ACCEPTANCE OF MINUTES: 11/10/10 Meeting. Motion to accept these minutes as presented by Bruce R. Lees. Second by Massoud. Mills said we had brought up 42 Middle River Road, with the brush. Gallo said I forgot all about going out there. The motion carried unanimously to accept the November minutes. Roy said we have a bunch of site walks coming up.

CORRESPONDENCE:

State of CT DEP Notice of Application for bank stabilization, 21 Hayestown Avenue, Henry Abbott Technical High School, retaining wall, small section of Padanaram Brook.

EIC ADMINISTRATION & FUTURE AGENDA ITEMS:

Vote to accept / approve 2011 EIC meeting calendar as presented. We can revise that for the Jewish Holidays as needed. Mills made a motion to accept this. Reilly seconded the motion. The motion carried unanimously.

Elections of Officers. I need a report from the nominating committee, Gallo said. Mills said we have three people seeking re-election. These guys have done such a great job. I make a motion that we make a motion to approve Chairman Gallo, Bruce R. Lees and Jon Fagan. Roy seconded the motion. Gallo asked does anyone have any problem with this? There was no opposition. The motion carried unanimously at 8:03 pm. Gallo said thank you very much to the commissioners.

ADJOURNMENT: Motion to adjourn by Bruce R. Lees. Second by William Mills. Motion carried unanimously at 8:05 pm.

Next regularly scheduled meeting: January 12, 2011.