



CITY OF DANBURY
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ENVIRONMENTAL IMPACT COMMISSION
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ENVIRONMENTAL IMPACT COMMISSION
MINUTES
Web-Based Meeting Hosted on ZOOM
JULY 8, 2020
7:00 p.m.

To view livestream on Danbury CT Planning & Zoning YouTube Channel, click on:

<https://www.youtube.com/channel/UC59LEpmvEgAN4B3EAyXEVTQ>

ROLL CALL:

Chairman Bernard Gallo called the virtual meeting, held via ZOOM to order at 7:00 p.m. Votes will be by roll call vote. Present were Mary Cronin, Geoff Herald, Mark Massoud, and Alex Wolk.

Absent were Anthony Abramo, Gerald DiMasi, and Matthew Rose.

PLEDGE OF ALLEGIANCE:

ACCEPTANCE OF MINUTES: June 24, 2020

Motion to accept the minutes made by Geoff Herald; seconded by Alex Wolk. All in favor by roll call with Ayes from Bernard Gallo, Mary Cronin, Geoff Herald, Mark Massoud, and Alex Wolk. Motion passed unanimously.

The next regular meeting is scheduled for **July 22, 2020.**

OLD BUSINESS:

#1117 Evuen, Melvin, Developer/Option Holder, 37 Holley Street, (K12093), RA-20 Zone for proposed single-family dwelling on vacant lot

Mr. Michael Mazzucco, representing the applicant, requested, via email, that the matter be tabled until the next regularly scheduled meeting on July 22, 2020. Environmental Compliance Officer Joseph Mead went out to the site this afternoon and indicated after all the rain there was

ponding on the site. A site visit will be done in the future with Commissioner Mark Massoud. Mr. Mead indicated that he spoke with Mr. Mazzucco about a mitigation plan, and they will discuss a plan to present at the next meeting. Mark Massoud and Joseph Mead visited the site some time ago. They spoke about adding some stream enhancement to minimize blockage in the stream channel. No other remarks.

Motion to table Application No. 1117 until July 22, 2020 was made by Geoff Herald; seconded by Mark Massoud. All in favor with Ayes by roll call. Motion passed unanimously.

#1121 Bruno, Jeff, Developer, Eric Schweitzer, owner, 204 South King Street, (D07034) RA-40 Zone, for proposed single-family home

Mr. Michael Mazzucco, representing the applicant, requested, via email, that the matter be tabled until the next regularly scheduled meeting on July 22, 2020. Joseph Mead said Michael Mazzucco indicated a surveyor will be flagging the wetlands, and he has not received that information in order to update a map but Mr. Mazzucco should have it for the next meeting.

Motion to table Application No. 1121 until the next regularly scheduled meeting was made by Mark Massoud; seconded by Mary Cronin. All in favor with Ayes by roll call. Motion passed unanimously.

NEW BUSINESS:

#1122 The Women’s Center of Greater Danbury, 89 Rose Hill Avenue, (H13033 & portion of H13166, & H13167), RH-3 Zone for transitional housing facility

Attorney Peter Olson began the presentation. Mr. Olson, of Land Use and Conservation Counsel, is appearing on behalf of the Women’s Center of Greater Danbury, Inc. with Eric Eggan, Abigail Adams, and Benjamin Doto.

This is a project for construction of a transitional housing center by the Danbury Women’s Center at 89 Rose Hill is currently owned by the City of Danbury and is the site of the old Mallory Hat factory. The land proposal is that land has been divided into Parcel 1 and Parcel 2, each about 2 acres. Page 4 of the Site Plan was shared by Attorney Olson. He described the parcels. A first cut was recorded in May. The arrangement with the City is that the City was to undertake a remediation plan – including removal and moving of soil. Part one is complete. Part 2 is the construction of the transitional housing center.

The parcel will be conveyed to the Women’s Center upon completion. All activities on the site plan are within 200’ of the Still River, making them all regulated activities. Wetlands are on the edge of the river.

Abigail Adams, Registered Landscape Architect, owner of A2 Land Consulting, New Fairfield, CT presented her plans. She explained the existing conditions at Rose Hill Avenue. Wetlands follow the edge of the river. There will be on-site parking, lighting, outdoor play space, and fencing around the perimeter of Parcel 1. No drainage structures are proposed onsite. No net increase in impervious surfaces for this project. (inaudible). There will be an emergency egress path.

The landscape plan was described by Ms. Adams. Screening will be provided for the refuse area. Northwest of the building, in the area sloping toward river, remnant concrete removal is proposed. Japanese knotweed removal is also proposed and replanted with a roadside matrix seed mix, along with varieties of Eastern redbuds, sugar maples, and viburnums. There will be no construction around the river. The landscaping will improve the current conditions and will provide a nice buffer for overland flow as it moves through the site. Attorney Olson added the City remediation program, Part 1, was done with an Environmental Impact permit from November 2019.

Benjamin Doto III, P.E., representing the applicant. His role in the project was more as a flood and grading engineer. The flood plain and Still River dictated the design of the site and the required approvals with the DEEP. They worked extensively with Antonio Iadarola and the City of Danbury Engineering Department which included the cut and fills and the grades. The slab currently occupying the site will be removed. The flood plain permit process is generally issued by the Planning Commission, but in this case they obtained a DEEP floodplain certification, which is a difficult process, but it was achieved. Mr. Doto illustrated the site by sharing a map on screen. Mr. Doto described the path of the Still River through that area.

When he and Abigail Adams first looked at the project they wanted the building to be toward the front of the property, but it was impossible. He illustrated a section of the property that was outside of the 100-year flood plain. Their plan will provide more flood storage. The building will be set 3.5' above the 100-year flood plain elevation. The requirement is 1' above. Mr. Doto said the amount of impervious surface will be reduced. The drainage is a low-impact design. There will be no pipes going into the Still River. The site will be served by city water and sewer, underground electric and gas, and the building will be sprinklered.

Peter Olson summed up and said every proposed activity is a regulated activity. He does not believe any of these activities constitutes significant activities for three reasons: 1. The site work has already been accomplished, 2. The entire site is currently almost covered by a concrete slab – some has been removed and more will be removed, and 3. The design incorporates (inaudible). Because they do not believe this is a significant activity, they request the application be considered without a public hearing.

Mark Massoud asked about pedestrian egress in event of 100-year flood; what about vehicles? Ben Doto answered that there is a flood contingency plan. Staff at the facility will be trained and aware of how this will work. When certain storm events are predicted, it triggers certain actions by the Women's Center. Portions of the parking lot will flood. Other portions, if a storm is predicted, the entire facility will be evacuated. If the Fire Department wants to check and verify the building is empty, they can drive trucks in but the walkway can also be used because all emergency exits are connected to the walkway. There is an emergency management plan in place should anyone be in the building.

Mark Massoud asked Abigail Adams about her plan to control the knotweed and would there be a follow up plan to continue to control the knotweed? Ms. Adams said she will have to discuss with Peter Olson because the removal will be on the City of Danbury land. She asked Peter Olson if he had any plans. His plan was to obtain an easement to install, maintain, repair and replace on the land involved in the easement. There is no formal easement document yet. Ms. Adams could prepare a maintenance plan for that specific area and the invasives. Mark Massoud said it could be included in some conditions of approval and Joe Mead concurred.

No other questions. Motion to table by Mark Massoud to 7-22-20 for staff report; seconded by Mary Cronin. All ayes by roll call. Motion passed unanimously.

PUBLIC HEARINGS: None

APPLICATIONS FOR ADMINISTRATIVE APPROVAL: None

ADMINISTRATIVE STAFF ACTIONS: None

VIOLATIONS:

Joe Mead explained that the Zoning Department received notice that a gentlemen was excavating below his mobile home to put in a basement or underneath parking. This involved cutting a road into a wetland area to access the area to excavate. The Environmental Impact Commission issued a notice of violation, delivered by a State Marshal, and neither the owner of the unit nor the owner of the property have responded. Chairman Gallo said we would send the matters to Corporation Counsel if we do not get a response within a week.

10 Blueberry Lane, C16004-12, Lawrence and Crystal Ann Castonguay

10 Blueberry Lane, C16004-12, Woodmasters, Inc.

OTHER MATTERS: 9 Zinn Road

Mr. Massoud mentioned that they are asking for a 1-2 year extension and Kathleen Felix explained about the original deck, and she wants to make it a longer by 10'. When she contacted the permit center, her building permit had expired, so she had to reapply, but then EIC had to be included. Her pond remediator said the soil is not dewatered enough to move off the land. He hoped it would be ready by September. She thought she might need another six to eight months to complete the project. Mr. Gallo said she would have to reapply with a new EIC application if it is not done by November 17, 2020.

CORRESPONDENCE: None

ADJOURNMENT:

Motion to adjourn was made by Geoff Herald; seconded by Alex Wolk. All in favor by roll call with Ayes from Bernard Gallo, Mary Cronin, Geoff Herald, Mark Massoud, and Alex Wolk. Motion passed unanimously at 8:00 p.m.

Respectfully submitted,

Mary S. Larkin
Recording Secretary