

ENVIRONMENTAL IMPACT COMMISSION
City of Danbury
DRAFT MINUTES
September 10, 2014
7:00 PM
Room 3C

ROLL CALL: Present were Chairman Bernard Gallo, Alt. William Nicol, William Mills, Alt. Derek B. Roy. Absent were Matthew Rose, Alt. Josh Reilly, Craig Westney, Bruce Lees, Michael Esposito, Mark Massoud.

Chairman Gallo called the meeting to order at 7:30 pm.

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

(There is no flag in Room 3C, so no Pledge of Allegiance.)

EXECUTIVE SESSION: NA

PUBLIC HEARING: NA

SHOW CAUSE HEARING FOR CEAST & DESIST ORDER: NA

OLD BUSINESS: NA

NEW BUSINESS:

Backus Avenue
JJW Properties, LLC
Date of Receipt: 9/10/14.
First 65 Days: 11/14/14.
Second 65 Days: 1/18/15.

Regulated Activity # **989**
Assessor's Lot # E18009, IL-40 Zone.

Audi repair facility.
Artel Engineering Group, LLC.

Dainius, you're up, Chairman Gallo said. Dainius Virbickas, PE, identified himself and his firm, Artel Engineering Group, LLC, in Brookfield, CT, and said Good Evening. This is an application for a new development. It is currently vacant, 10.7 acres in size; immediately to the left of the post office, and it has been a mowed field for as long as I can remember. Virbickas described the parcel and vicinity. Chairman Gallo asked it goes back 10 acres? The top is the post office on the map, Virbickas said. A little further to the west is a driveway, a back access to Miller Stephenson Chemical. The first 300 feet or so is relatively flat. An excavated area is kind of hollowed out from some years ago, Virbickas continued. It rises up considerably to the back. Virbickas identified where Ye Olde Road is, and it peters out, and then goes back down and comes out on Kenosia. Chairman Gallo and Baroody talked about the vicinity, Kaufman's property, the two houses further down the road. He owns those two houses next to the machine shop, Gallo said. There are two wetland areas on the property, Virbickas said. One is across the entire frontage of the property. The soil scientist is Thomas W. Pietras of Pietras Environmental Group, LLC, in Wallingford, CT. He's finishing up his functions and values report. It is a low value wetland, mostly to convey water down and out and ultimately to Mill Plain Swamp. Roughly the wetland area is 7528 sq.ft., and then a wetland of low quality to the back, created probably back in the 60's or 70's. There are some water sources there. The applicant proposes to construct a repair facility; when they built on Sugar Hollow Road they were already too small. There is a 44,700 sq. ft. building footprint; a little over an acre in size. Virbickas discussed the parking, the drop-off area; 459 additional vehicle storage parking spaces, and storage of new vehicles which will be shuttled over to Sugar Hollow Road as needed. All

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this parking and impervious coverage, the entire wetland is going to be filled in. But to that end, working with the land, we have proposed a plan to address the need to maintain a means to catch that. The green areas are the wetlands that exist, Virbickas said. Right now just this little area is 2096 sq.ft. Another wetland is 2358 sq.ft. To try to get the balance back, we propose to excavate out next to that wetland in the back, next to the hollow that was created years back. The site has municipal water and sewer. They are also looking to have a car wash: all the cars they service, they wash. Customers then come to the building to pick the cars up. There is some serious stormwater management that we need to create. They will probably be a little less, as I guess we will encounter ledge. The slopes may be less severe. But, for our parking area, it's gravel. I analyzed this area as if it is going to be paved, and he described the water collection, the flow, the Vortechinics, through a swirl concentrator, into 330 feet of five-foot diameter pipe sitting in a pool of stone. There will be deep sumps, Vortechinics, stone on which the pipes are sitting, with water to be discharged into this little created wetland area. The second system captures and treats the water from this portion of the site, so water gets channeled into the mid section of the site. Everything will be routed through Vortechinics system; a bed of foot-deep stone, and then discharge down and out to a wetland creation area at the northeast corner of the site. The final stormwater system will be set up same as the others. Virbickas reiterated the water capture, flow, distilling underneath Backus Avenue. It will take quite a bit of engineering to make it happen. Again there will be typical erosion and sediment controls, stockpile areas, entrance areas for trucks, whatever is necessary for additional erosion controls as seen by us and by staff. We will use Hoffman Landscapes out of Wilton, CT. They are proposing a wet meadow mix into the three created wetland areas that we have proposed. Just Audi, Virbickas said to Secretary Lee. Not Volkswagen, not Porsche, not Weeks Automotive. Baroody said we will change the agenda too, to JJW Properties, LLC, not Weeks. Virbickas said you probably want to make sure the wetlands are flagged. I would be happy to answer any questions, Virbickas concluded.

Roy asked what are the net loss and the net gain? Virbickas responded we can probably extend this finger out. Roy asked what is the actual loss? 7520 sq.ft., Virbickas said. It took me by surprise, Virbickas said. Virbickas described the temporary disturbance. Our net loss is 382, Derek Roy said. Backus Avenue can be heavily travelled, Roy added. Virbickas continued we have been asked to look into putting in some fencing. The fencing will end somewhere at the end of the building here. If the Audi people in Germany had their way, they would have just grass. I suspect ultimately it will look a lot like what they've got on Sugar Hollow Road. Roy said this is close to the U.S. property, the post office. Chairman Gallo said the post office is all fenced in. Mills asked about the gravel surface, and Virbickas explained the areas that will be paved. The car wash; where does that waste water, soap go, Mills asked. Virbickas replied through the standard piping beneath the system; it is treated; there will be 2 polishing tanks, and the water will be recycled for the further washing of cars. The rest will go down to the sanitary sewer. Mills asked about Virbickas' statement about maybe hitting ledge. I don't yet have the numbers, Virbickas said. Mills asked about the created wetland, the net loss; extending the wetland makes a lot of sense. Our concern is the created wetlands. We don't want sand in the snow. Virbickas responded about the shelf, the catch basins. Mills said I'm concerned about the snow being pushed into the created wetlands. Virbickas said it is not likely, due to large electric transformer there. Mills reiterated the concern for the snow. Roy said there is enough space now; how much space is there between the curb of the road and the actual wetland. Virbickas replied 12 to 15 feet away; a green zone, a five-foot wide sidewalk, and he described the distance. Roy asked Virbickas about value of the wetland, the balance. Mills said I would like to do a site walk. Stake the corners of the building. You say the wetlands are flagged now? Virbickas said I don't know if the flagging is still there. I'll take a ride out there tomorrow. Mills said Dan will notify our Chairman. Mills said stake everything; the car wash, the building. It's almost 45,000 sq.ft., Virbickas said in response to Roy. It will have a

luncheonette, a changing area. Motion to **table** by Nicol. Mills seconded the motion. Motion carried unanimously at 8 pm to table to the 10/22/14 meeting.

APPLICATIONS FOR ADMINISTRATIVE APPROVAL:

89 Old Boston Post Road, Regulated Activity # **987**, Dr. Andrew & Diane Koenigsberg, SF residence, well, septic, landscaping (H22068) RA-20 Zone.

147-153 Middle River Road, Regulated Activity # **973** R, William Lavelle, 6-Lot subdivision reconfiguration (C10052) RA-40 Zone.

1 Prindle Lane, Regulated Activity # **988**, R.R. Donnelley & Sons, Air Sparge/Soil Vapor Extraction. (C14041) CA-80 Zone.

There were no questions on these three projects.

VIOLATIONS: NA

ADMINISTRATIVE STAFF ACTIONS: NA

ACCEPTANCE OF MINUTES: August 27, 2014. Motion to accept these minutes as presented by William Mills. Second by Derek Roy. At 8:02 pm, the motion carried unanimously.

EIC ADMINISTRATION & FUTURE AGENDA ITEMS: NA

CORRESPONDENCE: NA

Mills asked about a couple of Cease & Desist orders, and Roy listed their addresses. Dan Baroody said we went out today with the Army Corps of Engineers, and they are going to approve LoStocco which we already approved. Baroody described the Beaver Brook Road bank restoration; they looked at it today, Baroody said. It's their jurisdiction. The containers in the setback are our jurisdiction. Mills said we should submit it to Corporation Counsel. The commissioners discussed the duration of the problem. Baroody stated he owns the property; he is responsible. Motion to submit the matter to Corporation Counsel by Mills. Roy seconded the motion. Motion carried unanimously at 8:05 pm. Baroody said the Clearbrook issue (3 Clearbrook Road, Antonio Cortereal) came in to fill out an application, and the other one is all cleaned up, Baroody said. He made it nice, Baroody said. Clearbrook, Baroody said; it's still a mess, and he has to go before EIC, the Building Department, as he has other problems. He's hired Ben Doto, Baroody said. Mills said thank you.

Roy asked about 12 Golden Hill and the shared driveway. Gallo said they like their privacy back there.

ADJOURNMENT: Motion to adjourn by William Mills. Second by Derek Roy. Motion carried unanimously at 8:07 pm.

The next regularly scheduled meeting date is October 22, 2014.