



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

ENVIRONMENTAL IMPACT COMMISSION
www.danbury-ct.gov

(203) 797-4525
(203) 797-4586 (FAX)

5-11-2021 11:00 AM
CITY OF DANBURY
RECORDS & COMMUNICATIONS

2022 MAR 21 P 4:06

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ENVIRONMENTAL IMPACT COMMISSION
MINUTES - Corrected
Web-Based Meeting Hosted on ZOOM
Wednesday, February 23, 2022
7:00 p.m.

ROLL CALL:

Chairman Bernard Gallo called the meeting to order at 7:00 p.m. Mr. Gallo explained this is a Web-based meeting hosted on Zoom. Present by roll call: Mary Cronin, Geoff Herald, and Matt Rose. Staff present were Richard Janey, Public Health Inspector, and Mary Larkin, Secretary.

ACCEPTANCE OF MINUTES: February 2, 2022 and February 9, 2022

Motion to accept the Minutes of February 2, 2022 was made by Mary Cronin; seconded by Matt Rose. All in favor by roll call for those eligible to vote with AYES from Mary Cronin, Matt Rose, and Bernard Gallo.

The Minutes from February 9, 2022 cannot be accepted tonight.

The next regular meeting is scheduled for **March 9, 2022**

OLD BUSINESS:

#1152: Pamela Equities Corp., Steven Sullivan P.E., Agent, Candlewood Pines, Lots 1-5, (H03069), RA-80 Zone (Former EIC 769 approval)

Mr. Gallo said that Richard Janey prepared a Project Impact Report, and asked Mr. Yuschak, CCA, LLC, representing the applicant, if he agreed with the report. Mr. Yuschak confirmed it was acceptable.

Motion to approve Application No. 1152 with eight conditions was made by Geoff Herald; seconded by Matt Rose. All in favor by roll call with AYES from Mary Cronin, Geoff Herald, Matt Rose, and Bernard Gallo.

#1154 Reiser, Gail & Jason, 18 Carol Street, (H23043), RA-20 Zone

Richard Janey, Public Health Inspector, stated the application was tabled until this meeting so that a plot plan or map of the proposed work could be submitted. In the interim Gail Reiser said there were two additional trees that have to come down. Gail and Jason Reiser are present on the Zoom meeting.

Mrs. Reiser shared her screen and gave an overview of the property. The plan showed the residence to be demolished. All but one of the walls have to be removed. Several retaining walls will be removed because they they are not safe. There is a drop-off area without a retaining wall. She then offered a drawing from the builder showing the proposed new house with a large porch. She continued with slides of photos previously submitted. Additionally, there is a tree will be in the way of septic system and/or driveway. She noted the disrepair of the retaining walls. The property has not been lived in over ten years and no maintenance has been done inside or outside. She pointed out the problematic bamboo, which had been planted by the previous owner. Mrs. Reiser said they to remove this invasive species. Last year a landscaper cut it down and it grew back. There are trees growing into the retaining walls -- again, no maintenance. They want to preserve the lake and prevent the trees from growing through the wall, and they wish to make everything stable so that there is no erosion or problems.

Regarding mitigation, they tried to speak with Landscape Architects during the last two weeks, but no one had any time to meet with them. They received a recommendation and spoke with someone familiar with the Lake Waubeeka area. Mrs. Reiser did some research and presented possible native species plantings and ideas on what they might expect to plant. She said they are committed to working with a Landscape Architect to mitigate what will be removed.

Mrs. Reiser said they have 48' of land on the east side of property, and in researching arborvitaes she thinks they can plant approximately 10 arborvitaes which will provide privacy and help drainage. They definitely want to protect the lake from debris and erosion.

Richard Janey commented on the running bamboo and indicated that the Health Department has the jurisdiction to have it removed. Administrative Approval may be in order for removal of trees and then a Regulated Activity Application when the house is ready to be built and they can mitigate then. Mr. Janey recommends Administrative Approval now and then apply later for a Regulated Activity.

Motion to approve an Administrative Approval to remove the trees was made by Geoff Herald as specified; seconded by Matt Rose. No remarks. All in favor by roll call with AYES from Mary Cronin, Geoff Herald, Matt Rose, and Bernard Gallo.

NEW BUSINESS: See Administrative Approval Applications

PUBLIC HEARINGS: None

APPLICATION FOR ADMINISTRATIVE APPROVAL:

#1155 Wiener, Aran, Agent for Alvarez, Lloyd & Lydia, 66 Chambers Road, (E08023), RA-40 Zone, for proposed stone wall and fill.

Proposal per Aran Wiener, representing the applicant, is to construct a farmers wall out of native field stone. Mr. Wiener said the wall will be approximately 250' from the water body. Previous owners

had cleared the land resulting in a violation. This proposal does not contain any removal, rather they wish to provide a level playing field for their children to play on, which is currently a steeply sloped area. They will bring in fill to accomplish this. The wall height will be approximately 3.5' to 4' and 60 feet across the slope.

Richard Janey questioned the distance from the water. Did they move the wall further from the water? Mr. Wiener stated that due to budget issues, they moved the wall closer to their pool resulting in a greater distance from the water's edge. There are now flags showing proposed location of the wall. Richard stated that any wall over 3' needs review. Mr. Janey asked to table the matter to determine the exact location of the wall because if it is 250' away from water, it is out of EIC's jurisdiction. Mr. Janey requested the matter be tabled to determine the location.

Motion to table until the next regular meeting on March 9, 2022 was made by Geoff Herald; seconded by Mary Cronin. All in favor by roll call with AYES from Mary Cronin, Geoff Herald, Matt Rose, and Bernard Gallo.

ADMINISTRATIVE STAFF ACTIONS: None

VIOLATIONS: 21A Virginia Avenue, Danbury, CT

Paul Szymanski, P.E., Arthur H. Howland & Associates, PC was present to explain the situation. Mr. Cote retained a contractor at his expense to fill his backyard. There was a large amount of fill in the Conservation easement as well, which is in the Regulated Area also.

Mr. Szymanski met onsite with Bernie Gallo, Richard Janey, and Sean Hearty. He will get erosion control measures onsite, including at the top of all slopes so that there will be no more erosion towards or into the wetlands. They are going to create an existing conditions map as it was prior to filling by using historical topography, and they will "shoot" the topography as it exists to day so that they can provide the Commission both grates prior & post filing. At that time they can begin working toward a remediation plan to stabilize slopes, take care of runoff, as well as runoff from the public road, and revegetating of the conservation easement. There will be testing of the soil to ensure no contaminants such as asbestos, petroleum hydrocarbons, lead, etc.

Mr. Gallo asked if the had any idea of roughly how much fill was brought in. Mr. Szymanski replied "thousands of yards". Mr. Szymanski said he will provide a grid map showing the approximate fill on a 10' grid pattern. Richard Janey said it is important to stabilize it immediately. Mr. Szymanski said it's likely 12' to 15'.

Motion to continue to March 23, 2022 per request of Attorney Beecher was made by Matt Rose; seconded by Geoff Herald. All in favor by roll call with AYES from Mary Cronin, Geoff Herald, Matt Rose, and Bernard Gallo.

Richard Janey asked Commissioners to call him if they wanted to visit the site.

ADJOURNMENT:

Motion to adjourn was made by Matt Rose; seconded by Geoff Herald. All in favor by roll call with AYES from Mary Cronin, Geoff Herald, Matt Rose, and Bernard Gallo. Meeting adjourned at 7:38 p.m. All in favor by roll call with AYES from Mary Cronin, Geoff Herald, Matt Rose, and Bernard Gallo.

Respectfully submitted,

Mary S. Larkin
Recording Secretary