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ENVIRONMENTAL IMPACT COMMISSION
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ENVIRONMENTAL IMPACT COMMISSION
MINUTES
March 24, 2021

ROLL CALL:

Chairman Bernard Gallo opened the web-based meeting at 7:10 p.m. due to a technical problem. Present were Mary Cronin, Geoff Herald, Mark Massoud, and Matt Rose. Staff present were Environmental Compliance Officer Richard Janey and Secretary Mary Larkin.

ACCEPTANCE OF MINUTES: March 10, 2021

There being no additions or corrections, a motion to accept the Minutes of March 10, 2021 was made by Matt Rose; seconded by Mark Massoud. Motion passed with AYES from Geoff Herald, Mark Massoud, Matt Rose, and Bernard Gallo.

OLD BUSINESS:

#1129 Encompass Health, Chipman Mazzucco Emerson LLC, Agent, Reserve Road & Corporate Center Drive (B15005) for In-patient, Physical Medical Facility.

Ward Mazzucco, Esq. introduced the team of Erik Lindquist, P.E. and Matt Popp. Mr. Mazzucco said that a written response and revised plans were submitted today. He believes the latest round of comments have been addressed. Erik Lindquist P.E., Senior Project Manager with Tighe & Bond, presented their responses to Mr. McManus's comments. The text in bold after each comment by Mr. McManus is the response from Tighe & Bond.

1. During the initial phase, depicted on plan C-600 and discussed in the narrative included in plan C-601, we would recommend that two temporary diversion swales, one to the south Sediment Trap 01, and the other to the north Sediment Trap 02 be incorporated into the plan and keyed into those traps. This will ensure that the bulk of the graded area above the regulated wetlands would drain to the sediment traps, and not rely on the perimeter controls alone. To accommodate this additional area, the project engineer should adjust the wet and dry storage of the sediment traps, as necessary.

Response: The two requested swales have been added to the erosion control drawing. The size of each sediment trap was not adjusted since the associated areas were already accounted for in the design for both sediment traps.

2. We would recommend that in the final phase, depicted in Plan C-601 and discussed in the narrative included in plan C-601, that the proposed retaining wall be built prior to work associated with the building, since the wall will act as an effective erosion & sediment control barrier, protecting the regulated resources. ***Response: As noted in our prior commission meetings, the perimeter retaining wall will be erected as early in the construction process as possible since the building and a significant portion of the site work cannot be started until the required fill is placed to establish the finished grade.*** Mr. Lindquist added that most of the area that will be built out where the wall needs to be, needs to be elevated several feet-- in some place upwards of 20’.

3. Instead of the called-for silt fence and hay bale perimeter control, associated with the site’s steeper slopes, we would recommend the combination of a reinforced silt fence (“Super Fence”) and a 12-inch diameter “silt sock” or “waddle”. The reinforced silt fence is more rigid and better able to withstand water/soil pressure against it. The “silt sock/waddle” should be filled with compost or finely ground leaf or bark mulch, rather than straw/hay. It should be trenched in 4-inches immediately above the silt fence barrier. This E&SC measure is much better suited in taking out fine soil particles than the typical silt fence/hay bale combination. ***Response: The plans have been revised to depict the requested revisions.*** Mr. Lindquist said it was called out as a heavy-duty geotextile silt fence and a bark mulch log waddle. Super fence, reinforced silt fence detail has been added as requested.

4. Due to the sensitivity of the wetlands resources, the steepness of the slope above them, and the sheer amount of proposed earthwork, we would recommend that a third party erosion and sediment control monitor (EI) be employed to monitor the site during the entire construction phase, until final stabilization is achieved. The monitor should visit the site on a weekly basis and also within 24-hours following a storm event of 1-inch or more. Brief monitoring reports should be prepared and submitted to Town staff within 24-hours of the site inspections. ***Response: It is our opinion that this level of oversight will be redundant and not necessary given the rigorous requirements of the CT DEEP general permit process and the level of reporting and monitoring already being anticipated as part of that permit. The requirements of the general permit and the***

routine inspection procedures were provided to the commission in our March 19, 2021 letter to Richard Janey. The weekly inspection reports will be maintained in the construction trailer; however, we can ensure the weekly inspection reports are distributed to the Commission and/or Health Department as well if desired.

Mr. Lindquist pointed out that DEEP restrictions are more stringent than what is requested. Inspections will be done in compliance with the DEEP requirements.

Mr. Mazzucco indicated that this concludes their response to the comments posed by Mr. McManus. Mr. McManus indicated that he is satisfied with the comments from Tighe & Bond not only at this meeting but also the prior meeting. He indicated that he was not privy to the DEEP inspection requirement.

Mark Massoud added he is reasonably satisfied with the consultant's and applicant's responses. Mr. Massoud suggested the Board take under consideration the comments with regard to the inspector and asked staff put together a resolution.

No other remarks or questions.

Motion to table Application No. 1129 until the next regular meeting on April 14, 2021 was made by Mark Massoud so that a resolution can be submitted by staff; seconded by Matt Rose. Motion passed with AYES from Mary Cronin, Geoff Herald, Mark Massoud, Matt Rose, and Bernard Gallo.

#1130 City of Danbury, 34 Hayestown Road, (I08007), RR-10, for four-space gravel parking area.

A letter of formal withdrawal from Antonio Iadarola, Director of Public Works/City Engineer was read into the record: *Dated: March 24, 2021, To: Richard Janey, Public Health Inspector. It read as follows: Dear Mr. Janey: Based on your confirmation of what I communicated to the Commission regarding the EIC not having any jurisdiction over the proposed project, the City of Danbury Public Works Department is withdrawing our application from the Environmental Impact Commission. As discussed, Mr. Wood of FirstLight clarified that FirstLight's review jurisdiction supersedes EIC in this area of the Federal Energy Regulatory Commission (FERC) project. Signed by Antonio Iadarola.*

Richard Janey explained that he spoke with Brian Wood, Land and Property Manager for FirstLight, who explained the boundary of the FERC grant that FirstLight has with the Federal government. Mr. Janey shared his screen showing the Danbury Town Park, highlighting the property owned by FirstLight. Proposed work for the boat dock and parking area falls completely within the FERC boundary. Brian Wood indicated to Mr. Janey, it is FirstLight's property and up to FirstLight to provide an approval or denial. Per Mr. Janey, Brian Wood said any future permits within FERC boundary shall be sent to FirstLight.

Geoff Herald asked how residents would know that they have to contact FirstLight. Mark Massoud agreed that FERC has been exercising their federal jurisdiction for a long time and Brian Wood is experienced with these boundaries and jurisdiction and inquiries that come in can be handled by staff and sent in the proper direction.

Motion to accept the withdrawal of Application No. 1130 was made by Geoff Herald; seconded by Matt Rose. Motion passed with AYES from Mary Cronin, Geoff Herald, Mark Massoud, Matt Rose, and Bernard Gallo.

NEW BUSINESS:

#1132 Wooster School, 91 Miry Brook Road, (E19001), RA-40 Zone, for synthetic athletic field.

Mr. Mike Jumper, Chief Financial Officer at Wooster School, introduced Mr. Robb Champlin, Project Manager and Mabel Gutliph, who will present the Stormwater Pollution prevention plan, of Clark Companies.

Mr. Jumper explained that currently all fields are grass fields and they would like to install a synthetic turf field. The synthetic turf field would allow them to be out on the field earlier in the spring and stay later in the fall. They are renting field space, especially in the early spring in order get out on the rectangular turf field. They have generous parental support for this project and they have been considering this for a long time.

Mr. Champlin explained that Clark Companies are designers and builders of outdoor athletic facilities in the Northeast and have 35 years of experience. They provide their own professional staff and construction crews, creating a one-point of responsibility from start to finish.

Mr. Champlin showed the existing site, baseball field, dugouts. Access will be via existing parking spaces and explained there will be more usage, outdoor recreation, in an area that is saturated at this time of year. He shared the drawing sets, indicating the hilly terrain. An existing electric line will be relocated and perhaps used for a scoreboard in the future. Organics need to be stripped from the field -- it will be placed to the west to create a benched area for spectators or recreational area. Porous stone base, concrete curb around everything 4' chain-link fence with netting to catch errant balls. He said that comments in a pre-application meeting indicated an overflow parking area was moved and relocated the construction entrance.

Mr. Champlin turned over the presentation to Ms. Gutliph. She showed the 100' buffer line which passes through the athletic turf field footprint. She said during the pre-application meeting they discussed trying to reduce the impervious surface within the buffer. Wetlands were delineated. She indicated grading on the drawing to prevent silty runoff and relocation of construction access to eliminate truck traffic on a lightly-used road. Field itself vertically drains. Any water landing on the field, will be captured within field storage system itself. Existing condition site is very flat and does not allow for draining because it is a very clay-type soil. A porous stone system which allows for a drainage time frame that matches existing drainage so that they can match the rates of discharge from existing to proposed. They have out-letted the system to minimize potential erosion in the wetland. This proposal provides minimal disturbance. Ms. Gutliph explained the diagrams showing the synthetic turf field and drainage.

Mark Massoud asked what pollutant load would be expected and how is it typically mitigated. Robb Champlin said turf system is porous and reiterated it is virgin rubber, not recycled tires, and described the filtration and explained there is no pollution – whatever is in the rain water. Matt Rose asked if there is anything on the outlet to catch sediment. Mr. Champlin responded that there is a flared end section and rip rap to catch anything. He stated that pollutants might occur during the short construction – the only potential. Mark Massoud asked if Clark Companies could provide particulars regarding construction to verify the claims that are being made. Mr. Champlin explained the Connecticut Department of Health has

publicly available studies that he can provide. He said heavy metals were a concern some years ago with regard to recycled truck tires, which they do not use.

Motion to table until the next regular meeting on April 14, 2021 was made by Matt Rose, seconded by Mark Massoud. Motion passed with AYES from Mary Cronin, Geoff Herald, Mark Massoud, Matt Rose, and Bernard Gallo.

ADJOURNMENT:

Motion to adjourn was made by Mark Massoud; seconded by Matt Rose. Motion passed with AYES from Mary Cronin, Geoff Herald, Mark Massoud, Matt Rose, and Bernard Gallo. Meeting adjourned at 7:50 p.m.

Respectfully submitted,

Mary S. Larkin