



CITY OF DANBURY

155 Deer Hill Avenue
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Environmental Impact Commission

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DRAFT MINUTES

May 9, 2012

Common Council Chambers 7:00 pm

Next regularly scheduled meeting date May 23, 2012.

Present were Chairman Bernard Gallo, Bruce R. Lees, Craig D. Westney, Matthew Rose, Michael Esposito, Alt. Jose Reilly, Alt. Derek B. Roy.

Absent were William Mills, Mark Massoud.

Staff Present were Daniel Barody, RS, MPH, Patricia Lee, Secretary.

Chairman Gallo called the meeting to order at 7:05 pm.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Commissioner Lees.

SHOW CAUSE HEARING FOR CEASE & DESIST ORDERS: NA

OLD BUSINESS:

25 Reynolds Road

Regulated Activity # 915

William S. Coffey

Assessor's Lot # H08108, RA-40 Zone.

Date of Receipt: 2/22/12.

Gravel road shoulder expansion.

First 65 Days: 4/27/12.

B.V. Doto, III, PE.

Second 65 Days: 7/1/12

Comments from Candlewood Lake

Authority rec'd. 3/6/12. Site visit 3/7/12. Structural inspection report from LPR Assoc. rec'd. 3/28/12. Ext. letter rec'd. Item requested table 4/11/12, 4/25/12. Rec'd. request to table till next meeting 5/9/12 from Ben Doto. Motion to **table** by Lees. Second by Esposito. Motion carried unanimously with Derek Roy abstained.

30 East Franklin Street

Regulated Activity # 923

Jennings Oil Company

Assessor's Lot # H08108, RA-40 Zone.

Date of Receipt: 4/25/12.

Jeff Jennings; Galen Semprehon, PE.

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First 65 Days: 6/29/12.

Improvements per CT DEEP compliance.

Second 65 Days: 9/2/12.

Zuvic-Carr & Associates. Gallo introduced this application at 7:07 pm. Galen Semprebson, PE, Senior Project Engineer, introduced himself. The Jennings, including Alfred H. Jennings, Sr., are in the audience, as well as another employee of Zuvic-Carr & Associates, Robert Carr. Semprebson said I made a presentation last time. Are there any questions? We have not made any changes. Robert Carr heads up the environmental division; he's here to answer any questions, Semprebson said. Chairman Gallo said this was just a small section that you were doing. A good part of the site is going to receive some treatments. We are going through with DEEP, Semprebson continued. All of our efforts are to protect the site should there be a spill, and he elaborated, and our stormwater pollution prevention plan. This site is gravel now, and we need to provide a surface so the gravel does not wash into the brook. Any questions from Commissioners, Chairman Gallo asked. Dan Baroody asked that the item be tabled as I need more time to complete my review. Lees asked for proper labeling of the drainage, especially on a site like this. I'd appreciate it, Lees said. Lees made a motion to **table**. Second by Alternate Roy. Motion carried unanimously at 7:09 pm.

Belimo Air Controls (USA) Inc.

Regulated Activity # 924

Turner Road (W. Ridgebury Road)

Assessor's Lot # A17001, IL-40 Zone.

Date of Receipt: 4/25/12.

Milone & MacBroom, Inc.

First 65 Days: 6/29/12.

Christopher Donohue, Attorney at Law

Second 65 Days: 9/2/12.

Industrial building with assoc. parking, utilities. Comments from Town of Ridgefield rec'd. 5/7/12. Staff report by Dan Baroody 5/10/12. Chairman Gallo introduction this item. I see a lot of people in the audience. This is not a public hearing, Gallo said. The only people allowed to speak are staff & commissioners, Gallo announced. Dan Baroody, RS, MPS, identified himself, saying I'd like to place before you my comments. The applicant has worked with staff. Staff recommends a summary ruling to approve the application with the 10 conditions on the last two pages. I call your attention to condition #7, which Baroody read: inspections on a monthly basis and after rain events, with monthly reports. Gallo asked are there any questions for Dan Baroody? Any questions? Baroody said to Lees I think they have the drain labeling on their plans. Dan asked the applicant. The applicant replied I believe there was a note on that, and reviewed the plans. We can add it tonight as a condition if it is not on the plan. I am not finding the note at the moment. Baroody said make it condition # 11, stenciling the drains. Lees reviewed the sample stencils; technically it's a swamp, not a river. Lees made a motion to **approve** this with 11 conditions of approval, including labeling on all catch basins. Rose seconded the motion. Motion carried unanimously with 11 conditions at 7:19 pm. Gallo reiterated that the motion carried unanimously.

NEW BUSINESS: NA

APPLICATIONS FOR ADMINISTRATIVE APPROVAL: NA

ADMINISTRATIVE STAFF ACTIONS: NA

VIOLATIONS:

53 Rowan Street (I12056), Ivaldo & Hidelma Barroso, Notice of Violation sent 4/23/12, and returned undeliverable by USPS 5/7/12. Rewritten & served by Sheriff Safranek 5/8/12. *Should appear with application for 5/23/12 meeting.*

ACCEPTANCE OF MINUTES: 4/25/12 Meeting. Motion to accept these minutes as presented by Lees. Second by Reilly. Motion carried unanimously at 7:20 pm.

CORRESPONDENCE: CACIWAC (Connecticut Association of Conservation & Inland Wetlands Commissions, Inc.) Spring 2012 Newsletter, Volume 24, Number 1.

EIC ADMINISTRATION & FUTURE AGENDA ITEMS:

Dan Baroody discussed the Rowan Street violation, saying the constable (Mike Safranek) delivered it in person. I met with the owner this afternoon, and he's agreed to clean up the area; come in for a permit, Baroody said. He told me he was out of the country.

Roy asked about the Belmi violation at 10 Precision Road. Chairman Gallo replied they are working with Dan.

Lees asked about the CACIWAC information about the fourth amendment and site visits. Dan explained the permission given with the signature on the last page of the EIC Regulated Activity application. Sometimes it's a neighbor, Baroody said, and we can go to the neighbor's land and see the violation from there. Lees asked about the possibility of a high fence. Dan Baroody explained there is a legal means, although we try to respect their rights. Roy said without a complaint, the official cannot just go out. It's a little different from the zoning officer for the wetland official. Baroody said we always try to respect the land owner's rights, and we always have City attorneys backing us up. Lees said thank you. Roy said I'm glad we included this in our packet.

ADJOURNMENT: Motion to adjourn by Westney. Second by Reilly. Motion carried unanimously at 7:25 pm.