



CITY OF DANBURY
155 Deer Hill Avenue
Danbury, CT 06810

Environmental Impact Commission

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ACTIONS TAKEN

February 8, 2006

Common Council Chambers 7:00 PM

Meeting opened at 7:12 pm.

Members Present: Chairman Shailesh Nagarsheth, William J. Mills,
Bruce Lees, Craig Westney, Matthew N. Rose, Jon Fagan

Members Absent: Kevin Russell, Kurt A. Webber

Staff Present: Jack S. Kozuchowski, CHMM, Daniel Baroody, Senior
Environmental Inspector, Patricia Lee, Secretary

INTRODUCTION: New Senior Environmental Inspector, Daniel Baroody, introduced by Shay Nagarsheth.

SHOW CAUSE HEARING:

Notice of Violation, 12/21/05, to Nicholas Tsakonitis, **36 Franklin Street** (H13036) for gross violation with placement of fill in wetlands and a watercourse below property. Violator ordered to cease, and appeared at 1/11/06 meeting. As of 1/25/06, owner noncompliant on 5 out of 6 orders. Jim Schullery, Building Department, issued Unsafe Structure Order. Request for more time rec'd. 2/7/06. Motion to **move dates back** one week (7 days) on 2/3/06 **Notice to Correct** by Lees. Second by Mills. Motion carried unanimously.

STAFF REPORTS & COMMUNICATIONS:

Jack S. Kozuchowski, CHMM, Coordinator of Environmental and Occupational Health Services, attended to report on the following items:

EIC 642, 1 Kennedy Avenue, BRT Kennedy, LLC, Kennedy Place.

EIC 632, Seneca Trail/Candlewood Pines, Pamela Equities Corp., 15A-21A.

Scott T. LeRoy, MPH, MS, Health Director, submitted reports on the following:

EIC 646, WCI Communities, The Reserve, 284 cluster residences.

EIC 641, 40-42 Kenosia Avenue, Matthew Ahearn, equipment storage, repair.

NOTICE(S) OF VIOLATION, CEASE & DESIST ACTIONS:

EIC 2/8/06

Follow-up to Notice of Violation and denial, 12/10/04, to William S. Coffey, Jr., **43 Beaver Brook Road**, EIC 585. 6/8/05 Scientists proposed mitigation, planting plan. 8/29/05 Engineer Ramunni's report rec'd. COD Engineering Dept. cannot comment on slope stabilization. LeRoy sent cert. letter 1/18/06: site engineering data, calculations and analysis required by **3/8/06**. Motion to **table** by Lees. Second by Fagan. Motion carried unanimously.

OLD BUSINESS:

Seneca Trail / Candlewood Pines Regulated Activity # 632

Pamela Equities Corp. Assessor's Lot # H03069, RA-80 Zone.

Date of Receipt: 10/26/05. Lots 15A- 21A.

No objections by Northeast Generation Svcs. Revised septic system plans with CLA recommendations rec'd. 12/12/05. Ext. ltr. rec'd. 12/23/05. Impact report by J. Kozuchowski done 2/7/06. Motion to **approve** with conditions by Lees. Second by Rose. Motion carried unanimously.

South King Street, Lot #2 Regulated Activity # 636

Eric Schweitzer Assessor's Lot # D07034, RA-40 Zone.

Date of Receipt: 10/26/05. SF residence, well, septic, driveway.

First 65 Days: 12/30/05. Second 65 Days: 3/5/06. Danzer report rec'd. 11/7/05. Postponed 11/30/05 & 12/14/05 to work on mitigation plan. Extension ltr. rec'd. 12/21/05. Kozuchowski & Schweitzer met 1/5/06. Motion to **table** to 2/22/06 by Mills. Second by Lees. Motion carried by 5 votes with 1 abstention (Fagan).

40-42 Kenosia Avenue Regulated Activity # 641

Matthew Ahearn Assessor's Lot #E17085, E17086, IL-40 Zone.

Date of Receipt: 11/30/05. Contractor equipment sales, storage, repair.

Engineering's comments rec'd. 12/21/05. Revisions rec'd. 1/20/06. Extension ltr. rec'd. 1/27/06. Impact Report done by S. LeRoy 2/8/06. Motion to **approve** with conditions by Lees. Second by Mills. Motion carried unanimously.

1 Kennedy Avenue Regulated Activity # 642

BRT Kennedy, LLC Assessor's Lot #H14356, H14356-1, H13289, C-CBD Zone.

Date of Receipt: 11/30/05. Kennedy Place: condominiums & retail.

Public Hearing opened / closed 1/11/06. J. Kozuchowski's impact report done 2/2/06. Decision required by 2/15/06. Motion to **approve** with conditions by Fagan. Second by Mills. Motion carried by 5 votes with 1 abstention (Westney).

51A East Lake Road Regulated Activity # 643

Richard Radachowski

Assessor's Lot # E06061, RA-80 Zone.

Date of Receipt: 11/30/05. Single-family home, well, septic, driveway.

Alternatives rec'd. 12/14/05 from Artel. Revised septic plan rec'd. 1/23/06.
Extension ltr. rec'd. 1/26/06. Motion to **table** by Lees. Second by Mills. Motion carried unanimously.

Saw Mill Road & Old Ridgebury Road Regulated Activity # 646

WCI Communities/ The Reserve

Assessor's Lot # B15001, PND Zone.

Date of Receipt: 11/30/05. Phase 6: 284 cluster residences.

Project summary rec'd. 12/29/05. Extension ltr. rec'd. 1/26/06. Assessment Report done by S. LeRoy 2/8/06. Motion to **approve** with conditions by Lees. Second by Mills. Motion carried by 4 votes with 1 recusant (Fagan) and 1 abstention (Westney).

Winnebago Trail, Lots 1A – 5A Regulated Activity # 650

Pamela Equities Corp.

Assessor's Lot # H03069, RA-80 Zone.

Date of Receipt: 1/11/06. Single-family home with related site work.

Recommendations from CLA, Brian Wood, rec'd. 1/10/06. Tabled to 2/8/06. J. Kozuchowski requested more info. 2/8/06. Motion to **table** by Lees. Second by Mills. Motion carried unanimously

Winnebago Trail

Regulated Activity # 651

Pamela Equities Corp.

Assessor's Lot # I03003, RA-80 Zone.

Date of Receipt: 1/11/06. Single-family home with related site work.

CCA, LLC. Northeast Generation Svcs. approved, based on 1/11/06 CLA recommendations. J. Kozuchowski requested more info. 2/8/06. Motion to **table** by Lees. Second by Mills. Motion carried unanimously.

38 Sunset Cove

Regulated Activity # 652

Richard & Susan Wotton

Assessor's Lot # K02044, RA-20 Zone.

Date of Receipt: 1/25/06. Addition to residence.

CLA recommendations rec'd. 2/7/06. Motion to **table** by Lees. Second by Mills. Motion carried unanimously.

5 Golden Hill Road

Regulated Activity # 653

Michael Glick

Assessor's Lot # H12091, RA-20 Zone.

Date of Receipt: 1/25/06.

N.O.V. 11/16/05 for filling.

First 65 Days: 3/31/06. Second 65 Days: 6/4/06. Eric Gleissner, Landscaper. **Notice of Violation 11/16/05** for filling, fill material, without DEIC permit. LeRoy, Kozuchowski, Mead & Gleissner met on 12/14/05. Soil study rec'd. 12/13/05. Eric Gleissner delivered plans 1/12/06. Fencing on order as of 1/25/06. Motion to **table** until Joe Mead can revisit by Lees. Second by Mills. Motion carried unanimously.

NEW BUSINESS:

5 Boulder Ridge West Regulated Activity # 654

Joseph M. Nunes, Jr. Assessor's Lot # I05048, RA-20 Zone.

Date of Receipt: 2/8/06.

Single-family residence expansion, garage.

First 65 Days: 4/14/06. Second 65 Days: 6/18/06. Motion to **table** by Fagan. Second by Rose. Motion carried unanimously.

CORRESPONDENCE:

Land Trust of Danbury: Sunday **2/12/06**, 2:30 pm, Danbury Library, Annual Meeting and ST Commissioner Gina McCarthy presentation, "No Child Left Inside".

EIC ADMINISTRATION, OPERATIONS & FUTURE AGENDA ITEMS:

Ives Trail task force meeting 1st Saturday in June, National Trails Day, 6/3/07 for trail construction, per J. Kozuchowski.

ADMINISTRATIVE STAFF ACTIONS:

EIC 633, 18 Waterview Drive, Steven Weiss, Administrative Approval with 9 conditions by S. LeRoy done 2/8/06.

ADJOURNMENT:

Motion to adjourn by Fagan. Second by Mills. Motion carried unanimously. The next regular meeting is scheduled for 2/22/06 at 7 pm.