



CITY OF DANBURY
155 Deer Hill Avenue
Danbury, CT 06810

Environmental Impact Commission

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ACTIONS TAKEN

March 22, 2006

Common Council Chambers

The meeting opened at 7:03 pm, called to order by Chairman Nagarsheth.

Members Present: Chairman Shailesh Nagarsheth, Bruce Lees, Matthew N. Rose, William J. Mills, and Alternate Kurt Webber (for Westney)

Members Absent: Kevin Russell, Craig Westney, Jon Fagan

Staff Present: Senior EIC Inspector Daniel L. Barody, RS, MPH, Scott T. LeRoy, MPH, MS, Health Director, Assistant Corporation Counsel Robin Edwards, & Secretary Patricia Lee

EXECUTIVE SESSION:

EIC 573 Stipulated Judgment 2004, Richard & Deborah Mikelic, 252 Great Plain Road (J04148) 9/8/04 denial and 9/22/04 Notice of Violation. Lees motioned to move into Executive Session and invite Barody, LeRoy, and Edwards. Mills seconded the motion and it carried unanimously. After closed-door Executive Session, meeting called back to order by Nagarsheth. Mills motioned to authorize Corporation Counsel to proceed as discussed in Executive Session tonight. Lees seconded the motion, and it carried unanimously.

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

Mark Kornhaas, PE, did presentation on site findings, progress, time frames, directives, on the following two issues:

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. As of 1/25/06, owner noncompliant on 5 out of 6 orders. Revised Order to Correct mailed 2/10/06. Artel Engineering Group hired 2/28/06.

Notice of Violation, 2/15/06, **38 Franklin Street**, to Wellington C. Martins (H13037). Artel Engineering Group hired 2/28/06 to work at 36 & 38 Franklin simultaneously. Commissioners requested formal EIC applications for Regulated Activity be submitted for 36 and 38 Franklin Street.

OLD BUSINESS:

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. Extension ltr. rec'd. 1/26/06. Soil retesting required due to proximity to Public Water Supply Watershed. Application **WITHDRAWN** 3/22/06.

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. Ext. letter rec'd. 3/6/06. Soil scientist's report rec'd. 3/22/06. Motion to **table** by Mills. Second by Rose. Motion to table to 4/26/06 carried unanimously to allow review time.

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. Wood & Baroody did site visit 2/16/06 and 2/21/06. Pembroke Pumping hired for septic B-100, received 3/16/06. Staff Report by Baroody 3/22/06. Motion to **approve** with conditions by Lees. Second by Mills. Motion carried unanimously,

102 Forty Acre Mountain Road

Regulated Activity # 656

Ted Potkay

Assessor's Lot # K02013, RA-20 Zone.

Date of Receipt: 2/22/06. Single-family residence replacement, septic, drive, well.

R.J. Gallagher, Jr., PE. 2/23/05 Recommendations rec'd. from CLA. Motion to **table** by Lees. Second by Mills. Motion carried unanimously.

24 Hillandale Road

Regulated Activity # 657

Dennis & Lisann Castellano

Assessor's Lot # F08086, RA-40 Zone.

Date of Receipt: 2/22/06. Single-family residence, septic, drive, well.

S & E Control plan rec'd. 3/21/06. Staff report by Baroody 3/22/06. Motion to **approve** with conditions by Lees. Second by Mills. Motion carried unanimously.

NEW BUSINESS:

Casper Street

Regulated Activity # 658

Pharmaceutical Discovery Corp.

Assessor's Lot #J14207, IL-40 Zone.

Date of Receipt: 3/22/06.

Building addition, parking, culvert.

Mannkind Biopharmaceutical. Site walk discussed with M. Kornhaas. Motion to **table** by Mills. Second by Webber. Motion carried unanimously.

174 Stadley Rough Road

Regulated Activity # 660

Charlotte Tomczuk

Assessor's Lot # J03065, RA-80 Zone.

Date of Receipt: 3/22/06.

Subdivide lot in two for SF residence.

M. Mazzucco, PE, requested table. Motion to **table** by Mills. Second by Lees. Motion carried unanimously.

CORRESPONDENCE:

EIC 426R, 11-17 Newtown Road, **Klaff's**, (moved to Administrative Approval) Joseph Passero/DWB Holding, LLC, (K13108, K13155), correspondence from D. Baroody, D. Grogins & C. Welti received 3/15/06. D. Baroody submitted **Staff Report** and recommendations 3/17/06. Motion to **deny** 426R as incomplete by Lees. Second by Mills. Motion carried unanimously. Motion to **issue Notice of Violation** stipulating what information is needed by Mills. Second by Lees. Motion carried unanimously.

EIC ADMINISTRATION, OPERATIONS & FUTURE AGENDA ITEMS:

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. LeRoy sent cert. letter 1/18/06: site engineering data, calculations and analysis required by 3/8/06. Corporation Counsel sent certified letter **3/14/06**, to Coffey re: legal remedies within 30 days, i.e., 4/13/06.

ADJOURNMENT:

Motion to adjourn by Lees. Second by Mills. Motion carried unanimously at 8:42 pm.

The next regular meeting of the DEIC is scheduled for **4/26/06** at 7 pm.