



CITY OF DANBURY
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Environmental Impact Commission
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ACTIONS TAKEN / DRAFT MINUTES

September 9, 2009

Common Council Chambers

Chairman Bernard Gallo called the meeting to order at 7:03 pm. Present were Chairman Gallo, Bruce R. Lees, William Mills, Craig D. Westney, Alternate Derek Roy. Absent were Jon Fagan, Mark Massoud, Matthew Rose. Staff present were Daniel Barody, RS, MPH, and Secretary JoAnne Read.

The Pledge of Allegiance was led by Derek Roy at Gallo's request.

OLD BUSINESS:

40A Payne Road

Regulated Activity # 767 R

MRF, LLC / David Tinker

Assessor's Lot # M13001, IG-80 Zone.

Date of Receipt: 5/27/09.

Sand, gravel plant w/ wetland crossing.

C & D Order issued 3/2/09. Site visit 7/13/09 Danzer, Barody. Extension ltr. rec'd. 8/12/09. Rev. E & S plans rec'd. 8/12/09. Meeting 9/1/09 w/ Rosati, Lollie, Gallagher. Report from Steve Danzer rec'd. tonight. Commission needs time to prepare response. Motion to **table** by Lees. Second by Westney. Motion carried unanimously.

63 Spruce Mountain Road

Regulated Activity # 842

Mario Luis

Assessor's Lot # G21006, RA-80 Zone.

Date of Receipt: 6/18/09.

SF dwelling, well, septic.

Artel Engineering Group, LLC. Topo/A-2 Survey rec'd. 6/22/09. Tabled per engineer 7/8/09. Site visit 9/3/09 by Mills & Gallo. Dainius Virbickas, PE said they have received Dan's staff report and were satisfied with his comments. Barody said the areas of concern have been addressed and recommended a summary ruling with 8 conditions. Motion to **approve** the application by a summary ruling with 8 conditions listed by Roy. Second by Mills. Motion carried unanimously.

8 Golfview Drive

Regulated Activity # 844

John O'Hara

Assessor's Lot # L08006, RA-40 Zone.

Date of Receipt: 8/12/09. aka, Valleyview Road, SF residence, well, septic.

R. Gallagher, PE. Moeller's soil report rec'd. 8/12/09. Baroody said he would respond to Moeller's report at the next meeting. The wetlands are flagged and the proposed drainage work will help the site. Mills asked that the four corners of the dwelling be staked for a site walk. Motion to **table** by Lees. Second by Mills. Motion carried unanimously.

66 Chambers Road

Regulated Activity # 845

Barbara Wagner

Assessor's Lot # E08023, RA-40 Zone.

Date of Receipt: 8/12/09. Response to 4/09 NOV, restoration / planting plan.

Dr. Gene McNamara, ESM Associates, postponed application to tonight. McNamara cited what cause the Notice of Violation to be issued. Baroody asked this be tabled to allow time to complete his review. McNamara requested an interpretation of the term "clear" as used by the water company. Baroody said they would defer to the water company interpretation, as the complaint originated with them. Motion to **table** by Lees. Second by Roy. Motion carried unanimously.

45 Saddle Rock Road

Regulated Activity # 846

Peter Hankovszky

Assessor's Lot # E08017, RA-40 Zone.

Date of Receipt: 8/12/09 Single-family dwelling, well, septic, driveway.

Artel Engineering Group, LLC. Site visit 9/3/09 by Gallo & Mills. Virbickas said the Danzer report suggests a different location for the dwelling, but that would not work. Mills expressed concern about the wetland crossing and layout of the structure. Motion to **schedule this for Public Hearing** by Mills. Second by Lees. Motion carried unanimously.

NEW BUSINESS:

67 Cedar Drive

Regulated Activity # 847

67 Cedar Drive, LLC

Assessor's Lot # K04168, RA-20 Zone.

Date of Receipt: 8/26/09. Rebuild SF home, septic on Lake.

Civil One, Engineers. Zachary Lessard of Civil One distributed the plan revised to comply with the Health Dept. comments. The proposal is to put the house as close as possible to the front setback. Lees requested plans be reviewed by Candlewood Lake Association and FirstLight Power Resources. Motion to **table** by Lees. Second by Westney. Motion carried unanimously.

EIC ADMINISTRATION & FUTURE AGENDA ITEMS: None.

APPLICATIONS FOR ADMINISTRATIVE APPROVAL: None.

ADMINISTRATIVE STAFF ACTIONS: Notice of Violation sent Orlando Coto Chang, 5 Advocate Place, site visit 7/28/09; NOV sent 8/11/09. This was read by Chairman Gallo. Mills suggested another site walk to determine the status of the violation. Baroody said that Civil One has been hired to represent Mr. Chang.

Lees requested that all outstanding Notices of Violation be listed in the future on each EIC agenda until they are settled or become an application, possibly under a "For Reference Only" heading.

CORRESPONDENCE: None.

OTHER COMMENTS: Lees questioned a reference to the water company regulations. Baroody said the water company is regulated by the CT State Health Department, whereas the EIC is regulated by the CT Dept. of Environmental Protection.

ACCEPTANCE OF MINUTES: Motion to accept the 8/12/09 meeting minutes as presented by Lees. Second by Roy. Motion carried unanimously.

ADJOURNMENT: Motion to adjourn by Lees. Second by Roy. Motion carried unanimously at 8:20 pm.