



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

ENVIRONMENTAL IMPACT COMMISSION
(203) 797-4525
(203) 797-4586 (FAX)

MINUTES

July 28, 2004

Common Council Chambers

Next regularly scheduled meeting date **8/11/04**.

Meeting opened at 7:35 pm.

Members Present: Benjamin Chianese, William J. Mills, Sabrina Charney,
Bruce Lees, Craig Westney

Members Absent: Kevin Russell, Thomas Pinkham, Keith Prazeres

Staff Present: Scott LeRoy, Dept. of Health & Housing, Patricia Lee, Secretary

Chairman Chianese called the meeting to order at 7:35 pm, identified himself, and requested the Commission Members self-identify themselves from right to left, which they did. He announced that this is a four-person board tonight. The first matter of business was acceptance of the agenda for tonight's meeting. Sabrina Charney made a motion to accept these Minutes. Mr. Mills seconded it, and the motion carried unanimously.

PUBLIC HEARING:

47 Middle River Road

Regulated Activity # 557

James Blansfield

Assessor's Lot # E12001

Date of Receipt: 5/26/04. *4-Lot Single-family Subdivision*. First 65 Days: 7/30/04. Second 65 Days: 10/3/04. *Continued from 6/23 and 7/14/04*. Chairman Chianese explained the procedure for Public Hearing: the applicant will speak first, the Commission may then ask their questions of the applicant, and the public will be allowed to speak last. Michael Mazzucco, P.E., of Danbury, spoke on behalf of the applicant, James Blansfield. He said that since the last meeting, he had to make some changes to the plan. He has moved the septic on lot 4. He moved the infiltration basin down near the reservoir. Mazzucco sent the plans to Jodie Chase, Ecologist, and she gave him a planting schedule. The staking was completed yesterday, Mazzucco said. With him tonight is Mr. James Blansfield. This has not yet had Engineering Dept. review, but has had some comments from Planning. On the easel, he flipped the plans to show the relevant plan showing the changes made, including

EIC 7/28/04

Minutes

1

showing the plantings. As to the concerns about blasting, he reminded everyone that lot 1, 2 and 3 have proposed slabs, and only lot 4 will have a basement, to "take advantage of that grade". As for the concerns about drainage, that water will be "picked up and directed" towards the drainage system. Mazzucco said he just received the revised map today, which he distributed to the Board Members, one sheet revised 7/28/04. And there are expected changes following Planning's input. Jim and Mazzucco met with Ann Klebacha, he said, before we started. Ben Chianese asked if he had discussed alternatives. Mazzucco replied that the alternative is to not treat the water, since almost all of the area is outside of the regulated areas. Mr. LeRoy asked where are the regulated areas located. Mazzucco pointed to the northeast corner, and a triangular piece in the northwest corner. There will be very little activity there, other than putting in the drainage. He said, we are also addressing the water quality issues. Mr. Mills asked him if he'd received a reply from Mario Rizzozi in the Dept. of Public Buildings. Mr. Mazzucco said, yes, thanking him for the reminder. He has a meeting with Mr. Rizzozi on Friday, and said, "I'll know a lot more on Friday". Bill Mills asked if the two detention basins were permanent, and about their maintenance. Mazzucco said the homeowners' association will monitor the maintenance of those basins. Sabrina Charney asked Mazzucco about the staging of development, tree cutting, could he talk about that. Mazzucco said development could be in small increments, "stabilizing as they go along". Not all the tree clear-cutting will necessarily be done at once. Chairman Chianese noted that Board Member Bruce Lees had joined the panel at 7:51 pm. Ben Chianese asked Scott LeRoy how the grading permit is staged. Scott LeRoy volunteered that this depends on the funding and how the builder decides to progress. Mr. Mills asked, is it flagged? Mazzucco said, yes, it was flagged yesterday, and the detention basin too. Mr. Mills said, "Beautiful. I'd like to get out there." Mr. Chianese said he'll now turn it over to the neighbors. Dr. Darrin Pardee, residing at 39 Middle River Road, took the dais and identified himself. He said, "I've been here for 5 years", in one of the oldest houses in Danbury, built in 1754. It has a stacked stone foundation. The site is all ledge up there, Pardee said, and my first concern is blasting. The second concern is the watershed here. Nothing has been addressed the watershed heading towards all of these homes down here, on that side of the road, indicating on the plan on the easel. Dr. Pardee described the incident of a septic system being shifted at Candlewood Lake one time, due to the waters flow. How and who is responsible for my antique foundation and that of my neighbor's, Pardee asked. "It's a great area to live in". I'm glad it was finally marked, Pardee said. He asked also if there is an alternative to lot 4. He said, make sure there's considerable access to these homes, as Middle River Road is a dangerous road. Mrs. Grace Voigts, from 55 Middle River Road, signed in at 7:58 pm. She said her concerns were the same as her husband's and her daughter's who spoke at a previous meeting. Mrs. Voigts said she had an additional concern about a sidewalk. Ben Chianese said a sidewalk is a Planning Commission issue. Craig Westney reiterated that a sidewalk is a Planning issue. She said, "Then can I ask about the ditch?" Will the trees be undercut by the creation of the ditch and therefore made unstable? Mr. James Blansfield approached the panel and began to say, "It's a Public Hearing". Bruce Lees discouraged Mr. Blansfield from speaking until the rest of the public had stated their issues, so that he could "get in the last crack" after you've heard from the neighbors. Mr. Blansfield sat down. Mr. Phil Mandel, from 5 Castaway Drive, took the mic, signed in, and identified himself. He produced a letter he'd written on 7/28/04, gave copies to the Board Members, and read the letter into the record. The letter addressed his concern about the surface water runoff, the flooding, future modifications made to the properties by new owners, tree canopy removal, erosion, the aquifer, the wells, the Board's protection. He asked that the Board Members walk the area to better understand his concerns. At 8:05 pm, Harry Leonard, Jr., of 53 Middle River Road, signed in, identified himself, and presented additional photographs, asking the Board to "take a look at them". Note the trunk of the tree; that's the sink hole I was talking about. He went to the easel to point out where the photos were taken. He said, Mr. Mills had mentioned some sort of maintenance program, so these things don't overflow if the sand builds up. He asked, are they curbing the entire road now? Mr. Chianese said, that's a

EIC 7/28/04

Minutes

2

Planning issue. Mr. Leonard said, so we'd have to go to a Planning Meeting to find that out. Mr. Chianese said "yes". Mr. Leonard ended, "Okay, I'm done." James Blansfield, the builder, came back to the microphone at 8:10 pm. He said that he did not seek out this project. "It was something that sought me." He said he has an eighteen-year history of doing good work in this area, with a quality clientele. He intends to make this a nice, small neighborhood. "I think the water issues have been remediated". "I'm a neighbor of yours as well". Our intent is to put only four houses here, no more than that. It's scaled down. The house will be probably a maintenance-free type of home for someone whose children are grown. Our intent is to share what we know is a very private area in the back, a "very private little spot". Blansfield discussed the ledge and blasting, the landscaping and greenery, the sensitive development here, trying to bring a "wonderful piece of property" into harmony with the area. Mr. Mills announced that he's going to go out and visit the site. Mr. Chianese asked Mr. Mazzucco to come back to answer comments, if he wished to. Mazzucco retook the mic at 8:15 pm. To answer the comment from Grace Voigts, a site walk, not a "sidewalk", is proposed for this. The shoulder of the road will be excavated for drainage. Blasting will be minimized and will be insured. Mazzucco said we are trying to improve the ice issue and the runoff issue. The improved sight line with the tree clearing will improve the road safety. Mazzucco asked that they keep the Public Hearing open. He went back to the easel to discuss the water shed in almost every direction; "we're picking up and redirecting that water" into the drainage system. Dr. Darrin Pardee, from 35 Middle River Road, again came to the dais. He thanked Jim Blansfield, and agreed it's a beautiful place to live. Pardee said any underground pipes, they do fill up, they do clog up. Gutters need to be cleaned. Will there be any official maintenance agreement drawn up for the homeowners' association? Michael Mazzucco answered that maintenance will be provided for the driveway and catch basins. He described the piping used today; a four-inch pipe is more than ample. Nothing comes through the pipe except water. Limitations put on the homeowners' association will be totally up to Jim Blansfield. Ben Chianese asked Scott LeRoy if he had any questions, and Scott did not. Ben said the Public Hearing will remain open. Bruce Lees made a motion to **continue** the Public Hearing to 8/11/04. Bill Mills seconded the motion, and it carried unanimously at 8:25 pm.

OLD BUSINESS:

Aunt Hack Road, Parcel B

Regulated Activity # 553

Neil Perone

Assessor's Lot # C09009

Date of Receipt: 5/12/04. *Revised mitigation plans rec'd. 6/28/04.* First 65 Days: 7/16/04. Second 65 Days: 9/19/04. *S. Danzer reviewed 5/24/04. J.Kozuchowski reviewed mitigation plan 6/22/04. Engineering's comments rec'd. 7/21/04.* Ben Chianese introduced this item at 8:27 pm. Scott LeRoy said that Mr. Perone is here, and would like to speak. Mr. LeRoy said there was a "little miscommunication"; some items either haven't been reviewed or resolved yet, and he spoke to Mr. Perone about four issues. He said that Ron George spoke directly with Steven Danzer, Ph.D., today. Neil Perone took the mic and identified himself at 8:29 pm. Regarding the house location, he said we did not move the house right to the rear setback line, as we'd have to go for a variance. Perone said, we feel that the ZBA will oppose us if we do that. If you're out there, he said, you'll see the "very strong grade". There are a bank of cliffs as you go east. Mr. LeRoy said, we always ask for things moved as far as possible. I think he's been working with us. What's the benefit of moving the house farther if you're going to put up retaining walls? He said he's waiting for the consensus as to how the driveway will or will not affect the wetlands. Ben Chianese asked about the off-site mitigation. LeRoy said that Jack Kozuchowski looked at it and he'll do a report. Chianese asked will we get that before the next EIC meeting? Neil Perone said the City of Danbury easement is in process before the Common Council. LeRoy said, they

EIC 7/28/04

Minutes

3

said by August 8th, so I shouldn't write something prematurely. When they get that in, I can incorporate my report. Neil Perone had a phone conversation with Mario Ricoszi. He did forward that to the State and we're waiting for their response. LeRoy said the State has "never denied anything" when we've done this before. Mr. Mills asked about the timely submittal to Common Council ad hoc committee. Since additional information is pending, a motion to **table** was made by Bruce Lees, and seconded by Sabrina Charney. The motion carried unanimously.

25 Hayestown Road

Regulated Activity # 555

Harbour View Condominiums

Assessor's Lot # 109085

Date of Receipt: 5/12/04. *18-Unit Condominium Development*. First 65 Days: 7/16/04. Second 65 Days: 9/19/04. *Revised plans rec'd. 7/7/04. Extension letter rec'd. 7/6/04.* Michael Mazzucco, P.E., took the microphone again. He said the plans were resent to Candlewood Lake Authority and to Sean Hayden of the Northwest Conservation District. Mazzucco said we met yesterday with Larry Marsicano of the Candlewood Lake Authority and addressed their concerns: sequencing, phasing, infiltration. "Let me go to the map", Mazzucco said. We just met yesterday, so I don't have a plan yet. In the area of the parking lot, where we have catch basins, we'll provide infiltration galleries. We're picking up the off-site water, so we will double-up this basin and have the inlet on the gallery side. We will put some measure in there so we will almost have a baffle-like system; six of those systems, maybe a 24-inch gallery. We will keep the Vortechnic unit in place. That's where we are right now. I will ask you to table this to the next meeting, Mazzucco said. Mr. Mills said at the last meeting there were some concerns about the flow into Candlewood Lake. Mazzucco said, "I did take a look at it". There are some rocks, "like an energy dissipater". It's a Hinckley soil. Mazzucco answered some soil questions from Scott LeRoy. Mazzucco said, if it's too deep, it is not going to function. Scott LeRoy said there are concerns about the salt and sand used on driveways; how will you treat that? Mazzucco answered, with deep sumps. Ms. Charney made a motion to **table** this to the next meeting. Mr. Lees seconded the motion, Mr. Mills also said he'd second it, and it carried unanimously at 8:45 pm.

42-44 Briar Ridge Road

Regulated Activity # 562

Briar Ridge, LLC

Assessor's Lot # C16028

Date of Receipt: 6/9/04. *80 Multi-Family Units in 12 Buildings*. First 65 Days: 8/13/04. Second 65 Days: 10/17/04. *Mario Ricoszi review 7/20/04. Extension letter received 7/23/04.*

The Board Members voted and took a five-minute recess, and reconvened at 8:55 pm. Mr. Chianese introduced item #562, and asked the applicant to come forward. Jeanne Williamson, P.E., identified herself, from Tighe & Bond, Civil Engineers, and Consultants & Engineers on Harmony Street in Danbury. She is here tonight with Mr. Robert Potterton from Fuss & O'Neill, Inc., Consulting Engineers. Williamson said we responded to Mario Ricoszi's letter, and added erosion & sedimentation control measures, water breaks, we added an on-line Vortechnic unit. She described the treatment train. Williamson said we have an agreement with Avalon Lakes to share the drainage & infiltration. Their system was designed in 1997 to handle this additional runoff from this site. It was reviewed by the Dept. of Environmental Protection, the Army Corps of Engineers and the local Health Department at that time. It is still functioning. She said, I want to address your questions on the stockpiled material. It is standard procedure to stockpile processed material from a blasted site, mostly ledge rock, which will be used for this construction site. She discussed the sedimentation basin with the erosion and sedimentation control plan. The Vortechnic

EIC 7/28/04

Minutes

unit is designed, she said, to handle a 25-year storm frequency. She discussed the types of rainfall events, 25-year storms, 100-year storms. She asked if there were any questions. Mr. Chianese said, at the last meeting, we asked for Avalon Lakes' maintenance records. Jeanne Williamson said I don't know the frequency or regularity of it. Williamson said we are not responsible for maintaining their basin. I have not been out there recently, but their basins are functioning as designed. I know this, "just having worked with" Avalon sites over the years. I can request that report from them, Williamson said. Sabrina Charney said, we need some assurance; we need to know whether they are complying. Jeanne Williamson asked if it was inspected by the City of Danbury. Mr. LeRoy answered "no", I think the City returned their bond in March. Sabrina Charney said maintenance reports were required by Avalon Lakes, and they have not been presented. The EIC needs assurance, a copy of those maintenance reports. Ms. Williamson said "okay". Ben Chianese asked if there was supposed to be a maintenance log on that. Scott LeRoy said that would have to be researched. Ms. Charney made a motion to research Avalon for the agreement. Mr. Lees seconded the motion. The motion carried unanimously to research Avalon Lakes for an agreement. Chianese, LeRoy and Williamson discussed the site, the scale, the drop-off, the "long run", the horseshoe shape of Avalon Lakes, the basin, flared outlet and riprap. Mr. Mills said, "I have a question." Avalon Lakes was approved in 1997 before any of us were on the EIC. So excuse me, if I'm redundant. Mills questioned the detention ponds, versus detention basins. Who is responsible for maintenance of these off-site units? He discussed what the EIC wants to know about the maintenance in the past five years, and "if not, why not". Jeanne Williamson said, beyond that, I don't know what our involvement has been. We're sharing this detention basin, period. We are not tying into their pond. Mr. LeRoy interjected about Mario Rizzo; do they understand "detention"? Ms. Charney said, I'd like to make a motion to table the Avalon Lakes discussion to the next meeting. We asked the applicant and our Health Department to look into it. Williamson said we do not intend to use their basin as treatment, just for issues of control of velocity and energy of the stormwater. "We're happy to investigate" their maintenance policy. Craig Westney seconded the motion to table this discussion, and the motion carried unanimously. Mr. Chianese said we can continue any other questions. Robert S. Potterton, L.E.P., of Fuss & O'Neill, Inc., Consulting Engineers, took the dais and identified himself as Senior Vice ?" To address any previous environmental issues brought about by Newmont Mining or Newmont Exploration. In 1996, Potterton said, we were asked to sample and investigate this site, and he described the Phase II and Phase III investigations. He said, we found ten areas of potential contamination concerns here. We discovered releases had occurred at four of those ten. It was remediated in 1986 prior to our involvement, and we investigated as to the 1996 criteria. Two other releases were the (1) roof drains, and (2) the release associated with an aboveground storage tank for chlorinated solvents. No soil remediation was needed to meet the State standards, Potterton said, but the ground water did need remediation. We monitored this site from 1995 through December of 1999. There was no significant change in the contaminate concentrations here. We wrote the State that it would diminish over time. On 6/2/00, the State accepted that. I verified that the site had been determined to meet the State requirements. Potterton said, "They've been assessed and fully remediated". Ben Chianese asked, "Can we get a letter on that?" Potterton replied, yes, I can copy that letter to you. Chianese asked if the City of Danbury followed State guidelines, and LeRoy answered, "Absolutely". Mr. Mills had a question on the SE-2 plan. Ms. Williamson answered that "designed by others" refers to the wall in excess of three feet tall. "My stamp does not cover" structural engineering. That's the intent of that phrase. Mills then asked about a temporary detention basin during construction, and the existing blacktop. Williamson replied that it will be excavated and used as fill during construction. Mills had a question about the pitch, and Chianese had a question about using fill in the back. Williamson said we plan on using fill in the back to create a grade which will not exceed 5%. Chianese asked about the lower left hand corner, the pond, the GE parcel; do you plan to use their pond as well? Williamson said that would release clean water. Chianese asked if there were any other questions for the applicant. Ms. Charney made a

EIC 7/28/04

Minutes

5

motion to **table**. Mr. Mills seconded the motion, and it carried unanimously at 9:38 pm.

NEW BUSINESS:

258 Great Plain Road

Regulated Activity # 564

William S. Coffey

Assessor's Lot # J04011

Date of Receipt: 7/28/04. *Single-family residence*. First 65 Days: 10/1/04. Second 65 Days: 12/5/04. Dainius Virbickas, P.E., identified himself and spoke of behalf of the applicant, Mr. Bill Coffey. He said the parcel is about 1.7 acres in size, on Great Plain Road on the right side of the map with frontage on Candlewood Lake. The applicant proposes to build a home in line with the existing homes. At the easel, Virbickas showed the colored map, the proposed easements, the cross easements, "all kinds of good stuff". Mr. Coffey expects to use this driveway, with not much change to the impervious surface. The "slopes are pretty steep"; that's way we placed the house where we did. The house will be three-stories, with a basement cut into the grade. We did soil testing, and found areas available for the septic and for the reserve septic system. The home itself, with a deck, will be approximately 100 ft. away from the water's edge. The septic system will be about 70 ft. away the water's edge. There is drainage across the site. Virbickas discussed the catch basin and the swale that goes into Candlewood Lake. Mr. Chianese asked, "And that goes untreated?" Mr. Virbickas said it has been draining into Candlewood Lake probably since Great Plain Road was built. We will replace a portion of that pipe; we'll put riprap and the end of that outfall. The house needs a well. There is an existing well located right here. This well currently serves this neighbor's house. We'll propose to relocate that well onto the adjoining property, so both wells will be protected. Chianese asked, was this a subdivision? Virbickas said, "Maybe"; maybe before the Lake was built. Bill Coffey stated that the slope in back is about 16%. Chianese asked, does it level out at the end? Virbickas answered, once it hits the Lake, it levels out. Chianese asked if he was proposing a walkway, a dock to the water. Bill Coffey volunteered that there is an existing dock already there. Virbickas said the 440 line coincides with the property line, for the most part. Ms. Charney said, "In my professional judgment, I'd like to see something other than impervious surface". Coffey said there's an existing driveway there. Virbickas said, maybe we could put some kind of infiltration device in. Charney said, slow down the water and allow it to infiltrate the soil. There's a high water table in the Great Plain area. Dainius Virbickas described the existing catch basins, and said, "You know what?" The impervious surface could be replaced with gravel towards the catch basins. Charney, Coffey, Chianese and Virbickas discussed the options for gravel, driveway pitch, the engineering for this, alternatives to pavement, and the sizeable riprap. Charney said, "You know what works." LeRoy said he'd prefer those gutters go straight into that pipe. Virbickas said a good thing is we didn't encounter any ground water when we dug holes. LeRoy said the Candlewood Lake Authority will probably want to comment on that outlet into the Lake. Bill Coffey said he's spoken with them. Chianese asked if there were any other questions. Mr. Lees made a motion to **table** to the next meeting. Mr. Westney seconded the motion, and it carried unanimously at 10:21 pm.

APPLICATIONS FOR ADMINISTRATIVE APPROVAL: None.

ADMINISTRATIVE STAFF ACTIONS:

Railway at Beaver Street

Regulated Activity # 563

EIC 7/28/04

Minutes

6

Date of Receipt: 7/14/04. *Culvert sediment removal*. First 65 Days: 9/17/04. Second 65 Days: 11/21/04. Administrative Approval was done 7/27/04 by Scott LeRoy and mailed to the applicant.

CORRESPONDENCE:

This item was moved up on the agenda by a unanimous vote to before New Business. A letter was received 7/21/04 from Joyce Traino regarding activity on Beaver Brook Road behind Pembroke Pumping. A copy of the letter was given to each Board Member. Scott LeRoy said we get complaints all the time. Knowing the owner of the property, "I went out right away". Bill Coffey spoke from the first row of the audience: Pembroke Pumping is my business, but I own the property. LeRoy continued, they formed a basin down by the water. He needs an EIC permit first, then a grading permit. Bill Coffey has done a lot of work, LeRoy said. Some grades were maybe changed previously, "so we can't blame him for that". Scott LeRoy said, "I'm sure Bill Mills would like to explain". Bill Coffey said, I own the property and I am Vice President of Pembroke Pumping. We have been in Danbury 34 years. Over the years, I've cut down a few trees, however, I've taken 10 to 15 forty-yard containers of garbage out of there. "I'm in the dirt business", Coffey said, and he explained some of his activities. Some was near the banks. He said he'd moved thousands of yards of material in the last five days. I was going to put a picnic table down by the river. I took down 4 or 5 little saplings. A neighbor from Riverbend Condominiums heard the chipper. I may have two and a half to three acres of useable acreage. Dainius Virbickas is here on behalf of a house by Candlewood Lake. Coffey said, "This complaint accelerated by intent" to build here. Mr. Mills said he would like to say a few things. He spoke with Mr. Coffey, and he is "very cooperative". He's making an "earnest attempt". But, "being candid", Mills said, Coffey has a neighbor in opposition. Bill Coffey said he's willing to do whatever it takes, within reason. Mr. Chianese asked, what are you recommending? Mr. LeRoy said I'd recommend the EIC walk the site. Ms. Charney said she'd find it difficult to make a decision without seeing the property. Mills said, it might be worth your while to install a fence down there, just as a suggestion. Coffey said he needs another three to four days before the site walk. Mr. Lees asked is he working in a regulated area? LeRoy said some may, some may not. He's worked to stop that. Ms. Charney said, any work in a regulated area should stop, unless it causes contravention erosion to the River. Is that the case? Coffey answered "yes". "It's basically your call" regarding a Cease & Desist order, Coffey said. Charney made a motion to allow the applicant to install a silt fence and stabilize the slopes in that area, and stop all other restoration work until we can see it. Mr. Lees seconded the motion. LeRoy said, it's a larger issue than "is he working in a regulated area?" LeRoy said to Coffey, mark off 200 ft. and flag it. Chianese said, "There's a motion before the Board". Westney, LeRoy, Mills, Coffey and Charney discussed the issue. Bill Coffey said his cell phone number is 948-6114, call before you come, and wear work shoes. The motion carried unanimously at 10 pm.

The Board Members were encouraged to do a site visit before 8/11/04 by LeRoy and Chianese.

EIC ADMINISTRATION, OPERATIONS & FUTURE AGENDA ITEMS:

The second regulations **workshop** meeting is scheduled at 6 pm, **8/4/04**, Wednesday, in Conference Room 3A. Mr. Chianese turned this discussion over to Subcommittee Chairman Bill Mills. Mills said he was hoping for better attendance at the first meeting. "I need everybody"; I need your input, your help, your commitment. "I'm not the brightest lightbulb on the porch", Mills said. Mr. Chianese interjected that he was assigned the by-laws update, and he should have them ready by the August 4th workshop meeting. He said he'd e-mail any changes to you beforehand. He said he'd scan the regulations disk for Craig Westney

EIC 7/28/04

Minutes

from pdf. to Word. "I don't want to share the changes yet", Chianese said, in answer to Bruce Lees. Ms. Charney said she had a question: have you already e-mailed the by-laws to Corporation Counsel? Chianese said he wanted to have a "more decent draft" before he shares it. Mr. Mills thanked Sabrina Charney for bringing the pizza. He said he's looking for a food volunteer for the next meeting, directing his stare to Bruce Lees.

Mr. Chianese said the next EIC administration issue is 50-58 Payne Road, **EIC 544** Notice of Violation follow-up. Mr. LeRoy and Mr. Ray Boa had met 5/28/04. A sixty-day term was granted 6/9/04 to remove the stockpiles, to expire 8/9/04. Mr. Boa told Secretary Lee on the phone on 7/26/04 that the clean-up will be complete by 8/11/04, and he will attend that EIC meeting, Secretary Lee said. Mr. Chianese mentioned that he thought Mr. Boa had to comply with all of the original conditions of approval by the meeting on 8/11/04.

ADJOURNMENT:

Motion to adjourn was made by Sabrina Charney and seconded by Bill Mills. The motion carried unanimously at 10:30 pm.

The next regular meeting of the DEIC will be **8/11/04** at 7:30 pm.

Respectfully submitted,

Patricia M. Lee, Secretary