

**INLAND AND WETLANDS COMMISSION  
SHOW CAUSE HEARING  
A Better Way Wholesale Auto, LLC, Joseph Gorbecki  
381 Rubber Avenue  
June 8, 2011**

Commission Chair Mary Davis called this meeting to order at 5:40 P.M. with the following in attendance noting that there was a quorum:

**MEMBERS:**

Mary Davis, Chair  
Joseph Bakstis, Vice Chair  
Sally MacKenzie, Secretary,  
Lars Johnson, alternate, absent

**OTHER:**

Keith Rosenfeld, Town Planner, WEO  
Joseph Gorbecki, A Better Way Auto

Upon the start of the Show Cause Hearing, the recipient of the Notice of Violation was asked to approach the podium and state for the record his name and address. He stated it as Joe Gorbecki, owner of A Better Way, 381 Rubber Avenue, Naugatuck, CT.

Opening the hearing, it was noted by the chair to Mr. Gorbecki that a notice of violation had been issued to the owner of property located at 381 Rubber Avenue. It also was noted that on May 23, 2011, a site inspection discovered that cars were being washed at that address with the waste water going directly into the Brook and cars were being parked in the buffer at the rear of the property. She said that the Wetlands Commission's hearing tonight is to provide him, as owner of the property an opportunity to be heard and present the reasons why the order should not remain in effect. She thanked him for his attendance.

Joe said that this is the first that he heard of this. Joe said property was purchased less than a year ago, but took control by lease 3 years ago. He is washing cars as has been done since 1999 by the previous owner. Mary said on Dec. 5, 2007 that the commission ordered the owner to remove the asphalt and provide 6-8" of stone and re-grade and repave so water goes into a stone filter. An order was given to stop washing vehicles. Joe questioned why this was not put onto the deed. Mary said it should have been.

Before he purchased the business, Joe was an employee there, and the practice of washing cars was going on even after the order to stop. Mary felt that there needs to be daily monitoring of the business. She says that the previous owner complied with fixing the pavement and said he would stop washing cars, but did not. Joe says he just wants to please the board and comply. He has an application with the DEP and a meeting scheduled with an engineer to come up with a plan to put in a separator and connect to the sewer or the storm drain. A discussion about sewer ensued- Mary and Joe Bakstis said he can't hook up to sewer, Keith says he can if Joe goes through the right channels, ie: the Borough's Water Pollution Control Authority. Sally remembered when they allowed

an applicant to wash school buses, they proposed a containment unit to recycle the water. Joe was under the impression that using eco-friendly soap with a separator would work. Mary said that the DEP and Water Pollution will tell him that he is not allowed to wash vehicles on that property. Joe asked if this information wasn't passed on in the deed, then does it apply to him or does the whole process need to start again? Mary stated that it is unfortunate that information wasn't passed on in the deed.

Joe said that for decades vehicles have been washed on the property. Before Brian Lee, the previous owner washed oil trucks on the property. Joe Bakstis said that when Brian Lee applied for a permit to increase parking, one of the stipulations was that they could not wash cars on the property. Mary told Joe that he really needs to please them and that the DEP would shut him down if they were called in. Joe said he has a paper stating that vehicles can be rinsed and wiped with a California duster. Mary and Joe are in disagreement over this and Mary asks how you control "rinse with a hose"? Keith said that the previous owners were going to use water and a special kind of brush. Mary said that they did not do that. She told Joe that he did not even know about the original permit, given to Brian Lee, therefore it doesn't stand anymore. She said the commission needs to set some new standards because the older standards were not followed and Joe didn't even know about them anyway. Sally said that the reason they were originally allowed to rinse cars was to get the pollen off. Mary stated that the commission went through a lot of time and trouble and they made fools of the commission. The commission just needs to make sure the brook doesn't get polluted. Joe just wanted to come up with a plan to keep the brook clean. Mary had a problem with allowing rinsing on the property because the previous owner didn't follow directions. There need to be stronger rules to protect the brook until Joe gets his permit. Mary suggested not rinsing cars at the 381 Rubber Avenue location, but at Joe's other location on New Haven Rd. (?) which Joe says is unfeasible because of the high volume of cars at this time. Joe also said that using water alone and the California duster does not work.

Mary recommended the following solution:

1. Talk to the DEP to see what they require, as well as the Water Pollution Control Board.
2. For the time being, take the cars to the car wash.

Joe said that it takes too much time for the car wash, that it wouldn't allow him to operate his business. He agreed to just rinse and wipe the vehicles. Joe Bakstis doesn't think the commission can stop him from rinsing because they put it in writing that it was okay to rinse on the property. He said it is okay for Joe to rinse, NOT wash until he hears from the DEP.

Mary told Joe that he needs to be at the July meeting which will be held on July 6 at 5:30PM. She wanted to know that Joe will comply with the commission's request to only rinse and just until he hears from the DEP. She wanted Keith to contact the DEP and also go in and visit the business to be sure Joe is complying. She said she wanted no "drive-bys".