



Buffalo Environmental Management Commission

MINUTES

Meeting of Wednesday, ~~February 18~~ May 20, 2009

The meeting started at 8:05 AM and was held in Room 920 City Hall.

Commissioners Attending: Joseph Gardella, John Hackney, Charles Grieco, Frank Armento, and John Bauda.

Not Attending: David Hahn-Baker, Arthur Robinson

Others Attending: Dennis Sutton (staff), Brendan Mehaffy (City Law), David Granville, James Brem

Minutes: the notes for the April 2009 meeting were taken by J. Gardella and not yet transcribed into minutes.

TIP Sheet

May's TIP SHEET featured information about the Buffalo CarShare program. Mailing list included Common Council members and Mayor's office.

SEQRA/Sustainable Development

Brendan Mehaffy of the City Law Dept. was present to discuss the inconsistencies between the SEQRA and the City Environmental Review Ordinance (CERO). Chip Grieco clarified the issues, citing inconsistencies in the review process and inconsistencies between CERO and SEQRA. It was recommended that the City implement the SEQRA Task Force recommendations.

John Bauda indicated that business entities are looking for consistency and, since SEQRA is a State regulation, it should be consistent across the State. B. Mehaffey stated that the regulations require standardization and should follow State Code. He has been tasked to attempt to rectify the differences in the City and the State statutes.

C. Grieco questioned whether the CERO was approved by the NYSDEC. J. Gardella will contact NYSDEC to determine CERO's approval status.

F. Armento indicated that the Commission usually does not receive supporting documentation when asked to review an EAF. C. Grieco mentioned the waterfront hotel and medical campus projects where the Commission should have seen the full EAF and DEIS for review. He also had questions regarding procedures for projects that had been issued a positive declaration. A general discussion was centered on having incomplete or unresponsive SEQRA applications identified before they reach the BEMC for review and how lead agencies were determined.

J. Gardella mentioned that residents had lodged complaints regarding the day-to-day operations of the Battaglia transfer station at a recent public meeting with the Mayor. Mr. Gardella

mentioned that he has had no word from the NYSDEC regarding the status of the transfer station permit application.

Community Gardening

David Granville provided information regarding requirements and restrictions for community gardens. Chip Grieco mentioned that SEQRA applies to leased property. A general discussion was held regarding the environmental condition of the onsite soil and access to City property for community gardening. One concern focused on not only analyzing the condition of the soil for growing food crops but also the condition of the soil on the property where no gardens were to be planted. It was thought that general conditions on-site should be assessed before allowing gardeners to access City property and potentially disturbing an exposure pathway.

Revised Garbage/Recycling Ordinance

James Brem presented a draft updated and revised City Recycling and Garbage Ordinance for review and comment by the Commission. He will provide an electronic link to the material for easy access to the Commissioners.

770 Chandler

Kurt Sontag was present to discuss the proposed bioremediation action on Chandler Street. D. Sutton summarized recent activities related to the project. Presently the City issued a stop work order and the removal contractor has been requested to apply for a City landfill permit to continue the work. The soil onsite is to be covered until such time the permit is issued to the contractor. If the permit is not granted the contractor may be requested to remove the soil from the property.

LED Streetlights

This topic was discussed in April's meeting. A new contact was established with Dennis Ryan of SSL and Dave Hornung of Public Works was requested to follow up on the pilot project.

Brownfields Update

No report this meeting

Pest Management Board

No report this meeting

Green House Gas Inventory and Report

No report this meeting

Membership

No report this meeting

Adjournment

Meeting adjourned at 9:55 AM. Next scheduled meeting is to be June 17, 2009.

