

ENFIELD AQUIFER PROTECTION AGENCY
SPECIAL MEETING
MINUTES

THURSDAY, December 9, 2021 – 6:30PM
ENFIELD TOWN HALL - COUNCIL CHAMBERS
820 ENFIELD STREET - ENFIELD, CT

RECEIVED
ENFIELD TOWN CLERK

2021 DEC 10 AM 9:42

Sheila M. Bailey

Call to Order & Pledge of Allegiance

Chairman Nelson called the meeting to order at 6:30 PM.

Roll Call

Commissioner Szewczak took the roll and present were Commissioners John Petronella, Richard Szewczak, Ken Nelson, Linda DeGray, Virginia Higley and Alternate Commissioners Nelson Correia and Kiran Majmudar. Absent were Commissioners Frank Alaimo, Vinnie Grillo and Mary Scutt.

Also present was Georgienna Driver, Assistant Town Planner and Laurie Whitten, Director of Development Services.

Approval of Minutes

Commissioner DeGray made a motion, seconded by Commissioner Higley, to approve the minutes from November 18, 2021.

The motion passed with a 5-0-0 vote.

Votes: 5-0-0

Public Participation

Chairman Nelson asked if anyone in the public would like to speak; no one came forward.

New Applications to be Received.

Ms. Driver read through the following new applications to be received:

- a. **ARA#019**-178 North Maple Street- Boneyard Properties- Application for Aquifer Renewal for a construction business over the A45 Aquifer; Donald Slanetz, Applicant; Boneyard Properties LLC Owner; Map81 /Lot 109; I-1 Zone
- b. **ARA#020**- 15 Dust House Road- Colonial Iron Shop LLC- Aquifer Protection Transfer Application for Colonial Iron Shop to a new owner over top the A45 and A80 Aquifers; John O'Connor, Applicant/Owner; Map 84/Lot 9; I-1 Zone.
- c. **ARA#021**-25 Dust House Road- Sign Factory- Application for Aquifer Renewal for Colonial Iron Shop Inc. over the A45 and A80 Aquifers; John O'Connor, Applicant/Owner; Map 83; Lot 1; I-1 Zone.

New Business

- a. **ARA#019**-178 North Maple- Boneyard Properties- Application for Aquifer Renewal for a construction business over the A45 Aquifer; Donald Slanetz, Applicant; Boneyard Properties LLC Owner; Map81 /Lot 109; I-1 Zone

Donald Slanetz, 178 North Maple Street, addressed the Commission along with Karen LaPlante, 166 North Maple Street.

Chairman Nelson stated that the violations had been corrected and everything is in compliance. He stated that the application says repair or maintenance of vehicles or internal combustion engines of vehicles, and asked if this should say their fleet only. He stated that this leaves it open for all three of tonight's applications to have an automotive or truck repair facility to come in if the properties are transferred. Ms. Driver stated that this regulated activity is very broad and not easy to define. She read the DEEP regulated activity definitions and provided some examples.

Chairman Nelson asked if the applicant is ok with making the change to just fleet vehicle repair. Ms. LaPlante stated that the regulation from the state is straight vehicle repair and she does not know if the Commission can change it. She stated that she does not think this property should be restricted.

Commissioner Higley asked how this is zoned, to which Ms. Driver replied that it is I-1. Commissioner Higley stated that anything that is I-1 can go in there and it would not matter if it says fleet.

Motion: Commissioner Szewczak made a motion, seconded by Commissioner DeGray, to approve ARA#019.

The motion passed with a 5-0-0 vote.

Votes: 5-0-0

- b. **ARA#020-** 15 Dust House Road- Aquifer Protection Transfer Application for Colonial Iron Shop to a new owner over top the A45 and A80 Aquifers; John O'Connor, Applicant/Owner; Map 84/Lot 9; I-1 Zone.

Ms. Driver stated that the applicant was not present and had asked her to speak on his behalf. Chairman Nelson stated that he was concerned about this one as the wording would allow them to be running an automotive shop.

Commissioner Majmudar recused himself. Chairman Nelson seated Alternate Commissioner Correia.

Commissioner DeGray stated that they do not know if the applicant has a K7 to do auto repair. Chairman Nelson stated that the fleet maintenance for Colonial Iron is grandfathered but not for the other two spaces.

Ms. Driver stated that units A, B and C are just personal garages and there is nothing commercial or being sold. She explained how the recycling plan works that the applicant is involved in with Auto Zone.

Chairman Nelson stated that the Zoning Board of Appeals (ZBA) is bound with the K7, and this language says that they are approving the use for automotive repairs in those facilities. He stated that Colonial Iron is not in question here, but the other units are not permitted automotive repair facilities.

Commissioner DeGray questioned how many people are coming and going in there. Chairman Nelson asked if there is a lift in there, to which Ms. Driver replied that there is not. She stated that it is just people who rent garage space for working on hobby cars and that the State has no issues with the units or the activities.

Ms. Driver stated that Colonial Iron is very clean and organized with no violations. She stated that DEEP had no issues with Colonial Iron or any of the units.

Chairman Nelson stated that the space is not approved for automotive use and is only approved for fleet repairs. He stated that if they approve this, the applicant could take those three bays and make any automotive use he wants.

Ms. Driver stated that the only things being approved are the activities, and those are the same activities as the past. Chairman Nelson stated that Colonial Iron had the whole building for years, and now they shrank it down and have three tenants who are not grandfathered.

Ms. Driver stated that the Commission can approve the application only for Unit D if they would like to. Chairman Nelson stated that he is ok to approve Unit D right now but they need more information for Units A, B and C. Ms. Driver stated that the Commission can approve the activity for Colonial Iron or continue the application until January if they would rather wait for the applicant. She stated that she already spoke to DEEP and met with storm water management and they have no problems with the application. Ms. Driver concluded that she sees no reason to hold it back at this point but it is up to the Commission.

Commissioner Szewczak stated that he would like to see it move forward so they do not have a backlog. He stated that the current uses are consistent with the past uses, and he would rather put fleet vehicles only than continue it. Ms. Driver stated that they can make a condition of fleet use only, which the Commission determined was a good idea.

Motion: Commissioner Szewczak made a motion, seconded by Commissioner Petronella, to approve ARA#020 with a condition that the repair is only for fleet vehicles.

The motion passed with a 6-0-0 vote.

Votes: 6-0-0

- c. **ARA#021-** 25 Dust House Road- Application for Aquifer Renewal for Colonial Iron Shop Inc. over the A45 and A80 Aquifers; John O'Connor, Applicant/Owner; Map 83; Lot 1; I-1 Zone.

Ms. Driver stated that the applicant is the same and he is not present. She stated that this is a renewal and went over the activities listed for this site. She stated that materials are organized and labeled and no violations or concerns were found onsite.

Chairman Nelson stated that his only concern is fleet vehicles.

Commissioner Majmudar recused himself.

Motion: Commissioner Szewczak made a motion, seconded by Commissioner DeGray, to approve ARA#021 with a condition that the repair is only for fleet vehicles.

The motion passed with a 6-0-0 vote.

Votes: 6-0-0

Old Business

- a. **ARA#018-**12 Moody Road-Renewal of Aquifer Registration for Rich's Oil Service, Plumbing, Heating, and Air Conditioning over the A80 and A50 Aquifers; Rich Tkacz, Owner/Applicant; Map 75/Lot 32; I-1 Zone

Rich Tkacz, 111 Abbe Road, addressed the Commission.

Commissioner Szewczak stated that he checked the regulations and could not find a definition for "many" or "a lot." Chairman Nelson stated that they are just trying to make it so everyone is treated the same.

Motion: Commissioner Szewczak made a motion, seconded by Commissioner DeGray, to approve ARA#018.

The motion passed with a 6-0-0 vote.

Votes: 6-0-0

Chairman Nelson seated Alternate Commissioner Majmudar.

Other Business

- a. Aquifer Site Inspection conducted at 113 Brainard Road-No Violations Found

Ms. Driver stated that a site inspection was conducted and no violations were found and no repairs were being performed onsite. Chairman Nelson asked if they need to register, to which Ms. Driver replied that they do not.

Adjournment

Motion: Commissioner DeGray made a motion, seconded by Commissioner Higley, to adjourn.

The motion passed with a 7-0-0 vote.

Votes: 7-0-0

Prepared by: Elizabeth Bouley

Respectfully Submitted,

Richard Szewczak, Secretary