



**MINUTES
INLAND WETLANDS & WATERCOURSES AGENCY
REGULAR MEETING**

March 5, 2024

7:00 PM - Council Chambers

<https://www.youtube.com/live/JKED2W6-zbc?si=7bBteGzbl8OaL-zD>

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Acting Chair Zorda called the meeting to order at 7:00pm.

2. FIRE EVACUATION ANNOUNCEMENT

Fire evacuation instructions were shared.

3. ROLL CALL

Secretary Virginia Higley took the roll call and present were Acting Chair Kevin Zorda, Commissioner Virginia Higley, Commissioner Nancy Martin, Commissioner Kelly Hemmeler, Commissioner Anne Collins, and Commissioner Dylan Bridge. Also present was Commissioner Ken Kaufman.

Absent was Chair Donna Corbin-Sobinski and Alternate Commissioner Christopher Renaud. Commissioner Kaufman was seated as a regular member.

Also present were Laurie Whitten, Director of Planning, Georgienna Driver, Assistant Town Planner and Rebecca Jones, Recording Secretary.

4. PUBLIC COMMUNICATION AND PETITIONS

None.

5. CORRESPONDENCE

None.

6. MINUTES OF PRECEDING MEETINGS

A. February 20, 2024

MOTION by: Virginia Higley **seconded:** Kelly Hemmeler to approve the February 20, 2024 meeting minutes as amended.

UPON A ROLL CALL VOTE, the Chair declared the motion approved. Yes: Dylan Bridge, Anne Whitney Collins, Kelly Hemmeler, Virginia Higley, Kenneth Kaufman, Nancy Martin, Kevin Zorda No: None Abstain: None.

7. TOWN ATTORNEY REPORT

A. February 29, 2024

Town Attorney report was received.

MOTION by: Virginia Higley **seconded:** Kelly Hemmeler to move Item #11 New Business to be heard before Item #9 Public Hearings.

UPON A ROLL CALL VOTE, the Chair declared the motion approved. Yes: Dylan Bridge, Anne Whitney Collins, Kelly Hemmeler, Virginia Higley, Kenneth Kaufman, Nancy Martin, Kevin Zorda No: None Abstain: None.

8. NEW BUSINESS

A. XIW# 24-01 - Arbor Road, Powder Ridge Road, and Webster Road - Application for an Agent Approval request for roadway improvements and reconstruction as part of the Enfield Roads 2021 Year 3 Hazardville West project; Town of Enfield, Applicant/Owner

Applicants were present for discussion. These are the last streets to be completed as per the roads referendum project. There is a crossing of Terry Brook on Arbor Road, which is where the work will enter the regulated area. There will be no impact to the wetlands. There will be improvements to the existing drainage and there will be erosion control measures. All street drains will have 'no dumping' stickers. A snow shelf will be included. There will be a reduction in impervious area and the road profile will stay the same. Ms. Driver stated that the applicant is requesting agent approval for very minor disturbances in the upland. She shared comments related to traffic.

MOTION by: Virginia Higley **seconded:** Dylan Bridge to approve XIW# 24-01 - Arbor Road, Powder Ridge Road, and Webster Road.

UPON A ROLL CALL VOTE, the Chair declared the motion approved. Yes: Dylan Bridge, Anne Whitney Collins, Kelly Hemmeler, Virginia Higley, Kenneth Kaufman, Nancy Martin, Kevin Zorda No: None Abstain: None.

9. CONTINUED PUBLIC HEARINGS

None.

10. NEW PUBLIC HEARINGS

A. IW# 696 - 85&100 Bright Meadow Blvd and 113 Brainard Road -Application for a Wetlands Permit for regulated activities in connection with the development of a sports complex and associated uses; Fast Track Realty, Applicant; Mass Mutual Life Ins. Co. Owners of 85&100 Bright Meadow Blvd, and John Rand Patricia C. Ferreira, Owners of 113 Brainard Road; Maps 35/Lots 44& 220, and Map 36, Lot 237; BR and R-33 Zones.

MOTION by: Virginia Higley, seconded: Nancy Martin to open the public hearing.

UPON A ROLL CALL VOTE, the Chair declared the motion approved. Yes: Dylan Bridge, Anne Whitney Collins, Kelly Hemmeler, Virginia Higley, Kenneth Kaufman, Nancy Martin, Kevin Zorda No: None Abstain: None.

Applicant and applicant representatives were present for discussion. The entire MassMutual building will be repurposed into a multi-use building with various amenities inside. Different stormwater designs were discussed. The soil scientist's findings were shared. Wetland delineations were explained, detailing wetland impact areas. Historical aerial photographs of the site were shared. The drainage patterns and other related findings from the photographs were discussed. Current photographs were shared of the various detention areas, drainage outlets and wildlife. The beaver dams located on the property were discussed. A chart detailing the function and value of each wetland area was explained. It is the applicant's opinion that the project will not work unless Wetland Area A is filled. The applicant will be removing more invasive wildlife.

Ms. Driver expressed confusion related to the wetlands alternatives report. This information should have been given to town staff prior to the meeting. She also opined that it would be beneficial to provide more detail about the beaver dams and shared various questions that the applicant should answer. Per the applicant representative, much of the report was prepared through second hand discussions and some questions may need further explanation. Ms. Driver expressed various concerns related to the step methodology and requested further documentation be provided before the next meeting.

Acting Chair Zorda asked about an access road. He requested more detailed plans related to the wetlands restoration areas and wildlife assessments. He also asked about planting plans. He asked about the rubber crumb and the potential for infill migration. The applicant representative explained that there are many different measures that can be taken to mitigate infill migration off the site. Grates with grids can be installed near the walkways. There is no maintenance plan in place for this yet. He also asked about potential toxic exposure. The applicant representative, who is not a toxicologist, has compiled various data over the years stating that rubber crumb is safe. He left a flash drive with town staff shared various data stating the same. Commissioner Whitney-Collins asked about the dimensions of the retaining wall and its relation to the escarpment. Commissioner Bridge asked about the removal of field 11. Commissioner Higley asked clarifying questions related to the beaver dam removal. Commissioner Hemmeler asked about the utilization of Wetland E and confirmed Wetland A will be filled in.

Karen LaPlante, 166 N Maple Street, spoke for the first time. She is a member of the

Conservation Commission but is speaking as a resident. She is concerned that this project is above and very close to a water supply. She asked specific questions related to the rubber crumb, herbicides and drainage systems. She recommended natural turf fields over 17 acres of plastic put over a public water supply. She shared a pamphlet related to PFAS and dangers of rubber crumb.

Bill Cote, 343 Elm Street, chairman of Conservation Commission, spoke for the first time. He read a letter prepared by the Conservation Commission that will be shared with other appropriate town boards. ECC did research related to potential dangers to the aquifer and the potential of chemicals leaching from the synthetic fields. He also expressed concern for potential health hazards to athletes playing on these fields. PFAS have been found in grass blades located near rubber crumb fields. He spoke about the longevity of these playing fields and disposal options. He shared different studies he founds related to PFAS and rubber playing fields.

Carol West, 90 Brainard Road, spoke for the first time. She stated there are a lot of deer in the area along with other animals. She questioned why the applicant would get rid of the wetland created naturally to create an artificial wetland? She would rather that the beavers stay on the property. She does not want to look at the complex and is worried that her property value will go down.

Gretchen Pfeifer-Hall, 4 Somers Road, is concerned about the retaining walls being built on escarpment soils. She feels that the presentation glossed it over and they are highly erodible and not very stable. She is not sure how they are going to build this on top of escarpment soils. Many escarpments in town have had to be rebuilt and they are very costly.

Karen LaPlante, 166 N Maple Street, spoke for the second time. She spoke with a natural turf soccer builder and it is her understanding that they won't allow the tournaments on the rubber crumb fields in parts of Europe and are all being reconverted back to natural turf fields.

Attorney Landolina shared a few comments. He stated that the applicant will respond to all the issues brought up during this meeting that are relevant and within the Conservation Commission's jurisdiction. He expects Connecticut Water Company to have a representative present at the next meeting. A site visit was proposed by Commissioner Zorda. Recommended date can be proposed per Ms. Driver. Attorney Landolina explained that MassMutual is the owner and this must be discussed with their attorney. Ground rules of the site walk were shared. Ms. Driver explained that the Town Clerk and IWWA will have

the agenda posted and will show if the public is allowed. She will also take photos that will be posted on the Town's website.

MOTION by: Virginia Higley **seconded:** Nancy Martin to set a tentative site walk date of March 12, 2024 at 2:00pm.

UPON A ROLL CALL VOTE, the Chair declared the motion approved. Yes: Dylan Bridge, Anne Whitney Collins, Kelly Hemmeler, Virginia Higley, Kenneth Kaufman, Nancy Martin, Kevin Zorda No: None Abstain: None.

MOTION by: Virginia Higley **seconded:** Nancy Martin to continue the public hearing for IW# 696 - 85&100 Bright Meadow Blvd and 113 Brainard Road to March 19, 2024.

UPON A ROLL CALL VOTE, the Chair declared the motion approved. Yes: Dylan Bridge, Anne Whitney Collins, Kelly Hemmeler, Virginia Higley, Kenneth Kaufman, Nancy Martin, Kevin Zorda No: None Abstain: None.

11. OLD BUSINESS

A. **DPN#2024-01-26 - Map 79/Lot11** - Request for a jurisdictional ruling for establishing agricultural crop fields; Cliff Chapman/Applicant, Mayfield Place II LLC/Owner;Map 79/Lot 11; R-44 Zone **TABLED TO MARCH 19TH**

The applicant has requested that this application be heard on March 13th, 2024. DPN applications are different from a public hearing. They are used for notification of farming activity. There is no time limit because it is a request for a jurisdictional ruling.

MOTION by: Virginia Higley, seconded: Kelly Hemmeler to table DPN# 2024-01-26 - Map 79/Lot 11.

Upon a **ROLL CALL** vote, the Chair declared **MOTION** approved. Yes: Dylan Bridge, Anne Whitney Collins, Kelly Hemmeler, Virginia Higley, Kenneth Kaufman, Nancy Martin, Kevin Zorda No: None Abstain None.

12. ENFORCEMENT REPORTS

a. 83 First Avenue

Ms. Driver received a complaint on March 4, 2024 related to activity occurring at 83 First Avenue. The owner had removed sewer caps and was dumping into the sewer. He has dammed up the brook and completely rerouted Great Brook. Because of this activity, there has been significant flooding due east near the subdivision and has ruined the flow of water that once existed. The lateral is broken and there is now a sinkhole in place, which has caused at least \$30,000 in infrastructure repair per DPW. Appropriate state agencies have been notified. The owner received a Notice of Violation and will be receiving a Cease and

Desist and should be before the Commission on March 19, 2024. The Town Attorney and Police Department are aware of this situation.

13. PLANNING STAFF REPORT

None.

14. APPLICATIONS TO BE RECEIVED

- a. IW# 697 - Map 81/Lot 9, Corner of North Maple Street and Shaker Road - Application for a Wetlands Permit for the development of a self storage facility with associated activities within 200ft upland review area of Freshwater Brook, Pullman Realty, LLC, Applicant; Mark Pollock, Owner; Map 81, Lot 9; I-1 Zone.

15. MISCELLANEOUS

None.

16. ADJOURNMENT

MOTION by: Nancy Martin, seconded: Virginia Higley to adjourn.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION** adopted unanimously, and the meeting stood adjourned at 10:03 pm.

Respectfully submitted,

Virginia Higley
Secretary

Rebecca Jones
Recording Secretary