



MINUTES
INLAND WETLANDS & WATERCOURSES AGENCY
REGULAR MEETING
April 2, 2024
7:00 PM - Council Chambers
<https://www.youtube.com/watch?v=eqh7as8cjSA>

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chair Corbin-Sobinski called the meeting to order at 7:00pm.

2. FIRE EVACUATION ANNOUNCEMENT

Fire evacuation announcement was shared.

3. ROLL CALL

Present: Dylan Bridge, Kelly Hemmeler, Virginia Higley, Kenneth Kaufman, Nancy Martin, Donna Corbin Sobinski, Kevin Zorda

Absent: Anne Whitney Collins, Christopher Renaud

Also present were Director of Planning, Laurie Whitten; Assistant Planner, Georgienna Driver; Zoning Enforcement Officer, Rick Rachele; and Recording Secretary, Rebecca Jones.

4. PUBLIC COMMUNICATION AND PETITIONS

None.

5. CORRESPONDENCE

None.

6. MINUTES OF PRECEDING MEETINGS

A. March 19, 2024

MOTION by: Kevin Zorda **seconded:** Dylan Bridge to approve the March 19, 2024 meeting minutes as amended.

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

7. TOWN ATTORNEY REPORT

A. March 26, 2024

Town Attorney report was received.

MOTION by: Kevin Zorda **seconded:** Kelly Hemmeler for Continued Public Hearings to be heard after Enforcement Reports.

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

9. NEW PUBLIC HEARINGS

None.

10. OLD BUSINESS

A. IW # 697 - Map 81/Lot 9-Corner of N Maple Street & Shaker Rd- Application for a Wetlands Permit for the development of an indoor self-storage facility with associated activities in the 200' upland review area of Freshwater Brook; Polman Realty, LLC Applicant; Mark Polek, Owner; Map 81/Lot 9; 1-1 Zone.

New stormwater plans were submitted, and the applicant is requesting an extension to the next meeting.

MOTION by: Kevin Zorda **seconded:** Nancy Martin to continue IW #697 - Map 81/Lot 9 - Corner of North Maple & Shaker Road.

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

11. NEW BUSINESS

A. IW# 698 - 20 Pearl Street Extension - Application for a Wetlands permit for an in-ground pool and surrounding patio; Roger Langlois, Applicant; Thomas and Melinda Miville, Owners; Map 10/Lot 23; R-33 Zone

Applicants were present for discussion. The plan is to construct a 16x32 in-ground swimming pool. There will be a four-foot sidewalk around the pool. Ms. Driver shared a comment from the Town Engineer stating that there is a high water table in the area. The applicant is aware of this. The only site specific recommendation is to include silt fencing and include the sidewalk on the final plans. Pool chemicals will be stored in the garage.

MOTION by: Kevin Zorda **seconded:** Virginia Higley to approve IW# 698 - 20 Pearl Street extension.

UPON A ROLL CALL VOTE, the Chair declared the motion approved. Yes: Dylan Bridge,

Kelly Hemmeler, Virginia Higley, Kenneth Kaufman, Nancy Martin, Donna Corbin Sobinski, Kevin Zorda No: None Abstain: None.

12. ENFORCEMENT REPORTS

A. 83 First Avenue

The property owner's husband was present for discussion. He received a letter dated March 25, 2024, and is here to clarify any questions the Commission may have. While doing routine maintenance, Water Pollution Control employees noticed that there were issues with the sewer hole cover and changes to the wetlands, so the Planning Department was contacted. It was obvious that there was work done. There was a man-made dam that diverted water through Great Brook. DEEP is still preparing the review with steps to rectify the damage that has been done. Commissioner Zorda asked if Mr. Dax had seen the photos included in the Cease and Desist Report. He confirmed he does own a tractor and moved trees and vines when he purchased the property in 2003, but has not done any significant work to the property since. The aerial photos from 2020 to present shared in the report show otherwise.

Commissioner Martin asked what are the appropriate next steps since Mr. Dax does not agree with the commissioners' assessment of the property damage. No more activity can be completed, although Mr. Rachele stated he has done work in the upland review area since receiving the Cease and Desist order. There was a significant amount of junk vans, washers, dryers, and stoves removed from the upland review area. There are three large resin barrels that were in the brook blocking the water from flowing. He used the pump from the brook to water his garden. Ms. Whitten attempted to explain to Mr. Dax that almost the entirety of his property is in the upland review area and there is also an easement on his property. She also tried to explain the type of activities that are not allowed while living in this area. Ms. Whitten offered for town staff to meet with Mr. Dax and show him the changes to the property. Mr. Dax asked that he be contacted before anyone goes onto his property.

B. 348 Hazard Avenue

The applicant was present via Teams. Mr. Rachele provided an update. Vehicles are still parking in the wetland area as of March 25, 2024. Mr. Rachele sent a Cease and Desist order. It is also his belief that there were no trees planted, as required in the previous agreement. Mr. Deroma asked to be contacted before any Town staff takes pictures on his property in order to protect his children's identities. Mr. Deroma confirmed via text with his tenant that all sanders and other equipment on the property will be removed by April 30, 2024. Any trailers that are present on the property are solely for loading and moving heavy equipment to a new location.

8. CONTINUED 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: Kevin Zorda **seconded:** Kelly Hemmeler to reopen the public hearing.

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

Attorney Landolina reintroduced applicant and applicant representatives. He noted that Connecticut Water had a follow-up meeting with the applicant and a letter was submitted describing the contents of the meeting. The applicant has also agreed to an extension to close the public hearing until the next meeting. Changes made to the plans were detailed. The drainage system has been revised, and pipe sizes will be added before the next meeting. There will be less stormwater discharge with the new model per the existing conditions analysis. Permission was received by the property owner to remove the lower beaver dam. A letter will be sent to town staff for the record. Chair Corbin-Sobinski asked for a full list of all mitigation strategies. Commissioner Hemmeler confirmed that the step wetlands are far enough away from Field #11 as to prevent potential erosion. The retaining wall and related design will be done by a geotechnical engineer.

The public hearing was opened for comment.

Susan Smyth, 115 Brainard Road, spoke for the first time. She has more hope for the project after hearing the applicant's presentation. She is happy about the wetland mitigation as it will help improve the area. She hopes the wildlife will remain in the area.

Karen LaPlante, 166 North Maple Street, spoke for the first time. She read a statement prepared by Kyla Bennett of PEER (Public Employees for Environmental Responsibility), which shared facts about PFAS exposure. She also shared information related to artificial grasses and microplastics. She does not believe the fields are truly recycled but are burned.

Karen LaPlante, 166 North Maple Street, spoke for the second time on behalf of Bill Cote, Chair of the Conservation Commission. Mr. Cote's letter addressed water quality concerns. In addition, he requested that Tencate Grass test for PFAS using parts per billion, not parts

per trillion.

Attorney Landolina opined that many of Ms. LaPlante's questions related to groundwater and water quality were addressed during this presentation. More information was provided on Tencate grass. The applicant will engage with Connecticut Water further and will update Town staff. Commissioner Bridge asked about the longevity of the grass product and plans for replacement. Ms. Driver asked applicant representatives to have all deliverables to her office as soon as possible to ensure full departmental review before the next meeting.

MOTION by: Kevin Zorda **seconded:** Kelly Hemmeler to continue IW #696 - 85&100 Bright Meadow Blvd and 113 Brainard Road.

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

13. PLANNING STAFF REPORT

None.

14. APPLICATIONS TO BE RECEIVED

None.

15. MISCELLANEOUS

None.

16. ADJOURNMENT

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

UPON A SHOW OF HANDS VOTE, the Chair declared the motion approved. Yes: Dylan Bridge, Kelly Hemmeler, Virginia Higley, Kenneth Kaufman, Nancy Martin, Donna Corbin Sobinski, Kevin Zorda No: None Abstain: None.

The meeting was adjourned at 9:36pm.