



MINUTES
INLAND WETLANDS & WATERCOURSES AGENCY
REGULAR MEETING
November 19, 2024
7:00 PM - Council Chambers
<https://www.youtube.com/watch?v=R4z6a6O1wXA>

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 information was shared.

3. ROLL CALL

Present: Dylan Bridge, Anne Whitney Collins, Robert Gillespie, Kelly Hemmeler, Virginia Higley, Kenneth Kaufman, Christopher Renaud, Donna Corbin Sobinski, Kevin Zorda

Absent: None.

Also present were Assistant Town Planner, Stephen Hiney, Zoning Enforcement Officer, Rick Rachele and Recording Secretary, Rebecca Jones.

4. PUBLIC COMMUNICATION AND PETITIONS

None.

5. CORRESPONDENCE

Char Corbin Sobinski shared email information about an upcoming visioning workshop. She also highlighted an article sent by Ms. Driver regarding floating wetlands in California.

6. MINUTES OF PRECEDING MEETINGS

A. October 15, 2024

MOTION by: Kevin Zorda **seconded:** Kelly Hemmeler to add approval of the November 12, 2024 special meeting minutes as Agenda Item 6B.

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

MOTION by: Kevin Zorda **seconded:** Kelly Hemmeler to approve the October 15, 2024 meeting minutes.

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

B. November 12, 2024 special meeting

MOTION by: Kevin Zorda **seconded:** Kelly Hemmeler to approve the November 12, 2024 special meeting minutes as amended to include the meeting start time of 7:00pm.

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

7. TOWN ATTORNEY REPORT

A. October 23, 2024

Town Attorney report was received.

8. CONTINUED PUBLIC HEARINGS

None.

9. NEW PUBLIC HEARINGS

None.

10. OLD BUSINESS

None.

11. NEW BUSINESS

A. **AAA#140 – 27 Booth Road-** Application for an Agent Approval for construction of a single-family home; Erik Szyluk Applicant, Paul Rivard III Owner; Map 59/Lot 64; R-33 Zone

Mr. Hiney received an email earlier that day to withdraw the application. The applicant requested that the commission consider a waiver of fees for any re-application as it will be substantially the same. Planning staff determined this application warrants a full wetlands permit because they are building a single family home within the upland review area. Agent approval applications are \$70 and the wetlands permit application is \$130. Mr. Hiney proposed that the commissioners could waive the charges already paid and have the applicant pay the difference.

MOTION by: Kevin Zorda **seconded:** Kelly Hemmeler to accept the withdrawal of AAA#140 - 27 Booth Road and waive the fees already paid, and the applicant will pay the difference for the future application fees.

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

B. IW# 711 – 1561 King Street – Application for a wetlands permit to build an EV charging station with supporting café in the Upland Review Area; Bob Patrick Applicant, Alaimo Family LLC Owner; Map 17/Lot 40; BG Zone

Engineer and property owner/developer were present for discussion. This is an application for a wetlands permit to develop an EV charging station with a supporting café in the upland review area. The current plan allows for 21 charging positions with 2 ADA-compliant spaces. The site plan was reviewed by the engineer. The property is currently vacant, and the wetlands are located off the property near the southerly corner and are also located on the other side of King Street. The closest wetland intrusion is the discharge of the storm drainage at the south property line, which is lined with silt fence and rip rap. The current detention system, which has two chambers, was detailed. There are measures in place to reduce the flow as it leaves the property. The plans before the commission do not have an accurate wetlands delineation, with a difference of about 8 feet. Silt fencing will be installed prior to construction. Trees will all be hand cut.

Chair Corbin-Sobinski asked about snow removal. The applicant was unsure as to where it could be stored since the site is so small. Mr. Hiney suggested stockpiling it on the northern corner of the property and then hauling it off-site. Commissioner Zorda recommended adding this as a site-specific condition. He also recommended revising spelling errors related to proposed plantings. Commissioner Renaud asked about the efficacy of the catch basin located north of the wetlands. The water will eventually reach the wetlands and it will not starve the wetlands. Commissioner Kaufman asked for clarification related to elevation levels. He also confirmed that the applicant plans to bring in some fill. They estimate 3 to 4 feet of common fill that has to be brought in.

Commissioner Zorda asked about the wall height and the scale of the plans. Commissioner Hemmeler suggested continuing this application to allow more time for revision of the application. Mr. Hiney noted that the Planning staff received the updated plans shortly before this evening's meeting, and commissioners were not in possession of these plans. The Engineering Department comments were read, which also asked for more detail related to the wall. Mr. Rachele requested that revised plans be given to Planning staff before the next meeting, so the commissioners have time for proper review.

MOTION by: Kevin Zorda **seconded:** Kelly Hemmeler to continue IW# 711 - 1561 King Street.

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

C. DPN# 2024-11-01 - 317 George Washington Road - Application for a Determination of Permit Needed for a commercial Timber Harvest; Brennan Sheahan Applicant, Jennifer Penquite and James Johnson Owners; Map 63/Lot 2, 3, and 385, R-44 Zone

Applicant representative, Brennan Sheahan, was present for discussion. This is an application asking for a jurisdictional ruling to allow Connecticut Mulch to timber harvest select trees across 75 acres of property located on 3 parcels. Approximately 600 trees will be removed for saw timber plus any diseased or dead trees. They will be harvesting in and around the wetlands. There will be no filling or removing stumps from the ground. They will use corduroy roads in the dried up streams. Intermittent stream channels on the property as well as Great Brook will be respected. At Commissioner Higley's request, Mr. Hiney confirmed that this application has no relevance to the Aquifer Protection Agency. The applicant plans to begin work by early December.

MOTION by: Kevin Zorda **seconded:** Virginia Higley that DPN# 2024-11-01 does not need an application as it is a timber harvest as of right.

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

D. IW# 712 - 188 Moody Road - Application for a wetlands permit to develop a truck parking and maintenance facility; Troiano Realty Corporation Applicant/Owner; Map100/Lot12; I-1 Zone Owner/applicant, Frank Troiano and his representatives were present for discussion. This is an application for a wetlands permit to develop a truck parking and maintenance facility as well as a proposed 50,000 square foot industrial building within the upland review area across the street from the existing Martin-Brower distribution facility. are existing uses on the property including a fuel oil terminal facility, an existing 11,035 square foot industrial building and associated paved private driveway, parking and loading area, along with a cell tower that have all been blended into the Master Plan for the entire 15.1 acre property.

In 2011, the IWWA approved Application# 546 which was essentially the same project with nearly the same regulated impacts. Notable changes include moving the truck fueling station to the south side of the proposed maintenance building, putting it further from the road, and additional parking along with a chain link fence surrounding the Martin Brower truck maintenance building along with its parking.

Existing site plan was reviewed. Flagged wetlands were reviewed. In 2020, the IWWA approved an application to revise the town's official wetlands map for the property. The wetlands limits established by the amendment application are not reflected in these proposed plans. The tree clearing limit is similar on each plan but was not executed.

The proposed site plan was reviewed. Proposed truck traffic flow was detailed. This site will implement a stormwater management system. Roof leaders will be installed on each to the proposed building that will connect to proposed catch basins. The site will also be regarded to direct the flow of water. The regrading is to prevent pounding around the site and guide the water into catch basins. Various erosion and sediment controls will be used throughout the site including crushed stone, hay bale checks, silt fencing and rip rap. There will be no direct impact to the wetlands. Minor staff comments have been addressed. Mr. Troiano introduced the regional manager of Martin-Brower. He stated that this would be a great opportunity for employee growth and would cut down on traffic across town.

Commissioner Zorda asked for clarification about the potential impact of truck pollution. All the pavement areas run off to catch basins first. There are hooded structures built into those. These are set up as wet bottom basins during wetter parts of the year. The outlet on these basins is set above the water quality volume. When the basins get dry, the water quality volume is trapped in the basin and does not leave. Commissioner Kaufman asked if a truck wash will be on site, which there will be. He is concerned about salt runoff. All washing will occur within a contained bay. Commissioners Higley and Hemmeler commended the applicant for a well-done presentation.

Mr. Hiney asked about tree removal. Trees will be cut close to the ground and removed by excavation. They will use clean gravel for fill and will meet DOT standards. They do not anticipate using any reclaimed materials. Mr. Hiney confirmed that they did not have Engineering comments, but anticipates they will be reviewed during the upcoming PZC hearing.

MOTION by: Kevin Zorda **seconded:** Virginia Higley to approve IW# 712 -188 Moody Road. **UPON A ROLL CALL VOTE**, the Chair declared the motion approved. Yes: Dylan Bridge, Anne Whitney Collins, Kelly Hemmeler, Virginia Higley, Kenneth Kaufman, Donna Corbin Sobinski, Kevin Zorda No: None Abstain: None.

E. 2025 Meeting Calendar

Chair Corbin-Sobinski noted that there is a meeting scheduled for Election Day. They will wait until the date gets closer to cancel the meeting. Mr. Hiney explained that Enfield TV will be unable to record the June 17, 2025 meeting due to a conflict with Enfield High School's graduation. The commissioners agreed that a voice recording will be acceptable in lieu of the video.

MOTION by: Kevin Zorda **seconded:** Kelly Hemmeler to approve the 2025 Meeting calendar as proposed.

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

Anne Whitney Collins, Kelly Hemmeler, Virginia Higley, Donna Corbin Sobinski, Kevin Zorda
No: None Abstain: None.

12. ENFORCEMENT REPORTS

A. 10 Wheeler Drive, Enfield, CT - Cease and Desist Order

Attorney Daniel Smith and Steven Wesolowski, contractor, were present on behalf of the homeowner. Mr. Rachele gave an overview of the violation thus far. There has been unauthorized construction of a retaining wall near the lake shore. There has been no further activity since the Cease and Desist was issued. Silt fencing has been put up near the southeast corner. Mr. Rachele shared detailed photos showing the erosion and the difference in the seawall. Attorney Smith explained that he is trying to rebuild the retaining wall and has added silt fencing and silt sacks. The wall will be reviewed by a professional engineer and by a wetlands scientist to ensure viability and structural integrity. Mr. Rachele shared portions of the regulations relevant to this order. Commissioner Zorda opined that the lake associations need to be reminded that homeowners must seek agent approval before doing any regulated activities. Mr. Rachele also noted that the Building Department did inspect the property and issued a 'stop work' order. He will go back out and inspect to ensure the current silt fences are correct.

Commissioner Renaud reminded the commissioners that the statute allows for citations up to \$1,000 for a violation. It may be something to consider to give residents an incentive to not continually violate the regulations. The statute also allows for the commission to create an ordinance whereby they can fine up to \$1,000 per day for every day someone is in violation. This may be something to think about in the future. Mr. Rachele will go out to reinspect the property to ensure the silt fencing is still intact.

MOTION by: Kevin Zorda **seconded:** Kelly Hemmeler to keep the Cease and Desist Order active for 10 Wheeler Drive pending full application or further communication with the applicant.
UPON A ROLL CALL VOTE, the Chair declared the motion approved. Yes: Dylan Bridge, Anne Whitney Collins, Kelly Hemmeler, Virginia Higley, Kenneth Kaufman, Donna Corbin Sobinski, Kevin Zorda No: None Abstain: None.

13. PLANNING STAFF REPORT

Mr. Hiney visited 59 Cottage Road. The homeowner has installed silt fencing and was told to make it tighter. He is in contact with a contractor and will be putting in a wetlands application. Mr. Rachele stated DEEP has not yet responded to the Yankee Casting violation. The zoning violation was appealed, and a letter was sent in stating that the filtration machine needed to come into compliance won't be operable until December 2025. This violation has been going since 2016. The commissioners discussed possible fines. Mr.

Rachele explained that this will be going before PZC soon and the Town Attorney has been consulted.

14. APPLICATIONS TO BE RECEIVED

None.

15. MISCELLANEOUS

The commissioners who attended the CACIWC conference shared what they learned. DEEP released aquatic invasive species grant money. With the unusually warm weather, this grant will help remove invasive aquatic clean up. Information is available on DEEP's website. Mr. Hiney shared that he was at a pre-construction meeting for Freshwater Pond dredging. It is aimed to begin next week. Commissioner Hemmeler asked if the DEEP grant can be applied to various affected town properties. Chair Corbin-Sobinski asked Mr. Hiney to notify commissioners immediately if application materials are received late or have other major issues so that they do not waste time during meetings.

16. ADJOURNMENT

MOTION by: Virginia Higley, seconded: Kenneth Kaufman to adjourn.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared the motion adopted unanimously, and the meeting stood adjourned at 8:44pm.

Respectfully submitted,
Virginia Higley
Secretary

Rebecca Jones
Recording Secretary