

MINUTES

ENFIELD INLAND WETLANDS AND WATERCOURSES AGENCY

TUESDAY, OCTOBER 18, 2016 – 7:00 p.m.

REGULAR MEETING

DRAFT MINUTES – SUBJECT TO COMMISSION APPROVAL

ENFIELD TOWN HALL – COUNCIL CHAMBERS (first floor)

820 Enfield Street, Enfield, CT 06082

REGULAR MEETING

Chairman Donna Corbin-Sobinski called the meeting to order at 7:00 p.m.

Secretary Higley called the roll and present were Chairman Donna Corbin-Sobinski, Vice Chairman Kevin Zorda, Secretary Virginia Higley, and Commissioners Carrie-Anne Wagner-Howe, John Hayes and Alternate Joseph Muller; Commissioner Jane Smith arrived at 7:10 p.m.

Absent was Commissioner Robert Chagnon. Alternate Commissioner Joseph Muller sat for the absent commissioner.

Also Present: Roger J. O'Brien, Director of Planning, Jennifer Pacacha, Assistant Town Planner and Rick Rachele, Code Inspector.

Public Participation - None

Correspondence:

Chairman Corbin-Sobinski stated that the Commission received in their packets the IWWA Commission inspection assignments report. Secretary Higley stated that they also received enforcement reports, an e-mail from John Cabibbo regarding IW# 576 – 80 Shaker Road, and three draft resolutions for the following: IW# 575, IW# 398.03 and IW# 576.

Commissioner's Correspondence:

Vice Chairman Zorda stated that he visited the site for Hazard Avenue but, said he would discuss it later when it comes up on the agenda. Chairman Corbin-Sobinski said she received an e-mail regarding the Transit Orientated Development Workshop to be held on Wednesday, October 19, 2016 at the Enfield Town Hall from 6:00 to 8:00 p.m. She invited any interested commissioners to attend.

Approval of Minutes – September 20, 2016 – Regular Meeting

Secretary Higley made a motion, seconded by Commissioner Hayes, to approve the minutes. The motion passed with a 5-0-1 vote. Alternate Joseph Muller abstained. Commissioner Smith was not present for vote.

Approval of Minutes – October 4, 2016 – Regular Meeting

Secretary Higley made a motion, seconded by Commissioner Hayes, to approve the minutes. The motion passed with a 5-0-1 vote. Commissioner Wagner-Howe abstained. Commissioner Smith was not present for vote.

Public Hearing:

- a. IW# 575 – Special Use Permit application for distribution and sales of fiberglass pools and spas located 33 Post Office Road; I-1 Zone (Industrial 1); Map 47/Lot 30; Clarence Kaye, owner/applicant. (DoR:9/14/2016; MAD: 11/18/2016)

Chairman Corbin-Sobinski stated they will not be holding a public hearing tonight because it was advertised incorrectly and does not have the adequate number of days needed. The Commission can reschedule it if they want to hear it as a Public Hearing or, it can be heard as a regular application at the next IWWA meeting. There are also three reasons an application can be heard as a public hearing. The Commission can go over those three reasons and determine if they actually want to hear this application as a public hearing. Chairman Corbin-Sobinski explained that according to CGS 22a-42c, an application can be heard as a public hearing if it will have a significant impact to the wetlands or watercourses, which the Commission decides. A petition can also be signed by at least 25 people who live in Enfield and are over 18 years old. They have 14 days after the receipt of the application to file the petition. Finally, if the Commission finds that the public hearing is in the best interest of the public, they can choose to hear an application as a public hearing. The public hearing also has to be advertised twice. The first time needs to be advertised not more than 15 days and not less than 10 days before the hearing, and the second time needs to be advertised not less than two days before the hearing.

Mr. O'Brien explained that the application was advertised correctly, but the requirements state that the applicant must notify all the abutters by certified mail and the applicant was not advised to notify the abutters. Mr. O'Brien also stated the alternative would be that you could take it up as a regular item tonight.

Chairman Corbin-Sobinski disagreed and asked the Commission whether they would want to keep the application as a public hearing, or whether they wanted to amend the agenda and hear the application as a regular agenda item.

Vice Chairman Zorda stated that because of concerns from some of the neighbors, he thinks it would be a good idea if this item remains a public hearing.

Secretary Higley stated that a new date for the public hearing would give the applicant enough time to mail out green cards to the abutters.

Secretary Higley made a motion, seconded by Commissioner Wagner-Howe, to choose a new date for the public hearing and put IW# 575 on the next IWWA meeting scheduled for Tuesday, November 1, 2016.

The applicant stated that they would not be able to attend the November 1, 2016 meeting.

Secretary Higley made a motion, seconded by Commissioner Wagner-Howe, to modify her original motion and to hear IW# 575 on November 15, 2016. The motion passed with a 7-0-0 vote.

New Business:

- a. IW# 398.03 – Site plan application for the construction of 4,650 s.f. building addition with site improvements located 6 Niblick Road; IP Zone (Industrial Park); Map 055/Lot 0089; Niblick Road Realty, LLC owner/applicant.(DoR: 9/28/2016; MAD: 12/02/2016)

Lorri Dibattisto and Guy Hesketh introduced themselves to the Commission and presented the proposed building addition and site improvements for 6 Niblick Road, the location of Northeast Sheet Metal. Mr. Hesketh read the project narrative, presented the site plan and explained the details of the proposed project. Mr. Hesketh stated that they are present this evening to look at a modification of a previously approved wetlands application (IW# 398.02).

Mr. Hesketh stated that the site is located on Niblick Road and showed the existing building on the site plan. Mr. Hesketh stated the following regarding this project:

- Total parcel is 2.94 acres and it is in the IP Zone.
- Project includes the construction of a 4,650 SF addition to the existing building and associated site improvements.
- Proposed new access drive along the east side of the existing building that leads to an overhead door in the new addition.
- Proposed additional paved parking will include 15 new parking spaces along the eastern perimeter.
- Taking away two parking spaces to help provide for an access road will net 13 parking spaces.

- The only proposed utility work will be connecting the addition to Town sewer and city water.
- The plan that was approved by wetlands in 2015 had a much larger building and construction of a perimeter road that goes around to the back of the site and ties into Niblick Road.
- Parcel is not located in a flood hazard area.
- There are some wetlands located on the parcel in the northeast corner, northwest corner and on the southeast portion of the site.
- Proposed new stormwater management facility.
- Proposed catch basin in corner of parking lot that will connect to the existing storm drainage system on Niblick Road.
- Proposed water quality basin will have a long under-drain in the bottom of it and the run-off from the paved parking area would go into the basin where the water would be detained in the basin and then would discharge over time.
- There are no direct wetlands impacts and a good portion of the work proposed is located within the regulated area.

Commissioner Zorda asked how big the previously proposed addition was.

Mr. Hesketh stated that it was close to 10,000 square feet.

Commissioner Wagner-Howe expressed concern with the detention pond and mosquitos.

Commissioner Zorda explained that there is a spillway that will gradually release the water retained in the detention pond.

Commissioner Smith explained that it is not uncommon to have under drains and spillways associated with detention ponds. Sometimes there is rip rap to protect the berm. It looks like this berm will be a vegetated one. She suggested there be some stone added to protect the berm as well.

Mr. Hesketh stated that the storm drain calculations were derived from the Rational Method Model which is the Connecticut DOT approved model for small watersheds. The results showed that the proposed drainage would be sufficient for a one hundred year storm. The spillway is designed for back-to-back hundred year storms. He also stated that the detention basin under-drain would be installed one foot below the grade, and the groundwater level is about 2 feet below the grade. Loamy, fine sand will be used to allow infiltration so that water is only retained for a few hours after the store.

Commissioner Smith asked whether there was a maintenance or mowing plan in place.

Mr. Hesketh stated that mowing will take place monthly most likely.

Commissioner Smith stated that it should be added as a condition of approval.

Commissioner Hayes asked where the snow would be stockpiled.

Mr. Hesketh pointed to where the snow would be stockpiled on the plans.

Commissioner Smith stated that a condition of approval should also be added requiring signs showing where snow can be stockpiled and where snow should not be stockpiled.

Commissioner Smith made a motion, seconded by Vice Chairman Zorda, to approve IW# 398.03 with the Standard Conditions of Approval and the following additional conditions: Include a schedule for mowing and maintenance of the pond when the project is complete; Designate an area on the plans to show where snow stockpiling is allowed; Post a sign on the parcel designating that snow is not allowed to be stockpiled by the pond. The motion passed with a 6-0-0 vote. Alternate Joseph Muller did not vote.

- b. IW# 576 – Site plan application for the construction of 9,760 s.f. building addition located 80 Shaker Road; I-1 Zone (Industrial One); Map 076/Lot 185; Camerota Truck Parts owner/applicant. (DoR:10/7/2016; MAD: 12/11/2016)

Chairman Corbin-Sobinski stated that the Commission will only be accepting this application today because it was received in the office on October 7, 2016. Chairman Corbin-Sobinski said they will discuss it at the next meeting.

Mr. O'Brien suggested to the Commission that they allow the applicants to make their presentation tonight so that issues identified could be worked on.

Chairman Corbin-Sobinski told Mr. O'Brien that the reason why the Commission has the 14-day wait period is so the public can look at the application and petition for a public hearing.

Mr. O'Brien stated that this application is for the building where a fire destroyed a section of Camerota Truck Parts Company. The owner had opportunities to relocate to Massachusetts, but decided to remain in Enfield. Mr. O'Brien stated that the owner wants to replace the building that was destroyed in the fire and he is trying to get a foundation in the ground. Mr. O'Brien suggested hearing the presentation so that the Commission can let any concerns with the application be known. The applicant will then have the opportunity to address any concerns the Commission might have before the next meeting.

Secretary Higley stated that going forward, the Commission wants to accept the application first and then hear it at the next meeting. Secretary Higley said that she likes getting the application documents early and having the two-week time period to review the documents and visit the site.

Wes Wentworth, P.E. and Soil Scientist, was present to represent the owner of Camerota Truck Parts. Mr. Wentworth presented the proposed site plan and discussed the project narrative. Mr. Wentworth stated that the property was originally created as an industrial subdivision in the late 1970's/early 1980's. Mr. Wentworth stated that the owner is proposing to build a 9,760 SF addition onto the east side of an existing building and this addition area will only be used for warehousing.

Mr. Wentworth stated that the site is located on Shaker Road. He showed the existing building on the site plan and the location of the proposed addition. Mr. Wentworth stated the following regarding this project:

- The property is mostly grass and that there is a gentle slope.
- There is an existing swale on the property that drains toward a detention pond on site.
- The existing building is serviced by the Town sanitary sewer and public water.
- There are roof drains that lead to a man-hole that drains under the parking lot. This will also service the proposed addition.
- The detention basin overflows into a brook located to the east of the site.
- There will be no direct impacts to any wetlands or watercourses because we are in upland review area only; this project just involves where the proposed addition is going and the immediate area.
- Proposed addition of a third parking area.
- That he spoke to John Cabibbo, Assistant Town Engineer, and Mr. Cabibbo said this site may be developed up to the storm drainage zoning maximum of 66% impervious coverage but, we are proposing only a 35% impervious coverage for this project.
- There are erosion and sedimentation controls along the eastern edge of the existing parking lot.
- Silt fencing and staked hay bales are in place.
- There are catch basins to prevent any sediment from going into the inlets.
- No negative impacts to wetlands will occur as a result of construction activities at this site.

Commissioner Smith asked Mr. Wentworth if there are any signs on the property for snow stockpiling. Mr. Wentworth said no – Mr. Camerota just purchased this property in August, 2016.

Commissioner Smith said you would just want to make sure the snow plows are not dumping snow on top of the catch basins.

Chairman Corbin-Sobinski stated that Mr. Wentworth will need to attend the next IWWA meeting on November 1, 2016.

Secretary Higley asked Chairman Corbin-Sobinski and Mr. O'Brien if they could put IW# 576 first on the agenda.

Old Business:

- a. IW# 573 - Proposed auto repair at 157 South Road; (Map# 55/Lot# 82); I-1 Zone; 157 South Road, LLC, owner; Eric Hewitt, applicant Received in office June 30, 2016 (DoR 7/5/2016; two extensions totaling 65 day; MAD 11/12/2016) Requested revised plans not received.

Mr. O'Brien stated that there was an A.R.T on this application where there were a lot of issues raised. The issue that this Commission had with this application was that the plans and the narrative don't match up, which the Planning office still doesn't have. The deadline is this Friday to make the next meeting. If the Commission does not have it by Friday, then the application will need to be denied without prejudice.

Secretary Higley asked when the date was that the Commission needed to make a decision.

Mr. O'Brien stated that the mandatory decision date is November 12, 2016, so a decision will need to be made at the next meeting.

- b. 160 Hazard Avenue – Review of replacement trees within the buffer area.

Mr. O'Brien explained that the approved landscaping plan for this application was for small trees because mature trees were to remain. The mature trees were removed, so we are now requiring mature trees be replaced.

Commissioner Zorda asked whether the planting plan that the Commission received was the original planting plan.

Mr. O'Brien stated that it was the original planting plan where the additional trees to be planted were smaller because mature trees already existed on site.

Commissioner Higley stated that normally existing trees that they want to keep on site are shown on the planting plan, and they were not shown on this planting plan, so they must have known they would be removing the trees.

Mr. O'Brien stated that a condition of approval from one of the conditions was that the applicant would flag the mature trees they want to remove and then the Planning staff would go to the site and tell them which trees are okay to remove and which ones needed to remain. That did not happen because they did not read the conditions of approval until after they already clear-cut the site. They have agreed to put back whatever trees we tell them to put back.

Commissioner Corbin-Sobinski stated that it looked like they proposed 56 trees to be planted.

Commissioner Zorda stated that he visited the site and looked at the species he believed were supposed to be there. He felt that the proposed evergreens and arborvitae hedge is a different habitat feel than what was originally there. He stated that the deer would eat the arborvitae.

Mr. O'Brien stated that a major issue with this property and its surrounding neighbors was that people were upset that there was no buffer anymore. The trees proposed to be replanted are trees that are often used to buffer residential zones from business zones.

Commissioner Zorda stated that his biggest concern was with the proposed landscaping bond. The 7-caliper trees are around \$1600 a piece, and given the suggested type and quantity of the mature trees, the bond is not large enough to add those species.

Mr. O'Brien stated that if the Commission advises staff what they want for trees, then the Planning office will ensure that the bond is large enough to ensure the appropriate size and number of trees get planted.

Commissioner Zorda stated that he would like to see larger trees than what are proposed. He recommends 10 to 12 caliper trees as opposed 8 to 10 caliper trees.

Commissioner Higley asked whether the landscape bond would be added to in order to accommodate these trees.

Mr. O'Brien stated that the contractor removed the trees, so he is posting a bond for the mature trees which he can't get back for a least a full year.

Commissioner Zorda asked when these trees would be planted.

Mr. O'Brien stated that they would most likely be planted in the spring depending on nursery stock.

Commissioner Zorda said to be careful of arborvitae, and he recommended planting Norway Spruce and White Pine.

Enforcement Report:

- a. 354 and 356 Hazard Avenue Enforcement – Cease & Desist Order in place (tabled)

Mr. Rachele explained that the Planning office has been in contact with this property owner and nothing has changed, so the Town Attorney's office is now involved.

- b. 348 Hazard Avenue Enforcement – (tabled)

Mr. Rachele explained that the concern for this property was with the red car parked in the woods. The car has been removed and vegetation is growing back in that area. There is no negative impact on the wetlands in that area.

- c. 33 Post Office Road Enforcement

Mr. Rachele stated that several pictures of this property were given to the Commission. The pictures are of both 33 Post Office Road and 119 Post Office Road. There was concern about water flowing from number 33 to number 119, and red rust that was present on his property from the water. 119 Post Office Road is currently dry and there was no visible red rust. The owner of 33 Post Office Road has put up silt fencing. The back-hoe and dump truck have been removed as well.

Mr. Rachele also explained the issues with 199 Moody Road, which was an application that was approved at a Planning and Zoning Commission meeting without going to the Inland Wetlands and Watercourses Agency. The reason for that was because the equipment was already installed and there was previous concern about fire hazards from OSHA with the old dust collection system. The property was recently inspected, and there were wood shavings and dust in the wetlands. Mr. Rachele talked to the owner of the property, and the wood shavings and various other debris was removed from the wetlands. This property will continue to be reviewed.

Other Issues

Commissioner Higley asked about the berm soil from CREC which is going to be relocated to the landfill. It was her understanding that there was questionable soils in the berm, and that there are many wetlands in the landfill.

Mr. O'Brien stated that Fuss and O'Neil tested the soil in the berm and concluded that it was suitable to be relocated to the landfill.

Reports of Officers and Committees

Commissioner Zorda stated that the Commission received the inspection assignments. He also stated that when he first started on the Commission there was a more extensive list. What happened to the other properties that are not on the list?

Mr. O'Brien stated that he had staff check the Planning files and the Building files. All projects that are no longer active or which were completed were removed from the list. If the Commission is interested in the outcome of a project, the Planning staff would be willing to e-mail the Commission with the details.

Commissioner Smith asked that the Commission be notified when projects are approved by the Planning and Zoning Commission, and when the work on projects concerning wetlands begin.

Commissioner Higley requested that the Commission receive the Notice of Action from the Planning and Zoning Commission meetings.

Chairman Corbin-Sobinski asked that the Commission receive a history of properties that are on the agenda.

Report of Director of Planning

Mr. O'Brien explained that he met with the WE 25 Bacon Road, LLC team and discussed Phase III of the overall project at 25 Bacon Road. This application is more complicated because there are significant amounts of wetlands in the rear of the property, a larger building is proposed to be built on the site, and the property will need to be subdivided.

Mr. O'Brien also explained that the Planning office is keeping a list of pending applications for all Commissions which will hopefully be posted online. Currently under the Inland Wetlands and Watercourses Agency, the listings are as follows: 157 South Road, 6 Niblick Road, 33 Post Office Road, 80 Shaker Road, and now 243 Shaker Road. He explained that 243 Shaker Road is the location for Yankee Castings, where there was a fire. They want to build an addition to the building. It is being accepted tonight.

Chairman Corbin-Sobinski requested that if it is being accepted that they receive the application materials.

Mr. Rachele presented the Commission with the application materials.

Mr. O'Brien stated that the materials will be sent to each commissioner tomorrow.

New Applications to be Received

IW# 577 – 243 Shaker Road was received by the Commission

Adjournment

Secretary Higley made a motion to adjourn, seconded by Commissioner Wagner-Howe. The meeting adjourned at 8:55 p.m. following a unanimous vote, 7-0-0.

The next regular meeting is Tuesday, November 1, 2016 at 7:00 p.m. in the Council Chambers.

Minutes prepared by – Jennifer Pacacha

Approved by Commission:

Virginia Higley, Secretary