

ENFIELD INLAND WETLANDS AND WATERCOURSES AGENCY

MINUTES

TUESDAY, JANUARY 24, 2017 – 7:00 p. m

SPECIAL MEETING

Enfield Town Hall- COUNCIL CHAMBERS  
820 Enfield Street, Enfield, CT 06082

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**SPECIAL MEETING**

**Roll Call**

Secretary Higley took the roll and present were Chairman Donna Corbin-Sobinski, Vice Chairman Kevin Zorda, Secretary Virginia Higley, Commissioners Carrie-Ann Wagner-Howe, and Jane Smith, and Alternate Commissioner Joseph Muller. Absent were Commissioners John Hayes and Robert Channon. Alternate Commissioner Joseph Muller was seated.

Also present were Roger J. O'Brien, Director of Planning, and Jennifer Pacacha, Assistant Town Planner.

**Correspondence**

a. 2017 Meeting Dates

Chairman Corbin-Sobinski stated that according to the IWWA bylaws, the Commission cannot meet in August. A special meeting could be held in August if necessary.

Commissioner Smith made a motion, seconded by Commissioner Higley, to approve the 2017 meeting dates as amended. The motion passed with a 6-0-0 vote.

**Approval of Minutes**

Commissioner Wagner-Howe made a motion, seconded by Commissioner Smith to approve the minutes of the November 15, 2016 regular meeting and the December 6, 2016 regular meeting. The motion passed with a 6-0-0 vote to approve the November 15, 2016 regular meeting minutes, and a 5-0-1 vote to approve the December 16, 2016 regular meeting minutes with Secretary Higley abstaining.

**Reports of Officers and Committees**

Chairman Corbin-Sobinski asked that the review of the bylaws be added to the agenda for the next meeting.

**Public Hearings:**

- a. **IW# 578 - 20 Palomba Drive -- Application to amend the wetland boundaries and for the enclosure of a 950 square-foot canopy, turf restoration, and tree planting; BR Zone; WL Realty Ltd, owner; BL Construction, applicant. (DoR: 01/17/2017, MOPH: 03/23/2017)**

Secretary Higley read the legal notice.

Dana Steele, Physical Engineer with J.R. Russo & Associates, introduced himself as the representative of BBL Construction. They are proposing a minor building modification. He went on to explain that this application includes a wetland boundary map amendment as well as approval for the enclosure of a car delivery area, the expansion of the show room, and turf restoration.

Thomas Pietras addressed the Commission and stated that he began his investigation on November 18<sup>th</sup>, 2016.

Secretary Higley stated that she agrees with the minor work that the applicant wants to do, but she doesn't agree that the wetland boundaries should be changed. A professional map also should be completed for a wetlands boundary map.

Mr. Steele asked whether the type of map matters.

Commissioner Wagner-Howe stated that a plan should have been submitted that is signed and sealed by a Soils Scientist, and it should include the currently delineated wetlands and what the proposed delineation should be.

Commissioner Smith agreed with Secretary Higley and Commissioner Wagner-Howe. A revision to the map would need to be provided so that the Town maps could be adjusted.

Commissioner Wagner-Howe stated that the Commission would also need to know where the test pits were located.

Commissioner Corbin-Sobinski opened the public hearing.

Karen McNally, of 24 Fairfield Road, addressed the Commission and stated her concerns regarding the wetland boundary being amended. She stated that it would be incorrect to say there are no wetlands within 100-feet of the property in question when many of the roads in that area need to be closed because of flooding.

Vice Chair Zorda made a motion, seconded by Secretary Higley, to close the public hearing. The motion passed with a 6-0-0 vote.

Commissioner Smith made a motion, seconded by Commissioner Wagner-Howe, to approve IW# 578 for the minor site improvements and deny IW# 578 for the wetland boundary amendment. The motion passed with a 6-0-0 vote.

WHEREAS, The Town of Enfield Inland Wetlands and Watercourses Agency has received an Inland Wetlands application for a wetlands boundary amendment located at 20 Palomba Drive; and

WHEREAS, The Town of Enfield Inland Wetlands and Watercourses Agency held a public hearing to review and receive public comments regarding the application for the proposed wetlands boundary amendment; and

WHEREAS, The Town of Enfield Inland Wetlands and Watercourses Agency has reviewed the official wetlands map and the report by Pietras Environmental Group, LLC; and

WHEREAS, The Town of Enfield Inland Wetlands and Watercourses Agency has found that sufficient evidence was not provided to fulfill the criteria for a wetlands boundary amendment; and

WHEREAS, the needs of the applicant can be met without changing the boundaries of the wetlands;

NOW THEREFORE BE IT RESOLVED

RESOLVED, The Town of Enfield Inland Wetland and Watercourses Agency hereby denies IW# 578 for the wetlands boundary amendment located at 20 Palomba Drive.

WHEREAS, The Town of Enfield Inland Wetlands and Watercourses Agency has received an Inland Wetlands application for a permit for regulated activities located at 20 Palomba Drive; and

WHEREAS, The Town of Enfield Inland Wetlands and Watercourses Agency held a public hearing to review and receive public comments regarding the application for the proposed regulated activities; and

WHEREAS, The Town of Enfield Inland Wetlands and Watercourses Agency has found that the proposed regulated activities will have no impact on the wetlands;

NOW THEREFORE BE IT RESOLVED

RESOLVED, The Town of Enfield Inland Wetland and Watercourses Agency hereby approves IW# 578 for the regulated activities located at 20 Palomba Drive with the following conditions:

**STANDARD CONDITIONS**

**Prior to Recording the Permit on the Land Records:**

1. Four sets of revised final plans must be submitted to the Planning Office including all changes requested by the Inland Wetlands and Watercourses Agency.
2. A letter indicating how all of the conditions of approval will be met must also be submitted to the Planning Office.

**Prior to the start of construction:**

3. Prior to the start of construction or, if applicable, the issuance of a building permit the full size plans as approved by the Agency (and the Planning and Zoning Commission) shall be submitted to the Inland Wetlands Agent;
4. The permittee/contractor shall schedule a pre-construction meeting (if required) with the Inland Wetlands Agent to be held no sooner than two weeks before the regulated activities are to begin. The permittee shall, at that time, review with the Inland Wetlands Agent, the procedures to be taken to protect the regulated areas prior to and during construction;
5. The Inland Wetlands and Watercourses Agency or its designated Agent must be notified in writing within three business days of the proposed commencement of permitted activities, and upon completion of said activities; a "business day" is a day when the Town Hall is open for business
6. This approval shall be valid for 5 years from the date of approval unless otherwise revoked or specifically extended;
7. All work and all regulated activities conducted pursuant to this permit shall be consistent with these terms and conditions hereof. Any structures, excavation, fill, obstruction, encroachments or regulated activities not specifically identified and authorized herein shall constitute a violation of this permit and may result in its modification, suspension, or revocation. Upon initiation of the activities authorized herein, the permittee thereby accepts and agrees to comply with the terms and conditions hereof;
8. This approval is not transferable without the written consent of the Enfield Inland Wetlands and Watercourses Agency or its designated Agent;
9. In issuing this approval, the Agency has relied on information provided by the applicant and, if such information subsequently proves to be false, deceptive, incomplete and/or inaccurate this permit shall be modified, suspended or revoked;
10. This approval shall be made a part of all construction contracts and sub-contracts pertaining to the proposed regulated activities and shall supersede all other contract requirements;
11. The permittee shall permit the Agency, its authorized representative(s) or designee(s) to make periodic inspections at any time deemed necessary in order to assure that the activity being

- performed under authority of this permit is in accordance with the terms and conditions prescribed herein;
12. No equipment or material including without limitation, fill, construction materials, or debris, shall be deposited, placed, or stored in any wetland or watercourse on or off site unless specifically authorized by this permit;
  13. This approval is subject to and does not derogate any present or future property rights or other rights or powers of the Town of Enfield, and conveys no property rights or in real estate of material nor any exclusive privileges, and is further subject to any and all public and private rights and to any activity affected hereby;
  14. Prior to the start of construction, adequate erosion and sedimentation control measures shall be implemented, and shall be maintained throughout the entire construction phase and shall meet or exceed the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as revised, until the site has become stabilized with permanent vegetative cover.
  15. The construction site shall be left in a stable condition at the close of each day. An adequate stockpile of erosion control materials shall be on site at all times for emergency or routine replacement and shall include materials to repair silt fences, hay bales, mulch, stone-riprap filter dikes or any other devices planned for use during construction. Additional erosion/stormwater control measures are to be installed as directed by the Inland Wetland Agency, its authorized representative(s) or designee(s) if field conditions necessitate.
  16. The permittee shall immediately inform the Planning Department of any problems involving wetlands or watercourses which have developed in the course of, or which are caused by, the authorized work;
  17. All temporary barriers, including erosion and sedimentation controls are to be removed when the site is stabilized in suitable weather conditions. The site is considered stabilized when there is equal to or greater than 70% vegetative cover;
  18. The Permittee shall submit a plan noting plant type and number of plants to be placed in effected area.
  19. With the exception of the addition of the items stated in these conditions, this application is approved in accordance with the plans referenced above. Any changes that would potentially cause greater impact to wetlands or watercourses, such as enlargement of the area of disturbance or reorientation of building footprints, from the plans shall require the permittee to come before the Enfield Inland Wetlands and Watercourses Agency for a Determination of Permit Modification.
  20. The Inland Wetlands and Watercourses Permit number shall be located on all future plans to any Town or State Agency.

**b. IW# 579 – 33 Post Office Rd – Application to amend the wetland boundaries; I-1 Zone; Pioneer Valley Fiberglass Pools and Spas, c/o Clarence Kaye, owner/applicant. (DoR:01/17/2017, MOPH: 03/23/2017)**

Secretary Higley read the legal notice.

Marek Kement and Tom Pietras addressed the Commission on behalf of the property owner, Clarence Kaye. Marek Kement explained the property history and existing conditions.

Mr. Pietras stated that he attended the meeting for John Ianni, the Soils Scientist, who was unavailable to make the meeting.

Chairman Corbin-Sobinski opened the public hearing.

Norman Gagnon, of 24 Fairfield Road, addressed the Commission and stated that he used to be a fuel oil dealer in town. He stated that there was an oil spill on that property previously and that it is a residential

property even though it is zoned industrial. The property is located in the middle of a residential neighborhood, and the property has always been wet.

Karen McNally, of 24 Fairfield Road, also addressed the Commission and asked whether the Commission had received her email.

Chairman Corbin-Sobinski stated that she had, and she read Norman Gagnon/Karen McNally's email along with an e-mail from Tingley's Realty, LLC.

Vice Chair Zorda made a motion, seconded by Commissioner Smith, to close the public hearing for IW# 579. The motion passed with a 6-0-0 vote.

Vice Chair Zorda made a motion, seconded by Secretary Higley, to approve the wetland boundary amendment for IW# 579 as proposed on the site plan dated November 28, 2016 and in accordance with the resolution. The motion passed with a 4-2-0 vote, with Secretary Higley and Commissioner Wagner-Howe voting against.

WHEREAS, The Town of Enfield Inland Wetlands and Watercourses Agency has received an Inland Wetlands application for a proposed wetlands boundary amendment located at 33 Post Office Road; and

WHEREAS, The Town of Enfield Inland Wetlands and Watercourses Agency held a public hearing to review and receive public comments regarding the application for the proposed wetlands boundary amendment; and

WHEREAS, The Town of Enfield Inland Wetlands and Watercourses Agency has reviewed the official wetlands map and the report by Highland Soils, LLC; and

WHEREAS, The Town of Enfield Inland Wetlands and Watercourses Agency has found that sufficient evidence was provided to fulfill the criteria for a wetlands boundary amendment;

NOW THEREFORE BE IT RESOLVED

RESOLVED, The Town of Enfield Inland Wetland and Watercourses Agency hereby approves IW# 579 for the amendment of the wetland boundaries located at 33 Post Office Road.

**Project Review:**

- a. **XIW# 1611 – Steele Northwest Reconstruction Project – Application for the reconstruction of Edgewood Drive, Fairfield Road, and Tolland Drive. Town of Enfield, owner; Town of Enfield Engineering Department, applicant. (DoR: 01/17/2017, MAD: 02/21/17)**

Vice Chair Zorda made a motion, seconded by Secretary Higley, to hear IW# 476.02 before XIW# 1611. The motion passed with a 6-0-0 vote.

The Commission accepted XIW# 1611.

- b. **IW# 476.02 – 60 Post Office Road – Application to expand the size of a previously approved barn; I-1 Zone; David Turner, owner/applicant. (DoR: 01/17/2017, MAD: 02/21/17)**

David Turner addressed the Commission and stated that was previously approved for a barn on his property in 2005. He now wants to build a bigger barn than what was approved, but needs approval from the IWWA because his property has wetlands on it.

Mr. O'Brien stated that the Commission needs to decide whether they want to extend the amount of time the applicant has to complete his project, or if they want to give him a new approval because the time to finish the project on the old permit has passed.

Vice Chair Zorda made a motion, seconded by Commissioner Smith, to approve IW# 476.02 as a new application with the standard 20 conditions. The motion passed with a 6-0-0 vote.

This application was approved with the following conditions:

### **STANDARD CONDITIONS**

#### **Prior to Recording the Permit on the Land Records:**

1. Four sets of revised final plans must be submitted to the Planning Office including all changes requested by the Inland Wetlands and Watercourses Agency.
2. A letter indicating how all of the conditions of approval will be met must also be submitted to the Planning Office.

#### **Prior to the start of construction:**

3. Prior to the start of construction or, if applicable, the issuance of a building permit the full size plans as approved by the Agency (and the Planning and Zoning Commission) shall be submitted to the Inland Wetlands Agent;
4. The permittee/contractor shall schedule a pre-construction meeting (if required) with the Inland Wetlands Agent to be held no sooner than two weeks before the regulated activities are to begin. The permittee shall, at that time, review with the Inland Wetlands Agent, the procedures to be taken to protect the regulated areas prior to and during construction;
5. The Inland Wetlands and Watercourses Agency or its designated Agent must be notified in writing within three business days of the proposed commencement of permitted activities, and upon completion of said activities; a "business day" is a day when the Town Hall is open for business
6. This approval shall be valid for 5 years from the date of approval unless otherwise revoked or specifically extended;
7. All work and all regulated activities conducted pursuant to this permit shall be consistent with these terms and conditions hereof. Any structures, excavation, fill, obstruction, encroachments or regulated activities not specifically identified and authorized herein shall constitute a violation of this permit and may result in its modification, suspension, or revocation. Upon initiation of the activities authorized herein, the permittee thereby accepts and agrees to comply with the terms and conditions hereof;
8. This approval is not transferable without the written consent of the Enfield Inland Wetlands and Watercourses Agency or its designated Agent;
9. In issuing this approval, the Agency has relied on information provided by the applicant and, if such information subsequently proves to be false, deceptive, incomplete and/or inaccurate this permit shall be modified, suspended or revoked;
10. This approval shall be made a part of all construction contracts and sub-contracts pertaining to the proposed regulated activities and shall supersede all other contract requirements;
11. The permittee shall permit the Agency, its authorized representative(s) or designee(s) to make periodic inspections at any time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein;
12. No equipment or material including without limitation, fill, construction materials, or debris, shall be deposited, placed, or stored in any wetland or watercourse on or off site unless specifically authorized by this permit;
13. This approval is subject to and does not derogate any present or future property rights or other rights or powers of the Town of Enfield, and conveys no property rights or in real estate of material nor any exclusive privileges, and is further subject to any and all public and private rights and to any activity affected hereby;

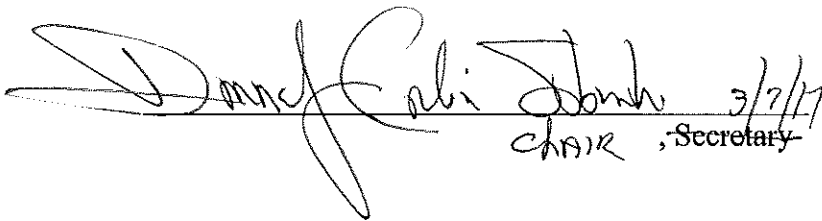
14. Prior to the start of construction, adequate erosion and sedimentation control measures shall be implemented, and shall be maintained throughout the entire construction phase and shall meet or exceed the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as revised, until the site has become stabilized with permanent vegetative cover.
15. The construction site shall be left in a stable condition at the close of each day. An adequate stockpile of erosion control materials shall be on site at all times for emergency or routine replacement and shall include materials to repair silt fences, hay bales, mulch, stone-riprap filter dikes or any other devices planned for use during construction. Additional erosion/stormwater control measures are to be installed as directed by the Inland Wetland Agency, its authorized representative(s) or designee(s) if field conditions necessitate.
16. The permittee shall immediately inform the Planning Department of any problems involving wetlands or watercourses which have developed in the course of, or which are caused by, the authorized work;
17. All temporary barriers, including erosion and sedimentation controls are to be removed when the site is stabilized in suitable weather conditions. The site is considered stabilized when there is equal to or greater than 70% vegetative cover;
18. The Permittee shall submit a plan noting plant type and number of plants to be placed in effected area.
19. With the exception of the addition of the items stated in these conditions, this application is approved in accordance with the plans referenced above. Any changes that would potentially cause greater impact to wetlands or watercourses, such as enlargement of the area of disturbance or reorientation of building footprints, from the plans shall require the permittee to come before the Enfield Inland Wetlands and Watercourses Agency for a Determination of Permit Modification.
20. The Inland Wetlands and Watercourses Permit number shall be located on all future plans to any Town or State Agency.

### Adjournment

Commissioner Wagner-Howe made a motion, seconded by Commissioner Smith, to adjourn. The motion passed with a 6-0-0 vote.

Prepared By: Jennifer Pacacha, Assistant Town Planner

Respectfully Submitted,

  
Daniel C. Smith 3/7/17  
Chair, Secretary