

ENFIELD INLAND WETLANDS AND WATERCOURSES AGENCY  
TUESDAY, May 5, 2020 – 7:00PM  
REGULAR MEETING  
DRAFT MINUTES FOR COMMISSION CONSIDERATION  
Virtual Meeting

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**Call to Order**

Chairman Donna Corbin-Sobinski called the meeting to order at 7:01 P.M.

**Roll Call**

Commissioner Zorda took the roll and present were Chairman Donna Corbin-Sobinski, Commissioners Kevin Zorda, Carrie Howe and Alternate Commissioners Robert Hendrickson, Marie Pyznar and Marcy Taliceo. Absent were Commissioners Robert Chagnon, Virginia Higley and Jane Smith.

Also present were Laurie Whitten, Director of Development Services and Elizabeth Bouley, Recording Secretary.

Chairman Corbin-Sobinski seated Alternate Commissioners Hendrickson, Pyznar and Taliceo.

**Executive Session (Public will not be able to participate)**

**Motion:** Commissioner Zorda made a motion, seconded by Commissioner Pyznar, to move the meeting to Executive Session.

The motion passed with a 6-0-0 vote.

**Votes: 6-0-0**

Attorney James Tallberg stated for the record that he will be included in the Executive Session along with Attorney Maria Elsdon and Zoning Enforcement Officer Ricardo Rachele in order to discuss a pending Cease & Desist order at 57 Kimberly Drive.

The Commission returned from Executive Session and Commissioner Zorda took the roll again. Present were Chairman Donna Corbin-Sobinski, Commissioners Kevin Zorda, Jane Smith and Alternate Commissioners Robert Hendrickson, Marie Pyznar and Marcy Taliceo. Absent were Commissioners Carrie Howe, Robert Chagnon and Virginia Higley.

Chairman Corbin-Sobinski stated that Alternate Commissioners Hendrickson, Pyznar and Taliceo were still seated.

Chairman Corbin-Sobinski stated that no votes were taken and no decisions made during Executive Session.

**Approval of Minutes:** April 21, 2020 Regular Meeting

**Motion:** Commissioner Pyznar made a motion, seconded by Commissioner Hendrickson, to approve the minutes for the April 21, 2020 Regular Meeting.

The motion passed with a 6-0-0 roll call vote.

**Votes: 6-0-0**

**Motion:** Commissioner Zorda made a motion, seconded by Commissioner Taliceo, to move the Public Hearing for IW# 604 to this point in the meeting.

The motion passed with a 6-0-0 roll call vote.

**Votes: 6-0-0**

**Continued Public Hearing IW# 604** – 118 Hazard Avenue – Wetlands Permit application for the re-delineation of wetlands on property known as 118 Hazard Avenue; Map65/Lot 59; Business Professional/Residential 44 Zones; Ward Manor, LCC; Kaplan Development Group, LLC applicant. (DoR: 3/17/2020; MOPH: 5/21/2020)

Chairman Corbin-Sobinski stated that this is a continuation from their last meeting, and that a third-party soil scientist from North Central Conservation District had gone out to look at the property. Ms. Whitten stated that the soil scientist, Barbara Kelly, investigated the area alone and provided a report which had been emailed to the Commission.

Soil Scientist Eric Davison went over the suggested areas of adjustment of the line. He stated that after revisiting the site, his original delineation is still correct. He went over the area where they added additional flags in order to better define the line, stating that Ms. Kelly's findings ultimately agreed with his.

Mr. Davison stated that he spoke to the engineer today and he intends to go out to the site and survey at flags 137A and 140A in order to add them to the survey map.

Commissioner Zorda asked if anything needs to be amended, to which Ms. Whitten replied that a condition of approval can be made saying that modifications must be done according to the memo should that be the Commission's decision.

George Logan, Rema Ecological Services, addressed the Commission as a representative for Sigrun Gadwa of Carya Ecological Services, LLC. Mr. Logan provided the Commission with his comments regarding the findings of Mr. Davison and Ms. Kelly. He went over the various issues that are in conflict with his findings. Mr. Logan concluded that, with the exception of inflammatory language, this is more or less how this process should work, with professionals working together to come to conclusions.

Mr. Davison stated that this is a field science rather than a laboratory science, and when the discrepancies are roughly six feet that is not cause to move another professional's flag. He stated that there were no redoximorphic features mentioned in any of the reports and concluded that the third-party findings agreed with his own.

Joan Nichols, Executive Director of the Connecticut Farm Bureau Association, stated that she was contacted by Richard Chmura, who is currently renting the abutting property. She stated that they are concerned with this development on an active working farm.

Chairman Corbin-Sobinski stated that this is a Public Hearing regarding the re-delineation of the soils. Ms. Whitten stated that there will be an IWWA meeting regarding the site plan.

Chairman Corbin-Sobinski asked if anyone else would like to speak; no one came forward.

**Motion:** Commissioner Pyznar made a motion, seconded by Commissioner Zorda, to close the Public Hearing.

The motion passed with a 6-0-0 vote.

**Votes: 6-0-0**

**Motion:** Commissioner Zorda made a motion, seconded by Commissioner Smith, to approve IW# 604 with the amended addition of the two flags: 137A and 140A.

The motion passed with a 6-0-0 roll call vote.

**Votes: 6-0-0**

### **Old Business**

#### **a. Review of Bylaws**

**Motion:** Commissioner Zorda made a motion, seconded by Commissioner Smith, to un-table the Review of Bylaws.

The motion passed with a 6-0-0 vote.

**Votes: 6-0-0**

Ms. Whitten stated that there were numerous modifications based upon the Town Attorney's recommendations. She stated that a lot of it is statutory and wording.

Ms. Whitten asked if the bylaws had been approved yet, to which Chairman Corbin-Sobinski replied that they had not and are still waiting to approve them. Ms. Whitten stated that they need to go before the Town Council to change fees.

Chairman Corbin-Sobinski asked if the bylaws can be approved as they are, to which Ms. Whitten replied that they can.

**Motion:** Commissioner Zorda made motion, seconded by Commissioner Hendrickson, to approve the bylaws as amended up to this point.

The motion passed with a 6-0-0 roll call vote.

**Votes: 6-0-0**

## **Enforcement Report(s)**

- a. **IW # 589- 57 Kimberly Avenue-** Cease & Desist Order of the Inland Wetland & Watercourses Regulations regarding the violation of Section 6.1, 6.2, and 6.3- Regulated Activities to be Licensed for the dumping of earth material(s) into the escarpment area; Dean A + Tracy A Clark, Owner; Map 070/ Lot 0011; Residential 88 (R-88) zone. ***C&D issued March 6, 2018.***

**Motion:** Commissioner Zorda made motion, seconded by Commissioner Smith, that based upon the advice of the Town Attorney in Executive Session, the Cease & Desist order be hereby withdrawn without prejudice as to any of the rights or remedies of the IWWA.

The motion passed with a 6-0-0 vote.

**Votes: 6-0-0**

Ms. Whitten stated that there are no updates at this time for 117 North Street, 348 Hazard or AAA at 55 Hazard Avenue. She stated that she will get an update from ZEO Rachele on these issues for the next meeting.

Commissioner Zorda stated that the solar farm is being installed over at Powder Hollow and the last they heard is that it was going to litigation. Ms. Whitten stated that they have started clearing and are still working on getting their building permit. Commissioner Zorda stated that it has been cleaned up very well.

## **Report of Development Services/Planning Staff**

Ms. Whitten stated Staff is all still in lockdown and they are working on means to protect Staff at the Town Hall.

## **Adjournment**

**Motion:** Commissioner Zorda made a motion, seconded by Commissioner Pyznar, to adjourn.

The motion passed with a 6-0-0 vote.

**Votes: 6-0-0**

Prepared by: Elizabeth Bouley, Recording Secretary

Respectfully Submitted,

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Virginia Higley, Secretary