

ENFIELD AQUIFER PROTECTION AGENCY
SPECIAL MEETING
MINUTES

THURSDAY, September 23, 2021 – 6:00PM
ENFIELD TOWN HALL - COUNCIL CHAMBERS
820 ENFIELD STREET - ENFIELD, CT

Call to Order & Pledge of Allegiance

Chairman Nelson called the meeting to order at 6:00 PM.

Roll Call

Commissioner Higley took the roll and present were Commissioners John Petronella, Richard Szewczak, Ken Nelson, Linda DeGray, Virginia Higley and Kiran Majmudar. Absent were Commissioners Frank Alaimo, Vinnie Grillo, Nelson Correia and Mary Scutt.

Also present were Laurie Whitten, Director of Development Services and Georgienna Driver, Assistant Town Planner.

Chairman Nelson seated Alternate Commissioner Majmudar for the absent Commissioners.

Approval of Minutes: May 27, 2021

Motion: Commissioner DeGray made a motion, seconded by Commissioner Higley, to approve the minutes for May 27, 2021 as amended.

The motion passed with a 5-0-1 vote with Commissioner Majmudar abstaining.

Commissioner DeGray stated that she was absent for that meeting and she is not on the list. She stated that she watched the meeting on TV.

Votes: 5-0-1

Aquifer Protection Agency Synopsis Overview

Ms. Driver stated that she had prepared an updated 2021 APA Synopsis guidebook to refresh their memories on the standard procedures and guide the Commission on making decisions. She read through the synopsis overview that had been provided to the Commission.

Commissioner Higley asked if the pages provided to the Commission were from the Aquifer Protection handbook. Ms. Driver stated that this is all of the information from DEEP and the Aquifer Municipal Guidebook and the town regulations, all put into one simple document.

Chairman Nelson stated that he does not agree with 90% of the document and that this will put companies out of business. He stated that companies that have been around since the 1970s prior to aquifer protection should not now be told they cannot work outside based on Staff interpretation. Ms. Driver stated that this comes from DEEP, not from her.

Chairman Nelson stated that he wants to see from DEEP where it says that peoples' private property rights should be taken away from them, and where this passed in the state legislature. He went on to state that he wants to see how the water company can control what someone does on their own personal property. Chairman Nelson stated that he wants to see the legislation, not the interpretation.

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opinions. He stated that people need to fight for business owners and stop letting the water companies control private property. Ms. Driver stated that she did not say the water company can control the property, but rather that they can be heard for any meeting and their opinion can be taken into account. Chairman Nelson stated that the water company can do an inspection on his property, to which Ms. Driver replied that they have to let the property owner know and schedule inspections with the property owner. Chairman Nelson asked what would happen if he objected, to which Ms. Driver replied that she is not sure. She stated that if the water company owns the well head, they have a right to it.

Public Participation

Chairman Nelson asked if anyone in the audience would like to speak; no one came forward.

New Business

- a. ARA#010-241 Hazard Ave-Aquifer Registration application for Shell Gas Station over the A45 and A80 Aquifers; Owner: Enfield Gas Realty, LLC; Applicant- Sami Jamal; Map083/Lot0052; HVBL Zone. (DOR:06/24/2021)

Ms. Driver stated that this is an application to renew an expired registration. She stated that the applicant had a few things change on their site inspection, including that they had to do new labels for the barrels and move the barrels to a more secure confinement area. Ms. Driver stated that they also replaced two underground storage tank covers, and they are now ready for a new certificate.

Motion: Commissioner Szewczak made a motion, seconded by Commissioner DeGray, to approve ARA#010.

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

Votes: 6-0-0

- b. ARA#013-51 Enfield Street- Aquifer Registration application for Touch of Class Auto Detailing and Car Wash Facility over the A-43 Aquifer; Owner/Applicant- Diane Pagano, Map035/Lot0206; BL Zone (DOR:09/23/2021)

Ms. Driver stated that the applicant recently received a Cease & Desist (C&D) from DEEP because they have a floor drain without proper permits and without a state permit. She stated that the applicant is requesting to be tabled until October so that they can get in compliance with the floor drain.

Ms. Driver stated that they will have a new application for a different registered activity which will be car repairs for car detailing. She stated that if they want to do car washing in the meantime it will have to be done outside of the aquifer boundary or they will have to partner up with someone who does car washing and is already registered and permitted within the aquifer program.

Ms. Driver stated that the application given to her by Mr. Daigle mentions repair or maintenance of vehicles or internal combustion engines of vehicles and production or fabrication of metal products. She stated that the site is on top of two aquifers and a site inspection was performed on July 7. Ms. Driver read through the findings from the site inspection, including the following: the interior of the facility is messy and disorganized, there are no hazardous materials onsite, materials are not properly stored onsite, labels on barrels are worn out, steel dumpsters in the back of the property must be on top of slab, metal hanging racks should be properly stored inside the building or covered for rain protection, work must be done within the facility, lawnmowers and equipment must be kept inside the building.

Ms. Driver stated that she will find the legislation regarding work being done within the facility and equipment being kept inside the facility. She stated that the application is still incomplete as the applicant has to submit a best materials management plan and a materials management plan report and a second site inspection must be conducted.

Ms. Driver stated that stormwater runoff chemical data is unknown and it is recommended that the application be tabled until October after the informal discussion.

Scott Daigle, owner of Daigle's Welding Service at 8 Dusthouse Road, addressed the Commission along with David Emery, whom he stated is interested in purchasing 6 Dusthouse Road. Mr. Daigle stated that his father bought the business in 1979 and they have been conducting business there since then. He stated that they were approached in 2005 or 2006 by Aquifer Protection after the town created a road which is dumping into the pond between 6 and 8 Dusthouse Road. Mr. Daigle stated that the pond is full of oil every time it rains.

Mr. Daigle stated that Ms. Driver wanted him to put his equipment on top of a tarp and do the cutting and welding over a tarp, which could cause a fire. He stated that they do not take engines apart and they only do welding and fabricating. Mr. Daigle stated that he is not paving his parking lot and it has been like that since 1979. He stated that nothing is broken or leaking and he does not have waste oil hanging around.

Mr. Daigle stated that Ms. Driver wants him to cover the steel racks every night, but steel comes from the ground and it is not rusted or oily so there is no reason to do any of this.

Mr. Daigle stated that three ponds to the west side of his property were buried in the 1980s and the town did nothing about it. He stated that the water was bubbling under the road to the sign factory and the town still did nothing. Mr. Daigle stated that the town created another pond behind his property because of all of this mess and the pond is polluted.

Mr. Daigle stated that oil soaks through asphalt and he does not understand why they want him to put in an asphalt parking lot. He stated that if he has to put in an asphalt parking lot, then they

Mr. Daigle stated that behind the sign factory, Connecticut Water went in and created wells. He stated that the huge pond that was once there is now gone. Mr. Daigle stated that the water company came in and did damage and are not paying any price for it.

Ms. Driver stated that the barrels need to be labeled properly.

Mr. Daigle stated that they cannot pave the parking lot as you cannot drive a bulldozer on asphalt because it will destroy the asphalt.

Chairman Nelson stated that the first step is to get the paperwork in, and anyone having an issue can have an informal discussion with the Commission.

Discussion took place regarding whether the property Mr. Emery is looking to purchase at 6 Dusthouse Road is grandfathered. Chairman Nelson stated that Mr. Daigle's property is grandfathered because it is a renewal of the registration, and that Mr. Emery needs to do his homework to find out if the other property is registered and if the use he wants is permitted over an aquifer.

Motion: Commissioner Szewczak made a motion, seconded by Commissioner DeGray, to table ARA#011 until the meeting on October 28, 2021.

The motion passed with a 7-0-0 vote.

Votes: 7-0-0

Commissioners Alaimo and Grillo joined the meeting.

Correspondence

- a. ARA#012-100 Bright Meadow Blvd-Aquifer Registration application for Mass Mutual Campus over the A45 Aquifer; Owner-Mass Mutual Life INS CO; Applicant-Todd Lamotte; Map 035/Lot0220; BR Zone (DOR:06/24/2021)

Ms. Driver stated that the applicant had requested to be tabled as they have hired a third party environmental company to complete their application for them.

Chairman Nelson asked if the applicant had pulled a sign permit for the sign that is hanging off of the building on 91, to which Ms. Driver replied that she does not know and is just concerned with the aquifer. Chairman Nelson asked Ms. Whitten to look into that under Planning & Zoning.

Motion: Commissioner Szewczak made a motion, seconded by Commissioner DeGray, to table ARA#012 until the meeting on October 28, 2021.