

ENFIELD AQUIFER PROTECTION AGENCY
SPECIAL MEETING
MINUTES

THURSDAY, October 28, 2021 – 6:15PM
ENFIELD TOWN HALL - COUNCIL CHAMBERS
820 ENFIELD STREET - ENFIELD, CT

Call to Order & Pledge of Allegiance

Chairman Nelson called the meeting to order at 6:15 PM.

Roll Call

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

Also present was Georgienna Driver, Assistant Town Planner.

Chairman Nelson seated Alternate Commissioner Correia for the absent Commissioners.

Public Participation

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

Correspondence

- a. Updated Legislation

Ms. Driver read aloud a report of highlights contained within the updated legislation pertaining to items that were brought up at the last meeting.

New Business

- a. 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)

Ann Vasseur, 51 Enfield Street, addressed the Commission on behalf of her mother, Diane Pagano, along with John Kucavich of 28 Francis Avenue. Ms. Driver stated that the floor drains were not done properly and were illegally installed. She stated that they sealed their floor drains. Ms. Driver described the steps that the applicant must take in order to obtain the necessary permits and approvals they need for car and truck washing on the site. She stated that the applicant is here tonight for the renewal of an expired registration.

Chairman Nelson asked if there were floor drains in the garage previously. Mr. Kucavich stated that there was one but currently it is a different floor drain.

Chairman Nelson asked if the applicants will have to come back if they decide to put air in a tire. He stated that car maintenance is repairs and detailing, and asked how this is being separated from doing an oil change. Chairman Nelson stated that a lot of garages will wash your car when you go in for service. Ms. Driver stated that they will not have to come back as the original activity of auto repair is grandfathered in to the site. She stated that car washing is a different

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activity and they will have to come back to add that activity onto the registration once they get their state permit.

Commissioner Alaimo joined the meeting.

Chairman Nelson apologized to the applicant, stating that it is ridiculous for them to have to keep coming back. Commissioner Szewczak agreed, stating that this is a burden on the residents and business owners in town. He stated that someone should be sharing or shouldering the costs associated with this, so it does not fall on the business owners.

Commissioner Alaimo asked the cost of the process for business owners in town, stating that it is going to be a burden on small businesses. Ms. Driver stated that the program originally came into Enfield before 2010 but it failed to launch. She stated that DEEP has full authority to fine businesses that were not notified of the aquifer program. Ms. Driver stated that this is the town's third or fourth chance to get this state-mandated program going, and she is trying to keep the state from coming in and taking over.

Chairman Nelson stated that if they do not stick up for their businesses, they have no businesses to defend. He stated that it is not right for the water company to have control over someone's personal property. Ms. Driver stated that the water company does need permission from the owner and cannot just walk onto someone's property. She stated that the Connecticut Public Trust is a federal and state mandated program which allows the water company to fly a drone over a property if the property owner does not allow an inspection.

Chairman Nelson stated that in Connecticut people own all of their mineral rights, which means that they own the water below their property. He went on to state that if DEEP is going to take that or prevent use, property owners need to be compensated. Ms. Driver stated that the town would be responsible for that compensation, and the duties of the Aquifer Protection Agency are to protect the environment and the public drinking water.

Chairman Nelson stated that he would rather have his own well than rely on the water company. Ms. Driver stated that she is not sure how it works with private wells but she knows it is part of the Connecticut Public Trust fund and she can look into it.

Commissioner Szewczak stated that if a business has been doing the same work for 50 years, he does not understand how the water is suddenly going to be contaminated. He stated that they need to look at the reality of the situation rather than theory. Ms. Driver stated that stormwater drains are discharging directly into the environments and there is no way of knowing exactly what is coming out of these stormwater drains unless they go out and look at it. Commissioner Szewczak stated that this is still just theory and there is no evidence that it is actually happening.

Ms. Driver stated that this is not from the town but is all coming from the State. Chairman Nelson stated that the people of the town need to know that the Commission has their backs, and if DEEP comes and challenges them he is ready for that fight. Chairman Nelson apologized to the applicants again.

Commissioner Alaimo stated that he does not ever remember someone opening up their water and having oil come out. He stated that he does not like this at all.

Motion: Commissioner Szewczak made a motion, seconded by Commissioner Alaimo, to approve ARA#013.

The motion passed with a 5-0-0 vote.

Votes: 5-0-0

- b. ARA#011-8 Dust House Road- Informal Application Review for Aquifer Registration for Daigle's Welding over the A45 and A80 Aquifers; Owner/Applicant-Scott Daigle; Map 083/Lot0004; I-1 Zone (DOR: 09/23/2021)

Scott Daigle, 8 Dust House Road, addressed the Commission. Ms. Driver stated that the applicant is here for his official renewal of an expired registration. She stated that the site is home to Scott Daigle's welding facility and the site is on top of two aquifers. Ms. Driver stated that the applicant has purchased a hazardous materials storage cabinet which will be kept outside to help avoid possible fire from metal work inside. She stated that he has replaced the worn-out labels on barrels and the dumpster now has secondary confinement.

Ms. Driver stated that the lawnmowers and equipment can be outside as long as any maintenance on them is performed inside. She stated that it is recommended that this application be approved on the conditions that photos of the concrete slab and cabinet are sent.

Ms. Driver described some of the options the applicant has for work being done inside the facility, including putting a roof over the gravel lot, paving the gravel lot, building an addition to the current structure, putting a shed in the back, or utilizing a tarp over the metal during rain events to prevent rust from going into the groundwater.

Chairman Nelson asked how the applicant is grandfathered, to which Ms. Driver replied that she is not entirely sure but there is a law requiring roof structures.

Chairman Nelson stated that he likes the original answer to cover the material at the end of the day. Ms. Driver stated that if the State finds out the local agency approved that, there may be

fines. She stated that the State would not challenge the Chair, but rather would go after the applicant.

Mr. Daigle stated that he cannot put a rock crusher inside the shop and cannot cover it at night. He stated that it does not leak oil and does not affect the aquifer. Mr. Daigle stated that the town put a dump on Plaza Construction and are not worried about it. He stated that the steel is not affecting the aquifer and he is ready to get an attorney involved. Mr. Daigle stated that it would cost him \$81,000 to pave the lot and he is not doing it.

Ms. Driver stated that Enfield never implemented the program properly, so a lot of businesses were not brought into compliance properly.

Alternate Commissioner Grillo joined the meeting.

Commissioner Szewczak stated that he does not understand the practicality of some of this stuff. He stated that they need to deal with the reality rather than the theoretical.

Ms. Driver stated that she is not sure how the carrying of contaminants from rust occurs over time into the aquifer, but they do build up and leak eventually.

Chairman Nelson stated that steel and iron come from earth metals, and rust dissolves to a microscopic level and is already in the ground water. He stated that there is high mineral content in the soil around here, and it is not from local businesses. Chairman Nelson stated that he is ok with the tarp and willing to sign off on it.

Mr. Daigle stated that he cannot tarp a rock crusher in his yard. Ms. Driver stated that they are more concerned about the metal racks that have been hanging over the grass for a long time. Mr. Daigle stated that he does not have a problem with putting a cover over the metal racks. Ms. Driver stated that she is just the messenger as this is the law. Ms. Driver stated that the law says all work requires some type of roof structure, to which Mr. Daigle replied that this is impossible and Connecticut Water does whatever they want.

Mr. Daigle stated that the insurance company does not want him to put the storage cabinet inside the shop, and they want it upstairs in the storage area.

Commissioner Alaimo stated that he is embarrassed by this. He stated that a gunpowder manufacturer was there before Mr. Daigle, and this has to stop.

Ms. Driver stated that they are not closing down businesses, but are assisting them to ensure that they have nothing threatening the aquifer. Commissioner Alaimo stated that it is wrong to put people through this after everything people have been through the last couple of years.

Motion: Commissioner Szewczak made a motion, seconded by Commissioner Alaimo, to approve ARA#011 with the condition that the metal storage racks outside are covered.

Ms. Driver requested that the applicant send her a photograph of the fireproof can.

The motion passed with a 5-0-0 vote.

Votes: 5-0-0

- c. 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 Mass Mutual had requested to be tabled at the last meeting. She stated that they hired an environmental consultant to ensure they were doing everything properly.

Ms. Driver introduced David Brassard of Atlas Technical Consultants and Todd Lamont, 5 Gary Road, of Mass Mutual. She stated that it is recommended that this application be approved as there are no violations onsite and all information has been submitted.

Commissioner Szewczak commended the applicants for doing their due diligence and stated that Mass Mutual is a good partner in the town.

Motion: Commissioner Szewczak made a motion, seconded by Commissioner Petronella, to approve ARA#012.

The motion passed with a 5-0-0 vote.

Votes: 5-0-0

- d. ARA#014- 98 North Maple Street-Aquifer Registration application for Leeland Hawthorne & Sons Inc of Delaware Trucking Company over the A80, A50, and A45 Aquifers.

Ms. Driver stated that she will be representing the applicants as they had a family obligation. She read aloud the information and observations from the site inspection which was conducted on October 25, 2021. Ms. Driver stated that the next steps are to seal the floor drains entirely before approving the application.

Ms. Driver stated that the applicant does not use the floor drains and would not have a problem sealing them.

Motion: Commissioner Szewczak made a motion, seconded by Commissioner Alaimo, to approve ARA#014 with the condition that the floor drains be sealed.

The motion passed with a 5-0-0 vote.

Votes: 5-0-0

Adjournment

Motion: Commissioner Petronella made a motion, seconded by Commissioner Alaimo, to adjourn.

The motion passed with a 5-0-0 vote.

Votes: 5-0-0

The meeting was adjourned at 7:13 PM.

Prepared by: Elizabeth Bouley

Respectfully Submitted,

Richard Szewczak, Secretary