

MINUTES
ENFIELD INLAND WETLANDS AND WATERCOURSES AGENCY
TUESDAY, APRIL 19, 2022 – 7:00PM
REGULAR MEETING
Enfield Town Hall – Council Chambers
820 Enfield Street, Enfield, CT 06082

RECEIVED
ENFIELD TOWN CLERK
2022 MAY 16 AM 9:46
Sharon M. Bradley

Call to Order

Chairman Corbin-Sobinski called the meeting to order at 7:00 P.M.

Roll Call

Commissioner Higley took the roll and present were Chairman Donna Corbin-Sobinski, Commissioners Kevin Zorda, Virginia Higley, Nancy Martin, Robert Hendrickson, Anne Collins, and Alternate Commissioner Phil Kober. Absent was Alternate Commissioner Sean Deane.

Also present was Georgienna Driver, Assistant Town Planner.

Chairman Corbin-Sobinski seated Alternate Commissioner Kober.

Public Participation

Chairman Corbin-Sobinski asked three times if anyone in the public would like to speak; no one came forward.

Approval of Minutes: April 5, 2022

Motion: Commissioner Zorda made motion, seconded by Commissioner Higley, to approve the minutes from the April 5, 2022 meeting.

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

Votes: 7-0-0

Town Attorney Report

Chairman Corbin-Sobinski stated that they received a Town Attorney Report on March 28, 2022 regarding items in litigation.

Old Business

- a. **XAAA#126**-Agent Approval for the removal of two beaver dams on the Freshwater Brook Town easements located above the intersection of Freshwater Blvd and Cranbrook Blvd; Town of Enfield, Applicant/Owner; BL and BG Zones

Ms. Driver stated that this came in two days ago as an emergency as it was causing significant public health and safety risks. She explained where the dams are located and stated that the water is backing up to the point that the sewer pump is completely under water. She stated that the town is working with the state wildlife division to remove the beaver dams and relocate the beavers.

Chairman Corbin-Sobinski stated that she told Staff to make this an agent approval earlier in the week as it was an emergency situation.

Motion: Commissioner Zorda made motion, seconded by Commissioner Higley, to approve XAAA#126.

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

Votes: 7-0-0

New Business

- a. **IW# 651- 30 Woodlawn Ave-** Wetlands Permit modification for a new location of the single-family home only on Woodlawn Ave; Jeffrey Filiault, Owner/Applicant; Map 33/ Lot 125; R-33 Zone.

Jeffrey Filiault, 17 Falcon Crest, addressed the Commission. He stated that he came before the Commission a few months ago to increase the backyard of the property. Mr. Filiault stated that they just moving the house forward approximately 19-20 feet to increase the size of the backyard, and everything else is the same.

Chairman Corbin-Sobinski suggested that they add the condition of silt fencing and hay bales, to which Mr. Filiault replied that everything else on the application will be staying the same.

Chairman Corbin-Sobinski asked Staff if all of the original paperwork stays the same, to which Ms. Driver replied that it does. She stated that there were no big changes to drainage or impact. Ms. Driver read the last site specific condition for silt fencing and hay bales to be used to protect the wetlands.

Motion: Commissioner Zorda made motion, seconded by Commissioner Martin, to approve IW#651 with the added site specific condition for silt fencing and hay bales.

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

Votes: 7-0-0

- b. **IW# 652- Enfield Housing Authority-**Wetlands Permit modification for changes in the berms, grading, and excavation, within the upland review area; Enfield Housing Authority, Applicant/Owner; Map 19/ Lot 235; HR-33 Zone.

Scott Bertrand of the Enfield Housing Authority addressed the Commission along with Daniel Jameson of Design Professionals, Inc.

Ms. Driver provided an overview of the modifications to the original approval. She described the location and size of the wetlands on the property, and stated that neither the original approval nor the modifications include direct impacts or disturbances to the wetlands area. Ms. Driver stated that the purpose of the new grading is to increase the overall elevation of the site, and went on to describe the underground collection systems proposed to convey collected storm water.

Ms. Driver read over the comment from Planning and Zoning regarding the silt fencing, which they said stops rather short of the proposed new parking areas. She stated that they recommend silt fencing and also that the snow piles are not shown on the plans, which was a condition of approval on the original approval.

Ms. Driver stated that the engineer said the silt fencing is shown on sheet 9 of 17 and will be for the entire duration of the project, and should be added around the northern and southern property lines as well.

Ms. Driver stated that the two recommended site specific conditions are for silt fencing to be included around the berms by the property lines on the northeast and south sides, and for final plans to include the demolition plan sheet.

Mr. Jameson stated that they are proposing the same plan as the original one which was approved in 2018. He stated that the change proposed is in order to raise the site so that it can be balanced to reduce net export off of the site and reduce the cost. He stated that the only impact is that the proposed grading shifted six feet closer into the vegetated or upland area, but there are no direct wetland impacts. Mr. Jameson stated that they can add more silt fencing and pointed out on the map where that will be located.

Commissioner Kober asked if the snow pile areas were identified on the new plans, to which Mr. Jameson replied that they will be on the final plans.

Motion: Commissioner Zorda made motion, seconded by Commissioner Hendrickson, to approve IW#652 with site specific conditions for additional silt fencing and that the final plans will include the demolition plan sheet.

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

Votes: 7-0-0

- c. **IW# 653- 29 Crescent Beach Drive-** Wetlands Permit activity for house construction near Crescent Lake; George and Lynn McAlees, Owners/Applicant; Map 97/ Lot 10; R-33 Zone; Lake Overlay District

Commissioner Martin recused herself as the property abuts her property.

George McAlees, 29 Crescent Beach Drive, addressed the Commission along with his contractor, Nathan Nadeau.

Ms. Driver provided the Commission with an overview of the proposed activity. She stated that the applicants live in Florida and were not aware of the wetlands regulations in Enfield when they began their house renovations. Ms. Driver stated that the applicants were told that they have to apply for the Building Permit and Wetlands Permit, and then install some erosion control features onsite, which they did the same day. She described what types of home renovations the project entails and stated that Ms. McAlees placed hay bales and silt fencing on the site. Ms. Driver concluded that there were no comments from any other departments and no recommended site specific conditions.

Mr. McAlees showed the Commission a print of the original floor plan without the deck which had been removed due to termite damage, as well as a print of the new floor plan with the addition he wants to make. He stated that the house is not any closer to the lake with the new plan.

Mr. McAlees showed the Commission photographs of the existing foundation, stating that Mr. Nadeau started the blocking but the foundation was already in place. Mr. McAlees stated that the house has had three or four additions built incorrectly over the years, and he decided he had to bring the house up to code once he got in there.

Commissioner Zorda asked if there was any asbestos in the house. Mr. McAlees stated that there was asbestos and he had it taken out by Abatement Solutions.

Commissioner Zorda asked if he plans on doing anything with the driveway, to which Mr. McAlees replied that he does as there is too much asphalt in the yard. He stated that he does not have a plan for the driveway yet. Commissioner Zorda stated that he will have to come back before the Commission for that. Ms. Driver stated that any changes to the sea wall will require professional plans as this is federally regulated by FEMA.

Commissioner Zorda stated that this plan is increasing the runoff. Ms. Driver stated that they are trying to educate residents on proper permit pulling, and this applicant is here to try to fix all of the issues from previous owners not pulling proper permits.

Motion: Commissioner Zorda made motion, seconded by Commissioner Kober, to approve IW#653 with an additional site specific condition that the silt fencing and hay bales are maintained for the totality of the construction and renovations.

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

Votes: 6-0-0

- d. **IW# 654- 140-148 Hazard Ave-Wetlands** Permit for Trinity Health of New England for the demolition of a 1-story structure to be replaced with a 2-story structure and to construct an addition to the existing Cancer Center; Tony Armelin, Applicant; Johnson Memorial Medical Center LLC, Owner; Map 65/Lots 86-90; BP and R-44 Zones.

Chairman Corbin-Sobinski stated that she previously worked for Trinity Health of New England and feels she can be unbiased but will recuse herself if they would like her to. The applicants said they do not need her to do that.

Tony Armelin, Facilities Manager at Johnson Memorial Hospital, addressed the Commission along with Stu Rosenberg, President of Johnson Memorial Hospital. Ms. Driver provided the Commission with an overview of the application and description of the existing wetlands on the property.

Mr. Armelin stated that the building onsite is antiquated and people are having difficulty finding it due to the other buildings that have been constructed around it.

Mr. Rosenberg described the hospitals that make up Trinity Health of New England, stating that one of their goals is to enhance outpatient services. He stated that in Enfield they want to improve technology, enhance outpatient care, and add more clinical services to the community. Mr. Rosenberg stated that they would like to have roadside appeal and the circular parking coming around.

Dana Steele of J.R. Russo & Associates addressed the Commission to provide an overview of the proposed project. He utilized site plans to explain the existing conditions onsite, pointing out the wetlands and regulated areas on the map. Mr. Steele pointed out the proposed building on the demolition plan and explained that it is in this location so that the existing building can continue operating. He stated that the building itself is not in the wetlands but the grading around one corner will be, so there are some retaining walls that are encroaching into the wetlands.

Mr. Steele pointed out the snow storage areas on the site plan. Chairman Corbin-Sobinski asked if there will be signs posted on the property about the snow piles so that the snow plow person does not put snow in the wetlands. Mr. Steele stated that this can be a condition of approval.

Mr. Steele went over the grading and erosion control plan, pointing out the historical wetlands, existing pond, and permanent pool they are planning to create. He stated that they plan to landscape the area and put in a fountain, and pointed out the areas of wetland impact on the map. Mr. Steele stated that they are also enhancing the existing wetlands by adding the permanent pool and expanding it.

Commissioner Zorda asked where the construction entrance will be located. Mr. Steele pointed out the proposed construction entrance which he stated is off of Middle Road.

Ms. Driver stated that the snow piling is adjacent to the buffer and does not appear to impact the wetlands. She went on to state that this property is in the aquifer protection area, so Connecticut Water recommended a site specific condition of less road salt. Mr. Steele went over the items that Jennifer from Connecticut Water recommended to him, including limiting the amount of salt they use onsite, and minor modifications to the storm drainage to allow water to drain into grass areas first. He stated that the aquifer protection regulations fall under the Planning & Zoning Commission and they plan to address these with them.

Richard Zulick of Datum Engineering & Surveying, LLC addressed the Commission. He stated that he did the wetland delineation on this property and described the location and physical features of the existing wetland on the property. Mr. Zulick stated that the wetland area on the site is man-made and has limited functions and values, stating that it is currently a marginally functioning wetland at best. He stated that there is fill being brought in, but there is mitigation proposed in the expansion of the existing basin which will provide additional function and value to the wetland because it will be bigger. Mr. Zulick stated that there are no negative impacts as a result of this proposed activity, and there will probably be some additional positive impacts such as increased storage, plantings, and increased wildlife habitats.

Terri Hahn of LADA, P.C. addressed the Commission to provide an overview of the proposed landscaping. She described the types of plantings they are proposing throughout the site.

Commissioner Martin asked what the future maintenance of the pond looks like. Mr. Steele stated that the pond may need to be dredged, which DEEP recommends every five to ten years. He stated that they will have to monitor it, and it is part of the maintenance schedule.

Commissioner Zorda described his credentials and thanked the applicants for choosing plants that are available.

Mr. Steele thanked the Commission and stated that the first site specific condition does not need to be added per Ms. Driver's earlier statement, and they can include conditions about a sign for snow and maintenance of the pond if they would like to.

Commissioner Martin asked Ms. Driver to review and explain the map amendment piece one more time. Ms. Driver stated that as of 2022 they are re-implementing the map amendments and the applications showing a lack of wetlands will be asked to apply for a map amendment. She stated that the applicant is showing more wetlands than Staff data shows, and this information is more up to date than what Staff has.

Ms. Driver stated that the Commission can make a site specific condition regarding the dredging so that the applicant does not have to come back for it. Commissioner Higley asked if they will let Staff know when they do it, to which Ms. Driver replied that it depends on the wording. Commissioner Higley suggested that the condition be worded so they tell Staff when they do it, who can then let the Commission know. Discussion took place regarding the wording of the condition.

Chairman Corbin-Sobinski asked if the forebays for sediment capture that the drainage report says are not needed will be added if it is found they are needed during the maintenance process. Mr. Steele explained how the forebays could be added, explaining that with these retrofits they are trying to have minimal impact and changes so putting in a solid berm would cause problems for drainage.

Commissioner Zorda asked how the fountain impacts the functionality of the pool. Mr. Steele stated that it will keep down algae growth and explained how this benefits the pool. Commissioner Zorda asked if it negatively affects the sedimentation, to which Mr. Steele replied that this is not a significant concern.

Mr. Zulick stated that it could increase suspended sediments slightly but the algae creates such a muck layer, it will decrease the groundwater recharge. Ms. Hahn stated that in her experience if the pond starts to lower, there is a point at which you shut the fountain off. Mr. Steele stated that this is a good item for the maintenance schedule.

Motion: Commissioner Zorda made motion, seconded by Commissioner Martin, to approve IW#654 with three site specific conditions for snow pile signage, reduced salt for winter weather, a maintenance plan including dredging and pond maintenance must be included with the final plans, and the Planning Department must be notified for pond dredging and storm water maintenance.

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

Votes: 7-0-0

Enforcement Report(s)

- a. 174/130 Shaker Road- Update

Ms. Driver stated that they have not heard anything back yet from this applicant.

b. 283 George Washington Road-Update

Ms. Driver stated that he has begun cleaning up the site but due to his health it is going to take him a little longer than originally expected. She stated that the Commissioners had received an email update.

Report of Planning Staff

Chairman Corbin-Sobinski stated that the POCD meeting is Thursday, April 21, 2022. Ms. Driver stated that it is at 6:30 PM in the Annex auditorium. Chairman Corbin-Sobinski asked how many of the Commissioners plan on going; four Commissioners were found to be planning on attending, so Chairman Corbin-Sobinski stated that there will be a quorum. Ms. Driver stated that she does not believe it will be a problem with FOIA but she will double check with Laurie Whitten, Director of Development Services.

Adjournment

Motion: Commissioner Higley made a motion, seconded by Commissioner Kober, to adjourn.

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

Votes: 7-0-0

The meeting adjourned at 8:08 PM.

Prepared by: Elizabeth Bouley

Respectfully Submitted,

Virginia Higley, Secretary