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

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

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

Chairman Corbin-Sobinski seated Alternate Commissioners Hendrickson and Taliceo.

Commissioner Pyznar arrived late to the meeting.

Approval of Minutes: February 4, 2020 Regular Meeting

Motion: Commissioner Zorda made a motion, seconded by Commissioner Higley, to approve the minutes for the February 4, 2020 Regular Meeting.

The motion passed with a 6-0-1 vote with Commissioner Taliceo abstaining.

Votes: 6-0-1

Old Business
  a. Review of Bylaws

Chairman Corbin-Sobinski asked if there is any information in the bylaws regarding virtual meetings. Ms. Whitten stated that it depends on whether state statutes change in the next few months but right now it is just under Executive Order.

New Business – Public Hearings
  a. 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)

Commissioner Howe recused herself from the meeting.

Commissioner Higley read the legal ad, which Ms. Whitten stated had been notified on the website per Executive Order.
Soil Scientist Eric Davison provided a brief overview of the wetland delineation that had been performed in the subject area. He described various soil disturbances in and around the wetland area, stating that the soil types are all detailed in his report. Mr. Davison went over the differences between the official town mapping and the field mapping used during his delineation.

Commissioner Zorda asked if the area had been reviewed for any environmental hazards due to its proximity to the closed gas station. Mr. Davison stated that he cannot answer that but can pass the question on to the engineers and his clients.

Ms. Whitten asked if they had done any studies on the vernal pools, to which Mr. Davison replied that they are studying them and intend to submit the findings.

Commissioner Smith asked if the vernal pools will be incorporated into the new wetland areas on the maps. Mr. Davison stated that there is no vernal pool activity outside of the mapped wetland boundaries.

Sigrun Gadwa, principal of Carya Ecological Services, LLC, stated that she had been obtained by Richard Chmura, who is currently renting the abutting property. Ms. Gadwa stated that they had reviewed the wetland boundary and submitted a report and map to the Commission. She went over the results of her findings, stating that her client hopes to continue renting and farming in the cornfield and does not want the water table to change as a result of the project. She stated that an accurate wetland delineation is a good foundation for this.

Chairman Corbin-Sobinski asked if Ms. Gadwa had seen what the applicant is proposing for the map changes. Ms. Gadwa stated that they had received the plans and are disputing what the applicant is proposing.

George Logan, Rema Ecological Services, stated that he and Ms. Gadwa are soil scientists with 65 years of experience between them. He stated that recent aerial photographs of certain areas on the property depict ditches, which suggests that these areas were used for grazing. Mr. Logan stated that at this point the town would typically get a third-party reviewer to help them come to a consensus, but due to COVID-19 concerns this may be an issue. He stated that in their professional opinion there was about 800 square feet (SF) of wetlands that had been missed and it is important to get an accurate wetland delineation.

Mr. Logan shared aerial photographs of the property, stating that the photographs illustrate that the land was used for grazing.

Ms. Gadwa stated that the disturbance occurred long enough ago that it predated all of the invasives that now colonize the disturbed soil. She stated that there are still a number of trees and shrubs which offer botanical and wildlife value, so this area should be kept as a forest.

Mr. Davison stated that he had read through the report submitted by Mr. Logan and Ms. Gadwa, but could not respond adequately as he only just received it today. He stated that he had gone out to the site during the recent rainy season and had never seen any ponding in these areas. Mr. Davison stated that their report only has one soil profile and it is not even a wetland soil profile, and the ponding was a result of them going out on Sunday following significant rain. He stated that the applicant’s work had been performed by a licensed surveyor and he is dismayed at how this has been
presented. Mr. Davison concluded that the information is questionable and he would welcome a third-party soil scientist review so that this can be resolved.

Mr. Chmura stated that he would like to have a third-party come out and check the delineation. He stated that there may be underground tanks at the gas station and he would like this area checked for contaminants.

Ms. Whitten stated that it is up to the Commission to decide if a third party needs to go out and review the flags.

Commissioner Zorda asked who is responsible for looking into the underground tanks.

Jeff Bord, Bohler Engineering, stated that they will be coming before the Commission at a later date with a full proposal and this is just for the wetland delineation. Mr. Bord stated that a Phase I assessment had been performed by an environmental firm and they will submit the report along with their application at a later date.

Commissioner Zorda stated a third-party delineation should be performed in order to be fair to both sides.

**Motion:** Commissioner Zorda made a motion, seconded by Commissioner Smith, to retain a third-party company to perform a delineation of the proposed wetland map change.

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

**Votes: 7 -0-0**

Ms. Whitten asked if the Commission wants to be present for a site walk, to which Commissioner Zorda replied that it would be prudent for just the soil scientists to be there.

Chairman Corbin-Sobinski stated that the Commission will continue the hearing until the next meeting on May 5, 2020.

b. **XIW# 20-05** – 2020 Inland Wetland Regulation Amendments, inclusive of DEEP Advisories from 2006 to Present, and Commission modifications. Town of Enfield Applicant. (DoR/MOPH not applicable)

Commissioner Howe re-joined the meeting and Commissioner Higley read the legal ad.

Chairman Corbin-Sobinski stated that Alternate Commissioners Hendrickson and Taliceo will remain seated.

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

Commissioner Higley stated that there is not much left to discuss as the Commission had worked on these extensively at past meetings.
Motion: Commissioner Zorda made a motion, seconded by Commissioner Hendrickson, to approve XIW# 20-05.

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

Votes: 7-0-0

Statewide Inland Wetlands & Watercourses Activity Reporting Form

The Commission discussed whether this should be on the agenda or had ever been on agendas in the past. Chairman Corbin-Sobinski stated that it can be tabled until the next meeting and they can get input from Assistant Town Planner Jennifer Pacacha.

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.

b. 117- North Street- Cease and Desist Order of the Inland Wetlands & Watercourses Regulations regarding the violation of Section 6.1, 6.2, and 6.3- Regulated Activities to be Licensed for the excavation, storage of construction materials, and the by-products within 100 feet of designated wetlands on the property and the neighboring property; Joseph C. Liquore, Owner; Map 093 / Lot 0015; Industrial 1 (I-1) Zone. October 1, 2019 motion to proceed to legal action.

Chairman Corbin-Sobinski asked if the attorney can attend the next meeting, to which Ms. Whitten replied that they would like to resolve this as well so they will likely do this.

Commissioner Higley asked if the Commission can have an Executive Session via virtual meeting. Ms. Whitten stated that they will have to have Special Meeting with a password for Executive Session. She stated that they may also want to discuss North Street. Chairman Corbin-Sobinski stated that they will put both 57 Kimberly Avenue and 117 North Street on the agenda for the Executive Session.

c. 348 Hazard Avenue- Notice of Violation 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 cutting of trees, excavation, landscaping and the parking of commercial vehicles within the designated wetland area and in proximity to a brook; Christine A. Alaimo- Trustee and 348 Hazard Avenue, LLC c/o Matthew Deroma, Owner; Map 083 / Lot 0263; Hazardville Design District Business Local (HVBL) Zone. ZEO Update.
Ms. Whitten stated that she had no updates. Chairman Corbin-Sobinski stated that they will table this until the next meeting.

d. **AAA # 122- 55 Hazard Avenue**- Authorized Agent Approval request for the CT DOT issued Notice for the rights to maintain and the emergency repair of a drainpipe that runs northerly to Freshwater Brook within the 200 foot upland review area and for the clearing of debris and vegetative growth from the outlet with approximately +/- 122 cubic yards of fill removed; 55 Hazard Avenue Associate, LLC, Owner; Allan Borghesi, Applicant; Map 056/ Lot 0005; Business Local (BL) Zone. **ZEO Update.**

Ms. Whitten stated that she had no updates. Chairman Corbin-Sobinski stated that they will table this until the next meeting.

**Report of Development Services/Planning Staff**
Ms. Whitten stated that Staff has been focused on getting the virtual meetings going.

**New Applications to be Received**

a. **IW# 605** – 118 Hazard Avenue; Map 65/Lot 59; Business Professional/R44Zone; Ward Manor, LLC., owner; Kaplan Development Group, LLC., applicant. (DoR: 3/17/2020; MOPH: 5/21/2020)

Ms. Whitten stated that they have not gotten a final legal decision regarding the official petition period, but either way it should be ok for the next meeting per Executive Order since it has been up on the website.

Ms. Whitten stated that theoretically if the Commission agrees on the map amendment, they can hear this application at the next meeting.

Commissioner Howe stated that she will have to recuse herself from this application as well.

The Commission discussed whether this should be a Public Hearing as it is a large project, ultimately deciding that a Public Hearing is not needed for IW# 605 since there is one for IW# 604.

Ms. Whitten stated that they can keep it on the agenda and table it at the next meeting if they are not prepared. She stated that she will do her best to get a third-party out to the property in the next two weeks.

**Agent Approvals**

a. **IW# 606** – 100 Print Shop Road – Application of Winstanley Construction Management, LLC and Owner PPF WE 100 Print Shop Road, LLC, for the construction of parking area, associated grading and establishment of a stormwater management area.

Ms. Whitten stated that according to Executive Orders it was accepted as it has been on the website.
Chairman Corbin-Sobinski stated that the Planning & Zoning Commission (PZC) wants to combine with the IWWA and she would like to know what the Commissioners think about that.

Commissioner Higley stated that wetlands is precious and she has stood on both boards and is cognizant of both functions. She stated that they were separated because the two Commissions wear different hats, and she is concerned with how the job will be done correctly if the two Commissions were combined.

Commissioner Zorda asked if having the two Commissions separate takes up more Staff time, and asked how a combination would impact the time frame of decisions.

Ms. Whitten stated that she thinks PZC has enough on their plates already. She stated that combining the two Commissions does not give more work to Staff, and that Staff time will only be saved in having one meeting rather than two, but that one meeting will be very long. Ms. Whitten stated that PZC is responsible for aquifer and flood, and they are also embarking upon re-doing the zoning regulations as well as the Plan of Conservation & Development (POCD).

Commissioner Zorda stated that the PZC will have to have inland wetlands training and may be under pressure to make quick decisions.

Commissioner Smith stated that if PZC is hearing a large application, wetlands issues may fall by the wayside. She asked who has the authority to make the decision to combine the Commissions, to which Commissioner Zorda replied that the Town Council does.

Ms. Whitten stated that Chairman Nelson thinks it is a great idea to combine the Commissions, but she believes it is hard to separate those hats although she can see the benefits. She stated that the request to go to Town Council had occurred right before the pandemic so they did not have a chance to bring it before Town Council yet.

Commissioner Higley stated that there will be a lot more meetings with the POCD coming.

Chairman Corbin-Sobinski stated that no one has asked them about it, to which Ms. Whitten replied that she would reach out to them prior to approaching the Town Council.

**Adjournment**

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

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

**Votes: 6-0-0**

Prepared by: Elizabeth Bouley, Recording Secretary

Respectfully Submitted,
Note: Next Regular Meeting will be virtual on **Tuesday May 5, 2020** at 7:00 p.m. in the Town Council Chambers. Instruction to join that meeting will be posted on the agenda and the IWWA webpage at [http://www.enfield-ct.gov/650/Inland-Wetlands-Watercourses-Agency](http://www.enfield-ct.gov/650/Inland-Wetlands-Watercourses-Agency)