

Town of Norfolk
Inland Wetlands Agency
Town Hall
Regular Meeting
November 7, 2022 @ 7:00 p.m.
Approved Minutes

Present: Hartley Mead-Chair, Byron Tucker-Vice Chair, Melissa Robinson-Acting Secretary, Clint Webb, Rich Kessin, Phil Lovett-alt, Myron Kwast-alt

Also Present: IWO Michael Halloran, and Marinell Crippen, Secretary

1. **Call to Order**-7:03 pm
2. **Roll Call**
3. **Agenda Review**
4. **Approval of Minutes**-A motion to approve minutes of the October 3rd, 2022 regular meeting was made by Melissa Robinson, seconded by Rich Kessin and approved unanimously.
5. **Public Comment**- There was none.
6. **Old Business**- Hartley Mead requested adding ongoing discussion of 71 Bruery Road to Old Business. A motion was made to add discussion of 71 Bruery Road to Old Business by Melissa Robinson, seconded by Clint Webb and approved unanimously.
 - A. Melissa Robinson was asked to read a letter Hartley Mead wrote to Norfolk Selectman regarding 71 Bruery Road. (on file)
 - B. Melissa Robinson also read a letter that Hartley Mead had written to the Conservation Commission. (on file)
 - C. Michael Halloran read a Notice of Violation he had written and sent to the owners of 71 Bruery Road, Bart Wenrich and Bonnie Simmons. (on file)
Hartley Mead then tabled the discussion for further review later in the meeting.
7. **New Business**- A motion was made by Melissa Robinson, seconded by Byron Tucker and approved unanimously, to hear from Richard Byrne in regard to the spill on Rte. 44.
 - A. Richard Byrne, director of the Emergency Planning Committee, attended the meeting at Michael Halloran's request to address the fuel spill on Saturday.

Mr. Byrne stated that the product from the spill is in the asphalt but not under the road. The company responsible for the cleanup are digging any contamination in the soil up and will continue to do so until they have it all. Michael Halloran said that a record of the cleanup will be given to the homeowner but will not be on the deed. A few affected homeowners spoke and asked questions. Mr. Byrne said that a company was drilling test holes along Maple Avenue and almost finished digging on Route 44. Mr. Byrne said that the contamination was contained at the five corners at Emerson and Mills Way, due to a quick thinking of some Emergency responders who poured loads of dead sand into the culvert and caused the gas to stop spreading. There were 8,200 gallons of gasoline spilled. The truck's insurance company is paying for the clean up. Mr. Byrne said that it was good that there had been rain because it pushed the product down stream and that they have pump trucks sucking it up. 40,000 gallons of water and product have been sucked up so far.

Michael Halloran said there was enough water in the culverts that the gas floated and did not soak into the ground. Mr. Byrne said he thought the process would take weeks. The product they are digging up is being stored at the Town Farm transfer at the berm area and will be transferred somewhere else at a later date. They will test the air and water for the next 2 years, at least.

Peter Aziz, a resident from Laurel Way, notes that if gas does get into the soil, it does not come out on its own. Michael Halloran said that DEEP said they are not leaving till they are done cleaning all the fuel spill. Eastern River Energy Trucking Company is the name of the trucking company, and the insurance company is Federated Insurance.

Everyone thanked Richard Byrne profusely for his work.

B. #22-020 Nash Pradhan, Ginger Creek Nursery for 280 Westside Road work in the wetlands cleaning a pond.

Jesse Bunce from Bunce property service was in attendance. Mr. Bunce will be doing the work on the pond.

Mr. Bunce explained the process of cleaning the pond and said he will stay on the property the entire time. The pond is 75x125 and is under 3 acres. There is an existing drain at the bottom of the pond that they will try to open and if that doesn't work, they will use a pump to drain the pond. Once it is done a dozer will push material to an excavator and he estimates about 20 truckloads. The dewatering process will take place on another area of the property. Mr. Bunce said it should take about 2 weeks.

The agency said they need a sketch for the receiving area and a diagram for the pond now and the pond later and a place for the spoils as well as elevations. The pond has a stream from the back side and springs under the pond.

A motion to approve application #22-020 subject to the 13 standard conditions as well as 1) An existing map of the pond, 2) Map of what pond will look like when it is finished, and 3) Where the spoils will be put was made by Melissa Robinson, seconded by Byron Tucker, and approved unanimously.

C. Approval of schedule of meetings for 2023

The meetings scheduled for 2023 were approved.

1. WEO Report-

a. The issue of 71 Bruey Road which will be discussed later in the meeting.

2. Communications and Bills

Michael Halloran passed out Connecticut Federation of Planning and Zoning Agencies Quarterly Newsletter.

Hartley Mead questioned if they should receive CACIWC newsletters again.

Michael Halloran said he will look into the costs, etc.

Hartley Mead wanted to go back to Old Business in regard to 71 Bruey Road.

The agency wants to know what the herbicide is. They want Bart Weinrich to tell them what the herbicide is. Hartley Mead read the letter Matt Riiska wrote to Bart Weinrich.

Byron Tucker said he would like a letter to Mr. Weinrich stating that we understand what was done and that he provide the name of the herbicide he used so we know how to remediate if necessary.

Michael Halloran will call Darcy Winther at DEEP and will check on putting a notice on his land records.

3. Adjournment-A motion to adjourn the meeting at 8:46 pm was made by Rich Kessin seconded by Myron Kwast and approved unanimously.

Respectfully submitted,
Marinell Crippen, Secretary