

Town of Norfolk
Inland Wetlands Agency
Town Hall
Regular Meeting
December 5, 2022 @ 7:00 p.m.
Approved Minutes



Present: Hartley Mead-Chair, Clint Webb, Rich Kessin, Phil Lovett-alternate, Myron Kwast-alternate, Marinell Crippen-Recording Secretary
Also Present: IWO Michael Halloran

1. **Call to Order-7:02 pm**
2. **Roll Call-**Alternate Phil Lovett sat for Byron Tucker. Alternate Myron Kwast sat for Melissa Robinson.
3. **Agenda Review-**New Business 7.A will be removed because the application has been withdrawn.
4. **Approval of Minutes-**A motion to approve minutes of the November 7, 2022 regular meeting was made by Myron Kwast, seconded by Rich Kessin and approved unanimously.
5. **Public Comment-** Hartley Mead said the Agency will discuss the spraying of herbicide on Bruey Road in Old Business. Gloria Gourley was in attendance to discuss the spraying.
6. **Old Business-**
 - A. Gloria Gourley was in attendance to discuss the spraying of herbicide on Bruey Road. Hartley Mead said he has a contact at DEEP, Pesticide Division, who oversees herbicides, and will reach out to them regarding spraying on town property. Michael Halloran will send another letter to Bart Weinrich asking for the name of the herbicide in case the agency needs to remediate. Hartley Mead will also reach out to the Conservation Commission to see if they will do something about putting in place a procedure if people want to spray town land in front of their property.
7. **New Business-**
 - A. **#22-022 My Ct Oasis LLC at 301 Ashpohtag Road, excavation work in a regulated area.**
There was no discussion as the application has been withdrawn.

B. #22-023 Norfolk Community Associates for The Friends of Norfolk Community Dog Park. Work in the upland review area.

Joel Howard, on behalf of the members of The Friends of the Norfolk Community Dog Park, spoke and explained the desire for a park for dogs in the town. The group has agreed on a property on Westside Road and the owner of the property, Coleen Hellerman, has agreed to lease the land. Mr. Howard said that they need to clear a few trees, not many. Mr. Howard's group of volunteers is working under the auspices of The Norfolk Community Association which is serving as their fiscal sponsor until they obtain their 501(c)(3) tax-exempt status. Michael Halloran said he could approve since there are no wetlands but he wanted Wetlands to be able to ask questions, if any.

A motion was made for Michael Halloran to approve the Norfolk Community Dog Park for the Wetlands by Clint Webb, seconded by Myron Kwast and approved unanimously.

C. Update on gas spill

Michael Halloran met with Jeff King from Verdantes, the soil testing company, who works for the insurance company Federated and they want to do more testing. They are proposing to test every 100 feet and dig down a foot in the brook and the sides along the watercourse. Once the testing is completed they will show a chart mapping the results. Norfolk has an environmental attorney from Shipman and Goodman who was hired last week.

Hartley Mead will write a letter to Matt Riiska to make sure the town environmental attorney has environmental consultants working with them. Hartley will work with Myron Kwast on the letter. (See attached)

8. WEO Report

Michael Halloran read a letter from John Nathanson and Allison Brown from 176 Mountain Road concerning the pipe sticking out of the culvert at Mountain and Westside (on file). They are concerned about how unsightly the pipe looks. The letter was sent to Matt Riiska and Michael Halloran was cc'ed on it. No action was taken.

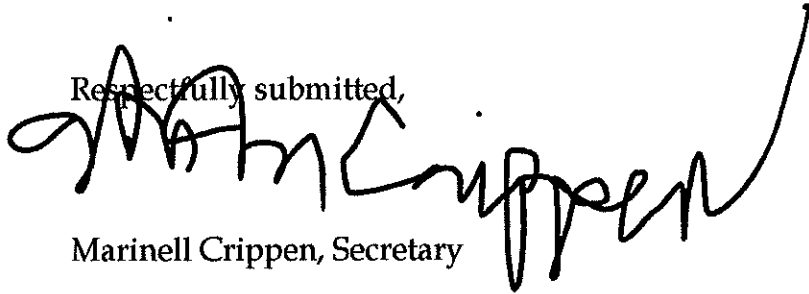
Hartley Mead brought up the spraying on 71 Bruey Road again and explained how he thinks more action needs to be taken. Rich Kessin said that he will ask a friend about using a dipstick to test the contamination. Hartley Mead will go to the Conservation Commission's next meeting and see if they can address the issue as well.

9. Bills and Correspondence

Michael Halloran confirmed that the agency had received the Planning and Zoning minutes.

10. **Adjournment**-A motion to adjourn the meeting at 8:28 pm was made by Myron Kwast, seconded by Phil Lovett and approved unanimously.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Marinell Crippen". The signature is written in a cursive style with a long, sweeping tail that extends upwards and to the right.

Marinell Crippen, Secretary

Mike Halloran

From: Matt Riiska
Sent: Thursday, December 15, 2022 8:52 AM
To: Hartley Mead; Paul Madore; sandy.whitingmills@gmail.com
Cc: Mike Halloran
Subject: RE: Environmental Consultant
Attachments: Shipman & Goodwin Contacts.pdf

Hartley,

Attached are the credentials of the attorneys from Shipman & Goodwin we are working with. I have been in contact with Attorney Davis for about a month. He and his team, who I have met and discussed our situation with, are very knowledgeable about these events and I am confident that they will call in consultants as needed.

Although I have received calls from individuals regarding the spill, I believe it is in the Town's best interest to engage with an attorney, and consultants who they suggest, on a professional basis.

Attorney Davis will be at the Town Meeting on Tuesday, December 20th.

Regards,

Matt

From: Hartley Mead <hartleymead@comcast.net>
Sent: Wednesday, December 14, 2022 5:55 PM
To: Paul Madore <pmadore@mac.com>; sandy.whitingmills@gmail.com; Matt Riiska <mriiska@norfolkct.org>
Cc: Mike Halloran <mhalloran@norfolkct.org>
Subject: Environmental Consultant

December 14, 2022

Dear Selectmen:

During our recent monthly wetland meeting dated December 05 there was strong concern from this committee that the town needs to have assurance from its environmental attorney that their team includes an environmental consultant with the technical expertise to conduct any needed tests and to evaluate the results of tests conducted by others.

Your office has received two letters from separate attorneys that strongly suggested the Town get legal counsel and an environmental consultant. Our concern is that Verdantas, the testing company, is only working to standards set by the DEEP and is paid by the trucking firm's insurance company. Such arrangements raise obvious potential conflicts of interest.

There were parties from the public at the above-mentioned meeting who have their own attorneys and environmental consultants. We want to be certain that the Town have along with an Environmental Attorney, also a consultant who will be looking out for the welfare of the Town.

-

Please send a letter to this commission reassuring us.

Sincerely,

Hartley Mead

Chairman

Inland Wetland Commission