

**MINUTES OF THE REGULAR IWWC MEETING via ZOOM  
MAY 4, 2021**

**Present:** Vice Chairman Dwayne Xenelis, Mike Engels, Vincent Neri, Howard Benisvy and IWW Enforcement Officer Heidi Wallace.

**1. CALL TO ORDER:**

The meeting was called to order at 7:01 p.m. by Vice Chairman Dwayne Xenelis.

**2. PUBLIC COMMENT PERIOD:** None.

**3. OLD BUSINESS:** None.

**1. 716 Toby Hill Road, Assessor ID 134/011 – application for addition and associated grading in the upland review area:**

Applicant Architect Whitney Hubert was present and stated that the home is one story and they are looking to add an addition in the rear, as well as a pervious surface terrace. A portion of the addition is located in the upland review area. The addition will have a shallow foundation and there will be minimal excavation. The footing drains and gutters will be incorporated into the underground system that drains into a retention area in the front of the house. A sump pump is in the retention area that which is set to pump if the water gets to be over 7". The pumped water is used to water the resident's gardens.

Upon a motion by Mike Engels, seconded by Vincent Neri, it was:

**VOTED:** Unanimously to approve the application for 716 Toby Hill Road, as presented.

**2. Kirtland Street and north side of Boston Post Road, Assessor ID 177/122, 181/001, 181/002, 181/003, 181/006, 182/003, 181/188 – Datillo Village – Amendment to Permit No. 316: 38 one-bedroom rental apartments in four buildings including the construction of buildings, parking, fitness trail, sanitary system and drainage system partially located in the upland review area:**

Attorney Andrea Gomes and Engineer Al Wolfgram were present representing the applicant. Vice Chairman Xenelis stated that the commission members are in receipt of an email dated 4/29/21 from Attorney Andrea Gomes. Ms. Gomes stated that the application is to amend previously approved permit #316. The application has already been deemed not to be a significant activity. At the last meeting there was concern regarding possible contamination on 32 Kirtland Street because of its use as an auto repair shop. A Phase I environmental assessment was done and there were a few areas of concern. The applicant is cleaning the contamination up at this time. If any further action needs to be taken, the applicant would have to come before this commission to amend the application, if necessary. Attorney Gomes asked that the previous conditions of the approval be incorporated into the amended application with the exception of condition #18. She requested that the permit approval for general storm water be provided after approval from the Zoning Commission, not before.

Upon a motion by Vincent Neri, seconded by Mike Engels, it was:

**VOTED:** Unanimously to approve amended application #316, to incorporate the previous 21 stipulations of the original approval with the exception of condition #18, which will now read "No site work can be done without the approved DEEP General Storm Water Permit. The approval of this application is based on the following additional conditions:

1. The applicants shall submit to the Westbrook town staff a Phase I Environmental Assessment Report, in accordance with ASTM and Connecticut DEEP standards, with respect to the parcel located at 32 Kirtland Street, Westbrook, CT.
2. The applicants shall submit to Westbrook town staff a Phase II Environmental Assessment Report, in accordance with ASTM and Connecticut DEEP standards, with respect to the areas of concern and interest noted by ALTA Environmental Corporation in its Phase I summary report for 32 Kirtland Street, Westbrook, CT.
3. If contamination is discovered at any of the areas of concern or interest noted by ALTA Environmental Corporation in its Phase I summary for 32 Kirtland Street, Westbrook, CT, the applicants shall remediate areas in accordance with CT DEEP standards, to the satisfaction of Westbrook town staff.
4. If contamination is discovered and remediation of said contamination potentially may impact a nearby regulated area, the applicants shall seek a further amendment to regulated activities permit No. 316.

**NEW BUSINESS:** None.

**REGULAR BUSINESS:**

**A. Minutes of the Previous Meetings: Regular Meeting 4/6/21:**

Upon a motion by Vincent Neri, seconded by Mike Engels, it was:

**VOTED:** Unanimously to approve the minutes of the 4/6/21, as distributed.

**B. Chairman's Comments:** None.

**C. Correspondence:** None.

**D. Staff Report:** Distributed and discussed.

**E. Commission Member Reports:** None.

**F. Bills:** Upon a motion by Vincent Neri, seconded by Mike Engels, it was:

**VOTED:** Unanimously to approve payment of the following bills:

Hartford Courant - \$35.52 ( March Legal Notice)

Katie Kelemen - \$83.49 (February), \$83.49 (March) and \$97.41 (April)

Robinson & Cole - \$270.00 and \$210.00

Staples - \$123.99

**G. Adjournment**

Upon a motion by Mike Engels, seconded by Vincent Neri, it was:

**VOTED:** Unanimously to adjourn at 7:34 p.m.

Respectfully submitted:

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Kathleen H. Kelemen, Secretary

As transcribed from a recording of the meeting.