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April 29, 2021

VIA FEDEX AND EMAIL

Ms. Samantha Marone, Chair,
and Commission Members
Inland Wetlands & Watercourses
Commission
Town of Westbrook
Westbrook Town Hall
866 Boston Post Road
Westbrook, CT 06498

Ms. Heidi Wallace, Wetland Agent
Town of Westbrook
Westbrook Town Hall
866 Boston Post Road
Westbrook, CT 06498

Re: Application of Dattilo Family Holdings, LLC for Amendment to Regulated Activities Permit No. 316, for work associated with construction of 38 Rental Apartments, 26 Kirtland Street and Surrounding Parcels, Westbrook, CT, "Dattilo Village" – Phase I Assessment of 32 Kirtland Street, Westbrook, CT

Dear Chair Marone, Commission Members, and Ms. Wallace:

As requested by the Commission at its April 6, 2021 meeting, the applicants, Dattilo Family Holdings, LLC and Michael Dattilo (collectively, "Dattilo"), commissioned, from ALTA Environmental Corporation, a Phase I Environmental Assessment of a portion of the subject properties, the parcel located at 32 Kirtland Street, Westbrook, CT ("the site").

Given the short timeframe since the Commission's April 6 meeting, ALTA was unable to complete a full Phase I report, in accordance with ASTM and Connecticut Department of Energy and Environmental Protection ("DEEP") standards, for the Commission's May 4, 2021 meeting. However, ALTA was able to provide a summary of its Phase I findings, a copy of which is attached as Exhibit A.

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HINCKLEY, ALLEN & SNYDER LLP, ATTORNEYS AT LAW

As noted therein, ALTA concluded that the site is not listed on any EDR database, and no hazardous waste manifests are associated with the site. Further, the site does not appear to meet the definition of an “establishment” under the Connecticut Property Transfer Act, General Statutes §§ 22a-134 *et seq.*

ALTA did note several potential areas of concern, including:

- Current interior waste oil aboveground storage tank (“AST”);
- Current and former fuel oil ASTs;
- Garage floor drain and hand sink discharge locations;
- Oily staining observed on garage platform;
- Exterior storage of liquid chemicals, and adjacent stormwater catch basin system; and
- Exterior storage of car parts that formerly contained liquids.

ALTA further indicated two additional items of interest with respect to redevelopment of the site, including the potential for pesticides in the soil from past agricultural activities, and the potential for lead in the soil beneath painted structures and window frames older than the late 1970s.

Given ALTA’s findings, the applicants suggest that the Commission approve Dattilo’s application for an amendment to regulated activities permit No. 316, subject to the following conditions of approval:

1. The applicants shall submit to 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 report for 32 Kirtland Street, Westbrook, CT, the applicants shall remediate those areas in accordance with Connecticut DEEP standards, to the satisfaction of Westbrook town staff.

If contamination is discovered and remediation of said contamination potentially will impact a nearby regulated area, the applicants will seek a further amendment to regulated activities permit No. 316.

We trust this addresses the Commission's inquiry, at its April 6, 2021 meeting, regarding the environmental status of the site.

Very truly yours,

Andrea L. Gomes

Andrea L. Gomes

Attachments

c: Dattilo Family Holdings, LLC (w/ att.)
A-L Consulting, LLC (w/att.)
Timothy S. Hollister, Esq.

EXHIBIT A



28 APRIL 2021
File No. 1804-01

SUMMARY OF PHASE I FINDINGS - 32 KIRTLAND STREET, WESTBROOK, CONNECTICUT

General:

- Site 1.85 acres, four main structures present.
- Reportedly no USTs presently or formerly on site, according to the Site owner's representatives.
- Prior to 1942, site agricultural – although appears to be pasture in 1934, the potential for pesticides still exists (e.g., with respect to disposition/reuse of excess topsoil).
- Site developed circa 1942 with residence. Deck (sun room) enclosed in 2002 (northeasterly portion of house). House is currently vacant and has been since circa August 2019.
- Two-car garage constructed circa 1965 east of house. House and garage visible in 1970 air photo. Garage currently used for storage of lawn furniture by property owner.
- Disused outhouse located off northeast corner of two-car garage.
- Second garage constructed in 1995 in northern portion of Site, with an addition to the north side in 1998.
- Northernmost structure (aka barn) constructed in 2002; originally proposed as a second addition to the garage.
- City directories do not list any occupants other than residential. Available directories primarily 1990 to 2020; #32 not listed in 1983 directory; Kirtland Street not listed in 1964 and 1982 directories.
- Property served by on-site water supply well (within sunroom) and septic system. Septic located within fenced circle area north of house. Repairs to septic completed in 2017 to repair broken pipe.
- Two test holes completed in northerly portion of Site as part of redevelopment plans encountered groundwater at approx. 34 in. to 40 in. below grade (2.8 ft. to 3.3 ft.). Groundwater flow beneath the Site is reportedly to the east per the project engineer. Manmade fill materials were not reported in the test hole logs.
- Ground surface elevations on Site range from El. 47 near the southwesterly property corner to El. 40 along the easterly property line, with reference to the National Geodetic Vertical Datum (NGVD) of 1929.
- Site not listed on any EDR databases; no hazardous waste manifests are associated with Site address.
- Abutting properties to east, north and west are residential or undeveloped. Properties to south along Boston Post Road (i.e., between Site and Boston Post Road) are commercial.
- Site does not appear to meet the definition of an "establishment" under the Connecticut Property Transfer Act (see additional information below).

House:

- Fuel oil aboveground storage tank (AST) in crawl space under southeast corner of house. Well water pump and compression tank also in crawl space. Feed and return lines appear to have been cut. Oily staining visible atop AST and at least partially down side of AST which appears to be

from the cut lines. Crawl space floor damp; unable to tell if oily staining on concrete floor by AST due to damp floor. Fill pipe visible outside house. Ground surface at fill pipe covered by wooden deck. No staining apparent on deck beneath fill pipe. Due to the oily staining atop and down the side of the AST, and the dark color of the damp floor, ALTA considers the AST to be an area of concern.

- Some household trash/furniture remains in the house.

Garage:

- Garage building used for appliance repairs for an unknown period of time and vehicle repairs for approx. 20 years (i.e., circa 2001 to present). No vehicle body repair operations were conducted on Site; no parts washers ever used on Site, according to Mr. Jeff Thrall the vehicle repair shop operator, whose father was the previous vehicle repair shop operator. ALTA did not observe any evidence of a parts washer or automotive painting operations.
- Fuel oil AST formerly located off northwest corner of garage building as shown on Site plan; unknown removal date. Oily staining was not observed on the ground surface at the former AST locations, however the ground surface appeared to have been disturbed and may not be representative of conditions when the AST was present. Although the condition of the former fuel oil AST was not observed by ALTA and the ground surface was not stained at the time of ALTA's Site visit, ALTA considers the former fuel oil AST to be an area of concern due to the potential of a former release.
- Covered platform (aka "dock") near northwest garage corner formerly used for appliance storage. Observed to have significant oily staining atop concrete dock and down side of dock to ground surface. Oily staining not observed on ground surface adjacent to staining on the platform wall. Due to the oily staining atop and down the side of the dock, ALTA considers the dock area to be an area of concern.
- Small waste oil AST located inside southwest corner of garage; AST is connected to waste oil furnace above. Oily staining was observed on the top of the AST by the fill spout and on the concrete floor adjacent to the AST. Empty 5-gal. buckets observed adjacent to the AST appear to have been used to transfer waste oil into the AST. Due to the oily staining atop and adjacent to the waste oil AST, ALTA considers this waste oil handling area to be an area of concern.
- Waste antifreeze collected in approx. 55 gal. plastic drum stored on ground surface outside east garage wall. Waste antifreeze storage areas have not been found to be detectable release areas in ALTA's experience; therefore this area is not considered to be an area of concern.
- Two aboveground lifts located in garage; no in-ground lifts ever used and no patches in floor observed where such might have been removed.
- One small floor drain located in center of garage discharges to shallow ditch east of garage at property line. Due to the potential for liquids associated with vehicle repair operations to have been released to the floor drain, ALTA considers the floor drainage system to be an area of concern.
- With the exception of a hand sink, no bathrooms or other plumbing in garage. The hand sink reportedly discharges to the ground. Due to the potential for liquids associated with vehicle repair operations to have been discharged into the sink, ALTA considers the sink system to be an area of concern.
- Small containers of typical vehicle maintenance fluids were observed in the garage, generally atop work benches. A portable air compressor was observed in the western portion of the garage.

Oily staining was not observed on the concrete floor adjacent to or beneath the air compressor, or at the blowdown location immediately adjacent to the compressor. Due to the lack of staining, ALTA did not consider the air compressor area to be an area of concern. Various car parts were observed around the interior of the garage (e.g., tires, exhaust pipe and muffler).

- Small (less than about 1 sq. ft.) oily stains were observed on the concrete floor of the garage, considered de minimus and not an area of concern.
- Antique cars were observed in the northernmost portion of the garage.

Barn:

- Constructed for storage of fire truck collection.
- Currently used for storage of construction materials (e.g., staging, pallets of ceiling panels, tools), appliances and miscellaneous equipment (e.g., gasoline-powered fan).
- Observed a few 5-gal. containers of gasoline. Staining was not observed on the concrete floor adjacent to the gasoline containers or gas-powered equipment, and the containers and equipment did not appear to be leaking, therefore ALTA does not consider the gasoline and equipment storage areas to be an area of concern.
- Observed a few small (less than about 1 sq. ft.) oily stains on concrete floor – considered de minimus and not an area of concern.
- No bathrooms or other plumbing in barn.

Exterior:

- A storm drainage catch basin was observed near the southwest corner of the barn. Two full 5-gal buckets which appeared to contain oil were observed near the catch basin. The buckets did not have caps on the spouts. Due to the potential for releases from these buckets, ALTA considers this storage area and adjacent storm water catch basin system to be an area of concern.
- A propane tank was observed adjacent to the garage building.
- Numerous areas of debris and/or car parts located in northerly portion of site, including windows, fire hose, vehicle transmission, car doors and bumpers, plastic pipe, concrete blocks, pallets, wooden crates, a non-functioning golf cart, lumber, tires, a truck bed liner, furniture, brake drums, metal pipe, sheet metal, a trailer, a car chassis, etc. The materials associated with the car repair operations were in the process of being removed, and had generally been removed by the date of this summary as documented by photos sent to ALTA. Areas that were solely for dry materials storage (e.g., car doors and bumpers, furniture) are generally not considered areas of concern due to the lack of materials which may have impacted Site soil and/or groundwater. Areas where materials were stored which currently and/or formerly contained liquids (e.g., transmission) are considered areas of concern due to the potential for such liquids to have impacted soil and/or groundwater on Site.
- Various household debris observed around house and two-car garage and in lawn area south of these buildings, including a refrigerator, charcoal grill, numerous plastic plant containers, children's toys and wading pool, pallets, campfire wood, lumber, lawn furniture, etc. ALTA did not observe evidence of coolant leakage from the refrigerator and does not consider this to be an area of concern. The debris was in the process of being removed.
- ALTA did not observe paint flakes or window caulking on the ground around building perimeters, or the waste windows. However, the ground surface below the areas where windows

were stored were generally obscured by the windows themselves, fallen leaves and other organic matter.

Areas of Concern:

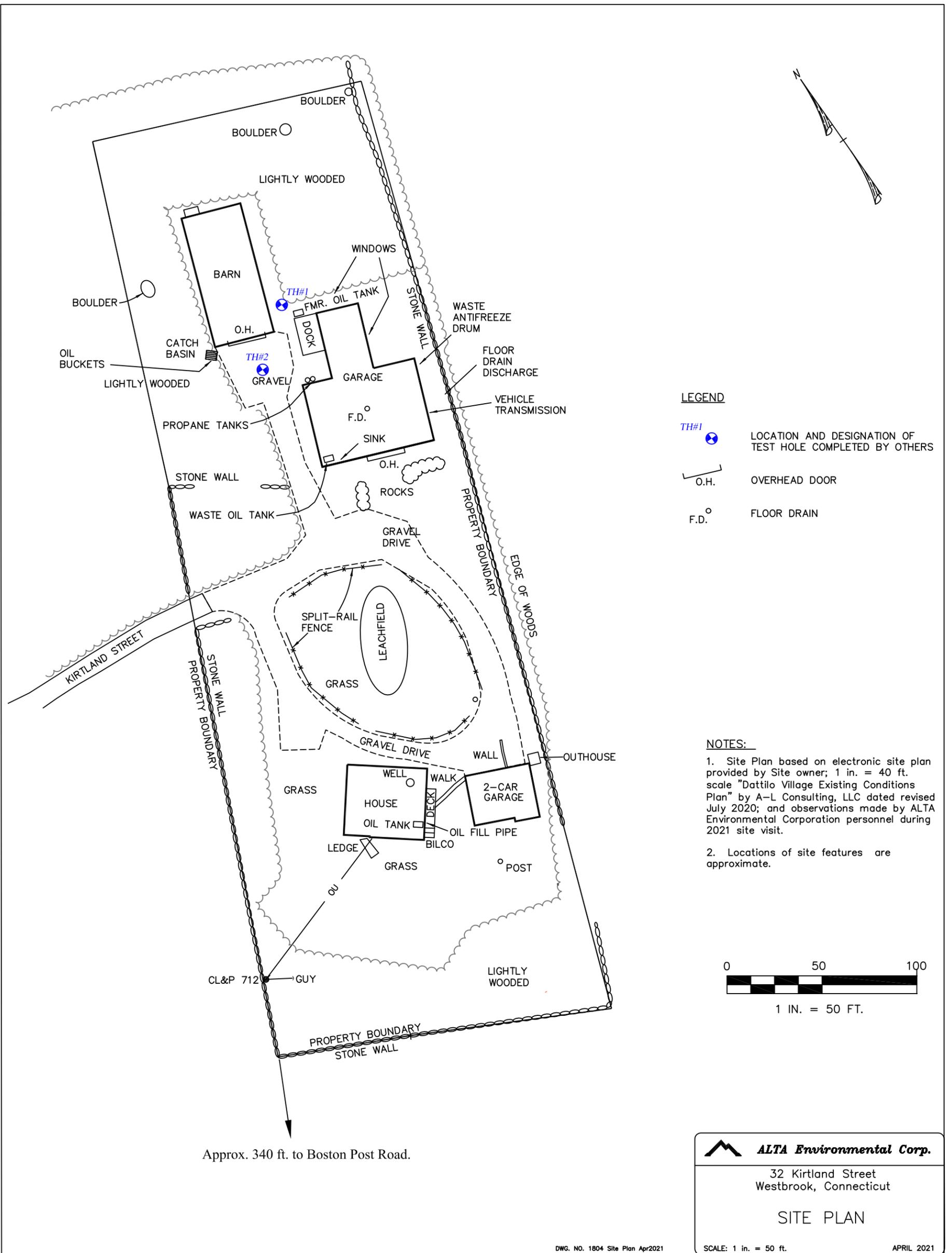
- Current interior waste oil AST
- Current and former fuel oil ASTs (2 locations)
- Garage floor drain and hand sink discharge locations
- Oily staining observed on garage platform (dock)
- Exterior storage of liquid chemicals (i.e., oil in buckets without caps and antifreeze drum), and adjacent storm water catch basin system
- Exterior storage of car parts that formerly contained liquids (e.g., transmission)

Although not specifically addressed by the CT DEEP Site Characterization Guidance Document (SCGD) with respect to identifying Phase I Areas of Concern, additional items of interest with respect to site redevelopment (especially residential development, such as is proposed here), and disposition/reuse of on-site soil include:

- The potential for pesticides in soil from past agricultural activities (sometimes found even in pasture land), and from legal use of pesticides potentially around the building foundations; and
- The potential for lead in soil beneath painted structures and window frames older than late 1970s, where lead-based paint may have been used, due to flaking or scraping/sanding of old paint.

Attachment: Figure 1 - Site Plan

Summary of Ph I findings



DWG. NO. 1804 Site Plan Apr2021

ALTA Environmental Corp.
 32 Kirtland Street
 Westbrook, Connecticut

SITE PLAN

SCALE: 1 in. = 50 ft. APRIL 2021

Figure 1