



# TOWN OF EAST WINDSOR AQUIFER PROTECTION AGENCY

11 Rye Street, Broad Brook, CT 06016  
860.623.6030

Commission  
Jim Thurz  
Mike Kowalski -Chair  
Anne Gobin  
David Leason  
Stacey Svoboda McKenna

Alternates  
Frank Gowdy  
Vacancy  
Vacancy

## **DRAFT** **Meeting Minutes** **TUESDAY, July 25, 2023 – 6:30 pm- Immediately following PZC**

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### **I. TIME AND PLACE OF MEETING:**

Chairman Kowalski called the July 25, 2023 meeting of the East Windsor Aquifer Protection Agency to Order at 7:41 p.m. The Meeting was held in-person in the John Daly, Jr. Meeting Room, Town Hall, 11 Rye Street, Broad Brook, CT., and via telconference.

### **II. ESTABLISH QUORUM:**

**PRESENT:**     Regular Members:     Anne Gobin (Chairman), Michael Kowalski,  
David Leason, Jim Thurz (Vice Chair), and Stacey Svoboda McKenna

Alternate Members: Frank Gowdy. There are presently two vacancies for Alternate members.

**ABSENT:**       No one; all Regular and Alternate Members present.

Director of Planning and Development/Town Planner Calabrese hosted the Aquifer Protection Agency Meeting. Also present in person was Planning Consultant D'Amato.

### **III. APPROVAL OF MINUTES**

Members reviewed the October 25, 2023 meeting minutes. Chairman Kowalski queried the commissioners for any changes they would like to make. None being noted Chairman Kowalski asked for a motion.

**MOTION:**       To **APPROVE** the October 25, 2022, meeting minutes of the Aquifer Protection Agency as presented.

Gobin **MOVED**/Leason seconded/**DISCUSSION:**     None.

**VOTE**           **In Favor:**       Gobin/Kowalski/Leason/Thurz/Gowdy

(No one opposed/Svoboda-McKenna Abstained)

#### IV. **STAFF REPORT**

Planning Directory Calabrese offered the following report:

Steve and Kim Dearborn's registration is pending approval from the APA. A site visit was conducted in April of 2022. Several action items were identified. These included:

The installation of secondary containment for hazardous material storage, waste storage, interior heating and waste oil tanks, relocation of exterior above ground oil tank, and repaving exterior to protect the site against spillage events.

A follow up site visit was made during May of 2023. Most notable from this site visit was that the main building tenant had vacated the site and, in the process, removed chemical/oil being stored indoors and the hydraulic lift equipment that was stored outdoors. This significantly reduces the likelihood of spillage/leakage, as this operation was the most intensive use on the site.

Below is a status update on the initial action items:

1. A complete inventory of chemicals stored and or used on-site.  
[Update: A combined chemical inventory and materials management plan was received on 7/17/17](#)
2. The Aquifer Protection Regulations require the preparation and implementation of a materials management plan to ensure best management practices are in place to protect groundwater from contamination due to an accidental spillage or leakage. The template for this plan was proved to the property owner at the time of inspection. It is also included with this letter. I am available to assist if you have any questions regarding the plan.  
[Update: A combined chemical inventory and materials management plan was received on 7/17/17](#)
3. At the time of the inspection, it was noted that the pavement on site needs to be replaced to prevent inadvertent contamination of the aquifer.  
[Update: Paving of this site is anticipated to be part of plans for the property for which the owner will be seeking approval from the PZC.](#)
4. The aboveground oil tank located on the western side of the main building requires either secondary containment or moved into the main building.  
[Update: This oil tank has been pumped and removed from the site. The owner plans to install a new 275-gallon double walled tank inside the building.](#)

The property owner has addressed many items from the initial site visit of April 2022. The remaining issues are the repaving of the site and addressing spill containment for the heating oil tank located at the southeast corner of the garage in the main building.

A semiannual site inspection is planned to assess compliance with the registration including the materials management plan. The first will occur in September and be reported at the October 24, 2023, meeting of the APA.

Current Uses:

#### Main Building

The main building is noted as being 32,126 SF half garage and half warehouse. The property owner is utilizing the bulk of the main building for former office space, warehousing of an elaborate tractor collection, and large quantities of dry mulch dye that is used in his mulching operations located on a separate parcel outside of the aquifer protection area. Waste oil collected from maintaining the tractors is accumulated in drums and transferred to the outbuilding where the auto repair shop burns the waste oil onsite for heating.

#### Outbuilding Tenant

A tenant operates an automobile repair garage in the outbuilding located to the northeast corner of the main building. Waste oil and solvents were being stored in the garage. Two floor mounted vehicle lifts were noted. This garage also has no floor drains and a lipped concrete floor to serve as secondary containment except for the overhead door and doorway thresholds. There is a waste oil space heater located in this garage. Oil is transferred from the main building to this garage for burning.

Staff recommended the approval of the registration by the Aquifer Protection Agency. This approval would grandfather the uses on site. The registration will be reviewed for compliance every 5 years.

#### Discussion followed the staff report:

Chairman Kowalski noting that the registration is a grandfathering, questioned if a current use were to cease could it be reinstated? The consensus was that the grandfathering the use would run with the land and could be re-instated.

Commissioner Gowdy asked for clarification on activities on site to include heavy equipment repair for construction/farm equipment along with auto repair being conducted by the tenant.

Chairman Kowalski asked if the Commissioners had any additional questions on this matter. He said he would entertain a motion.

Commissioner Gobin made the following motion:

**Motion:** to **APPROVE** the registration of Rye Street Business Park located at 95 Rye Street, Broad Brook, CT to continue regulated activities (heavy equipment and auto repair) in the Aquifer Protection Zone Owner: Steve Dearborn. The applicant must adhere to the materials management plan and complete site improvements to paved area by July 1, 2024. The registration will be reviewed for compliance every 5 years.

Gobin **MOVED**/Leason seconded/**DISCUSSION**: None.

**VOTE In Favor:** Unanimous:  
Gobin/Kowalski/Leason/Thurz/Gowdy/Svobods-McKenna

**V. ESTABLISH MEETING DATES**

This item was table to the October 2023 meeting.

**VII. DISCUSSION:** Commissioner Gobin asked about the status of the Nutrien facility on Chamberlain Road. Staff reviewed site conditions as observed during the initial site visit and relayed the best management practices at the site as being robust. Additional comments were made regarding the old train cars located on the tracks that cross this property. The train cars appear to be rusting in place and may pose a risk of contaminating the groundwater.

Staff will investigate the ownership and status of these train cars.

There were no further items for discussion.

**VI. ADJOURN**

Chairman Kowalski called for a motion to adjourn the Aquifer Protection Agency Meeting.

**MOTION:** To **ADJOURN** the July 25, 2023 Aquifer Protection Agency Meeting at 8:00 PM

Gowdy **MOVED**/Leason seconded/**DISCUSSION:** None

VOTE: In Favor: Gowdy/Gobin/Kowalski/Leason/Svobods-McKenna/Thurz  
(No one opposed/No abstentions)

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Respectfully submitted,  
Ruthanne Calabrese, Director of Planning & Community Development