

Westport Board of Selectmen
Special Meeting
January 22, 2020
APPROVED MINUTES

LINKS:

BOS January 22, 2020

<https://view.earthchannel.com/PlayerController.aspx?&PGD=westportct&eID=920>

RTM November 12, 2019

<https://view.earthchannel.com/PlayerController.aspx?&PGD=westportct&eID=889>

BOS June 12, 2019

<https://view.earthchannel.com/PlayerController.aspx?&PGD=westportct&eID=834>

Barons South Stockpile Reports

<https://www.westportct.gov/baronsstockpile>

The Westport Board of Selectmen held a special meeting on Wednesday, January 22, 2020 at 7:00 PM in the Town Hall Auditorium for the following purpose:

To hear presentation of findings of additional investigations, analyses and recommendations for disposition regarding the excess fill associated with the expansion and site improvements at the Westport Center for Senior Activities (WCSA).

In attendance were Jim Marpe, Melissa Kane, Peter Ratkiewich, Steve Edwards, Darby Hittle, members of the public, and Eileen Francis, recording secretary.

The meeting was delayed to allow for arrival of those who had indicated they would be attending and was called to order at 7:15 pm.

SUMMARY:

Mr. Marpe stated that the meeting was for a discussion and presentation only, that the Board would not be voting on any items, and that it was for the benefit of the interested members of the public. He stated that after the presentation, the public would be invited to speak, and that the "RTM rules" limiting individual speakers to 3 minutes would be enforced. Participants were provided the opportunity to sign up to speak. At the onset of the meeting, there was one individual listed on the sign-up sheet.

Director of Public Works Peter Ratkiewich provided a history of the site in question known as 21 Imperial Avenue a/k/a Westport Center for Senior Activities ("WCSA") a/k/a 60 Compo Road South or "Baron's South Property," and the status of the stockpiled soil that resulted from the construction project that expanded the WCSA.

Mr. Ratkiewich showed the location of the stockpile on the site plan for the WCSA expansion project, noting that the final project was completed in January, 2019. He explained the construction process that resulted in a 4,500 sf building expansion and the addition of 27 parking spaces. The excavation resulted in approximately 5,000 yards of material remaining on site which was not anticipated at the onset of the project. A berm/reggraded knoll was constructed on the property with the stockpiled soil. There was a

subsequent clean-up of the soil. It was stabilized with landscaping cloth and seeded. The current conditions show leaves and grasses on the knoll. According to Mr. Ratkiewich, no material was moved on or off the site during construction.

In May, 2019, Environmental Services was requested to provide an independent assessment of the soil. The results of that assessment, including the report from the Cody Ehlers Group, which provided the testing and analyses of the 4 soil samples gathered from Environmental Services, was presented to the Board of Selectmen at a public meeting on June 12, 2019. Generally, the assessment indicated that there was no asbestos, trace DET, and “elevated arsenic in one of 4 tests holes which was slightly above DEP levels guidelines.”

In October, 2019, the Representative Town Meeting was petitioned to review the soil conditions and request that the administration state what the intentions and potential uses were for the stockpiled material, particularly as it related to its use in other construction projects in town or other disposition options. The RTM discussed the issue at the November 12, 2019 public meeting. At that meeting, First Selectman Marpe stated that the Public Works Department would request that an independent consultant perform additional testing and provide recommendations and available options based on the results of its testing and review.

The Town engaged the services of Licensed Environmental Professional, Darby Hittle of Thunderbird Environmental, LLC, for that purpose.

Mr. Hittle gave an overview of his Soil Management Options Evaluation Report, the testing, additional analysis, and his knowledge of DEEP regulations as well as possible options for the Town to consider. He included what is allowed and what is in the best interest of the town from an environmental perspective. Mr. Hittle explained that arsenic is a naturally occurring chemical throughout the region. He noted that additional arsenic data was provided through the 6 additional samples and that trace concentration of other chemicals were found. A baseline was determined so that the two potential off-site options could be considered due to DEEP guidelines for “polluted” soil usage. If the soil was to be moved, properties need to match contaminants – the soil at Barons South is considered favorable for use at the Post Office and Railroad Parking locations.

Mr. Hittle outlined his recommendations for the disposition options:

- 1) Re-use at current site where there would be no DEEP approval needed but use DEEP guidelines:
 - a. Not below water table
 - b. No erosion
 - c. Other conditions
 - d. Effort to remove potential exposure
- 2) Re-use at the Parking lot property
- 3) Re-use at Greens Farms Post Office property
- 4) Re use at multiple sites – may need to split up (over 5k yards of soil too much for one site)
- 5) Disposal off-site which could run between \$250,000 – \$500,000

Peter Ratkiewich summarized. He stated that based on Mr. Hittle’s information, that a risk benefit analysis is needed. Mr. Ratkiewich also stated that remediation of the contaminated soil, which can be treated on-site to achieve chemical concentrations below regulations over time, is another option to consider. He stated that none of the options are “easy” and all will require certain levels of involvement

from other town bodies, including Planning & Zoning for additional permits, and the Board of Finance for any relevant appropriations.

Mr. Hittle gave an explanation about arsenic exposure in general, including the statement that in his estimate, the current conditions at the site do not pose a health risk. He suggested that the town conduct a human health risk assessment to confirm his opinion. He also suggested that the town conduct an additional analysis of the soils from other on-site locations to get a baseline of the conditions throughout the property.

Members of the public were provided an opportunity to speak.

Resident Morley Boyd (6 Violet Lane) questioned if soil from Barons South was used at Soundview Parking lot (off site). Mr. Ratkiewich stated that the presented copies of e-mails suggesting that the soil was moved was not evidence that it had occurred. Mr. Boyd asked if there was a second test for asbestos and what are the exposure limits for asbestos.

Resident Garson Heller asked if it were possible to use the soil at the Ferry Lane Parking Lot. Mr. Ratkiewich explained that the lot had been recently repaved and that the Barons South soil does not fit the criteria for use at that location.

Lou Mall (RTM District 2) asked if the town was required to do anything at all and if the soil could remain in its current location. Mr. Ratkiewich replied that that is an option.

Sal Liccione (RTM District 9) stated that “we have to do something” and he mentioned a “gravel pit”

Kristin Schneeman (RTM District 9) stated that the focus should be on the next steps, including getting a professional opinion regarding the arsenic levels and the possible health concerns associated with them.

Resident Wendy Crowther asked for clarification on the test results.

Ellen Lautenberg (RTM District 7) stated that the town needed to do its due diligence and get a health consultant.

Based on the evening’s discussion and information provided, Mr. Ratkiewich stated that there would be additional testing from other locations within the Barons South property and that a risk assessment will be conducted. He stated that he would develop the schematic plans and cost-estimates for the various options and prepare to present his reports in approximately two months. Mr. Hiller confirmed that it will be important to get a historical review to characterize the site and then focus on options.

Upon motion by Jim Marpe, seconded by Melissa Kane and passing by a vote of 2-0, the meeting adjourned at 9:43 PM.

Eileen Francis
Recording Secretary