

**GLASTONBURY CONSERVATION COMMISSION  
(INLAND WETLANDS & WATERCOURSES AGENCY)  
REGULAR MEETING MINUTES OF THURSDAY, JANUARY 26, 2017**

The Glastonbury Conservation Commission (Inland Wetlands & Watercourses Agency), along with Mr. Tom Mocko, Environmental Planner, in attendance held a Special Meeting in Council Chambers, second floor of Town Hall located at 2155 Main Street, Glastonbury, Connecticut.

**ROLL CALL**

**Board Members - Present**

Mrs. Judy Harper, Chairman  
Mr. Dennis McInerney, Vice Chairman  
Mrs. Kim McClain, Secretary (departed meeting at 8:33 P.M.)  
Mr. Frank Kaputa  
Mr. Mark Temple

**Board Members - Excused**

Mrs. Helen Stern  
*Vacancy*

Chairman Harper called the meeting to order at 6:30 P.M.

**6:30 to 7:30PM**

**I. Review of “Resource Categories” section (pages 61 to 86) of the draft Town of Glastonbury 2017-2027 Plan of Conservation & Development**

The Commission thoroughly reviewed pages 61 to 64 of the “Resource Categories” section of the draft Plan with Mr. Mocko. They will continue their review at the next regular meeting.

**7:30PM**

**II. FORMAL ACTIONS & RECOMMENDATION**

- 1. PUBLIC HEARING: Application of the Town of Glastonbury for an inland wetlands and watercourses permit to replace and reconstruct the Bridge on Eastern Boulevard over Salmon Brook and its related activities (e.g. install a new sanitary sewer under the brook), said bridge located some 300 feet north of intersection with Hebron Avenue/Route 94 – Daniel A. Pennington, Town Engineer/Manager of Physical Services**

**Motion By:** Secretary McClain

**Seconded:** Vice Chairman McInerney

MOVED, that the Inland Wetlands and Watercourses Agency opens the public hearing for an inland wetlands and watercourses permit application concerning the Town of Glastonbury’s proposed Bridge

Replacement and Reconstruction over Salmon Brook Project on Eastern Boulevard, located some 300 feet north of Hebron Avenue.

**Result:** Motion passes unanimously. (5-0-0)

Daniel Pennington, Town Engineer/Manager of Physical Services, presented an overview of applications #1 & #2 on behalf of the Town of Glastonbury. The Conservation Commission informally discussed the proposal on December 10, 2015; Chairman Harper stated that the information presented at that meeting, along with its meetings minutes be introduced into and become part of the public hearing record. GM2 Associates has been retained by the Town to perform design services for the bridge rehabilitation/replacement which is being funded by a federal local bridge program grant.

Tony Margiotta, P.E., GM2 Associates, reviewed the plan to replace the existing twin culverts with a 46-foot long clear span concrete bridge structure; this option was found to be the most environmentally friendly compared to other alternatives that were evaluated. He noted that environmental and fisheries enhancements will result with the project, and he confirmed that protection strategies to minimize impacts to the Eastern box turtle will be implemented. Mr. Margiotta explained the temporary sanitary sewer bypass process, noting that the system will be manned by the contractor during working and non-working hours (24 hours a day/7 days a week) and special provisions include a spill prevention plan and backup pumps. The temporary bypass pumping will be done between June 1 and September 30 and will take approximately 30-45 days to complete. Proper erosion and sedimentation controls and other best management practices will be utilized during construction to avoid and minimize impacts to adjacent wetlands.

Mr. Mocko asked what will keep sediments coming down Salmon Brook from entering the low flow channel and Mr. Margiotta explained that self-cleaning will occur due to the creation of a lower flow. Mr. Mocko wondered if any consideration has been given to using rock vanes as an added measure and Mr. Margiotta responded that the CT DEEP Fisheries Division recommended that rock vanes are not appropriate for this project.

**Motion By:** Secretary McClain

**Seconded:** Commissioner Temple

MOVED, that the Inland Wetlands and Watercourses Agency closes the public hearing for an inland wetlands and watercourses permit application concerning the Town of Glastonbury's proposed Bridge Replacement and Reconstruction over Salmon Brook Project on Eastern Boulevard, located some 300 feet north of Hebron Avenue.

**Result:** Motion passes unanimously. (5-0-0)

**Motion By:** Secretary McClain

**Seconded:** Vice Chairman McInerney

MOVED, that the Inland Wetlands and Watercourses Agency finds that no feasible and prudent alternative exists with regard to the Town of Glastonbury's proposed Bridge Replacement and Reconstruction over Salmon Brook on Eastern Boulevard as documented within the alternative analyses provided with the submitted application materials, especially in light of the selected bridge design having a number of environmental advantages over the alternatives considered.

**Result:** Motion passes unanimously. (5-0-0)

**Motion By:** Secretary McClain

**Seconded:** Commissioner Kaputa

MOVED, that the Inland Wetlands and Watercourses Agency issues an inland wetlands and watercourses permit to the Town of Glastonbury for its proposed Replacement and Reconstruction of Eastern Boulevard's Bridge over Salmon Brook Project, in accordance with the submitted application materials on file in the Office of Community Development, and in compliance with the following conditions:

1. There shall be strict adherence to:
  - a. The unconfined in-stream brook work time period (June 1 to September 30) established by the State of Connecticut Department of Energy and Environmental Protection (CT DEEP) Fisheries Unit; and
  - b. The specific procedures established for this project with regard to the required temporary sanitary sewer bypass component of the project.
2. The protection strategies recommended for the eastern box turtle provided by the CT DEEP for this project, as detailed in their letter dated May 7, 2015, signed by Dawn M. McKay and addressed to Mr. Michael Salter of the Connecticut Department of Transportation, shall be implemented.
3. Installation of soil erosion and sedimentation control and stabilization measures shall be the Permittee's responsibility. Afterwards it then shall be the Permittee's responsibility to inspect these control measures during, and immediately following, substantial storm events and maintain and/or replace the control measures, when needed, on a regular basis until the site is vegetatively stabilized. The Environmental Planner is hereby authorized to require additional soil erosion and sediment controls and stabilization measures to address situations that arise on the site.
4. In the event of a forecasted: large rainstorm (greater than a 2-year rainfall frequency); or flood frequency at or exceeding that of a 5-year frequency (20 percent annual probability), the project contractor, assigned private construction inspector, Town Engineer and Environmental Planner shall discuss and establish any special precautionary measures that may be required to prevent or reduce environmental damage from any such unusual weather or stream flow conditions.
5. The Permittee shall be fully responsible for damages caused by all activities undertaken pursuant to this permit that may have a detrimental effect on wetlands and/or watercourses, and all such activities that cause erosion and sedimentation problems.

**Result:** Motion passes unanimously. (5-0-0)

**2. Recommendations to the Town Plan & Zoning Commission concerning a Section 4.11 (Flood Zone) Special Permit for the proposed Eastern Boulevard Replacement/ Reconstruction Project – Daniel A. Pennington, Town Engineer/Manager of Physical Services**

**Motion By:** Secretary McClain

**Seconded:** Commissioner Kaputa

MOVED, that the Conservation Commission recommends to the Town Plan & Zoning Commission approval of a Section 4.11 (Flood Zone) Special Permit concerning the Town of Glastonbury's proposed Replacement and Reconstruction of Eastern Boulevard's Bridge over Salmon Brook, in accordance with plans and other application materials on file in the Office of Community Development, and in compliance with the following conditions:

1. There shall be strict adherence to:
  - a. The unconfined in-stream brook work time period (June 1 to September 30) established by the State of Connecticut Department of Energy and Environmental Protection (CT DEEP) Fisheries Unit; and
  - b. The specific procedures established for this project with regard to the required temporary sanitary sewer bypass component of the project.
2. The protection strategies recommended for the eastern box turtle provided by the CT DEEP for this project, as detailed in their letter dated May 7, 2015, signed by Dawn M. McKay and addressed to Mr. Michael Salter of the Connecticut Department of Transportation, shall be implemented.
3. Installation of soil erosion and sedimentation control and stabilization measures shall be the Permittee's responsibility. Afterwards it then shall be the Permittee's responsibility to inspect these control measures during, and immediately following, substantial storm events and maintain and/or replace the control measures, when needed, on a regular basis until the site is vegetatively stabilized. The Environmental Planner is hereby authorized to require additional soil erosion and sediment controls and stabilization measures to address situations that arise on the site.
4. In the event of a forecasted: large rainstorm (greater than a 2-year rainfall frequency); or flood frequency at or exceeding that of a 5-year frequency (20 percent annual probability), the project contractor, assigned private construction inspector, Town Engineer and Environmental Planner shall discuss and establish any special precautionary measures that may be required to prevent or reduce environmental damage from any such unusual weather or stream flow conditions.

**Result:** Motion passes unanimously. (5-0-0)

### **III. INFORMAL DISCUSSIONS**

#### **1. Proposed Multi-Use Trail Phase II – House Street to Western Boulevard project – some 2,600-foot long, 10-foot wide, paved trail along the south side of Salmon Brook through wetlands and Flood Zone – Daniel A. Pennington, Town Engineer/Manager of Physical Services**

Daniel Pennington, Town Engineer/Manager of Physical Services, presented the project on behalf of the Town of Glastonbury. He explained that in the course of the design process it was discovered that construction work associated with the proposed path would impact some portions of existing conservation easements that abut the sanitary sewer easement in the area. Mr. Pennington stated that

the Town is looking for direction from the Commission as to how to proceed with addressing the conflicts between the proposed path construction and the restrictions on certain activities within these conservation easement areas.

Commissioner Temple wondered how the wording on Conservation Easement and Restriction 296 page 223 of the about the use of the easement for limited public pedestrian access would comport with the proposed multi-use trail. Mr. Pennington responded that the Town would need to work with private property owners and the Town Attorney to modify the agreements and could define the areas of impact so any modifications would apply only to those areas.

Chairman Harper said she supports the impacts to areas 1 and 3, but voiced concern over impact area 2. Mr. Pennington explained that if the project was re-designed to avoid the conservation easement in area 2, then that they would need to construct a 300-foot long retaining wall due to existing constraints created by grade and proximity to the nearby driveway. Commissioner Temple stated that he would not be in favor of having this retaining wall constructed.

Commissioner Kaputa asked for clarification regarding the areas within the sanitary sewer easements that overlap with conservation easement. Mr. Pennington responded that he will research this issue and provide definition of these areas.

Chairman Harper called for public comment. Earlier in the meeting, *Ron Degray, 120 Cricket Lane*, spoke in favor of the proposed trail. He noted that multi-use paths are not only for recreational purposes but also provide a network for citizens to use alternative forms of transportation. *Eileen Bartley, 66 Great Pond Road*, also spoke in favor of the proposal for the same reason as Mr. Degray.

Commissioner Temple said he is in favor of the project, as the use would change only in a very small portion of the easements. Secretary McClain, Commissioner Kaputa and Vice Chairman McNerney indicated that, though they sometimes don't allow such modifications to easements, the Commission is charged with reviewing applications on a case-by-case basis and in this case there is a broader purpose/public use issue and beneficial improvements are proposed to this previously developed area.

**2. Proposed The Edge Fitness Club facility – 38,000 square foot building, some 2.6 acres of pavement and related infrastructure on some 4.7 acres of remaining vacant land at 2855 Main Street (located to rear/west of Chili's Restaurant facility) – Planned Business & Development Zone and Flood Zone – BL Companies, C.E. – Attorneys Peter Alter & Meghan Hope – A & F Main Street Associates, LLC, landowner – 26 Cedar Street Associates, LLC (Peter D'Addeo, member), developer/applicant**

Secretary McClain declared a conflict and recused herself from this agenda item. She departed the meeting at 8:33 PM.

Attorney Meghan Hope, representing the applicant, appeared before the Commission with an update on the application to construct a fitness center on the vacant land that lies behind Chili's Restaurant. The proposal was also informally reviewed by the Commission on August 25, 2016 and January 12, 2017. Attorney Hope explained that the applicant is requesting to establish a clear understanding with the

Commission regarding supplemental investigations relative to the presence or absence of a vernal pool and its obligate species.

Kim Lesay, Senior Project Manager, BL Companies, C.E. reviewed the results of the Vernal Pool Report dated April 27, 2016. With regard to her plan to investigate the site in the spring, she explained that the process is very weather-dependent and involves tasks such as making observations on the first night of warm spring rain, assessing the water levels in the pool, setting minnow traps and visiting and investigating the pool on a regular basis for a few weeks.

Michael Klein, Soil Scientist and Environmental Consultant, commented that he is attending tonight's meeting to obtain information regarding the planned investigations and was hired by the intervening party, Healthtrax. He indicated that there is a protocol for monitoring the wetlands for vernal pool productivity and explained that some years may not be productive for the pool. He stressed the importance of observing and counting egg masses, as they are accurate, quantitative measures of productivity.

Ms. Lesay thanked Mr. Klein for his comments and confirmed that she had planned to count egg masses and will be utilizing the Army Corps of Engineers' protocol for vernal pool assessment. The Commission requested a written plan describing the scope of work for the investigation and Ms. Lesay said she will provide this.

#### **IV. APPROVAL OF MINUTES - Regular Meeting of January 12, 2017**

The minutes of the Regular Meeting of January 12, 2017 were accepted as presented.

#### **V. COMMENTS BY CITIZENS ON NON-AGENDA ITEMS - NONE**

#### **VI. OTHER BUSINESS**

##### **1. Chairman's Report - NONE**

##### **2. Environmental Planner Report - NONE**

With no other business, Chairman Harper adjourned the meeting at 9:20 P.M.

Respectfully Submitted,  
*Amy M. Pallotti*  
Amy M. Pallotti  
Recording Secretary  
Recording Clerk