

**GLASTONBURY CONSERVATION COMMISSION
(INLAND WETLANDS & WATERCOURSES AGENCY)
SPECIAL MEETING MINUTES OF THURSDAY, JUNE 1, 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 6:55 P.M.)
Mr. Frank Kaputa
Mrs. Helen Stern
Mr. Mark Temple

Board Members - Excused

Vacancy

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

I. FORMAL ACTIONS & RECOMMENDATIONS

- 1. Declaratory Ruling that Goodwin College, Incorporated's proposed 3,200 foot long, public access Natural Trail along the Connecticut River (from Wethersfield town line south to Connecticut Department of Transportation land associated with Route 3/Putnam Bridge) is nonregulated pursuant to Section 4.2.b of the Town's wetlands regulations – Zuvic, Carr and Associates, C.E.**

Judy Schuler, P.E., Zuvic, Carr and Associates, C.E., appeared before the Commission/Agency with an update on formal actions 1 and 2. The proposal underwent an informal review on April 27, 2017. Since that meeting, the grading plan around the proposed culverts has been revised to result in no net loss of available flood storage capacity, and sections of split rail fence are now proposed in a few areas along the trail to provide a barrier between the trail and the locations of state-listed species.

Chairman Harper called for public comment. **Ron Degray, 120 Cricket Lane**, remarked that Bike Walk Glastonbury is in favor of the proposal.

Motion By: Secretary McClain **Seconded:** Commissioner Kaputa
MOVED, that the Inland Wetlands and Watercourses Agency declares Goodwin College, Inc.'s proposed public access natural trail along the Connecticut River between the Putnam Bridge (Route 3) and the Town of Glastonbury's northerly boundary to be nonregulated pursuant to Section 4.2.b of the Town's wetlands regulations with the stipulation that there is compliance with the submitted plans and written project narrative on file in the Office of Community Development; thus no wetlands permit is required.

Result: Motion passes unanimously. (6-0-0)

- 2. Application of Goodwin College, Inc. for: an inland wetlands and watercourses permit to allow the installation of twin culverts within a manmade intermittent watercourse (generally located easterly of the Connecticut River and northerly of Route 3/Putnam Bridge) in order to facilitate a natural trail along the river; and a recommendation to the Town Plan & Zoning Commission concerning a Section 4.11 (Flood Zone) Special Permit – Zuvic, Carr and Associates, C.E.**

Motion By: Secretary McClain **Seconded:** Vice Chairman McInerney
MOVED, that the Inland Wetlands and Watercourses Agency grants an inland wetlands and watercourses permit to Goodwin College, Inc. for their proposed twin box culverts installation within a manmade intermittent watercourse, an element of their overall public access natural trail project to be located along the Connecticut River between Route 3/Putnam Bridge and the northerly limits of the Town of Glastonbury, in accordance with plans on file in the Office of Community Development.

Result: Motion passes unanimously. (6-0-0)

Motion By: Secretary McClain **Seconded:** Commissioner Stern
MOVED, that the Conservation Commission recommends to the Town Plan & Zoning Commission approval of a Section 4.11 (Flood Zone) Special Permit for Goodwin College, Inc.'s proposed twin box culverts to cross an intermittent watercourse associated with their proposed public access natural trail located northerly of Connecticut Department of Transportation's land for Route 3/Putnam Bridge, in accordance with plans on file in the Office of Community Development.

Result: Motion passes unanimously. (6-0-0)

Secretary McClain declared a conflict and recused herself from the next two agenda items. She then departed the meeting at 6:55 P.M. so Chairman Harper seated Commissioner Kaputa as Acting Secretary.

- 3. Public Hearing for the application of the 26 Cedar Street Associates, LLC (Peter D'Addeo, Managing Member) for an inland wetlands and watercourses permit concerning a proposed athletic club (Edge Fitness) at 2855 Main Street (west of Chili's Restaurant) – BL Companies, C.E. – Attorneys Meghan Hope and Peter Alter – A & F Main Street Associates, LLC, landowner**

Motion By: Acting Secretary Kaputa **Seconded:** Commissioner Temple
MOVED, that the Inlands Wetlands and Watercourses Agency opens the public hearing for the application of the 26 Cedar Street Associates, LLC (Peter D'Addeo, Managing Member) for an inland wetlands and watercourses permit concerning a proposed athletic club (Edge Fitness) at 2855 Main Street.

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

Chairman Harper noted for the record that the pending application is subject to a public hearing due to a petition submitted on May 10, 2017 as well as an intervention petition from Attorney Brian Smith, representing Healthtrax Fitness and Wellness, dated January 12, 2017.

Attorney Peter Alter, representing the applicant, appeared before the Agency to present the proposal to construct a fitness center on the vacant land that lies behind Chili's Restaurant. The application was also informally reviewed on August 25, 2016, January 12, 2017 and January 26, 2017. Attorney Alter explained the history of the proposal and presented alternative site plans (dated 11/10/15, 11/24/15, 6/4/16 and 7/5/16) that were considered but found to be unfeasible for development due to various issues. He stated that the proposed plan meets all regulatory requirements.

Matthew Bruton, P.E., BL Companies, C.E., described the site's existing drainage conditions and presented the proposed stormwater management plan, sedimentation and erosion control plan, grading and drainage plan, storm elevations, and the flood contingency plan. The proposed stormwater system will result in decreased peak runoff rates exiting the site and provide storage of the required water quality volume and a treatment train of water quality best management practices. Mr. Bruton noted that the project will greatly increase the site's flood storage capacity up to the 100-year flood elevation.

Raina Volovski, a Soil Scientist and Project Environmental Scientist, Tighe & Bond, reviewed the history of the property as well as its existing conditions, noting that the hydrology of the site has changed due to development in the area over time. She explained the findings of her site investigation and stated that the proposed plan will add plant diversity and provide strips of useful wildlife habitat for resident suburban wildlife species and some migrating birds.

Tom Pietras, Wetland/Soil Scientist, Pietras Environmental Group, provided details of his peer review/soil investigation performed in January 2016 and December 2016. He explained that he found small areas of wetland soils located in the bottom of the existing manmade ditch and in the eastern edge of the proposed building and along portions of the property's northern edge. However, his professional opinion is that they provide limited functional wetlands value and the proposed bioretention and water quality swales will provide much greater value.

Rachael Hyland, Staff Scientist, BL Companies, C.E., presented the results of the vernal pool study. She explained that her investigation involved visual inspection, auditory inspection, dip netting, log rolling and water sampling. Ms. Hyland noted that no obligate species were seen or heard during any of the investigations either in the pool or the surrounding upland, no evidence of breeding was observed, and the site lacks appropriate upland habitat for both wood frogs and mole salamanders. Kim Lesay, Senior Project Manager, BL Companies, C.E., confirmed that the vernal pool study was guided by the US Army Corps of Engineers' draft Vernal Pool Assessment document.

Wayne Violette, Landscape Architect, BL Companies, C.E., described the proposed landscape plan which includes installation of native plantings and removal of invasive species. A maintenance plan for the management of the invasives and seed mix establishment has been submitted. Mr. Violette explained that a fence and evergreen trees will be installed to provide buffer for the neighbor to the south.

Attorney Alter reviewed the proposed site lighting which is consistent with the surrounding areas and includes dark-sky compliant and energy efficient light fixtures. He then concluded the presentation with a review of the proposal's sustainable features and its compliance to the Plan of Conservation and Development, noting that the most feasible and prudent plan is proposed.

Chairman Harper called for public comment in favor of the proposal. **Tom Brazel, 141 Horizon Lane,** and **Jason Kushner, 52 Nanel Drive,** both voiced their support of the application as they feel that the state-of-the-art facility will be a healthy amenity for the Town's citizens. **Loren Andreo, Jr., 2855 Main Street,** and **Peter Gustamachio, 48 Pratt Street,** both abutters to the subject site, also spoke in favor of the proposal as they feel that the applicant has addressed their concerns with regarding to lighting and buffering. **Vincent Sansone, Founder and President of Edge Fitness,** said that he is excited to open a facility in Glastonbury and bring jobs to Town. He thinks this will be a successful location, as many members that live in Glastonbury currently travel to the Edge Fitness in Manchester.

Chairman Harper called for commissioner input/questions. Commissioner Kaputa questioned Attorney Alter's earlier statement regarding providing "superior wetlands values". Ms. Volovski explained that the existing wetlands are limited with regard to their function and functional values, and the proposed mitigation for stormwater and flood zone management would result in the creation of new wetlands that would provide a greater native plant diversity and provide substantial wetlands functions and values over what currently exist. Commissioner Temple wondered how the interpretation of the vernal pool should be considered in their deliberation if no legal standards exist. Ms. Lesay responded that the pool can be considered a vernal watercourse per the CT DEEP and the draft document is commonly used to provide guidance to municipalities. Mr. Mocko noted that the Town's wetlands regulations reference vernal or intermittent bodies of water being regulated under the definition of watercourses.

A brief recess was taken at 9:22 P.M. and the meeting reconvened at 9:33 P.M.

Mr. Mocko submitted a site plan signed by Ms. Volovski into the public hearing record and a letter from Michelle Carlson, P.E., BL Companies, C.E. stating that the compensatory flood storage statistics are accurately represented.

Chairman Harper called for public comment in opposition to the proposal. **Attorney Thomas Cody, Robinson & Cole, representing Healthtrax,** submitted another intervention petition into the record. He stated that his client is opposed to the proposal on the grounds that 1. The project is too intense and will cause direct and indirect impacts to regulated areas; 2. A satisfactory investigation of alternative plans has not been done and obvious feasible alternatives with less/no impacts have been ignored; 3. Limited data has been presented regarding seasonal high groundwater levels so there is no proof that the proposed stormwater management plan will function; and 4. The proposed activity will involve a significant impact. Attorney Cody asked Mr. Pietras, Ms. Volovski and Mr. Bruton questions about their investigations. He requested that the Commission deny the application or provide limitations, modifications or conditions to deal with the aforementioned issues. **Michael Klein, Soil and Wetland Scientist, also representing Healthtrax,** commented that he disputes the claim that there are no federal wetlands on the site, he has concerns regarding the seasonal high groundwater and feels that it will impact the proposed stormwater system, and he strongly objects to the characterization that these are limited wetlands. He said he believes it is inaccurate to state that this project will improve the wetlands. **John Boyd, 76 Pratt Street,** said he is not opposed to the property being developed, but he

has an issue with the proposed scale of the project. He is worried about the proposed location for snow storage and wondered if it may impact his basement which currently stays dry. Chairman Harper read a letter into the record from **Frederick Joslin, 11 Pearl Street**, who is opposed to the project due to concerns regarding high seasonal groundwater issues, noise pollution, wildlife habitat disturbance, dirt and dust during construction, and the potential negative impact on his property value.

With regard to prudent alternatives, Attorney Alter explained that the proposal strikes a balance between economic development and wetlands disturbance, meets all zoning requirements, and is permitted under the regulations. With regard to the potential groundwater issue, Attorney Alter commented that the plan has been adjusted in the area of concern, noted that Dr. Welti is an expert in the field and remarked that the Town Engineer has approved the plans.

The commissioners had a thorough discussion about the concern that high seasonal groundwater conditions exist on the site that may prevent or inhibit the infiltration of stormwater into the soils with regard to the proposed water quality basins and bioretention swale. They requested that the applicant utilize the existing monitoring well pipes located on the site to take measurements and provide groundwater data for their review before they vote on the application; Attorney Alter said that they will do what they can to provide this information.

Motion By: Acting Secretary Kaputa

Seconded: Commissioner Stern

MOVED, that the Inlands Wetlands and Watercourses Agency will continue the public hearing for the application of the 26 Cedar Street Associates, LLC (Peter D'Addeo, Managing Member) for an inland wetlands and watercourses permit concerning a proposed athletic club (Edge Fitness) at 2855 Main Street until their meeting of June 29, 2017.

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

4. Recommendations to the Town Plan & Zoning Commission concerning a Section 4.11 (Flood Zone) Special Permit and a Section 12 Special Permit with Design Review for the above-listed athletic club, Edge Fitness at 2855 Main Street – Flood Zone and Planned Business & Development Zone

See above.

II. APPROVAL OF MINUTES - Regular Meeting of May 11, 2017

The minutes of the regular meeting of May 11, 2017 were accepted as presented.

III. COMMENTS BY CITIZENS ON NON-AGENDA ITEMS –NONE

IV. OTHER BUSINESS

1. Chairman's Report

Chairman Harper informed the commissioners that she received confirmation that unaffiliated candidates can be considered for the vacant commissioner position.

2. Environmental Planner Report

Mr. Mocko reported on two recent issues at farms in Town.

With no other business to discuss, Chairman Harper adjourned the meeting at 11:45 P.M.

Respectfully Submitted,
Amy M. Pallotti
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Recording Secretary
Recording Clerk