

**GLASTONBURY CONSERVATION COMMISSION
(INLAND WETLANDS & WATERCOURSES AGENCY)
REGULAR MEETING MINUTES OF THURSDAY, OCTOBER 12, 2017**

The Glastonbury Conservation Commission (Inland Wetlands & Watercourses Agency), along with Mr. Tom Mocko, Environmental Planner, in attendance held a Regular 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
Mr. Brian Davis
Mr. Frank Kaputa
Mrs. Helen Stern
Mr. Mark Temple

Chairman Harper called the meeting to order at 7:30 P.M.

I. INFORMAL DISCUSSION

Dufford's Landing Excavation proposal – removal of some 210,000 cubic yards of sand and gravel on 10.3 acres of land (parcels Lot S0004 Dug Road and Lot S0003 Dufford's Landing totaling 36.5 acres) with trucking access via both Dufford's Landing and Dug Road – Rural Residence Zone and (overlay) Groundwater Protection Zone 1 – Megson, Heagle & Friend, C.E. & L.S., LLC – Attorney Peter Alter – William Dufford, landowner/applicant

Attorney Peter Alter, representing William Dufford (also in attendance), appeared before the Commission to present the application to excavate 10.3 acres on the western portion of the property adjacent to Dufford's Landing's cul-de-sac. The proposal includes excavating, screening of material, stockpiling, and hauling the material out of the site.

Jonathan Sczurek, P.E., Megson, Heagle & Friend, C.E. & L.S., LLC, reviewed the site's topography and described the phases of the proposed excavation. He noted that he worked with Mr. Mocko to find an appropriate seed mix to be installed for site restoration following the excavation process.

Commissioner Temple remarked that he found an inconsistency in the application with regard to the amount of topsoil to be used and asked for clarification on the number. Mr. Sczurek responded that the amount should be 6 inches and confirmed that he will correct the plan accordingly. Commissioner Temple then inquired about the plan for dust control and Mr.

Sczurek reviewed the dust control measures that are included in the erosion and sediment control plan notes. Regarding the equipment to be used/serviced on the site, Commissioner Temple commented that, in his professional experience, sources of contamination often stem from service work on machinery or fuel transfer spills. Mr. Mocko noted that Mr. Dufford does not have a permit for storing/using fuel on the site, and the commissioners agreed that this issue needs to be addressed prior to their formal action on the application.

Commissioner Stern inquired about the truck routes and anticipated number of trucks hauling material out of the site each day. Attorney Alter reviewed the truck access, and Mr. Dufford replied that the number of trucks varies daily and depends on the market demand. Commissioner Davis asked if there are any concerns regarding noise and dust associated with this project, and Attorney Alter responded that the operation is blocked by existing topography (a steep knoll) and noted that a previous noise meter test performed on the site showed no measurable noise at the property line. He also noted that there have been no complaints or issues voiced by neighbors during the previous excavation activities on the site.

II. FORMAL ACTIONS & RECOMMENDATIONS

Application of F.N. Builders, Inc. (c/o Frank Nuzzolo, President) and Nuzzolo Brothers Holding Co., LLC for: an inland wetlands and watercourses permit; and recommendations to the Town Plan & Zoning Commission concerning subdivision approval and a Section 6.8 (rear lot) Special Permit – 12-lot Willow Pond Farm Subdivision (with 4 rear lots) proposal – two parcels of land at 1236 and Lot S-31A New London Turnpike (south side) totaling some 17 acres – Residence AA Zone and (overlay) Groundwater Protection Zones 1 and 2 – Megson, Heagle & Friend, C.E. & L.S., LLC – Attorneys Peter Alter and Meghan Hope – Willow Pond Farm, LLC (c/o Peter Tyczkowski), landowner

Attorney Peter Alter, representing the applicant, appeared before the Commission to present the application to subdivide two parcels into 8 frontage lots and 4 rear lots to be served by Town sanitary sewers and MDC public water supply. A similar proposal was reviewed and approved by the Commission in the past (2006-2009) that was not pursued by the developer due to economic issues, and the current application was informally discussed by the Commission on March 16, 2017. As a follow up to the last meeting, Attorney Alter presented a map showing open space and conservation easements in the area.

Jonathan Sczurek, P.E, Megson, Heagle & Friend, C.E. & L.S., LLC, presented the proposed stormwater management plan and reviewed the proposal's compliance with the Plan of Conservation and Development through proposed initiatives such as connectivity/pedestrian walkways, stormwater best management practices, and positioning of the homes for possible solar energy.

Commissioner Temple inquired about the existing streambank erosion problem that begins along the watercourse on the site and continues downstream. Mr. Sczurek reviewed a series of photos

taken of the erosion, and noted that the problem results from a watercourse flowing from an outfall on the south side of East Carriage Drive and across Town open space and land into the east-to-west flowing brook. Mr. Mocko agreed and said that he brought the issue to the Commission's attention as he simply wanted the existing erosion to be documented for the record.

Secretary McClain thanked the team for their consideration regarding positioning the homes for possible solar access, and commented that it would be meaningful to educate potential buyers on even more available sustainability features. Mr. Nuzzolo responded that he is open to suggestions but noted that the homes will be custom built so the features are going to be driven by the buyers' preferences.

Attorney Alter expanded on the proposal's compliance with the Plan of Conservation and Development, noting that curb cuts have been minimized, landscape buffers are being preserved around the perimeter of the site and conservation easement area, and they are providing for open space.

Laura Cahill, 17 Montauk Way, commented that the plan as presented has addressed her and other abutting neighbors' concerns with regard to protecting the pond and trees and providing a landscape buffer for the homes on East Carriage Drive. She thanked the Nuzzolos for considering their suggestions and working with them throughout this process.

Motion By: Secretary McClain **Seconded:** Commissioner Stern
MOVED, that the Inland Wetlands and Watercourses Agency issues an inland wetlands and watercourses permit to F.N. Builders, Inc. and Nuzzolo Brothers Holding Co., LLC for various regulated activities (stormwater management structures, land regrading and establishing yards and lawns, small portions of houses on lots 4, 5, 6, 7, 8 and 10, and footing/foundation drains) limited to the wetlands' upland review areas concerning the proposed 12-lot Willow Pond Farm Subdivision generally located at 1236 New London Turnpike, in accordance with plans on file in the Office of Community Development and in compliance with the following conditions:

1. Comments 2 through 8, inclusive, of the Assistant Town Engineer's September 22, 2017 memorandum shall become conditions of approval.
2. A private conservation easement shall be established as generally depicted on the site plans and this area shall henceforth not be disturbed from its present condition until the conservation easement is in force. The precise delineation shall be recorded by bearings and distances. The easement shall be recorded on the land records. The conservation easement shall be marked with oak stakes labeled "Conservation Easement" with waterproof ink and tied with red flags. These stakes are to be located at each change of boundary direction and at every 100 foot interval on straightaways. All conservation easement corners shall be permanently marked with iron pins. In addition, numbered "Glastonbury Conservation Easement" signs, available from the Town's Office of Community Development, shall be nailed to trees that are within two feet of the easement

area's boundary line, at approximately 100 feet intervals. The sign shall be installed facing outwards at about 7 feet above grade, using two 3 inch or greater aluminum or galvanized nails, with the nails left protruding from tree trunks about 1-1/2". Where no trees are suitable 7 foot metal or long-lived wood posts with easement signs attached shall be used. Such placement of signs shall be performed under the supervision of a Licensed Land Surveyor prior to land-clearing or earth-moving activities and notice shall be provided to the Town's Office of Community Development upon its completion.

3. In order to protect the physical, chemical and biological characteristics of the wetlands and watercourses and water quality, the following conditions shall apply:
 - a. Pesticides and herbicides shall not be disposed of within the designated conservation easement areas;
 - b. Pesticides and herbicides shall only be applied by homeowners utilizing best management practices for integrated pest management; and
 - c. The developer agrees to recite these conditions in the deeds to the individual residential properties.
4. Healthy mature trees shall be preserved and saved when possible. Said trees shall be protected with the use of high visibility construction fence during construction or otherwise protected as required by staff.
5. Installation of soil erosion and sedimentation control and stabilization measures shall be the Permittee's responsibility. Once installed these measures shall then be inspected by the Environmental Planner prior to land disturbance activities. 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. Hay bales shall be replaced every 60 days. 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.
6. Topsoil stockpile areas shall not be permitted within the regulated area.
7. Tree stumps and blasted rock material shall not be buried at the site.
8. Plot plans developed for building permits shall not exceed encroachment into the regulated areas beyond that indicated on the previously cited plans.
9. The plot plan required for building permit application shall contain and comply with these conditions of approval. If construction including limits of clearing is proposed in areas other than the indicated locations on these plans, the Office of Community Development shall be notified and the Office of Community Development and the Chairman of the Town Plan and Zoning Commission are hereby authorized to approve or deny the alternative. Each plot plan shall indicate the limits of vegetative clearing,

existing and proposed contours, soil erosion and sediment controls, all subsurface drainage, all stockpile areas, and temporary and permanent vegetative stabilization measures, including details of seedbed preparation, seed mix selection, application rates, seeding dates and mulching requirements. Vegetative clearing for stockpiling shall be minimized and subject to the approval of the Environmental Planner.

10. Dry wells shall be designed and installed to facilitate the roof runoff in order to attenuate increased flows to downgradient receiving water and provide recharge to the groundwater. Such dry well design shall appear on the site plan submitted for a building permit. An as-built statement from the contractor that constructed the dry wells shall be required for obtaining a certificate of occupancy.
11. Metal waste containers shall be provided at the site to facilitate the collection of refuse material generated from construction activities. Such material shall not be buried or burned at the site.
12. Underground fuel storage tanks shall be prohibited to reduce the potential of contamination to wetlands, watercourses, and groundwater resources.
13. Prior to the issuance of a Certificate of Occupancy, certification from a professional engineer shall be required confirming that the stormwater management system was constructed in conformance with the approved design.
14. 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. If the Permittee sells individual building lots to other builders, the Permittee shall thoroughly review all conditions of this permit with the buyer, and the buyer shall consult with the Environmental Planner before the buyer commences any work on the site.

Result: Motion passes unanimously. (7-0-0)

Motion By: Secretary McClain **Seconded:** Vice Chairman McInerney
MOVED, that the Conservation Commission recommends to the Town Plan & Zoning Commission subdivision approval and approval of a Section 6.8 (rear lot) Special Permit to FN Builders, Inc., and Nuzzolo Brothers Holding Co., LLC for their proposed 12-lot Willow Pond Farm Subdivision, generally located at 1236 New London Turnpike, in accordance with plans on file in the Office of Community Development, and in compliance with the following conditions:

1. Comments 2 through 8, inclusive, of the Assistant Town Engineer's September 22, 2017 memorandum shall become conditions of approval.
2. A private conservation easement shall be established as generally depicted on the site plans and this area shall henceforth not be disturbed from its present condition until the conservation easement is in force. The precise delineation shall be recorded by bearings

and distances. The easement shall be recorded on the land records. The conservation easement shall be marked with oak stakes labeled "Conservation Easement" with waterproof ink and tied with red flags. These stakes are to be located at each change of boundary direction and at every 100 foot interval on straightaways. All conservation easement corners shall be permanently marked with iron pins. In addition, numbered "Glastonbury Conservation Easement" signs, available from the Town's Office of Community Development, shall be nailed to trees that are within two feet of the easement area's boundary line, at approximately 100 foot intervals. The sign shall be installed facing outwards at about 7 feet above grade, using two 3 inch or greater aluminum or galvanized nails, with the nails left protruding from tree trunks about 1-1/2". Where no trees are suitable 7 foot metal or long-lived wood posts with easement signs attached shall be used. Such placement of signs shall be performed under the supervision of a Licensed Land Surveyor prior to land-clearing or earth-moving activities and notice shall be provided to the Town's Office of Community Development upon its completion.

3. In order to protect the physical, chemical and biological characteristics of the wetlands and watercourses and water quality, the following conditions shall apply:
 - a. Pesticides and herbicides shall not be disposed of within the designated conservation easement areas;
 - b. Pesticides and herbicides shall only be applied by homeowners utilizing best management practices for integrated pest management; and
 - c. The developer agrees to recite these conditions in the deeds to the individual residential properties.
4. Healthy mature trees shall be preserved and saved when possible. Said trees shall be protected with the use of high visibility construction fence during construction or otherwise protected as required by staff.
5. Installation of soil erosion and sedimentation control and stabilization measures shall be the Permittee's responsibility. Once installed these measures shall then be inspected by the Environmental Planner prior to land disturbance activities. 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. Hay bales shall be replaced every 60 days. 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.
6. Prior to tree removal within the New London Turnpike right-of-way, the developer/builders shall contact the Glastonbury Tree Warden relative to Town requirements associated with tree removal.
7. Tree stumps and blasted rock material shall not be buried at the site.

8. When a driveway is paved, it shall be paved the entire width in accordance with standards of Section 6.8 of the Building-Zone Regulations.
9. The plot plan required for building permit application shall contain and comply with these conditions of approval. If construction including limits of clearing is proposed in areas other than the indicated locations on these plans, the Office of Community Development shall be notified and the Office of Community Development and the Chairman of the Town Plan and Zoning Commission are hereby authorized to approve or deny the alternative. Each plot plan shall indicate the limits of vegetative clearing, existing and proposed contours, soil erosion and sediment controls, all subsurface drainage, all stockpile areas, and temporary and permanent vegetative stabilization measures, including details of seedbed preparation, seed mix selection, application rates, seeding dates and mulching requirements. Vegetative clearing for stockpiling shall be minimized and subject to the approval of the Environmental Planner.
10. Dry wells shall be designed and installed to facilitate the roof runoff in order to attenuate increased flows to downgradient receiving water and provide recharge to the groundwater. Such dry well design shall appear on the site plan submitted for a building permit. An as-built statement from the contractor that constructed the dry wells shall be required for obtaining a certificate of occupancy.
11. Metal waste containers shall be provided at the site to facilitate the collection of refuse material generated from construction activities. Such material shall not be buried or burned at the site.
12. Underground fuel storage tanks shall be prohibited to reduce the potential of contamination to wetlands, watercourses, and groundwater resources.
13. Prior to the issuance of a Certificate of Occupancy, certification from a professional engineer shall be required confirming that the stormwater management system was constructed in conformance with the approved design.
14. Prior to mylar filing for final plans, language (subject to review and approval by the Office of Community Development) will be included on plans and in property deeds indicating that the lot owners are responsible for maintenance of private drainage systems, but shall allow Town of Glastonbury staff to, with notice, make periodic inspections of the system. If the system is in need of maintenance, the Town of Glastonbury shall be authorized to require proper timely maintenance to ensure acceptable levels of performance.
15. The following recreational caveat shall appear on all applicable plans to be filed on the land records and on all plot plans for Lots 8, 9 and 109 submitted for a building permit:

Please note: Recreational activities occur on open space properties abutting the subdivision site. Potential lot owners should be aware that recreational activities occur on the recreational property.

16. Property corners where the subject property abuts Town of Glastonbury land shall be demarcated with concrete monuments and Town open space placards.
17. Any and all debris shall be removed from individual lots prior to the issuance of a Certificate of Occupancy.

Result: Motion passes unanimously. (7-0-0)

III. APPROVAL OF MINUTES - Regular Meeting of September 14, 2017

The minutes of the Regular Meeting of September 14, 2017 were accepted as presented.

IV. COMMENTS BY CITIZENS ON NON-AGENDA ITEMS

No citizens came forward to speak.

V. OTHER BUSINESS

1. Chairman's Report

Chairman Harper notified the commissioners of CACIWC's 2017 40th Annual Meeting and Environmental Conference taking place on November 18, 2017; Mr. Mocko said they may notify his office if they would like to attend any workshops.

2. Environmental Planner Report

Mr. Mocko reported on updates regarding the Edge Fitness proposal and the Blackledge and Slocum dam projects. He also noted that he is assisting with the update to the Natural Resources section of the Plan of Conservation and Development.

With no other business to discuss, Chairman Harper adjourned the meeting at 9:10 P.M.

Respectfully Submitted,
Amy M. Pallotti
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Recording Secretary
Recording Clerk