

**GLASTONBURY CONSERVATION COMMISSION  
(INLAND WETLANDS & WATERCOURSES AGENCY)  
REGULAR MEETING MINUTES OF THURSDAY, JUNE 13, 2019**

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

**ROLL CALL**

**Commission Members – Present**

Mrs. Judy Harper, Chairperson  
Dennis McInerney, Vice-Chairman  
Ms. Kim McClain, Secretary  
Mr. Frank Kaputa  
Mr. Mark Temple  
Mr. Brian Davis  
*Vacancy*

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

**I. INFORMAL DISCUSSION**

**Resubdivision of 64 Foote Road proposal – two new frontage lots west/downhill of the existing house (and its reassigned lot configuration) on 6.7 acres – some 340 feet east of Main Street – Rural Residence Zone and Groundwater Protection (overlay) Zones 1 and 2 – Bushnell Associates, LLC, C.E. & L.S. – David M. Kronenberg, Trustee, Robert P. Kulas Family Trust applicant/owner**

Mr. Andrew Bushnell, P.E. with Bushnell Associates LLC presented the application for his client. The applicant is proposing two additional frontage lots to the west side of the property. There are two wetlands areas on the property, but Mr. Bushnell noted that the proposed new lots in question contain no wetlands, and included in the discussion tonight is the potential for a conservation easement.

Mr. Mocko asked what the applicant's concepts are for treating the first stormwater flush for the driveway surfaces. Mr. Bushnell stated nothing as of yet. Mr. Mocko explained that he will ask the Engineering Department look at the plan and come up with ideas. Chairman Harper asked if MDC is nearby. Mr. Mocko answered that it is about 300 feet away and the regulation is 200 feet. He stated that he ran through it with the Health Department and there is no priority to extend the MDC water to the site. Commissioner Kaputa asked about the extent of wetlands associated with the watercourse and seep. Mr. Bushnell stated that the flowing water gets absorbed into the permeable soils at the base of the slope and that no wetlands extend onto the two proposed lots.

Chairman Harper asked which land areas the Commission recommends for the conservation easement. Mr. Mocko replied that only the woodland areas should be considered. Commissioner

Temple asked if there are any easements nearby. Mr. Mocko said no, but there will be easements on other side of the street. Commissioner Kaputa asked what the north side looks like. Mr. Mocko stated that it is all vacant land and will likely become a future cemetery. Commissioner Davis asked if the existing house would be able to be further subdivided. Mr. Bushnell said that is unlikely. Commissioner Davis continued that if it cannot be subdivided, then it does not compromise the property to have a conservation easement. In fact, it could be considered an asset to the property. Mr. Bushnell added that the owners have been wary of easements because they view it as a restriction of the property.

## **II. FORMAL ACTIONS & RECOMMENDATIONS**

### **1. Application of Bushnell Associates for an inland wetlands and watercourses permit for reconstruction of a residential driveway at 64 Foote Road (north side) – Robert P. Kulas Family Trust, landowner**

Mr. Andrew Bushnell from Bushnell Associates LLC, representing the Kulas Family Trust again, discussed his client's application for a permit to reconstruct a driveway on 64 Foote Road. He noted that the original paved driveway is likely from the 1970s when the house was first constructed. There is an existing metal pipe culvert underneath the driveway, which has deteriorated, so it did not make sense to repave the driveway. The applicant is proposing to replace the culvert with a 15-inch plastic culvert.

Mr. Mocko asked if the brook has stopped flowing. Commissioner McClain asked what the cause of the sedimentation buildup over time was. Mr. Bushnell said that he was not sure about either. Commissioner Temple inquired why they do not raise the invert to get a better flow. Mr. Bushnell replied that if they raise the driveway, they will have to push the shoulders out to compensate it, so then they would be filling in the wetlands area. Commissioner McClain expressed concern about the continued use of plastic for everything and asked if there is any technology out there that they are not utilizing. Mr. Mocko stated that he has never read any adverse environmental impact about using high-density plastic pipe as a culvert. He noted that concrete would be the only reasonable alternative to plastic, but installing it will take longer and harder to put in place.

Commissioner Harper opened the floor for public comment. With no comments, she closed the public hearing. Secretary McClain read the motion.

**Motion by:** Secretary McClain

**Seconded by:** Commissioner Kaputa

MOVED, that the Inland Wetlands and Watercourses Agency issues an inland wetlands and watercourses permit to Bushnell Associates and/or the Robert P. Kulas Family Trust for reconstruction of the existing driveway through wetlands and its upland review area and across an intermittent brook at 64 Foote Road, in accordance with the plan on file in the Office of Community Development, and in compliance with the following conditions:

1. Construction activities across the wetlands and brook shall be limited to no-flow or very low-flow time periods as determined by the Town's Environmental Planner.

2. 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.
3. 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 passed unanimously (6-0-0)

2. **Application of Creative Remodelers Group, LLC (c/o Joseph Grillo, Jr.) for: an inland wetlands and watercourses permit; and a recommendation to the Town Plan & Zoning Commission concerning a Section 4.11 (Flood Zone) Special Permit and a Section 12 Special Permit with Design Review – proposed Professional Office Conversion (redevelopment of an existing residential property) at 467 Naubuc Avenue – Town Center Mixed Use Zone and Flood Zone - Yantic River Consultants, LLC, C.E. – JBMAK, LLC (c/o Brennen Maki), landowner**

Mr. Brandon Handfield, P.E. with Yantic River Consultants LLC, presented the application on behalf of the applicant. He noted that the existing lot is 0.5 acres, with wetlands located at the bottom of an embankment off of the property, so there are no wetlands on the property itself. The existing property is a two-family residential home. Access to the site is provided by a paved driveway toward a two-car garage. The site is flat, and a portion of the lot is within the 100-year flood zone. The applicant proposes to redevelop from a residential use into a commercial (attorney's) office. He noted that they will be adding a covered porch to provide handicapped accessibility into the building and taking down the existing two-car garage and existing driveway to serve a parking lot that has 9 spaces. Sidewalks will be added in the back with a handicapped accessible ramp in the back porch. He explained that the existing house and the yard areas to the south will continue to drain towards Naubuc Avenue and everything to the north will be put into a filter bed for treatment of the stormwater.

He then explained the landscaping plans, noting that most of it will remain. There will be some minor clearing around where the filter bed will be, but no large trees will be taken down. Most of the clearing will just be trimming, with some small supplemental planting around the house. Commissioner Davis asked if there is a plan to construct the filter bed prior to construction of the parking lot. Mr. Handfield explained that they are going to create the depression and will complete the filter bed after, to not disturb any soils. Commissioner Temple asked if they are trading off this storm detention against water quality. Mr. Mocko explained that there is only attenuation of the very small storms. Commissioner Temple clarified that what they are really talking about is using this for water quality improvement and not for stormwater detention.

Chairman Harper asked about the impervious number. Mr. Handfield stated that the existing impervious coverage is 3900 square feet, and what is proposed is 5600 square feet, so about 25% of the site. Commissioner McClain asked what kinds of vegetation will mitigate the asphalt. Mr. Handfield stated that the trees are very large, so they are not proposing any shade to the parking lot. Commissioner McClain expressed concern at this. Mr. Handfield noted that there is an existing Callery pear tree. Commissioner McClain explained that this is an invasive, useless tree. A discussion ensued amongst the Commission, who concluded that they would like a native, shade tree, and would add that as a condition to their recommendation to the Town Plan and Zoning Commission. Mr. Handfield replied that he will ask the applicant if he is willing to swap out that tree.

Chairman Harper opened the floor for public session. With no comments, the Chairman closed the public hearing.

***Motion by:*** Secretary McClain

***Seconded by:*** Commissioner Davis

MOVED, that the Inland Wetlands and Watercourses Agency issues an inland wetlands and watercourses permit to Creative Remodelers Group, LLC for a parking lot, access drive, drainage structures and land regrading within the regulated upland review area at the 467 Naubuc Avenue, in accordance with plans on file in the Office of Community Development, and in compliance with the following conditions:

1. Adherence to the Town Engineer's memorandum dated May 22, 2019.
2. 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.
3. 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.
4. 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.
5. Underground fuel storage tanks shall be prohibited to reduce the potential of contamination to wetlands, watercourses, and groundwater resources.

6. 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.
7. Ten native shrubs that provide wildlife benefits shall be selected under consultation with the Town's Environmental Planner and planted in selected locations that offer adequate sunlight growing conditions in order to provide mitigation for the proposed disturbances. The selected shrubs to be planted shall be of 5-gallon container size or alternatively-sized and approved by the Environmental Planner.
8. 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 passed unanimously (6-0-0).

**Motion by:** Secretary McClain

**Seconded by:** Commissioner Kaputa

MOVED, that the Conservation Commission recommends to the Town Plan & Zoning Commission approval of a Section 4.11 (Flood Zone) Special Permit and a Section 12 Special Permit with Design Review concerning the proposed Professional Office Conversion redevelopment project at 467 Naubuc Avenue, in accordance with plans on file in the Office of Community Development, and in compliance with the following conditions:

1. Adherence to the Town Engineer's memorandum dated May 22, 2019.
2. 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.
3. 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.
4. 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.

5. Underground fuel storage tanks shall be prohibited to reduce the potential of contamination to wetlands, watercourses, and groundwater resources.
6. 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.
7. **The existing Callery pear tree shall be removed and replaced with a native shade tree, such as a red maple.**

**Result:** Motion passed unanimously (6-0-0)

**3. Recommendations to the Town Plan & Zoning Commission and Town Council concerning: the Final Development Plan and a statement on its environmental impact; and a Section 4.11 (Flood Zone) Special Permit for the proposed AC Hotel by Marriott at 75 Glastonbury Boulevard – Planned Area Development Zone and Flood Zone – Alter & Pearson, LLC – Bohler Engineering – 75 Glastonbury Land, LLC (c/o The Claremont Company, Inc./Ned Carney), applicant**

Attorney Meghan Hope of Alter & Pearson LLC reviewed the application of 75 Glastonbury LLC for a major amendment to Somerset Square PAD. She noted that the property in question is the only remaining vacant lot in the Somerset Square PAD. Back in 2008, there was an approval, but that project never moved forward. The applicant purchased the property in 2016 with the intention of constructing a 4-story, 131-room Marriott hotel with 144 parking spaces. Currently, the site is a grassy lawn with no wetlands on site. Portions of the site are below the 100-year flood. Attorney Hope explained that the applicant has applied for a Flood Zone Special Permit because there will be regrading in the flood zone. She noted that the surface elevation of the 100-year flood zone here is at 28 but the hotel's finished floor is at elevation 32.

Attorney Hope discussed the lighting plan, which has all dark sky compliant fixtures. She noted that, for the landscaping plan, the Beautification Committee wanted columnar-style Armstrong Maple, but the Conservation Committee wanted shade trees. Ms. Hope explained that after receiving everyone's feedback, the Subcommittee went with the Beautification Committee's request.

Mr. Jeff Bord, P.E. with Bohler Engineering in Rocky Hill described the flood zone and the underground storage system, the topography grading, and updates made since the plans were submitted. He noted that the site is challenging because they are raising the whole field about 3-4 feet. For the underground flood storage system, the applicant is proposing a watertight system that fills up from the bottom up, in the event of a large flood. The roof water runoff is handled by discharging it into a water quality swale basin. There are high groundwater conditions. Mr. Bord noted that they took readings in January, April, and June. The June readings had come down 3 inches since April.

Mr. Bord explained that they are replacing the floodwater displacement with an extra 10 cubic yards and that a silt fence is replaced with Filtrexx SiltSoxx. Mr. Mocko recommended swapping

out the inlet filter for a FleXstorm Catch-It filter. Mr. Bord stated that they have provided dewatering measures and dust control measures. He then passed out the revised plans to the Commission.

Attorney Hope explained the deeper excavations and related stormwater, flood tanks, and utilities. The bottom of the elevator will still be above groundwater. She also detailed how the construction team builds the elevator pits. She noted that they are flood-proofed and they will construct those pits to have rubberized asphalt emulsion on all four sides.

Mr. John Patch, PE with McPhail Associates, LLC., Cambridge, MA, was consulted to provide a second geotechnical opinion on the project for the applicant. He explained that the sample methods the applicant used led them to believe that the soil is softer than it actually is. His team went to the site and performed their own borings, concluding that the soil at the site is denser than what was shown based upon the original borings. He then walked through the sequencing of the proposed footings work, which uses a hybrid approach that is both preloading and conventional fill.

Commissioner Temple inquired as to where the sump pump in the elevator pit will be discharged. Mr. Bord stated it typically will just be discharged into the drainage system. Secretary McClain asked if there are any LEED-certified hotels in the Marriott portfolio. Attorney Hope stated that she is not sure. Vice Chairman McNerney agreed that these bigger corporations should be pushing more towards LEEDs standards. Commissioner Davis pointed out that the LEEDs standards and current building codes have gotten very close to each other and acknowledged that one of the biggest drawbacks of developers not going through the process is the bureaucracy it entails.

Secretary McClain expressed concern about the issue with the trees, noting that the parking lot needs more shade so as to not boil the cars parked there, and Marriott should have pushed towards sustainable measures. Commissioner Kaputa agreed that the columnar trees do not make sense, nor do they even look nice. Ms. Hope pointed out that the Beautification Committee took the position of the columnar tree because of the issue of long-term maintenance, which is generally not upheld 3-5 years down the road.

Commissioner Temple asked about the waterproofing of the underground structure. Mr. Bord responded that a third-party group is involved with the testing for such assurance. Mr. Mocko asked about the lifespan of the water-tight underground structures. Mr. Bord responded they are tested every five years. Commissioner Temple asked for clarification that they are alleviating the concern of the groundwater on the site with this system. Mr. Bord said yes. Secretary McClain asked if they should include a maintenance plan as part of their recommendations. Mr. Bord noted that they have a maintenance schedule that is associated with that particular structure.

Attorney Hope then reviewed a supplemental letter (to the submitted Environmental Impact Report) that Eric Davidson wrote regarding bird glass collisions. The letter concludes that the impact on migrating birds would be low on the applicant's site because it is not directly on the migratory corridor and exhibits an urban landscape. Ms. Hope added that they reached out to

maintenance staff at Claremont Companies, as well as 95 Glastonbury Boulevard, and neither reported any issues with bird mortality. She acknowledged that Mr. Davidson's letter is not a scientific analysis of bird mortality in Glastonbury but anecdotally, it helps show that this is not a huge issue in this area. Therefore, the applicant is not proposing any mitigation on their windows for bird-glass collisions.

Chairman Harper inquired about the impervious coverage. Mr. Bord said it is 69.2%. Vice Chairman McInerney asked if there will be construction monitoring the activity. Mr. Bord said yes. Secretary McClain asked why the parking lot lights are 24 feet high, and if they could be reduced to 18 feet. Attorney Hope stated that 18 feet was the height the lighting designers picked. Commissioner Davis echoed the desire for a lower fixture in the 18-foot range. Secretary McClain asked if the lights could have automatic sensors. Ms. Hope stated that they feel uneasy with that request because people can come in at all hours and the light would turn on, but if the Commission feels strongly about it, they could make a recommendation. Attorney Alter also pointed out that there is a small typo in the motion in regard to the building size, which should read "23,506 square **footprint**".

**Motion by:** Secretary McClain

**Seconded by:** Commissioner Temple

MOVED, that the Conservation Commission transmits to the Town Council and Town Plan & Zoning Commission an environmental impact statement for the proposed 4-story, 23,506 square foot building footprint, AC Marriott Hotel at 75 Glastonbury Boulevard as generally contained within the submitted document titled: Environmental Impact Report (Report), AC Marriott Hotel, 75 Glastonbury Boulevard, Glastonbury, Connecticut, prepared for Opechee Construction, 11 Corporate Drive, Belmont, New Hampshire, April 25, 2019, prepared by Davison Environmental, LLC, 10 Maple Street, Chester, Connecticut, with the following exceptions:

1. The Report (section 5.2 on page 6, last sentence) states "The potential for indirect impacts due to erosion is minimal due in part to the flat topography and a detailed Erosion Control plan". Soil erosion and sedimentation control measures during construction are more critical than stated within the submitted report due to:
  - a.) The parcel's relatively small, confined size and surrounding land uses;
  - b.) The fine-textured soil particles found in this geological setting that are problematic with regard to trapping them in surface runoff, removing them once suspended in water, and controlling them once airborne and subject to wind erosion;
  - c.) The subsurface seasonal high groundwater conditions and the proposed extent of subsurface construction activities (i.e. deep excavations for footings, foundations, water quality structures, compensatory flood storage structures, drainage pipes and pumps and utilities) will necessitate dewatering practices;
  - d.) The lack of control measures within the submitted plans to date (6/12/2019) for the anticipated dewatering operations and wind erosion (aka dust control) potential.
2. The Report (section 3.3 on page 2) identifies a mapped soil series at the site as being the Raypol poorly-drained silt loam, which is a wetlands soil in Connecticut. This soil does not currently exist at the site due to previous mass regrading activities performed to date



once the agricultural use of the area was abandoned for more intensive development of the area. Therefore, inland wetlands have not existed on the site for decades.

3. The Report (section 3.5.2 starting on page 3, but specifically on top of page 4) states “Roof runoff will bypass the infiltration system and connect with the Private Road drainage system and the yard drains west of the proposed building”. This strategy has since been abandoned (in favor of providing means to more fully comply with State standards for the treatment of stormwater) and the plans were revised to now discharge the roof runoff into two proposed stormwater treatment (surface) basins to be located along the western edge of the site.

**Result:** Motion passed unanimously (6-0-0).

**Motion by:** Secretary McClain

**Seconded by:** Vice Chairman McInerney

MOVED, that the Conservation Commission recommends to the Town Plan & Zoning Commission approval of a Section 4.11 (Flood Zone) Special Permit for the proposed 4-story, 23,506 square foot building footprint, AC Marriott Hotel at 75 Glastonbury Boulevard, in accordance with plans on file in the Office of Community Development, and in compliance with the following conditions:

1. Adherence to comments numbered 4, 5 and 6 of the Town Engineer’s memorandum dated May 22, 2019.
2. A statement from a Professional Engineer, at the expense of the landowner, certifying that the underground, watertight flood storage structures were tested and found to be watertight and totally functional/operational (with regard to their intended design) shall be required: prior to the issuance of a Certificate of Occupancy; and subsequently, at each five-year time interval. Said periodic certifications shall be provided to the Town Engineer and the Office of Community Development.

**Result:** Motion passed unanimously (6-0-0).

**Motion by:** Secretary McClain

**Seconded by:** Commissioner Temple

MOVED, that the Conservation Commission recommends to the Town Council and Town Plan & Zoning Commission approval of the Final Development Plan for the proposed 4-story, 23,506 square foot building footprint AC Marriott Hotel at 75 Glastonbury Boulevard, in accordance with plans on file in the Office of Community Development, and in compliance with the following conditions:

1. Comments numbered 2 through 9, inclusive, as stated within the Town Engineer’s memorandum dated May 22, 2019, shall become additional conditions of approval.

2. A statement from a Professional Engineer, at the expense of the landowner, certifying that the underground, watertight flood storage structures were tested and found to be watertight and totally functional/operational (with regard to their intended design) shall be required: prior to the issuance of a Certificate of Occupancy; and subsequently, at each five-year time interval. Said periodic certifications shall be provided to the Town Engineer and the Office of Community Development.
3. Revisions to the soil erosion and sediment control plan shall be made under consultation with the Town's Environmental Planner prior to submitting the approved site plans for filing in the Town Clerk's Office.
4. 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.
5. 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.
6. Underground fuel storage tanks shall be prohibited to reduce the potential of contamination to wetlands, watercourses, and groundwater resources.
7. 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.
8. Prior to the issuance of a Certificate of Occupancy, certification from a landscape architect shall be required confirming that landscape plants were installed in accordance with the approved landscape plan.
9. **It is recommended that the submitted plans shall be revised to replace the 24-foot high light poles with 18-foot high poles.**

**Result:** Motion passed unanimously (6-0-0).

### **III. Activity within an area encumbered with conservation easements at/near 255 Imperial Drive**

Mr. Mocko explained that he received a series of inquiries about removal of vegetation activity within a conservation easement along the southern shore of Diamond Lake. The activity was found to be adjacent to David Luszczyk's property at 255 Imperial Drive. Mr. Mocko described the issue, noting that the width is 12 to 15 feet at most, and he suggested simply to replant the area with vegetation, namely native shrubs, to rectify the matter. Commissioner Davis asked if there is any anticipation of vehicles or ATVs going through. Mr. Mocko said no, it is a pedestrian-type path.

Mr. Luszczyk presented before the Commission to clarify that he is not the landowner, the Kongsicut Land Trust owns the property. He considers himself an abutter. He explained that the cuttings that Mr. Mocko witnessed were not on his property. The path in question does not have any tree cuttings because he has never cut any trees; there has been no chainsaw activity on the easement. Commissioner Temple asked if that was there prior to this brush removal. Mr. Luszczyk stated that there was always a path there. Commissioner Temple asked why there was a path there when there were no previous homeowners. Mr. Luszczyk explained that it was already there when he bought the property. Mr. Mocko clarified that the area was once an apple orchard and the path could have historically developed from the previous orchard use.

Commissioner Temple clarified that what they are really talking about is just fixing the cutting on the brush, not filling this path back in. Commissioner Kaputa asked if Mr. Luszczyk is agreeable to work with Mr. Mocko on rectifying this situation. Mr. Luszczyk said yes. Mr. Mocko asked if they need authorization from the owners, Kongsicut Land Trust, to plant shrubs in that area. Commissioner Kaputa said that he will follow up with Jim Wright, but it should not be a problem. Secretary McClain noted that since the Kongsicut Land Trust has a lot of interest in making sure this area is well-looked after, they should coordinate with their neighbors every few years to make sure that everyone is respecting the conservation easements. Chairman Harper agreed, adding that one must get back to the people who filed the complaint and correspond to remind people. The Commission agreed that Commissioner Kaputa and Mr. Mocko will follow up with Jim Wright and Mr. Luszczyk to resolve this matter.

#### **IV. APPROVAL OF MINUTES - Regular Meeting of May 16, 2019**

**Motion by:** Commissioner Davis

**Seconded by:** Commissioner Temple

MOVED, that the Inland Wetlands Agency and Conservation Commission approve the minutes for the special meeting held on May 16, 2019, as corrected.

**Disc:** Chairman Harper noted that the motion on page 10 is repeated on page 11. She asked that the duplication be corrected.

**Result:** Minutes accepted as corrected, with one abstention. Secretary McClain was absent at that meeting, so she abstained from voting.

**V. COMMENTS BY CITIZENS ON NON-AGENDA ITEMS (none)**

**VI. OTHER BUSINESS**

1. **Chairman's Report** *none*
2. **Environmental Planner Report**

Mr. Mocko stated that the next meeting is on June 27. The only items on the agenda are the Town's projects: at Riverfront Park; a sidewalk project extending south on Main Street; and a wetlands permit application for the replacement of the Fisher Hill Road bridge over Roaring Brook.

Mr. Mocko explained that they have an opportunity to meet earlier so that the engineering staff would not have to come to a 7:30 P.M. meeting. Commissioners Kaputa and Secretary McClain cannot make that an earlier meeting so the Commission will not meet a quorum that day. Secretary McClain remarked that she is still trying to get another member to join the Commission to meet the quorum. The Commission decided that they will cancel their regular meeting and schedule a special meeting on another day. The Commission agreed to meet on **Monday, July 1 at 4:00 P.M.**

*With no other business to discuss, Chairman Harper adjourned the meeting at 10:05 pm.*

Respectfully Submitted,

***Lilly Torosyan***

Lilly Torosyan  
Recording Clerk