

**GLASTONBURY CONSERVATION COMMISSION  
(INLAND WETLANDS & WATERCOURSES AGENCY)  
REGULAR MEETING MINUTES OF THURSDAY, SEPTEMBER 26, 2019**

The Glastonbury Conservation Commission (Inland Wetlands & Watercourses Agency), along with Mr. Tom Mocko, 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**

Dennis McInerney, Vice Chairman (Acting Chairman)  
Frank Kaputa (Acting Secretary)  
William Shea  
Mark Temple

**Commission Members – Excused**

Judy Harper, Chairman  
Kim McClain, Secretary  
Brian Davis

*Acting Chairman McInerney called the meeting to order at 7:30 P.M. He announced that due to the absence of several commissioners, Mr. Kaputa would serve as Acting Secretary.*

**I. FORMAL ACTIONS & RECOMMENDATIONS**

**1. Application of the Town of Glastonbury for an inland wetlands and watercourses permit for the Historical Dock Terminal and Piping Removal Project – 300 Welles Street and behind the Community Center and extending into the Connecticut River – Flood Zone and Reserved Land Zone – Daniel A. Pennington, Town Engineer**

Mr. Pennington presented the application, explaining that the condition of the current dock has become a hazard and a liability, so the proposal is to remove it in its entirety. Mr. Bruce Devanney elaborated on the removal process. Mr. Pennington explained that this project is subject to a state general permit from the DEEP, which has time of year restrictions (from June 1 to September 30). Work is anticipated to begin in the next week or two. He recalled that at the informal meeting, there was a suggestion to create a plaque to commemorate the historical site. He noted that the design has not yet been determined, but he is committed to making it happen.

Commissioner Temple expressed concern about residuals from the PCBs that were present during the original remediation. He asked if the Toxic Substance Control Act was effective at the time. Mr. Pennington explained that a small portion of the remediation in 2004 included PCB removal. Commissioner Temple stated that if there are any liquid residuals, someone should look at it. Mr. Devanney agreed. Acting Chairman McInerney asked who will be doing the inspection. Mr. Pennington stated that it will be a Town employee.

**Motion by:** Acting Secretary Kaputa

**Seconded by:** Commissioner Temple

MOVED, that the Inland Wetlands and Watercourses Agency issues an inland wetlands and watercourses permit to the Town of Glastonbury for the demolition and removal of the historic dock piping terminal in and along the Connecticut River at 300 Welles Street, in accordance with plans and application materials on file in the Office of Community Development, and in compliance with the following conditions:

1. An inspector shall be assigned to oversee this project throughout the process and shall consult with the Environmental Planner regularly.
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 the project 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. 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. Appropriate waste containers shall be provided at the site to facilitate the collection of refuse material generated from demolition activities. Such material shall not be buried or burned at the site.
5. A seed mix, acceptable to the Environmental Planner, shall be used to establish permanent stabilization of disturbed soil areas and to provide native vegetation to benefit wildlife habitat.
6. An interpretive, educational panel or sign shall be created under consultation with the Environmental Planner and shall be posted near the dock site within two years after demolition and removal.

**Result:** Motion passed unanimously (4-0-0).

- 2. Recommendation to the Town Plan & Zoning Commission concerning subdivision approval – River Road Subdivision, Phase 3 (6 frontage lots and a 500-foot easterly extension of Dufford's Landing) – Assessor's Lots LS-4 Dug Road and L3A Dufford's Landing – Rural Residence Zone and Groundwater Protection Zone 1 – Megson, Heagle & Friend, C.E. & L.S., LLC – Attorneys Peter Jay Alter & Meghan Hope – William M. Dufford, landowner/applicant**

Attorney Peter Alter of Alter & Pearson, LLC presented the application on behalf of his client. The proposal is for Phase 3 of the Dufford's Landing Subdivision, which will extend Dufford's Landing 500 feet from the existing temporary cul-de-sac to create six lots on 6.37 acres. Attorney Alter explained that there is no wetlands activity on the site. He noted that there will be excavation to prepare the property for subdivision. The road is developed at a steep grade, in order to reduce the amount of excavation that will occur.

Mr. Jon Sczurek of Megson, Heagle & Friend, C.E. & L.S., LLC discussed the engineering details of the site. He explained that all of the runoff on the site will drain down to the roadway and catch basins will be tied in to infiltration structures to recharge the groundwater. He noted that, since July, they have addressed the following outstanding issues:

1. Added agricultural caveats to all the sheets
2. Split the erosion sediment controls into 3 different plans, and added the control narrative to all 3 sheets
3. Incorporated a seed mix that will be used after excavation activities
4. Updated the drainage report to include the 6-lot layout, and sent those revisions to the Engineering Department
5. Included formal recommendations from the Engineering and Health Departments

Commissioner Temple expressed that the dry wells at the end of the roadway are sources of contamination because they are within the 75-foot setback from the wells on the property. Mr. Sczurek explained that any drainage infiltration structures for the health code have to meet the 25-foot radius, not 75. Acting Chairman McNerney asked about the notes received from the Engineering Department about test pits. Mr. Sczurek stated that they do not anticipate making any adjustments to the design. If, however, adjustments are needed, the note describes that they will take action.

**Motion by:** Acting Secretary Kaputa

**Seconded by:** Commissioner Temple

MOVED, that the Conservation Commission recommends to the Town Plan & Zoning Commission subdivision approval of William Dufford's proposed 6-lot River Road Subdivision, Phase III, involving an easterly extension of Dufford's Landing, in accordance with plans on file in the Office of Community Development, and in compliance with the following conditions:

1. Comments 2 through 6, inclusive, within the Town Engineer's memorandum dated September 19, 2019 shall become conditions of approval.
2. Adherence to the Health Department's review and comment memorandum dated September 24, 2019.
3. 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.

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. Tree stumps and blasted rock material shall not be buried at the site.
6. 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.
7. 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.
8. 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.
9. Prior to any bond release concerning the new road and public road acceptance, certification from a professional engineer shall be required confirming that the stormwater management system was constructed in conformance with the approved design and modified by condition number 1 above.

**Result:** Motion passed unanimously (4-0-0).

- 3. Recommendation to the Town Plan & Zoning Commission concerning a Section 12 Special Permit with Design Review – Mixed Use Building at 311 Hebron Avenue – redevelopment at the corner of Hebron Avenue and House Street – Town Center Zone – Dutton Associates, LLC – Rosy Kapur, applicant/landowner**

Mr. Dutton presented the application on behalf of his applicant, who is proposing a 3-floor mixed-use building. The first floor will contain a restaurant and the second and third will contain residential units. He noted that the driveway curb cut will be widened to meet the minimum standards. The total impervious coverage is 13,500 square feet, which is 78.2% of the site. The lighting is LED, dark sky compliant. He explained that the landscaping plan has been modified by the architect, Mr. Hans Hansen, who got rid of the invasive pear trees, as per the request of this Commission, and added a large maple tree behind the dumpster. Mr. Dutton noted issues with the overhead wires, so they had to be careful with the types of vegetation they placed there. He also explained that they received additional comments from the Engineering Department, which they will address.

Acting Secretary Kaputa asked what the impervious cover percentage is presently. Mr. Dutton said that the only thing that remains is the parking lot, but it is about 7,000 square feet or so. He noted that it is a tight site, with no room to stockpile materials. They did groundwater monitoring during the wet season this year. The stormwater management system is set above the high-water level. Acting Secretary Kaputa asked about signage lighting. Mr. Dutton stated that the signage has not yet been developed, but it will be located on the building itself and will likely have gooseneck lighting. The architect is working on those details but there are no plans to use monument signs. Commissioner Shea asked what kind of tree will be in the center. Mr. Dufford stated that it is an October Glory (red maple) tree.

**Motion by:** Acting Secretary Kaputa

**Seconded by:** Commissioner Shea

MOVED, that the Conservation Commission recommends to the Town Plan & Zoning Commission approval of Rosy Kapur's Section 12 Special Permit with Design Review for a 3-story, mixed use building and related infrastructure at 311 Hebron 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 September 20, 2019.
2. Sheet 6 of the set of plans shall be revised: by adding the "Erosion Control Narrative" and "Erosion Control Notes" found on plan sheet 11; and providing a bold note stating "Refer to sheet 11 for more information related to soil erosion and sediment control and permanent stabilization measures":
3. A contingency plan for snow removal from the site shall be prepared to satisfy the Town Plan & Zoning Commission's concerns.
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. Tree stumps and blasted rock material shall not be buried at the site.
6. Metal waste containers shall not 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.
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.

**Result:** Motion passed unanimously (4-0-0).

## **II. APPROVAL OF MINUTES - Regular Meeting of September 12, 2019**

The minutes were accepted as presented.

## **III. COMMENTS BY CITIZENS ON NON-AGENDA ITEMS**

**Mr. Roger Emerick of 580 Hopewell Road** addressed the Commission in regard to the lawsuit he filed in 2017 for environmental damages done to his property. He noted that the lawsuit was not lost but dropped and, though he does not wish to file a new lawsuit, he is disappointed that the Commission has not addressed his issues. He explained that he has submitted photographs to the Commission and awaits Mr. Mocko's response. Acting Chairman McInerney asked if there has been increased damage in recent years. Mr. Emerick replied that, in the past two years, the amount of erosion has increased and doubled the width of the brook in the area.

Acting Chairman McInerney thanked Mr. Emerick for bringing his concerns to the Commission. He explained that the Commission has received Mr. Emerick's message and Mr. Mocko will draft a response.

## **IV. OTHER BUSINESS**

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

Mr. Mocko stated that there is plenty of activity with upcoming projects. He passed out a sheet from the CACIWC (Connecticut Association of Conservation and Inland Wetlands

Commissions, Inc.) and encouraged commissioners to attend their conference in November. Mr. Mocko also explained that he recently met with former commissioner Jim Bingham, whose 94th birthday was yesterday.

*With no other business to discuss, Acting Chairman McInerney adjourned the meeting at 8:44 pm.*

Respectfully Submitted,

***Lilly Torosyan***

Lilly Torosyan  
Recording Clerk