

**GLASTONBURY CONSERVATION COMMISSION
(INLAND WETLANDS & WATERCOURSES AGENCY)
REGULAR MEETING MINUTES OF THURSDAY, OCTOBER 10, 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

Judy Harper, Chairman
Dennis McInerney, Vice Chairman
Kim McClain, Secretary
William Shea
Mark Temple

Commission Members – Excused

Frank Kaputa
Brian Davis

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

I. FORMAL ACTIONS

- 1. Application of Still Hill Construction, LLC (Mike Kamis, member) for an amendment to and time extension for an existing wetlands permit concerning the approved South Mill Village, Phase V Residential Planned Area Development – north of the extended, but uncompleted and gated South Mill Drive cul-de-sac and south of Roaring Brook and the Cotton Hollow Preserve – Planned Area Development Zone and Groundwater Protection Zone 2 – Megson, Heagle & Friend, C.E. & L.S., LLC – Attorney David Sherwood**

Mr. Mark Friend from Megson, Heagle & Friend, C.E. & L.S., LLC presented the application on behalf of his client to amend the original wetlands permit, as well a time extension for that permit. He explained that the proposal is to eliminate the piped emergency spillway and replace it with an open channel, riprap spillway. Mr. Friend noted that they originally attempted acquiring permission from the South Mill Village Association to cross into their property for the desired spillway, but was unsuccessful; they have since received such permission. Mr. Mocko added that a portion of the newly proposed spillway goes into a conservation easement area. Mr. Temple asked where the conservation easement is. Mr. Friend pointed to the site plan and explained that it is along one side of the South Mill Village Association property.

Motion by: Secretary McClain

Seconded by: Commissioner Shea

MOVED, that the Inland Wetlands and Watercourses Agency 1) amends Still Hill Construction, LLC's previously issued (issued 11/10/2016) wetlands permit for construction of an emergency spillway channel within the upland review area and discharge into the intermittent brook on land owned by the South Mill Village Association, Inc., which land is encumbered with a private conservation easement agreement; and 2) grants a 5-year time extension to said wetlands permit, thus establishing a permit expiration date of November 10, 2026 in which cannot be extended afterward, in accordance with plans and application materials in the Office of Community Development, and in compliance with the original fifteen (15) numbered, assigned conditions of approval (assigned October 10, 2017) and the following additional conditions:

1. This construction shall be done during no-flow time periods of the receiving brook.
2. Healthy, native vegetation adjacent to the proposed disturbed area shall be identified and protected as directed by the Environmental Planner prior to performing the land clearing for the emergency spillway.
3. Normal and customary soil erosion and sedimentation control measures shall be provided to prevent such problems to the easement area and the receiving intermittent brook. The Environmental Planner is hereby authorized to require additional measures, including, but not limited to, permanent stabilization techniques.
4. The disturbed land area shall be planted with native shrub species suitable for the area's growing conditions under consultation with the Environmental Planner; the total number of shrubs shall, generally, be determined based upon spacing such shrubs eight (8) feet apart on-center.

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

Motion by: Secretary McClain

Seconded by: Commissioner Shea

MOVED, that the Conservation Commission permits/allows Still Hill Construction, LLC to construct an open, riprapped, emergency spillway channel within a conservation easement area to serve the stormwater drainage system for the South Mill Village Phase V residential PAD, which said spillway is a private, above-ground private utility and is allowed pursuant to subsection 1 of the Exceptions section of the private conservation easement on file in the land records; said permission being in accordance with plans on file in the Office of Community Development, and in compliance with the following conditions:

1. This construction shall be done during no-flow time periods of the receiving brook.
2. Healthy, native vegetation adjacent to the proposed disturbed area shall be identified and protected as directed by the Environmental Planner prior to performing the land clearing for the emergency spillway.
3. Normal and customary soil erosion and sedimentation control measures shall be provided to prevent such problems to the easement area and the receiving intermittent brook. The

Environmental Planner is hereby authorized to require additional measures, including, but not limited to, permanent stabilization techniques.

4. The disturbed land area shall be planted with native shrub species suitable for the area's growing conditions under consultation with the Environmental Planner; the total number of shrubs shall, generally, be determined based upon spacing such shrubs eight (8) feet apart on-center.

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

2. Application of Dependable Construction, LLC (Dan Gassner, Member) for an inland wetlands and watercourses permit concerning the 29-lot Stallion Ridge Open Space Subdivision – site currently an equestrian facility at 524 Bell Street – Rural Residence Zone and Groundwater Protection Zone (overlay) 1 – Alter & Pearson, LLC – Dutton Associates, LLC – James Sipperly, Soil Scientist & Connecticut Wetland Scientist

Attorney Peter Alter of Alter & Pearson, LLC presented the application on behalf of his client. He explained that Mr. Dutton is away, so they are not ready to address the issues that concern him. The proposal is for 29 lots, with a new roadway coming off of Bell Street to a permanent cul-de-sac.

Attorney Alter explained that they propose development in 2 phases:

- Phase 1: House lot development along Bell Street along with the extension of sanitary sewer and public water supply. (11 lots developed);
- Phase 2: The construction of the new road and its house lots. (18 lots developed).

Attorney Alter then explained the particulars of an open space subdivision to the Commission. He noted that while Manchester Water Company denied providing service to this area because there is not enough serviceable area to make it financially feasible for them, MDC has agreed to provide public water to the site. He also noted that, as a way to avoid creating an artificial homeowner's association for no other purpose, they propose private conservation easements on many of the lots which provides the open space. Though the regulation requires 10 acres of open space on the site, they propose about 15 acres. There is no direct wetland activity on this development.

Mr. James Sipperly, a certified soil scientist and a Connecticut wetlands scientist, stated that he submitted a wetlands letter in June 2019. He explained that he went out and re-inspected the wetland delineation line on May 15. He also looked at the investigation of vernal pools and invasive species that were colonizing on the property and came up with management plans. He explained that there was one wetland area that looked like it might have been wet but when he dug in, it did not have the characteristics of a wetland soil. Mr. Sipperly also identified two vernal pools on the neighboring MDC land to the east. He noted that there was evidence of frogs, and he also suspected salamanders. He explained that this is a heavily wooded area, and when amphibians hatch, they like to go to the woodland area; the subject site is not heavily wooded and, thus, there is little to no vernal pool animal species activity on the proposed land to be subdivided.

Mr. Sipperly proposed putting a rain garden to collect water and putting trees around that and a buffer planting. He also recommended that the lawn area be reduced. He then passed around to the Commission a guide to native plants, as well as his report, dated June 21, 2019, detailing his observations and recommendations for dealing with the invasive species. Mr. Sipperly also recommended accepting the colony of phragmites and not trying to eradicate it, though he acknowledged that conducting a prescribed burn could be another control measure to eradicate the phragmites.

Vice Chairman McInerney stated that burning sounds good, but it does not sound like it will work because it will require multiple cycles. He asked if one could just take it out and re-cultivate the land. Mr. Sipperly explained that, in smaller areas, they could go in mechanically to remove the soil but in all reality, it does come back and it is not cost-effective to do so in such a large area as this site. Mr. Mocko suggested spot treating the phragmites in areas where the trees will be planted, and planting taller trees in order to get above the height of the phragmites as they come back.

Secretary McClain asked if there is any way to shift the lot line so that only one neighbor is responsible for the rain garden, which extends to both lots. Mr. Sipperly explained that that is the perfect location, regardless of the lot line, but he acknowledged the concern. Mr. Alter explained that they will look into either creating two small rain gardens, with one on each lot, or sliding the rain garden so that it falls on one lot only. Mr. Mocko suggested having an easement so that the homeowner cannot remove or alter the rain garden(s). Mr. Sipperly said that they could provide plaques identifying the easement area(s) to make that clear.

Mr. Temple asked why the Town decided that they did not want to accept any public open space with this project. Mr. Alter stated that he was very surprised that staff took that position..

Chairman Harper asked if street trees are shown on the plan. Mr. Alter said yes. Chairman Harper asked if there is opportunity for solar exposure. Mr. Alter replied that some of the houses will offer opportunities for solar. Secretary McClain stated that perhaps the standards could be raised to allow for more environmentally sound structures on the site. Mr. Alter said they could provide some analysis on how they could go about doing that.

Secretary McClain then asked about the last four lots on the cul-de-sac, inquiring if there is a way to bring the driveways up so that they are not long. Ken Petrini of Snyder Civil Engineering, LLC explained that these are concepts, so they merely show what is feasible, not where they will be or how long they will be; also two of the lots are rear lots with no frontage on the road.

Mr. Alter concluded that they hope to be back for a final review at an upcoming meeting. The Commission does not recommend taking action on this application yet because the plans and some of the other submitted materials need revisions for accuracy and to meet the Town staff's expectations.

II. APPROVAL OF MINUTES - Regular Meeting of September 26, 2019

The minutes were accepted as presented.

III. COMMENTS BY CITIZENS ON NON-AGENDA ITEMS *None*

IV. OTHER BUSINESS

1. Chairman's Report

Chairman Harper passed around an article from the Hartford Courant last month, as well as two birthday cards for the Commission to sign. She also asked if any commissioner would be interested in attending the conference on Saturday, November 23, noting that the registration deadline is October 15. Commissioners Shea, Temple, McClain, and Harper signed up.

Chairman Harper also noted that their next meetings are October 24, November 7 and December 5. She reminded the Commission that they had previously discussed utilizing December 5th's meeting as a joint educational meeting on invasive species with the Community Beautification Committee. Secretary McClain agreed that this is a great idea to figure out how to address this issue and not put developers in the middle.

2. Environmental Planner's Report

Mr. Mocko inquired if the Commission is willing to start their meetings at an earlier time. The suggestion was for a 7:00pm start time. All present members stated that they are fine with 7:00pm. Mr. Mocko also asked about attendance for the October 24th meeting. Vice Chairman McInerney said he may not be able to make it. Mr. Mocko also inquired about the November 7th meeting. All present commissioners said that date is fine.

With no other business to discuss, Chairman Harper adjourned the meeting at 9:01 pm.

Respectfully Submitted,

Lilly Torosyan

Lilly Torosyan
Recording Clerk