

**GLASTONBURY CONSERVATION COMMISSION
(INLAND WETLANDS & WATERCOURSES AGENCY)
SPECIAL MEETING MINUTES OF THURSDAY, NOVEMBER 14, 2019**

The Glastonbury Conservation Commission (Inland Wetlands & Watercourses Agency), along with Mr. Tom Mocko, Environmental Planner, in attendance held a Special Meeting in Town Council Chambers, second floor of Town Hall located at 2155 Main Street, Glastonbury, Connecticut at 5:00 P.M.

ROLL CALL

Commission Members – Present

Judy Harper, Chairman
Dennis McInerney, Vice Chairman
Kim McClain, Secretary
William Shea
Mark Temple
Frank Kaputa
Brian Davis (arrived at 7:15pm)

Chairman Harper called the meeting to order at 5:06 P.M.

I. INFORMAL DISCUSSION

Consideration of the options for addressing the “unsatisfactory condition” assigned to the Town’s Slocomb Dam along Roaring Brook – 68 Matson Hill Road (east side) – Daniel A. Pennington, Town Engineer – Laura Wildman, P.E., Princeton Hydro, consultants

Mr. Daniel Pennington discussed the options for addressing the “unsatisfactory condition” on the concrete spillway portion of the Town’s Slocomb Dam, which was historically constructed for the mill operation. He noted that the unsatisfactory rating does not require them to remove, replace, or repair the dam; simply to get it to a point where the site is no longer a hazard. He noted that this activity is regulated on the state level, nonetheless, they would still like to keep the Town informed.

Ms. Laura Wildman, P.E. at Princeton Hydro, presented on the existing conditions of the Slocomb Dam. She explained the site property boundaries and the high and low flow conditions. She showed the Commission some pictures that reflect the hazardous condition of the dam that needs immediate or emergency action. She noted that they have also gone out and done a set of impounded sediment testing. Ms. Wildman ran through the option of removing the dam and installing a fence (for safety reasons) and stairs (for access to the other features of the park), with optional placement of fill in watered areas to minimize any kind of impacts to the downstream area, and repairs to the retaining wall, as needed.

Chairman Harper asked if the wetlands would be more or less after the impoundment. Ms. Wildman replied that it will be very similar, but there will be less inundation under higher flows of the impoundment. Vice Chairman McInerney asked if all of the permitting activity relative to the dam is through state agencies. Mr. Mocko said yes. Mr. Pennington pointed out that this

application is very similar procedurally to the Blackledge River Pond Dam removal. Vice Chairman McInerney asked when the project is anticipated to begin. Ms. Wildman stated next year, and the project itself would take just a few weeks. She noted that the removal of this dam is a little more strategic, and shorter, than the Blackledge Dam removal. Commissioner Kaputa stated that the stairs seem unrelated to the dam removal project, and this fact makes the two dam projects dissimilar. Mr. Mocko stated there may be opportunity to declare the stairway construction is nonregulated by our wetland regulations; the Commission can revisit this once all of the stairway's construction details are known.

Vice Chairman McInerney asked if the applicant ever contemplated taking down the wall. Ms. Wildman stated that the time to do that would have been during the remediation phase, and it would have been more expensive. Mr. Pennington concurred, stating that they looked into that option, but decided against it, primarily for cost-related reasons. The Vice Chairman asked what the biggest risk on this project is. Ms. Wildman said that there is very little risk. Mr. Mocko replied that the biggest risk already occurred, when the previous landowner opened it up to drain the impoundment and created the channel. Ms. Wildman agreed; she noted that all of the sediment has now gone through the system and the cleanup is done. Commissioner Temple countered that the report suggests that there are low-level contaminants present in the sediments. Ms. Wildman stated that it is very low level; the soil meets the Remediation Standard Regulations (RSR) criteria for reuse on the property. Mr. Pennington stated that they can write an opinion for the Commission.

Mr. Mocko asked how much wider they have to open up the existing channel, in order to get to their designed cross-section. Ms. Wildman stated that they are taking out that full section, so they will have plenty of capacity for the flood flows to go through. Commissioner Shea inquired about the concrete spillway that will remain. Ms. Wildman explained that they will leave a portion for historic reasons, as well as to save some money. She noted that this was a request from the Town Council. The spillway will not act as a dam anymore; they will cover it up with sediment so that it does not become a falling hazard. Chairman Harper asked if there is an opportunity for the Beautification Commission to recommend planting. Ms. Wildman said yes, in a few years, once the impoundment area has stabilized, they can plant some trees there. She noted that, at one point, this river had many dams along it.

Chairman Harper asked what exactly is required of the Commission. Mr. Pennington explained that the State does not require anything from the Commission. This meeting is to inform the Commission of what is going on and what will happen. Chairman Harper asked if there are any educational opportunities. Ms. Wildman said yes, especially when the stairs go forward. She suggested the site would be a great opportunity for school field trips. Mr. Mocko added that the Connecticut River Academy might be interested, as an example. Commissioner Kaputa stated that he would like to reread the section on the regulations and give a little thought on the stairs because it is not related to the dam. Chairman Harper stated that this is a fascinating project, and she would like to be apprised when the activities start.

Chairman Harper opened the floor for public comment; there were none.

II. Recommendation to the Town Plan & Zoning Commission for a Section 12 Special Permit with Design Review concerning redevelopment involving a 20,015 square foot Office Building and its related infrastructure at 340 Hebron Avenue and 18-20 Linden Street – Town Center Zone and Residence A Zone – Alter & Pearson, LLC – Dutton Associates, LLC – Trinkaus Engineering, LLC – 340 Hebron Avenue, LLC and 20 Linden Street, LLC (c/o Gottfried & Somberg Wealth Management, LLC), applicants/landowners

Attorney Meghan Hope presented the application on behalf of her client. She noted that Mr. Jim Dutton of Dutton Associates, LLC and Mr. Karl Norton, architect from New England Design, are also present to present on this application. Attorney Hope explained that the site currently has two existing office buildings and a 2-family house; all 3 buildings would be razed and redeveloped, and the driveway will be relocated. The construction of the new building would be 3 stories. There are 85 parking spaces located on the site, which is the exact number required as per the zoning regulations based on their office use. They are restricting traffic, so everyone exiting the site has to turn left on to Hebron Avenue. Additionally, there are restrictions from construction traffic, as well, which must enter and exit from Hebron Avenue. She noted that this will be self-enforced and is a condition of the project.

Attorney Hope also noted that in February, her client organized a meeting where they presented the preliminary plans to their neighbors. Though they were not required to give notice to their neighbors, they collected the names of neighbors who wanted to be informed and have been mailing out notices to them ever since. Attorney Hope noted that there are no wetlands on the site.

She explained the landscaping plan, which will not include a fence. Their proposal includes trees and arborvitaes, which the Beautification Committee kept because they thought it would provide maximum screening, as well as a one-foot berm along Linden Street and some trees and shrubs. The site has 35% open space, which exceeds the 15% they are required to have, as per the zoning regulations. Attorney Hope noted that they are consistent with the Town's POCD, and that the project is consistent with the Glastonbury 2020 Vision Plan because it continues to enhance streetscapes and it is a redevelopment of an existing site.

Lighting will include dark sky compliant gooseneck fixtures and 12-foot high maximum mounting heights will be set on timers. There will also be a bike rack and solar panels on the south elevation of the building. The stormwater plans adhere to requirements, and there is an area for recyclables with a dumpster enclosure. Attorney Hope also addressed Mr. Mocko's memorandum about the basement. She stated that there will be a basement in this building, measuring around 1500 square feet, which will be used for storage and mechanicals. She explained that the architect, Mr. Norton, is confident that the basement will not get wet. Commissioner Shea asked who is storing stuff in the basement. Attorney Hope said her clients will be using it for storage.

Mr. Karl Norton explained the waterproofing process, detailing that they used a method called blindside waterproofing, which has a lifespan of 100 years. He noted that there is an oversight process, both from the manufacturer and from materials testing, and there are no environmental

concerns with this project. Commissioner Temple asked how they will treat penetrations. Mr. Norton replied that they are going to try to not have any penetrations. He explained that their concern is really the bottom few feet of the basement, where the water could penetrate. Mr. Norton noted that the building is all electrical, and they are super-insulating and air-sealing it.

Commissioner Kaputa asked if Mr. Mocko was concerned that this method may fail. Mr. Mocko stated that so many things could go wrong in installation, noting that it is hard to dry flood-proof a basement. He suggested a hold harmless agreement, so that nobody points fingers.

Commissioners Kaputa and McClain asked if Mr. Mocko feels that strongly about it, then perhaps they should not give this application a favorable recommendation. Attorney Hope stated that, compared to other clients, these clients are very aware of the risks and trust Mr. Norton that it will not fail. Mr. Norton clarified that no mechanical equipment is going into the basement, just distribution. He stated that he is confident it will not leak. Vice Chairman McInerney asked if it did leak, could it be repaired. Mr. Norton said yes. Attorney Hope stated that they consent to a condition of approval that the Town will not be held liable if water enters the basement. The client understands that there is high water and after discussing it with the architects, they have still decided to include the basement in the proposal.

Secretary McClain asked if the signage will be internally lit. Attorney Hope said yes, there will be no uplighting. Chairman Harper inquired about the impervious. Mr. Dutton stated that it is 64.9%. Commissioners questioned that percentage; Commissioner Kaputa went back and forth with Mr. Dutton to try to figure out how that figure was reached.

Mr. Dutton also explained that Mr. Steve Trinkaus of Trinkaus Engineering, LLC designed the stormwater management system, which has not posed any problems. He noted that their discharge point is a catch basin which ultimately discharges east. They have to do an analysis of the system, to make sure that everything is running smoothly, but Mr. Dutton does not anticipate any problems. He explained that the site will also be fenced with temporary construction fencing. There is no gas connection and the water service connections are already there. The sanitary lateral already exists. Mr. Dutton explained that they may have to cross Linden Street to get to the telephone poles and their overhead wires. It is a presumption at this time, and he noted that the power company is in charge.

Mr. Jerry Satin of 101 Clinton Street stated that he owns the 2-family house on 9-11 Linden Street, which he rents out. Mr. Satin explained that when the drainage pipe incident occurred, he went to the Town Hall to notify them, and the next day, it was all covered up. Mr. Satin stated that his backyard never had water until Mr. Schwartz started building. His concern now is that he does not want his front yard also loaded with water. Mr. Satin also expressed concern about the construction noise, as well as the increased construction traffic, noting that the left turn only idea that the applicant proposed for the rotary might create an even bigger traffic problem.

Commissioner Temple asked if Mr. Satin has a full basement and, if so, has he had any water problems. He replied that he does have a full basement, and no, he has not had any problems. Mr. Satin stated that if anything happens, he cannot afford to put in more trees or do more lawn work on the yard. He hopes that his concerns about the water and noise will be addressed by the applicant's contractors, and he thanked the applicant and the Commission. Attorney Hope stated

that she will mail Mr. Satin a letter about the upcoming Town Plan and Zoning Commission meeting, so that he can relay his concerns there, as well.

Vice Chairman McInerney asked about the current use of that historical, private, drainage pipe. Mr. Dutton explained that they came across an old Town map of Linden Street and Sycamore Street which showed this historical pipe, with an indication of a manhole at the end of the road. When they dug it up, they found the cover of a manhole, which was consistent with what the Town map indicated. Mr. Dutton noted that when they remove the garage, that system will be excavated out.

Motion by: Secretary McClain

Seconded by: Commissioner McInerney

MOVED, that the Conservation Commission recommends to the Town Plan and Zoning Commission approval of a Section 12 Special Permit with Design Review concerning 340 Hebron Avenue, LLC's and 18-20 Linden Street, LLC's proposed office building, 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 November 7, 2019.
2. Due to the site's high seasonal water table and lack of a gravity subsurface drainage system to prevent a wet basement, the Permittee and the landowners (current and future) shall not, in any way, hold the Town of Glastonbury responsible for any occurrence of water entering such a future basement.
3. Prior to the start of construction, a pre-construction meeting shall be held with the Permittee, the project engineer(s), the site contractors and the Office of Community Development staff in order to minimize the anticipated challenges to developing this site.
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. 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.

7. Underground fuel storage tanks shall be prohibited to reduce the potential of contamination to wetlands, watercourses, and groundwater resources.
8. 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.
9. 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.

Disc: Chairman Harper stated that they should send a letter to the Town Plan and Zoning Commission, highlighting condition #2. Mr. Mocko agreed to relay that message. Commissioner Shea inquired whether the Town Attorney should run through this; Mr. Mocko stated that such a review is unlikely. Secretary McClain urged that the Town Attorney go over it, as well. Commissioner Kaputa expressed that this is not a Conservation Commission item, so it is sufficient as is.

A letter by Ms. Shirley Sanders of 38 Clinton Street, addressed to the Commission, was introduced to the record. The letter expressed concerns regarding the potential increase in traffic with this new proposal.

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

III. INFORMAL DISCUSSION

Proposed redevelopment of 109-117 New London Turnpike involving a 3,470 square foot, 1-story Chase Bank building with a drive-thru ATM, 28-space parking lot and related infrastructure on a 1.04-acre corner parcel northeast of the intersection/roundabout with Hebron Avenue – Town Center Zone – Alter & Pearson, LLC, counsel – Bohler Engineering – Glastonbury Commons Office Condominium, landowner – TPG Architecture, applicant

Attorney Hope presented the application on behalf of her client for a redevelopment of 109-117 New London Turnpike. She explained the site layout, which includes a new curb cut and 28 proposed parking spaces in the rear of the building. She noted that the use is permitted in the Town Center Zone. Sanitary sewer is approved, and public water is available on the site. Attorney Hope stated that 25.9% of the site is open space, which exceeds the Town Center requirement of 15%.

There are 9 existing and recently planted street trees, which will all be staying. Ms. Hope explained that the Beautification Committee's consensus was that callery pear trees are not classified as invasive, but they have been overdone in town. Secretary McClain stated that she does not understand where the Beautification Committee gets their information because callery pears are an invasive tree. She noted that they can grow up to 30 feet tall, which is a danger because its branches are weak and can break. Commissioner Kaputa concurred, stating that

callery pears are invasive and most states in the Midwest and South classify them as such, though Connecticut does not.

Mr. Jeff Bord of Bohler Engineering presented the revised utilities plan, which tries to unpack what happened during the construction of the roundabout. He explained that there are two catch basins on site, and they are compliant with the 2004 Connecticut Stormwater Quality Manual. They installed two pipes on top of the concrete conduit to get it to drain out to Hebron Avenue's drainage system and not flow into the site. Mr. Bord noted that they have yet to figure out whether or not the underdrain for the 6" pipes would require them to place a structure just on the edge of the development; that would be the only possible penetration in the roundabout area. Mr. Bord also explained that the groundwater readings were done in March, and it showed that the site is conducive for infiltration. Commissioner Kaputa asked what the existing impervious is. Mr. Bord said about 3,000 square feet more than what they are proposing.

Mr. Bord also noted that they will have 18-foot dark-sky compliant fixture lights. Secretary McClain stated that 18 feet for the light poles seems rather tall, noting that 12 feet seems to be the standard nowadays. She then asked what the business sign lighting would look like. Attorney Hope said they will receive guidance on signage information at the subcommittee meeting on December 4. However, she noted that, from what they have seen so far, all three are internally illuminated signs. Secretary McClain suggested that perhaps, going forward, they make it a requirement to have solar panels on all of their buildings.

Commissioner Davis entered the meeting at 7:15 P.M.

Chairman Harper asked if there is a basement on this site. Attorney Hope said no.

IV. APPROVAL OF MINUTES – Regular Meeting of October 24, 2019

Minutes were accepted as presented.

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

VI. OTHER BUSINESS

1. Chairman's Report

Chairman Harper noted that they received a memorandum from Mr. Greg Foran about what is going on at Riverfront Park. Mr. Mocko added that there are a number of damaged and diseased trees. Mr. Mocko stated that he suggested to Mr. Foran that they may want to consider replanting with some saplings at a future date. Secretary McClain asked if doing nothing now will cause any undue erosion. Mr. Mocko said no, it will not.

Chairman Harper noted that four Commission members have signed up for the conference on Saturday, November 23. Commission members agreed to carpool together.

2. Environmental Planner's Report

Mr. Mocko explained that Dr. Randy Prostack is scheduled to present at the joint Conservation/Beautification meeting on December 11. The Commission discussed the merits of each potential lecture topic (items #1-8) that Dr. Prostack suggested presenting, and that were listed in Mr. Foran's memorandum. The Commission recommends that Dr. Prostack build a talk around items #3, 4, 6, and 7. Commissioner Davis expressed that a general discussion about objectives and priorities would be a great way to try to resolve the areas in which the two groups conflict.

The Commission then went over the technicals of the meeting (e.g. the seating situation, acquiring a projector, etc.). Commissioner Davis suggested 45 minutes for the presentation with 15 minutes for Q&A. The Commission agreed. Mr. Mocko stated that Commissioners can email questions they may have for Dr. Prostack to him beforehand, and he can relay them. Chairman Harper asked if they would like to invite the public to the meeting. Mr. Mocko stated that he will write up a news release.

Mr. Mocko noted that there will be no meeting on December 5. Next year, the Commission's meetings will begin at 7:00 P.M. Mr. Mocko also pointed out that, on the last sheet, there is a notice about a community health invite, which will take place at the Riverfront Community Center on November 18.

With no other business to discuss, Chairman Harper adjourned the meeting at 7:49 pm.

Respectfully Submitted,

Lilly Torosyan

Lilly Torosyan
Recording Clerk