

**GLASTONBURY CONSERVATION COMMISSION  
(INLAND WETLANDS & WATERCOURSES AGENCY)  
REGULAR MEETING OF MINUTES THURSDAY, AUGUST 13, 2020**

The Glastonbury Conservation Commission (Inlands Wetlands & Watercourses Agency), along with Mr. Tom Mocko, Environmental Planner, in attendance held a Regular Meeting *via ZOOM video conferencing*.

**ROLL CALL**

**Commission Members-Present**

Judy Harper, Chairman  
vacancy, Vice-Chairman  
Kim McClain, Secretary  
Brian Davis  
Frank Kaputa  
William Shea  
Mark Temple

*Chairman Harper called the meeting to order at 7:04 PM and explained the public hearing process to the applicants and members of the public.*

**I. Conversation with young resident Erin McGill about her volunteer “Glastonbury Lawns for Climate Restoration” summer 2020 campaign**

Ms. Erin McGill, Glastonbury resident and Boston College student thanked the Commissioners for inviting her to speak on the *Glastonbury Lawns for Climate Restoration* initiative. Ms. McGill stated that she is interning for the Ocean River Institute in Cambridge, MA. She explained that healthy grass is needed to remove the carbon from the atmosphere which is just as important as reducing emissions. Ms. McGill stated that the purpose for the initiative is to educate the public on the negative effects quick release fertilizer and Roundup have on the environment. The goal is to get individuals and organizations to pledge not to use Roundup or quick release fertilizer. Ms. McGill asked the Commission to write a testimonial to encourage more people to make the pledge. Ms. McGill asked the Commissioners if they can direct her to any other groups that can join the effort.

Commissioner Kaputa stated that the Kongsicut Land Trust and the Great Meadows Conservation Trust may be interested.

Commissioner Davis inquired if a Scotts application of bagged fertilizer would be quick release or slow release. Ms. McGill stated it is quick release because it is applied multiple times a year. Commissioner Davis inquired if lawn care providers use slow release fertilizers. Ms. McGill stated that slow release fertilizer is sold at Home Depot.

Secretary McClain explained that there are organic lawn care companies that are chemical free and stated that it is a growing trend. She also recommended that Ms. McGill look into local church organizations and garden clubs. Commissioner Davis recommended the Glastonbury Facebook page.

Commissioner Shea inquired if there was a website for the lawn initiative. Ms. McGill stated that it is oceanriver.org and explained that one would need to scroll down the page in order to find *Lawns for Climate Restoration Challenge*. Commissioner Kaputa inquired if Ms. McGill would like the testimonial on the website. Ms. McGill replied yes.

Commissioner Davis inquired if there are any downsides to the initiative. Mr. Mocko stated that he does not see any downsides. Secretary McClain explained that it is not a mandate and it encourages and educates the public to look at other options.

Chairman Harper stated that there should be an educational component because most people may not know the difference between slow release and rapid release. She then asked Ms. McGill to provide data backed by science. Commissioner Davis suggested to target those individuals or organizations who spend money on their yards. Secretary McClain stated that the Commission would like to see information on short term versus long term applications, facts and figures. Commissioner Davis suggested that along with the information, a sound bite should also be included. Commissioner Shea inquired how long the initiative will last. Ms. McGill stated it will continue through the fall because that is when fertilizer is usually applied. Chairman Harper inquired if there were any handouts or other material. Ms. McGill stated she will send the information.

Commissioner Davis suggested Ms. McGill draft a letter of what she wants the Commission to endorse. Ms. McGill replied absolutely and thanked the Commissioners for their time.

The Commissioners thanked Ms. McGill for her efforts and wished her luck with her studies.

### **Discussion:**

Commissioner Shea stated it was a good presentation. Commissioner Davis agreed. Mr. Mocko explained the science is there and from an agricultural crop fertilization standpoint it is better to split the fertilizer application rather than use one large application.

## **II. Formal Recommendation to the Town Plan & Zoning Commission for a Section 12 Special Permit with Design Review concerning Redevelopment of 103 House Street – 17 residential rental Townhouses in 4 detached buildings on one acre – Town Center Zone – Alter & Pearson, LLC – Megson, Heagle & Friend, C.E. & L.S., LLC – Coleman Associates, LLC, applicant/landowners**

Attorney Peter Alter of Alter & Pearson, LLC presented on behalf of his client, Mr. Russell Beitman. Attorney Alter informed the Commission that the engineer can be reached by phone if any questions come up.

Mr. Alter explained that 103 House Street will be developed into townhomes. An aerial view of the complex from 1967 was shown on the screen. He noted that New London Turnpike and Glen Lochen had not yet been built at that time. The next slide illustrated a current rendering of the complex and proposed townhomes. Mr. Alter stated that the Beitman family continues their commitment to invest in Glastonbury and added that the apartments continue to be well maintained.

Attorney Alter explained that an issue was raised about a possible wetland directly across the street on property of the Nutmeg State Financial Credit Union. He further explained that Soil Scientist Mark Friend received permission from the property owner to inspect the soil and found no wetlands or watercourse.

Mr. Alter moved on to the next slide, which featured the site plan and buildings. He stated that there will be 17 new townhomes constructed and the parking will be set in the interior, in accordance with Town guidelines to create streetscapes. He also explained that there will be no new curb cuts and the property will utilize existing cuts. He said that a 2-way drive will be created and they have made up for the lost parallel parking spaces.

Attorney Alter explained that Mr. Jon Sczurek, Professional Engineer at Megson, Heagle & Friend designed the stormwater drainage system. He stated that the Town Engineer had no issues with the drainage report and added that they were satisfied with the design.

Mr. Alter explained that they created a pedestrian-friendly site with access to sidewalks and stated that a full sidewalk will be installed. He stated that they meet the parking requirements.

Attorney Alter stated that they went before the Beautification Committee and appreciated the modification of the plans to include adding evergreen trees because they are not utilized enough in Town Center landscaping. He explained that they have addressed the concerns that the Beautification Committee brought up and added shade trees to the landscape plan.

Attorney Alter then discussed the lighting plan and explained that there will be a total of 8 light pole fixtures (10 feet high on a 2-foot base), which are dark sky compliant and provide suitable lighting for residential areas.

The snow storage plan was looked at next. He explained that snow storms up to 8 inches can be piled on-site.

Attorney Alter went on to the indoor and outdoor bicycle storage sections. He explained that the garages are oversized and will provide more than adequate storage for cars, bikes, and other items. Attorney Alter also noted that each garage will have an outlet to charge electric cars. He also explained that Mr. Beitman, the property owner, has an electric car and is receptive to the needs of tenants who may require a charging station.

Mr. Alter stated that the complex will utilize public water and sewer and he also explained that many green design elements have been incorporated. Attorney Alter reiterated that the Beitman family is sensitive to energy efficiency developments.

Attorney Alter explained that they are reusing the existing site and it is considered smart growth, as opposed to a suburban sprawl development. He also stated that they have a stormwater management system that meets the standards. He noted that the complex adheres to the vision of the Glastonbury Town Center plan, encouraging people to walk and bike.

Attorney Alter stated that, for all the above reasons, the plan is conservation friendly and asked the Commission to make a positive recommendation to the Town Plan and Zoning Commission (TPZ). He then added that he is happy to answer any questions.

Commissioner Kaputa asked to see a detailed viewing of the planting list.

Commissioner Temple inquired about the snow removal operations and asked if the complex has a pay-loader or skid-steer loaders. He also noted that the Bobcat machinery the complex uses is smaller and questioned the efficiency of removing the snow. Mr. Beitman stated the equipment they have will be slower, but noted that they have a contractor in case a situation comes up. Commissioner Temple stated that Colonial Village has lots of green space and the new development does not. He also noted that he has no problems with the snow being transported to the other area with more open space. Mr. Beitman stated that they can always buy bigger equipment. Commissioner Temple reiterated that he is fine with the method of moving snow from one part of the complex to another.

Secretary McClain thanked the applicant for including EV charging stations in the design plan. She also stated that she thinks there is a need for less cars. Mr. Beitman replied that, while he understands this concern, TPZ requested more parking (guest, overflow).

Commissioner Davis stated that he is very much impressed with the design and added that the development will be a real asset. Mr. Beitman thanked him for his comments.

**Motion by:** Secretary Kim McClain

**Seconded by:** Commissioner Frank Kaputa

MOVED, that the Conservation Commission recommends to the Town Plan & Zoning Commission approval of a Section 12 Special Permit with Design Review concerning the proposed 17 residential townhouses within three detached buildings at 103 House Street, in accordance with plans on file in the Office of Community Development, and in compliance with the following conditions:

1. 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.

2. All soil stockpiles shall be protected from wind erosion by placing tarps over them or otherwise controlled as authorized by the Environmental Planner.
3. 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.
4. 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.
5. Prior to the issuance of the last Certificate of Occupancy, certification from a landscape architect shall be required confirming that landscape plants were installed in accordance with the approved landscape plan.
6. Underground fuel storage tanks shall be prohibited to reduce the potential of contamination to wetlands, watercourses, and groundwater resources.

*(No members of the public were present for comment.)*

**Result:** Motion passes unanimously. (5-0-0)

### **III. COMMENTS BY CITIZENS ON NON-AGENDA ITEMS – NONE**

### **IV. OTHER BUSINESS**

#### **1. Kongscut Land Trust (KLT) and Conservation Easements – Frank Kaputa, CC/IWWA & KLT**

Commissioner Kaputa informed the Commissioners about the latest violations at Diamond Lake. He explained that the Kongscut Land Trust has a conservation easement with the Town on the south shore of Diamond Lake. Commissioner Kaputa explained that the property owner residing at 23 Freedom Way has cleared all of the underbrush, which is a clear violation. Commissioner Kaputa stated that the Kongscut Land Trust has an insurance policy and they are hopeful an agreement will be reached that would remedy the situation.

Commissioner Kaputa explained that there are many conservation easements in town which are in varying degrees of violation. He also noted that Mr. Mocko and the Town cannot address all of the violations and added that the Kongscut Land Trust will step in especially because of the insurance policy.

Commissioner Kaputa explained that he is looking for ideas to best address the violations. He also noted that, if there is a dead tree, a property owner would have to get permission to cut it down. Commissioner Kaputa informed the Commission that Mark Branse had said that someone built a swimming pool in a conservation easement. Mr. Mocko stated that he was not aware that had occurred.

Commissioner Temple inquired if the Kongscut Land Trust has the authority to investigate. Commissioner Kaputa stated that the easement is in favor of Kongscut Land Trust and the Town of Glastonbury and they have a legal right to investigate. Commissioner Temple wanted clarification if this is something the Commissioners would do on behalf of the Town. Commissioner Kaputa explained that the language on the Diamond Lake conservation easement gives them the authority to act. He also stated that the Kongscut Land Trust has resources, including the insurance policy and a lawyer. Commissioner Temple wanted to clarify if it was a civil situation between the Kongscut Land Trust and the violator. Commissioner Kaputa stated that it is.

Secretary McClain stated that she noticed that some of the conservation easements look so much thinner and noted that Glastonbury has a higher proportion of them compared with other towns. She also stated that there is too much for Mr. Mocko and the Town to deal with.

Mr. Mocko explained that they have not had the opportunity to do Town-wide checks since the time they had interns. He also noted that neighbors are the ones who usually report the violations. Mr. Mocko also highlighted that there has been an increase in the reporting of violations since March with the beginning of the pandemic because people are staying home. He also stated that with the increase in pool applications, it is problematic to hold up an application with other departments pressuring him to hurry up. Mr. Mocko explained that he brokered a lot of repairs with the conservation easements, going back since the beginning of his time as the Environmental Planner for the Town.

Commissioner Davis inquired if there was a description on the conservation easements. Mr. Mocko stated that the information has not been updated in over 10 years. Commissioner Davis inquired about the total number of easements in Town. Mr. Mocko stated that there are about 500 conservation easements. He also explained that the violations range from small to large.

Commissioner Temple inquired if the information is put up on the GIS system. Mr. Mocko replied yes, but explained that the system is not 100 percent accurate and there are some errors. Commissioner Davis inquired if there is a description on the status of each easement. Mr. Mocko explained that it was done in the past, when the department had an intern. Commissioner Temple suggested identifying the violations in the GIS system, which would allow a user to focus on the concentrated areas where violations occur.

Secretary McClain inquired if there was a comprehensive list of the conservation easements. Mr. Mocko stated the files have not been updated in 8-10 years. Secretary McClain inquired if there was a list they can access and suggested to put it on the Town website. Mr. Mocko stated that the logistics are time-consuming and added that they are not close to having a complete, up-to-

date master list at this point. Secretary McClain stated that it is hard to tell people that they should know they have a conservation easement on their property. Mr. Mocko stated that some closing attorneys appear to be not doing the job of informing new landowners that they have a conservation easement on their property. He also explained that people often use the excuse that they did not know.

Secretary McClain inquired about the process of finding another intern. Mr. Mocko stated that it is difficult now with the pandemic to bring in someone. He also explained that there is no funding for a paid intern position. Commissioner Kaputa inquired about bringing in an intern for next summer. Mr. Mocko explained that it would most likely have to be an unpaid volunteer. Commissioner Davis stated that many people in town are looking to volunteer, especially those who appreciate the outdoors. Secretary McClain stated that she loves the idea that Commissioner Davis brought up and added that it can be a type of love-your-town initiative. Commissioner Kaputa inquired if the Town hires interns. Mr. Mocko stated that he is unaware of an intern being paid. Secretary McClain suggested requesting money from the Town Council for an intern. She suggested an amount of \$1500 - \$2000. Mr. Mocko stated that if the amount is small it may be best to approach the Town Manager directly.

Commissioner Davis suggested that each easement is given a number, the reason for its encumbrance and its ecological condition. He also explained that someone visit each easement area to update its condition. Secretary McClain stated that she thinks this is a very doable project. Commissioner Davis stated that he thinks that this can be done on a volunteer basis. Secretary McClain suggested that first an intern completes the database and then volunteers can add to it. Commissioner Temple stated that a database is better than just a spreadsheet.

After some discussion, the Commission decided a subcommittee would be created with the following members: Commissioner Kaputa, Commissioner Davis, and Commissioner Temple. They will move forward toward a digitized database with the help from assisting Town departments. Chairman Harper suggested the subcommittee narrow down and focus on the issues that need to be addressed in the long run. Secretary McClain pointed out that Commissioner Temple is knowledgeable with databases and stated that she can discuss the intern funding with the Town Manager.

## **2. Chairman's Report**

Chairman Harper stated that there will be a new election of officers this coming January. She reminded the Commission that they have a vacancy to fill. She also suggested that they can go without a vice chairman until the end of the year. Secretary McClain stated that she reached out to the Democratic Town Chair and added that it is important to find someone with a similar geological skill set as former Vice-Chairman Dennis McInerney. Chairman Harper asked the Commissioners to suggest possible good candidates. Commissioner Temple stated that he can reach out to possible candidates.

### 3. Environmental Planner's Report

Mr. Mocko informed the Commission that there has been a slowdown in building permit requests from what was experienced in the previous months. He also stated that he has been visiting the conservation easements after the August 4<sup>th</sup> storm and observed a fair amount of damage as he verified dangerous trees to be removed. Mr. Mocko explained that people are nervous about trees that are potentially dangerous. He also stated that a lot of these situations are very close to a house.

Mr. Mocko informed the Commission that there is a return to projects in September. He listed the Glastonbury High School athletic facility with locker rooms and public bathrooms, 219 Addison Road, Stallion Ridge Subdivision (Bell Street) and Gateway V medical buildings (Western Boulevard) as some of the projects.

Mr. Mocko updated the Commission on the Gateway V proposal and explained that they revised the plans and will move to a conventional drainage system. He thanked Commissioner Temple for his input. Commissioner Temple stated that he did not think the New Hampshire subsurface gravel system met the regulations and stated that without any oxygen, the discharged water cannot be discharged to Class A water in Connecticut.

### V. APPROVAL OF MINUTES - Regular Meeting of July 16, 2020

**Discussion:** Commissioner Davis stated that he cannot approve or comment on the minutes because he was unable to log into the Zoom meeting of July 16, 2020.

The Commissioners that were present for the meeting voted.

**Result:** Minutes were accepted as presented.

With no other business to discuss, Chairman Harper adjourned the meeting at 8:44 p.m.

Respectfully Submitted,

*Nadya Yuskaev*

Nadya Yuskaev, Recording Secretary