### GLASTONBURY CONSERVATION COMMISSION (INLAND WETLANDS & WATERCOURSES AGENCY) REGULAR MEETING MINUTES OF THURSDAY, October 15, 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 Mark Temple Frank Kaputa William Shea

**Commission Members- Excused** 

(None)

Chairman Harper called the meeting to order at 7:03 P.M. and explained the public hearing process to the applicants and members of the public.

# I. FORMAL ACTION & RECOMMENDATION

Application of Dependable Construction, LLC (Dan Gassner, Member) for: an inland wetlands and watercourses permit; and recommendations to the Town Plan & Zoning Commission for subdivision approval and approval of a Section 6.8 (rear lot) Special Permit concerning the proposed 29-lot Stallion Ridge Open Space Subdivision – 37-acre site, formerly an equestrian facility at 524 Bell Street – Rural Residence & Groundwater Protection Zone (overlay) 1 – Alter & Pearson, LLC – Hallisey, Pearson & Cassidy Engineering Associates, C.E. & L.S. – James Sipperly, Soil Scientist & Connecticut Wetland Scientist

Mr. James Sipperly, Soil Scientist and Connecticut Wetland Scientist, asked the Commission whether questions pertaining to the wetlands can be addressed first. He explained that he has another Zoom meeting scheduled with the Town of Old Saybrook. The Commissioners agreed to allow Mr. Sipperly to present first.

Commissioner Davis remarked that it would have been preferable to have the overall site plan presented, instead of sections of the plan.

Mr. Peter Alter of Alter & Pearson, LLC stated that there is no direct wetlands activity on the site. He explained that there is indirect wetlands activity in the upland review area. Attorney

Glastonbury CC/IWWA Minutes - Regular Meeting held October 15, 2020 Recording Secretary – NY Page 1 of 12 Alter asked Mr. Sipperly to discuss the corrective measures taken on the invasive species and to provide a brief summary of the report.

Mr. Sipperly reported that Mr. Mocko asked him to improve upon the stormwater management plan. He explained that they came up with stormwater management alternatives as presented in the submitted packet. Mr. Sipperly also said that the subsurface soil tests for lots 1-5 have enough infiltration potential to handle the flow. He directed the Commissioners to pages 9, 10, and 24 of the submitted report. He explained that they revised the runoff plan and the flow is redirected into rain gardens. Mr. Sipperly said that the herbaceous shrubs would need some maintenance by the homeowners. Mr. Sipperly added that the invasive species report was completed in October and presented on the record.

Commissioner Kaputa asked for clarification on the plan to control the invasive species. He noted that the developer and applicants presented planting options, such as the red maple, but did not specify which plantings would be used.

Mr. Sipperly reported that they did not want to use the burning method to eradicate the invasive plants. He stated that it is documented that shade has a detrimental effect on phragmites. Mr. Sipperly explained that the first attempt to control the phragmites is to plant large shade trees and monitor for a few years. If that does not work, they will try other control methods like using herbicides.

Commissioner Kaputa asked Mr. Mocko if this plan is in the motion. Mr. Mocko explained that a condition is in place that calls for 3 consecutive growing seasons to monitor the invasive plants. Mr. Sipperly stated his agreement.

Chairman Harper inquired who would monitor the invasive plants. Mr. Sipperly stated that he will do that as a soil scientist and a liaison to the Town. Chairman Harper asked whether this team would still be responsible for the monitoring after 3 years. Attorney Alter replied yes. He explained that it is unlikely that the subdivision would be completed in 3 years and added that the obligations do not go away.

Commissioner Temple inquired how large the red maples are. He also noted that they would need to be very tall and significant shade is required to reduce the phragmites population. Attorney Alter stated that this can be part of the condition of approval, listed as number 11.

Mr. Mocko explained that trying to eradicate all of the phragmites is virtually unachievable. Commissioner Davis stated that he is agreeable to the condition of monitoring the phragmites and utilizing large shaded trees. Mr. Sipperly agreed with Mr. Mocko's point and explained that they would target the phragmites in experimental stages. He also noted that they would try other methods if this does not work. Mr. Sipperly said that they will plant a row of shade trees along the south and north edge of the phragmites stand.

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Mr. Sipperly explained that they do not want to plant trees during a drought. He also noted that Mr. Gassner has access to several suppliers of large ball and burlap trees. Mr. Sipperly stated that spring is the best time to plant ball and burlap.

Commissioner Temple said that he would be agreeable to the plans if Mr. Mocko and the Town were included and interested in the solution. Commissioner Temple remarked that the rest of the invasive area can be spot treated with an herbicide. Commissioner Davis agreed with Commissioner Temple's point. Commissioner Kaputa remarked that he would be agreeable to the plan if the trees are large enough. Mr. Sipperly stated that he would put it on the record that the trees would be 30 feet high. He also explained that these trees are readily available in nurseries in Cromwell, close to Glastonbury.

Commissioner Kaputa announced that he appreciates the comment from Mr. Sipperly, but does not see it in writing. Mr. Sipperly said that the Commission can put it down as a stipulation of approval. Commissioner Davis stated that, if the solution is not effective, Mr. Mocko can come up with more aggressive solutions after the fact to which Mr. Sipperly agreed. Attorney Alter also agreed to the added conditions. Commissioners Temple and Davis were also in agreement with the added conditions.

### Mr. Sipperly left the meeting at 7:29 pm.

Attorney Alter explained that the site is located on the easterly side of Bell Street and is under 35 acres. He added that the site was formerly a horse farm. Attorney Alter explained that the site is surrounded by Town open space on 2 sides. He also noted that the former MDC property that is now open space includes a vernal pool system. Attorney Alter stated that the MDC extensively studied the vernal pool and their team took steps to offer more protection.

Attorney Alter reported that what they are proposing is an environmentally appropriate and financially feasible plan. He reiterated that there are no direct wetlands disturbances. Attorney Alter stated that, with the help of Mr. Mocko and the Town Engineering staff, they have an improved stormwater management system.

Attorney Alter explained that there would be 29 lots total and the plans for the open space subdivision meet the criteria under Section 6.7. He noted that the 29 lots also meet the requirements for the Rural Residence zone. He explained that the lots would be served by public water and public sewer. Attorney Alter also stated that the 29 lots meet the AA zone requirements and added that a benefit to the proposal is avoiding the difficulties of fitting septic systems and wells. Attorney Alter reiterated that each of the lots meets or exceeds the Residence AA zone requirements. He also noted that the proposal conserves natural and scenic resources. Attorney Alter added that they exceed the amount of open space requirements in an open space subdivision.

Attorney Alter stated that there are 3 scenarios for the site. He explained that in the 1<sup>st</sup> scenario the Town would purchase the land. Attorney Alter stated that this proposal in unlikely because he spoke with Town officials and there was no interest in obtaining the parcel. Attorney Alter

Glastonbury CC/IWWA Minutes - Regular Meeting held October 15, 2020 Recording Secretary – NY Page 3 of 12 stated that the 2<sup>nd</sup> scenario would involve a homeowners' association. In this scenario, the homeowners' association would have the deed to the open space. Attorney Alter explained that in the 3<sup>rd</sup> scenario the lots would utilize private conservation easements that are owned by the homeowners. He explained that TPZ would ultimately determine the form of open space.

Attorney Alter stated that they are in favor of the 3<sup>rd</sup> scenario. He explained that many people feel the best way to preserve open space is through private ownership conservation easements. Attorney Alter reiterated that TPZ makes the decision. He explained that in any case a conservation easement must stay in its natural condition and cannot be developed for other purposes. Attorney Alter turned over the presentation to the Engineer, Mr. Jim Cassidy.

Mr. Cassidy reported that the site is comprised of 37.5 acres of residential zoned land and has 1,550 feet of frontage on Bell Street. He added the property is bordered by residential properties to the south, Town-owned land to the east, a residential property with farmland to the north, and more residential properties to the west across Bell Street.

The site is sloped with moderate to steep grades. Mr. Cassidy explained that drainage occurs in the northeast corner and drains off site in an easterly direction, feeding into Salmon Brook. He explained that to the south the stormwater runoff flows away from Bell Street and drains all the way to a small tributary that ends up in Salmon Brook.

Mr. Cassidy stated that the site remains open from its recent equestrian center, and is partly wooded and in the center portion there is an open meadow. He noted that there is also an overgrown area in the south. Mr. Cassidy referred to a rendering of the site plans. He explained that the lots are smaller and more space is preserved in an open space subdivision. Mr. Cassidy stated that 29 lots will be developed. He directed the Commission to the green areas on the diagram and said that those are the conservation easements. Mr. Cassidy noted that the 29 lots will utilize public water and public sewer. He explained that they will extend the water line and sewer line to the intersection of Bell Street and Somerset Road. Mr. Cassidy stated that the neighboring houses will benefit, enabling them to switch to public utilities.

Mr. Cassidy reported that they will install a series of catch basins all the way down to the end of the cul-de-sac (Stallion Drive). He also explained that they will discharge a series of pipes and sediment chambers to treat the flow. Mr. Cassidy said that there was a question from the Commission regarding the level spreaders. He referred to a rendering of lots 1-5 and a detail showcasing the cross section of a level spreader. Mr. Cassidy explained that a level spreader would be buried 2 feet into the ground and the stormwater would be discharged into the galley. He stated that he had good results with this system over time in past projects.

Mr. Cassidy explained that on lots 25-29 there would be rain gardens installed in the rear. He then displayed the peak flow numbers and stated that there is a decrease in the post-development flows. Mr. Cassidy reiterated Attorney Alter's point that there is no direct wetlands activity on the site, only proposed direct activity within the upland review area. He noted that they have incorporated all of the measures that the Town asked for. Mr. Cassidy returned the presentation to Attorney Alter.

Glastonbury CC/IWWA Minutes - Regular Meeting held October 15, 2020 Recording Secretary – NY Page 4 of 12 Attorney Alter stated that he would provide a summary. He reiterated that there are no direct wetlands activities, only disturbances to the upland review area. Attorney Alter stated that they have achieved 40 percent of open space preservation throughout the entire development site. He stated that the proposal meets all of the wetlands requirements and added that they would like the Commission to grant them a positive recommendation to TPZ. Attorney Alter thanked the Commissioners.

Chairman Harper thanked the applicants for their presentation.

Commissioner Shea inquired who would be in charge of long-term stormwater maintenance. Attorney Alter explained that there are 2 access driveways required by the Town for access. He stated that the easements are in favor of the Town. Mr. Mocko explained that the Town will maintain the 2 basins.

Mr. Cassidy stated that he has worked with the Town to make sure the system is simpler and efficient.

Commissioner Davis inquired about the oak tree that the Commission wanted to preserve. Attorney Alter stated that there is a protective easement around the tree.

Commissioner Davis inquired if the level spreaders on lots 1 through 5 would be visible from any of the houses. Mr. Cassidy stated that they are only visible from the conservation easement and added that this system is better than a completely submerged system. Commissioner Davis asked Mr. Mocko his thoughts on the system. Mr. Mocko stated that it is a combination infiltration level structure which treats the water. The gutters empty out into the lawn and it meets the water quality requirements.

Commissioner Davis inquired if a mechanical solution would be limited and would have a short shelf life and asked if a more natural solution would be better in the long term. Mr. Mocko explained that a rain garden would need more periodic maintenance. He also said that it is unlikely that all of the homeowners will remove the accumulated debris from the rain garden. Mr. Mocko noted that the level spreaders would ensure a laissez faire level of maintenance.

Commissioner Davis inquired if the properties would meet the regulations for the rear lot setback. He also noted that the setback line does not show up on the diagrams. Mr. Cassidy stated that the majority of the lots meet the 50-foot setback requirement.

Commissioner Davis inquired if it is permitted to have the level spreaders on the rear yard setback; Mr. Mocko replied it is allowed.

Secretary McClain said that the Commission should include the Engineer's memorandum in the condition. She explained that the policy should be spelled out and made clearer to prevent people from dumping into the rain garden and other conservation areas. Mr. Mocko explained that the homeowner-relevant conditions of approval do not get passed over to the homeowners.

Glastonbury CC/IWWA Minutes - Regular Meeting held October 15, 2020 Recording Secretary – NY Page 5 of 12 He added that the lawyers involved in the closings of individual lots bear much of the responsibility of informing the homeowners about the restrictions and responsibilities attached to their property. Attorney Alter suggested that there can be a caveat in the deed, highlighting that the drainage facilities are the responsibilities of the homeowner. Secretary McClain remarked that it is a great solution and she is in agreement. Attorney Alter noted that, even after closing, many homeowners do not pay attention.

Commissioner Temple inquired how they arrived at option 3 and asked if the Commission was making a recommendation to TPZ. Mr. Cassidy explained that the developer prefers option 3. Commissioner Temple noted that dumping will happen whether it is Town-owned or private. He then inquired about the opening of the overflow for the level spreaders. Mr. Cassidy referred to a diagram and explained that when the flow builds up it will be discharged from the upper holes. Commissioner Temple inquired how they would keep children and animals from the opening. He also brought up the point that a child can fill the opening with stuff. Mr. Mocko suggested covering the system with crushed stone. Mr. Cassidy said that it is a great solution. Commissioner Temple stated that Mr. Mocko's solution is preferable because it also prevents the accumulation of organic debris.

Commissioner Davis agreed with the points made and added that roots can grow there. He also inquired about the effectiveness of the system. Mr. Cassidy stated that he had installed a number of them, and after 30 years the systems still work, and he added that other systems have more issues.

Commissioner Temple inquired if there is a way to clean out the top of the level spreaders. Mr. Cassidy stated that, with Mr. Mocko's suggestion of adding the crushed stone or gravel, it is unlikely that the system would need to be cleaned. He noted that he has never seen a case where the system is full, but it could be dug out and cleaned. Commissioner Temple stated that the solution works for him.

Commissioner Davis inquired if the property owners at 534 Bell Street are comfortable with the subdivision plans. Mr. Cassidy stated that Mr. Gassner is good friends with them and they have no issues.

Secretary McClain stated that she is glad to see a provision for orienting lots for solar use. She also noted that it was sad that geothermal systems were not included in the proposal. Secretary McClain reported that the value of a home increases 4-10 percent if solar is part of the package. She also explained that prospective homeowners are interested in green features and in reducing heating costs.

There were no members of the public present for comment.

**Discussion:** 

Motion by: Secretary McClain

Seconded by: Commissioner Davis

Glastonbury CC/IWWA Minutes - Regular Meeting held October 15, 2020 Recording Secretary – NY Page 6 of 12 MOVED, that the Inland Wetlands and Watercourses Agency grants an inland wetlands and watercourses permit to Dependable Construction, LLC (Daniel B. Gassner, Managing Member) for numerous regulated activities associated with road, infrastructure and residential lot construction limited to just the wetlands-regulated upland review area concerning the 29-lot Stallion Ridge Open Space Subdivision at 524 Bell Street, in accordance with plans on file in the Office of Community Development, and in compliance with the following conditions:

- 1. A private conservation easement shall be established as generally depicted on the site plans and this area shall henceforth not be disturbed from its present condition until the conservation easement is in force. The precise delineation shall be recorded by bearings and distances. The easement shall be recorded on the land records. The conservation easement shall be marked with oak stakes labeled "Conservation Easement" with waterproof ink and tied with red flags. These stakes are to be located at each change of boundary direction and at every 100 foot interval on straightaways. All conservation easement corners shall be permanently marked with iron pins. In addition, numbered "Glastonbury Conservation Easement" signs, available from the Town's Office of Community Development, shall be nailed to trees that are within two feet of the easement area's boundary line, at approximately 100 feet intervals. The sign shall be installed facing outwards at about 7 feet above grade, using two 3 inch or greater aluminum or galvanized nails, with the nails left protruding from tree trunks about 1-1/2". Where no trees are suitable 7 foot metal or long-lived wood posts with easement signs attached shall be used. Such placement of signs shall be performed under the supervision of a Licensed Land Surveyor prior to land-clearing or earth-moving activities and notice shall be provided to the Town's Office of Community Development upon its completion.
- 2. In order to protect the physical, chemical and biological characteristics of the wetlands and watercourses and water quality, the following conditions shall apply:
  - a. Pesticides and herbicides shall not be disposed of within the designated conservation easement areas;
  - b. Pesticides and herbicides shall only be applied utilizing best management practices for integrated pest management; and
  - c. The developer agrees to recite these conditions in the deed to the individual property(ies).
- 3. The agricultural caveat below shall be added to all: site plan sheets that exhibit the lots to be recorded on the land records; and all future plot plans submitted to the Town for residential construction-related purposes.

### **Agricultural Caveat**

**Please Note:** Agricultural activities occur on properties abutting this subdivision site. Potential lot owners should be aware that these activities include use of heavy farming equipment/machines at early morning hours and weekends and application of pesticides, fertilizer and manure.

4. Adherence to the Assistant Town Engineer's memorandum dated October 8, 2020.

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- 5. The approved subdivision plans to be filed on the land records shall be duly signed (within the soil scientist's certified statement block on said plans to be filed) by a registered soils scientist pursuant to Section 7.7.d. of the Inland Wetlands and Watercourses Regulations of the Town of Glastonbury.
- 6. The Permittee's proposed phasing of construction and its specified four individual construction phases shall be adhered to as an important mitigation measure.
- 7. 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.
- 8. 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.
- 9. Tree stumps and blasted rock material shall not be buried at the site.
- 10. Material shall not be stockpiled in wetland areas.
- 11. The project's proposed, two invasive plant management plans shall be implemented for three, consecutive growing seasons. Three and a half-inch to four and a half-inch caliper dbh (diameter at breast height), wetland tree species shall be planted with respect to the proposed control program for phragmites. Documentation of such shall be submitted to the Town's Environmental Planner.
- 12. The project's proposed, two invasive plant management plans shall be implemented for three, consecutive growing seasons. Documentation of such shall be submitted to the Town's Environmental Planner.
- 13. A qualified person shall be kept on retainer by the applicant to supervise: the construction and habitat restoration of the stormwater treatment basins; and the implementation of a replanting plan within the conservation easement areas. Such person shall certify that performance has met all designed aspects upon completion.
- 14. 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.

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- 15. Plot plans developed for building permits shall not exceed encroachment into the regulated areas beyond that indicated on the previously cited plans.
- 16. Underground fuel storage tanks shall be prohibited to reduce the potential of contamination to wetlands, watercourses, and groundwater resources. Underground propane tanks shall be allowed. Within land areas exhibiting seasonal high groundwater on the site, all underground propane tanks shall be adequately anchored and/or strapped in order to prevent such tanks from rising up from due to buoyancy under "near empty" tank conditions.
- 17. 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. If the Permittee sells individual building lots to other builders, the Permittee shall thoroughly review all conditions of this permit with the buyer, and the buyer shall consult with the Environmental Planner before the buyer commences any work on the site.

### Motion by: Secretary McClain

## Seconded by: Commissioner Kaputa

MOVED, that the Conservation Commission recommends to the Town Plan & Zoning Commission subdivision approval and a Section 6.8 (rear lot) Special Permit concerning Dependable Construction, LLC's proposed 29-lot Open Space Subdivision located at 524 Bell Street, in accordance with plans on file in the Office of Community Development, and in compliance with the following conditions:

- 1. A private conservation easement shall be established as generally depicted on the site plans and this area shall henceforth not be disturbed from its present condition until the conservation easement is in force. The precise delineation shall be recorded by bearings and distances. The easement shall be recorded on the land records. The conservation easement shall be marked with oak stakes labeled "Conservation Easement" with waterproof ink and tied with red flags. These stakes are to be located at each change of boundary direction and at every 100 foot interval on straightaways. All conservation easement corners shall be permanently marked with iron pins. In addition, numbered "Glastonbury Conservation Easement" signs, available from the Town's Office of Community Development, shall be nailed to trees that are within two feet of the easement area's boundary line, at approximately 100 feet intervals. The sign shall be installed facing outwards at about 7 feet above grade, using two 3 inch or greater aluminum or galvanized nails, with the nails left protruding from tree trunks about 1-1/2". Where no trees are suitable 7 foot metal or long-lived wood posts with easement signs attached shall be used. Such placement of signs shall be performed under the supervision of a Licensed Land Surveyor prior to land-clearing or earth-moving activities and notice shall be provided to the Town's Office of Community Development upon its completion.
- 2. In order to protect the physical, chemical and biological characteristics of the wetlands and watercourses and water quality, the following conditions shall apply:

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- d. Pesticides and herbicides shall not be disposed of within the designated conservation easement areas;
- e. Pesticides and herbicides shall only be applied utilizing best management practices for integrated pest management; and
- f. The developer agrees to recite these conditions in the deed to the individual property(ies).
- 3. The agricultural caveat below shall be added to all: site plan sheets that exhibit the lots to be recorded on the land records; and all future plot plans submitted to the Town for residential construction-related purposes.

## **Agricultural Caveat**

**Please Note:** Agricultural activities occur on properties abutting this subdivision site. Potential lot owners should be aware that these activities include use of heavy farming equipment/machines at early morning hours and weekends and application of pesticides, fertilizer and manure.

- 4. Adherence to the Assistant Town Engineer's memorandum dated October 8, 2020.
- 5. The proposed subdivision's site plans shall be revised to: a.) indicate that three (3) street trees are required for each lot; and b.) provide a list of appropriate native tree species that are suitable to fulfill the street tree requirement on each frontage lot. Such list shall specify the tree species best suitable for the varying soil drainage conditions (i.e. droughty, well-drained, moderately well-drained and somewhat poorly drained) throughout the site.
- 6. The Permittee's proposed phasing of construction and its specified four individual construction phases shall be adhered to as an important mitigation measure.
- 7. 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.
- 8. 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.
- 9. Tree stumps and blasted rock material shall not be buried at the site.

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- 10. All lots that are earmarked for sump pumps (in order to prevent wet basements) shall also be provided with a back-up battery system for instances where electrical power is not in service in order to provide assurance that the sump pump will operate during power outages.
- 11. The project's proposed, two invasive plant management plans shall be implemented for three, consecutive growing seasons. Three and a half-inch to four and a half-inch caliper dbh wetland tree species shall be planted with respect to the proposed control program for phragmites. Documentation of such shall be submitted to the Town's Environmental Planner.
- 12. The project's proposed, two invasive plant management plans shall be implemented for three, consecutive growing seasons. Documentation of such shall be submitted to the Town's Environmental Planner.
- 13. A qualified person shall be kept on retainer by the applicant to supervise: the construction and habitat restoration of the stormwater treatment basins; and the implementation of a replanting plan within the conservation easement areas. Such person shall certify that performance has met all designed aspects upon completion.
- 14. 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.
- 15. The orientation of the proposed houses within the subdivision shall be reconsidered in order to promote solar access as an alternative energy source.
- 16. Underground fuel storage tanks shall be prohibited to reduce the potential of contamination to wetlands, watercourses, and groundwater resources. Underground propane tanks shall be allowed. Within land areas exhibiting seasonal high groundwater on the site, all underground propane tanks shall be adequately anchored and/or strapped in order to prevent such tanks from rising up from due to buoyancy under "near empty" tank conditions.

Chairman Harper thanked the applicants. Commissioner Davis thanked them for saving the tree. Attorney Alter stated that it was their pleasure.

# II. COMMENTS BY CITIZENS ON NON-AGENDA ITEMS - None

### **III.** APPROVAL OF MINUTES - Regular Meeting of September 10, 2020

Motion by: Commissioner Davis Second

Seconded by: Commissioner Temple

**Discussion:** Chairman Harper stated that the section of the Chairman's Report needs to be amended to clarify that the time to elect officers is approaching and creating a nominating committee before January.

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# **IV. OTHER BUSINESS**

### 1. Chairman's Report

Chairman Harper reminded Commission members that they need to find two potential replacements for the Town Manager to consider for appointments and to elect new officers.

### 2. Environmental Planner's Report

Mr. Mocko informed the Commissioners that he cannot attend the October 29, 2020 meeting. He asked them if they would consider an alternate date. If that does not work, Jonathan Mullen or Khara Dodds could fill in. Mr. Mocko also noted that there cannot be more than two Zoom meetings on a given night. Commissioner Davis stated that Commissioners should reschedule the meeting if the agenda contains items that would require scrutiny and expertise; Mr. Mocko stated that he can point out those aspects in the report. Commissioner Davis suggested that the Commissioners email alternate dates and see if that would work. Mr. Mocko asked the Commissioners to email him dates for the week of October 26 to November 2. He noted that the meeting should not be on election night.

With no other business to discuss, Chairman Harper adjourned the meeting at 8:54 P.M.

Respectfully Submitted,

Nadya Yuskaev

Nadya Yuskaev

Nadya Yuskaev Recording Secretary

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