

**GLASTONBURY CONSERVATION COMMISSION  
(INLAND WETLANDS & WATERCOURSES AGENCY)  
REGULAR MEETING OF MINUTES THURSDAY, MAY 13, 2021**

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**

Frank Kaputa, Chairman  
Kim McClain, Secretary  
Brian Davis  
Kelsey Hawkins  
James Parry  
William Shea

**Commission Members- Excused**

Mark Temple, Vice-Chairman

Chairman Kaputa called the meeting to order at 6:30 P.M. and explained the public hearing process to the applicants and members of the public.

**I. INFORMAL DISCUSSIONS**

- 1. Proposed 8-lot Subdivision at 1040 Main Street (across from Southgate Drive) –8 frontage lots and some 650 feet of new public road (with a permanent cul-de-sac) on 9.3 acres – Residence AA Zone and Groundwater Protection (overlay) Zone 1 – Alter & Pearson, LLC – Davison Environmental, Soil and Wetland Scientist and Wildlife Biologist – Wolff Engineering, C.E. – Carrier Construction, Inc., landowner/applicant**

Attorney Meghan Hope of Alter & Pearson, LLC began the presentation. She explained that they are proposing an 8-lot subdivision on 9.3 acres. It is located in the Residence AA zone and in the Groundwater Protection Zone 1. Attorney Hope said that they plan on getting a permit from TPZ to excavate approximately 6.2 acres of the site. The proposed subdivision site is across the street from the Southgate condominium development and the Tryon Farm PAD. To the east of the proposed subdivision is the Lakewood Open Space Area which comprises 6.33 acres, and to the south is Saint Augustine's Church. Attorney Hope displayed a series of historic photos; plus additional aerial photos spanning from the 1950s to 2004, when the Lakewood Subdivision was built. She next showed a detailed rendering of the proposed site. Attorney Hope reiterated that they are proposing an 8-lot subdivision with sidewalk. She explained that there will be a 100-foot buffer area around the vernal pool to avoid any adverse disturbance to the pool. Attorney Hope said that Mr. Ron Wolff, the Project Engineer, will go into detail about the excavation and public road. She noted that most of the excavation will occur near Main Street. Attorney Hope added that they propose a public walking trail from the cul-de-sac leading

east through the proposed conservation easement and to the existing open space. She explained that there is a deteriorated culvert in the area of the proposed walking path that would need to be replaced. Attorney Hope explained that, if they replace the culvert, there would be a temporary but direct impact to the wetlands. She stated that this is something they can discuss. Attorney Hope concluded her presentation.

Mr. Eric Davison, Wildlife biologist and Wetland and Soil Scientist, began his presentation. He said that they delineated the wetlands and vernal pool area. Mr. Davison explained that the wetlands on the site occur in two connected areas that are simply divided by a culvert. The southern wetlands segment flows into a depression and slowly leaks out to the northwest and discharges into the more natural wetlands to the north. Mr. Davison stated that the wetlands on the southern portion of the site are not natural and were developed due to excavation. He noted that the vernal pool was also created by the same conditions. Mr. Davison said that the soils and vegetation are all typical for Connecticut. He explained that more information can be found in the submitted report. The northern, natural wetlands soil is the Scarborough series, which is mucky. Mr. Davison showed photos of the onsite wetlands and vernal pool. Mr. Davison stated that the southern and northern wetlands segments are connected through a culvert and drains slowly in a northerly direction and then into a small watercourse system leading to the Connecticut River to the west.

Mr. Davison explained that he visited the site on March 20, 2021 and March 31, 2021. He also visited the previous August and found no obligate vernal pool species activity, likely due to the season. On March 31, 2021, 38 wood frog egg masses were found. This was the only indicator species. Mr. Davison explained that this type of vernal pool is more of a “cryptic vernal pool” because it can easily be overlooked and has less egg mass and activity. He noted the water level fluctuates which is typical of a vernal pool. A protected 100-foot buffer is planned to be around the vernal pool in order to prevent disturbances. Mr. Davison explained that the buffer would ensure that the hydrology of the vernal pool would not be altered. The water volume is important for the wood frog habitat. The other protection that the buffer will provide is maintaining forest cover which is also important for the wood frog habitat. Mr. Davison explained that forest cover affects the temperature of the vernal pool and shading is important for adult frogs when they migrate. He also explained that juvenile frogs have lower mobility and will stay closer to the vernal pool area. Mr. Davison stated that they provided a number of vernal pool recommendations within the report they submitted. Mr. Davison concluded his presentation and asked if there were any questions.

Mr. Mocko asked if an esker occurs on the site in the western ridge area of the site near Main Street. Mr. Davison explained that an esker is a glacial deposit that occurs in outwash plain environments. He stated that most of Glastonbury is composed of outwash and added that they are created when subsurface streams flow beneath the glacial ice, resulting in sand and gravel deposit formations. Mr. Davison explained that the critical identifying feature of eskers are the serpentine shape. He noted that Manchester soils are on the site and can occur in eskers, but there is no long serpentine shape to this land formation, making it unlikely that it is an esker. Mr. Davison stated that the land formation might be a result of excavations or land disturbances on the site through time. He suggested that test pits might give more information on whether it is

in fact an esker, but explained that it is more of a judgement call and there is not one test that can certify and accurately identify it as an esker.

Chairman Kaputa thanked Mr. Davison for his explanation and pointed out that further east on the site there is a similar high ridge. Mr. Davison explained that the area further east is farmer made and not glacial but has a similar look. Chairman Kaputa asked Mr. Mocko if he is in agreement with Mr. Davison's explanation. Mr. Mocko stated that the eastern part is man-made and noted that if he would be interested in the test pits to find out more information on the possible esker. Mr. Mocko explained that the south side could have been excavated and suggested that there might have been a longer serpentine form. He noted that he could not find any historic geological or topographical maps. Mr. Davison explained that by the late 1800s, Glastonbury was a busy site. He offered to look for other maps. Commissioner Shea asked what the concerns would be if the land form was found to be an esker. Mr. Mocko explained that, within the subdivision regulations, there is a requirement to identify any special geological formations on the submitted subdivision plans. Commissioner Davis asked, if it is proven to be an esker, would there be an impact on the site plan design. Attorney Hope stated that they could answer questions or finish the presentation. Chairman Kaputa asked the applicants to finish the presentation first.

Mr. Ron Wolff, Professional Engineer displayed the detailed site plan and reiterated that the proposed subdivision is comprised of 9.43 acres, is located in Residence AA zone, and is in the overlay Groundwater Protection Zone. Mr. Wolff reported that an existing Town open space parcel is directly east of the site. He said that a licensed land surveyor staked out the site. The easterly part of the property contains a gravel bank and piles. Mr. Wolff explained that there is a swale that is oriented north-to-south, a tall slope, a berm, and an existing drainage easement all within the eastern portion of the site. He noted that another easement is located in the southeast portion of the site. The sanitary sewer easement is located within the northeast corner of the site. Mr. Wolff highlighted the little sliver (narrow width) of property on the site that lies just north of the neighboring 1032 Main Street residential property; he further explained that an easement is there to provide access to the #1032 residence. He pointed out the old driveway and noted that it showed up in the 1934 aerial photograph. Mr. Wolff also highlighted the old utility poles.

Next was a rendering of the proposed subdivision. The proposed street in the development will be named Carson Way. There are catch basins and curbing on the site. The road's entrance was designed to avoid headlights shining into the existing house directly across Main Street to the west. Runoff from the site will be directed into designed surface and subsurface structures in order to provide mitigation of the runoff's water quality and peak discharge rates. He said that there are no direct wetlands impact associated with the proposed development, except for any replacement of the existing, deteriorated culvert connecting the two wetland areas.

Mr. Wolff explained that they are proposing a 5-foot-wide walking path and would need to replace the existing culvert. With the replacement of the culvert, there will be a temporary wetlands disturbance. Mr. Wolff added that they plan on installing a split rail fence on each side of the walkway for safety. They also propose removing the existing earthen piles and grading off the area. The plans include the creation of 1.31 acres of conservation easement located in the

eastern portion of the site. The proposed subdivision will utilize public water and sanitary sewers. Mr. Wolff said that street trees (native) will be planted on the site. The tree varieties include northern red oak, sugar maples, and pin oak.

Mr. Wolff discussed the sedimentation and erosion control plan. He noted that there will be significant grading associated with the new road. Mr. Wolff explained that most of the steep resulting slopes will be at 3:1, but small areas of 2:1 slopes are proposed. Erosion control matting is specified in the plans. Mr. Wolff explained that the existing topography in the eastern portion of the site will remain during the site's mass regrading in order to further protect the wetlands from sediment transport; the proposed regrading in the site's eastern portion will occur once the site's mass regrading within the western portion is stabilized with vegetation.

Commissioner Parry inquired about the use of a silt fence and wood chip berms. Mr. Wolff explained that the wood chips work great, and would work better when backed up with a silt fence. Mr. Wolff further explained that the wood chips would just decompose on site once their function is no longer needed.

Commissioner Davis inquired about the material that would be used in the creation of the walking path. Mr. Wolff explained that they will install the replacement culvert made of polyethylene; he noted that it will be resistant to decay and will last a long time. Commissioner Davis clarified that his question was about the surface material for the proposed walking path. Mr. Wolff explained that it would be a natural earthen path covered in wood chips. He noted that the existing path right now is currently stable.

Commissioner Shea asked Mr. Wolff to point out the conservation area. Commissioner Shea asked if it would cover the entire 100-foot buffer (upland review area) to the wetlands; Mr. Wolff stated that it does not. He stated that the vernal pool would have a 100-foot buffer. Commissioner Shea stated that he is concerned about future encroachment of residential uses into the regulated buffer that could adversely impact the wetlands. Chairman Kaputa noted that it is a good point and added that there are concerns with erosion. Commissioner Shea said that having no long-term physical barrier or other permanent buffer around the wetlands could be problematic. He explained that residents might impact the area with fertilizer and other things. Mr. Wolff stated that they can put in a physical barrier and they will discuss it with the applicant. Attorney Hope suggested a row of trees and explained that, without a physical boundary, it is hard for the property owners to visualize any protective boundary. Commissioner Parry inquired about extending the conservation easement. Attorney Hope stated that they are open to extending the area. Commissioner Davis remarked that the goal is to restrict activity. Commissioner Shea noted that the area needs a visual barrier to ensure the property owners know it is off limits. Chairman Kaputa remarked the more the better.

Mr. Kaputa then asked Mr. Davison for clarification on page 3 of the report, which identifies 2 culvert outlets. Mr. Davison explained that he flagged those areas in the middle of the summer and it was thick with vegetation. He noted that the marked areas are not exact. Chairman Kaputa stated that the culvert in the south is in the wrong spot. He asked if there is a 3<sup>rd</sup> culvert. Mr. Mocko stated that there is another remnant culvert on the site. Mr. Wolff stated that it is

near the wetlands area in the north and it outlets to the south. He explained that it is hard to get to because of the dense, invasive vegetation. Mr. Wolf stated that they do not know where the origin is.

Chairman Kaputa remarked that the vernal report is nicely written. He noted that in the report, 38 egg masses are not considered a huge number. Chairman Kaputa asked what would be a significant number. Mr. Davison explained that they often see a few hundred, noting that a site in Cromwell has over 300 egg masses. Mr. Davison explained that that they are not dismissing the pool, but putting it into context. Chairman Kaputa noted that the egg masses were classified as a tier 2; Mr. Davison replied that was correct. He stated the Critical Terrestrial Habitat (CTH) is 27 percent. Chairman Kaputa inquired if that calculation was included in the report. Mr. Davison explained that it is in the photo. Chairman Kaputa stated that it looks about right and added that it would be good to look at the calculations. Mr. Davison stated that Mr. Wolff can submit that.

Chairman Kaputa asked if the culvert would be replaced or would it be lined; he noted that it would require a lot of excavation. Mr. Wolff stated that they would excavate it from the top and added that there are no wetlands there. He explained that the minimum culvert size required by the Town is 15 inches. The walkway path will be 5 feet, which is not very wide. Chairman Kaputa noted that there are wetlands and there would be some disturbance to the site with the addition of the walkway path. Mr. Wolff explained that the pipe will be small and they can provide additional information. Chairman Kaputa remarked that the existing pipe culvert looked larger. Mr. Wolff stated that it is small and added that they will remove the tires and other junk from the site. Chairman Kaputa noted that an old cast iron sink would also need to be removed. He asked what would happen if the culvert failed. Mr. Wolff explained that there would be an overflow from Pond Pasture and the collapsed earthen area would, ultimately, be breached.

Chairman Kaputa stated that the area has to be managed and inquired if they considered opening it up as a channel and not a walkway. Mr. Wolff stated that such an alternative would not allow that area to provide a walkway. He explained that it would be nice for the neighborhood to have a walking space. Mr. Wolff stated that there would be no disturbance to the area. Commissioner Parry noted that opening up the area might affect the hydrology and added that they must consider the balance of what they do. Chairman Kaputa agreed with Commissioner Parry's point. Mr. Davison stated that the vernal pool will not be affected unless the grade was lowered.

Chairman Kaputa inquired if the swale is man-made. Mr. Wolff replied yes. Chairman Kaputa then inquired about the plantings. Mr. Wolff explained that it was listed on the detailed site plans. He read the proposed tree varieties which include sugar maples, pin oak, and northern red oak. Chairman Kaputa inquired if the proposed power lines are underground. Mr. Wolff responded yes. Chairman Kaputa stated it is a great tree list and inquired if anything else other than a seed mix will be used. Mr. Wolff stated it is only required in areas steeper than 3:1 and they will have a matting on it which will provide protection until it is germinated. He stated that more details are in the report. Chairman Kaputa asked if that is the long-term plan. Mr. Wolff stated that the grass is not meant to be mowed and added that it will revegetate itself. Mr.

Mocko suggested a seed mix that included warm season grasses, that are drought-tolerant, be used on the steep slopes greater than 3:1.

Chairman Kaputa asked Mr. Mocko his thoughts on the possible esker. Mr. Mocko explained that it is an expense that no one wants to incur. He noted that he has not been asked to review the process in determining if the landform is an esker. Mr. Davison displayed an 1893 topographical map on the screen and stated that he does not see any evidence of the landform being an esker. He stated it appears to be an outwash. Chairman Kaputa explained that even if the landform is not an esker, it is still a unique geological feature. He noted that the Commission will need to consider that. Mr. Davison stated that there is no serpentine feature indicative of an esker, but exploratory test pits could be useful. Mr. Davison further noted that any subsurface explorations to confirm the presence of an esker would need to encounter a rather uniform and dense gravel layer. Mr. Wolff inquired about the depth of the exploratory test pits; Mr. Davison replied 10 feet.

Attorney Hope asked Mr. Wolff to discuss the sight line criteria for the proposed road's location on Main Street/Route 17. Mr. Wolff explained that Main Street is a state road and the plans were submitted to the Department of Transportation for their review and approval. He explained that a vehicle that is leaving the site would need to see traffic on Main Street for an adequate distance from north to south without any obstruction. Mr. Wolff noted that there is a row of hedges on a neighboring property that they are trying to preserve. To the north, an embankment in front of the driveway would require grading. Mr. Wolff explained that there are certain radiuses and aprons that they need to configure in the road intersection planning. A vehicle needs to be able to turn without crossing the yellow dotted line. He noted that the proposed 3 percent road grade meets the Town requirements. Mr. Wolff stated that there are a bunch of factors that have to be put into place. He reiterated that they have taken into consideration a house on the west side of Main Street in order to prevent the headlights shining into that house from vehicles exiting the new road onto Main Street. Mr. Wolff stated that they do not have another place to bring the road in. Chairman Kaputa remarked that there is no option but to excavate.

Attorney Hope asked Mr. Wolff if he designed the road with the least amount of excavating. Mr. Wolff stated that he discussed this road design with the Engineering Department and they do not want a steep grade when vehicles approach Main Street. The maximum grade allowed is 3 percent.

Secretary McClain noted that the site backs up to the St. Augustine's Church property to the south. She suggested considering road access from Hopewell Road through the church property. Secretary McClain said that no one wants to see additional traffic problems along Main Street and suggested that a road entrance off Hopewell might be safer. Attorney Hope questioned how a public road can be built on church property. Mr. Wolff said that he does not think this suggestion is remotely possible; that there are lots of hurdles to cross. Secretary McClain stated that it was just a thought and she is throwing out options. She suggested that they reach out to the Church to find out if any of the land is for sale. Chairman Kaputa stated that it is worth mentioning and it does not hurt to find out; Attorney Hope said that she will look into this option.

Commissioner Parry remarked that the esker may not be a unique landform. He suggested looking at the language within the regulations and the Plan of Conservation & Development (POCD) to see how it fits or does not fit. Chairman Kaputa explained that it is not specific in the POCD. He noted that topographical features are mentioned. Commissioner Parry stated that he will look into it.

Attorney Hope asked Mr. Mocko if he received the staking plans. Mr. Mocko replied no. Attorney Hope said that she will email it.

Secretary McClain stated that she likes the walking path because it discourages people from using the culvert area as a dumping ground. Chairman Kaputa agreed with Secretary McClain's point.

Secretary McClain commented that the language about considering solar sounds weak. She explained that the buildings have southern exposure and advised the applicants to make it part of the plan. Secretary McClain added that the addition of solar increases the value of the property by 17 percent. Attorney Hope said that she will talk to her client about it.

Commissioner Davis inquired if light fixtures are planned for the road way. Mr. Wolff stated that they can discuss it. Attorney Hope stated that the Engineering Department is, generally, not in favor of lights along Town roads.

Chairman Kaputa asked the applicants to provide a detailed plan for the culvert replacement. Attorney Hope asked the Commission if they would like to proceed with replacing the culvert. Commissioner Shea stated that he likes the idea. Commissioner Davis agreed.

Mr. Mocko questioned who would be responsible for maintaining the walking path. Mr. Wolff stated that a portion of lot 3 and lot 4 own the area that has access to the walking path. Mr. Mocko questioned if the owners of those lots can block pedestrians from accessing the walking path if they do not want people there. Mr. Wolff explained that the prospective buyer can choose a different lot. Chairman Kaputa inquired how it would work. Attorney Hope explained that they would create a pedestrian easement similar to the one in the Stallion Ridge Subdivision. Mr. Wolff explained that the walking path is pretty much all flat and ready to go. He noted that the old pasture path was used as a walkway in the past. Mr. Mocko again asked who would maintain the walking path. Attorney Hope explained that it would be low maintenance. Mr. Mocko clarified his question by asking if the homeowners would maintain the walking path or is the Town expected to maintain it. Attorney Hope stated that the Town is not expected to maintain the walking path. Mr. Wolff noted that the only maintenance that might be required is removing a fallen tree or branches once in a while. Commissioner Davis remarked that many trails do not have a maintenance plan. Commissioner Hawkins remarked that brush will grow and the walking path will not maintain itself. Attorney Hope stated that she will talk to the client about putting in language in the easement that addresses the maintenance concerns. Chairman Kaputa thanked Attorney Hope.

Commissioner Davis inquired what the odds are that the landform is an esker. Mr. Davison explained that the test pits will only reveal the soil type but they will not conclusively identify that an esker is present or not. He noted that short of getting a geology professor to give an expert opinion, there is no single identifying test. Mr. Davison explained that it does not appear to be an esker and added that most of Glastonbury has sand and gravelly soil. Commissioner Davis remarked that no one wants to spend money unnecessarily. Chairman Kaputa explained that even if it is not an esker, it is still a unique geological formation and recommended that the Commissioners look into the language regarding such unique topographical landforms.

The Commission asked the applicants to provide more information on the following:

- Expanded conservation easement area around the wetlands, especially the vernal pool
- Physical barriers proposed around the conservation easement to prevent future residential tinkering that could adversely impact the wetlands
- Other options for roadway access
- A stronger commitment for incorporating solar energy access
- Removal of the cast iron sink and other debris
- Maintenance plan for the walkway path
- Seed mix that includes warm season grasses suitable for drought conditions on the steep slopes created for road access from Main Street

Attorney Hope asked the Commissioners if they wanted to revise the plan to replace the culvert. Chairman Kaputa replied no and thanked the applicants.

## **II. APPROVAL OF MINUTES - Meeting of April 15, 2021**

Commissioner Shea explained that the sentence on page 10 phrased “a responsible professional will be involved” should be written as “a responsible professional is recommended to be involved.”

Chairman Kaputa clarified that on page 10, the sentences that begin with “removing diseased trees promote healthier forests” were not his explanation, but that of an advocate. That paragraph will be updated to reflect the changes.

Chairman Kaputa pointed out that Commissioner Parry left the meeting before it was adjourned. Commissioner Davis stated that Commissioner Parry left the meeting during the last 5 minutes. Chairman Kaputa explained for the record it should be noted that Commissioner Parry left during the comments by citizens on non-agenda items portion of the meeting. The Commissioners were in agreement.

**Motion by:** Secretary McClain

**Seconded by:** Commissioner Parry

MOVED, that the Inland Wetlands and Watercourses Agency accepts the minutes with two corrections and amendment as discussed.



**Result:** Motion passes unanimously. (6-0-0)

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

**Ms. Frances Arquette- Becher of 66 Naubuc Avenue** introduced herself and explained that she thought this meeting was regarding the application at 55 Parker Terrace.

Mr. Mocko explained that the meeting was held informally on April 15 and it will return as a formal application in the latter part of May or in early June. He noted that he has received Ms. Becher's written comments and has forwarded them to the Project Engineer Jim Dutton. Mr. Mocko explained that a member of the public can indicate which meeting they are interested in on the Town website. Ms. Becher noted that she listened to the meeting and it was very informative. She thanked the Commissioners and stated that she would check back for the meeting time regarding the 55 Parker Terrace application. Commissioner Davis remarked that he looks forward to hearing from Ms. Becher at the next meeting. Chairman Kaputa asked Mr. Mocko to pass on the comment made by Ms. Becher. Mr. Mocko replied he will email that to the Commission when 55 Parker Terrace is scheduled for a formal hearing.

### **IV. OTHER BUSINESS**

#### **1. Chairman's Report**

Commissioner Shea informed the Board that the Great Pond Preserve clean-up will be held on Saturday at 9:00 am. Chairman Kaputa thanked Commissioner Shea. He informed the Commission that he received an email from the Town Manager about the possibility of replacing the Mill Street Bridge. Chairman Kaputa also noted that this information was posted in the *Citizen*.

Chairman Kaputa updated the Commission on his communication with the Town Manager regarding the proposed timber harvest. He explained that the request for the Commission to be involved in the Town Council for advisory purposes was not answered. Chairman Kaputa stated that the purpose of the MDC land acquisition was for open space. He stated that the Town Manager sent him a flyer on forest management. Chairman Kaputa stated that he advised the Town Manager that the timber harvest situation might get messy, likely causing a public outcry. Chairman Kaputa added that the Town Manager had thanked him and stated that the information would be passed on to the Town Council.

Secretary McClain asked Chairman Kaputa if he received a watershed survey. Chairman Kaputa stated that it sounds vaguely familiar and he will look for it.

#### **2. Environmental Planner's Report**

Mr. Mocko stated that he was going to mention Ms. Becher's submitted written comment and reiterated that he will email that to the Commissioners. Mr. Mocko noted that Commissioner

Shea brought up the Great Pond Preserve clean up on Saturday at 9:00 am. Mr. Mocko recapped that there is a new Director of Planning and Land Use Services, Ms. Rebecca Augur. He explained that she has spent the last 11 years in the private sector and, prior to that, worked in planning positions in the government sector.

With no other business to discuss, Chairman Kaputa adjourned the meeting at 8:29 P.M.

Respectfully Submitted,

**Nadya Yuskaev**

Nadya Yuskaev  
Recording Secretary