

**GLASTONBURY CONSERVATION COMMISSION
(INLAND WETLANDS & WATERCOURSES AGENCY)
REGULAR MEETING OF MINUTES THURSDAY, SEPTEMBER 16, 2021**

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

ROLL CALL

Commission Members-Present

Frank Kaputa, Chairman

Mark Temple, Vice-Chairman

Kim McClain, Secretary

Brian Davis (logged in at 6:35)

Kelsey Hawkins (logged in at 6:31)

Commission Members- Excused

James Parry - excused

William Shea- excused

Chairman Kaputa called the meeting to order at 6:31 P.M. and explained the public hearing process to the applicants and members of the public.

I. FORMAL ACTIONS & RECOMMENDATIONS

- 1. Application of JS Advisors, LLC (c/o Jonathan Sullivan, Member) for: an inland wetlands and watercourses permit; and the transmittal of an environmental impact statement to the Town Plan & Zoning Commission – Warehouse 38, a proposed residential conversion project involving 31 apartments – 38 Hubbard Street – Residential A Zone (requiring change to Adaptive Redevelopment Zone) and Flood Zone – Alter & Pearson, LLC – Dutton Associates, LLC, C.E. – Robert Schechinger, Jr., LA**

Attorney Peter Alter of Alter & Pearson, LLC informed the Commission that Attorney Meghan Hope, Mr. Jim Dutton, and Mr. Robert Schechinger, Landscape Architect, would be joining the meeting and available for questions.

Attorney Alter explained that they went before the Community Beautification Committee (CBC) on August 12, 2021. The Committee suggested some changes to the plan which included reducing the number of plantings and changing out some of the select varieties. They returned to the CBC on September 8, 2021 and received a positive recommendation.

Attorney Alter explained that the site was home to the former Consolidated Cigar Warehouse. It is comprised of approximately 1.209 acres (52,690 square feet) and is located on the south side of Hubbard Street. Attorney Alter explained that a number of changes have been made since the 2013 proposal. The residential units have decreased from 41 to 31. There has been an

improvement to the storm drainage system which will be addressed by Mr. Dutton. Attorney Alter explained that the wetlands in the plan are located under the soccer field. He noted that the drainage pipes have existed there for many years and added that it is considered a disturbed wetland. Attorney Alter stated that in addition to applying for a wetlands permit they are asking for a favorable environmental impact statement to TPZ and the Town Council.

Attorney Alter explained that the application is requesting a change of zone. Initially, in 2013, the address was listed in the Residence A Zone. Currently, the project is in the process of being designated as the Adaptive Redevelopment Zone (ARZ). The most recent example of ARZ zoning was the Tannery development. Attorney Alter explained that the criteria for applications to be considered for an ARZ designation includes historic buildings that are distressed and under-utilized, which will be brought into productive use. Attorney Alter stated that Warehouse 38 fits this category, and the building will be revitalized with the 31 condo units. The building they plan to redevelop is more than 75 years old, has 3 stories, and meets the square footage requirements; all required to meet the new zoning designation. Attorney Alter stated that the site will be served by public water and sanitary sewers. Attorney Alter reiterated that they are asking the Conservation Commission to pass on a favorable statement to Town Plan & Zoning Commission and the Town Council for the zone change.

Attorney Alter explained that back in 2014, they received a favorable recommendation from this Commission and TPZ. There was great concern from the neighbors about the development. The Town Council ultimately approved the application, but with a reduction in units from 40 to 31. All units from the lower level were eliminated with the remaining 31 units located on the upper two floors. On July 15, 2014, the applicant appealed the decision to the Superior Court. On August 12, 2015, under Judge Marshall K. Berger, the decision was sustained, and the project scrapped.

Attorney Alter went on to explain that the site is generally flat and surrounded by residential uses. The site is located across the street from Hubbard Green. One building is pretty close to the property line, building 38. The site plan with adjacent properties was displayed. Attorney Alter explained that there will be plantings placed to create a buffer and add some privacy.

Attorney Alter stated that they have provided the Commission with the information pertaining to the zone change to ARZ. He added that he believes their site is the perfect candidate for the new zoning designation. Attorney Alter noted that the current plan is an improvement over the plan submitted in 2014. Attorney Alter highlighted the addition of the two rain gardens and noted that the stormwater treatment is much more sophisticated than it was in 2014. Attorney Alter explained that on the grading plan, the blue area near the drainage easement has been identified as an inland wetland.

Attorney Alter explained that there are no regulated wetlands or watercourses located on the site. He informed the Commission that the extent of the wetlands and upland review areas are located within the drainage easement. The area to which the easement drains is an athletic field, owned by the Housing Authority. The field has been altered by grading, filling, installation of a sewer line and ground control drains. The landowner of the proposed condominium project has access rights to drain within the 20-foot drainage easement. The applicant is proposing to install a 15"

HDPE overflow drainage pipe from the southwest corner of the site. Attorney Alter reiterated that they are asking for a wetlands permit with approval for activity in the upland review area.

Attorney Alter then discussed the lighting plan. He explained that they are proposing 9-foot-tall residential scale, dark sky compliant, LED fixtures. A conduit will be put in, allowing for the installation of 31 electric car charging stations. Attorney Alter noted that high end efficiency heating and cooling units will be installed. He said that the applicant plans to utilize a white roof to reduce solar heat gain. Attorney Alter explained that the historic building has wooden planks which will be repurposed in the units. The project would include preservation of the unique wood and woodworking that was done inside the building.

Mr. Jim Dutton of Dutton Associates, LLC explained that the plans differ from the previous proposal. He explained that they propose two rain gardens on site, with the larger garden located on the north side of the building and the smaller one located at the southwest corner of the building. The rain gardens are designed to hold the entire water quality volume. Rainfall and water from the roof will be directed into the rain gardens. The larger rain garden holds significantly more water and exceeds requirements. Mr. Dutton explained that northern section of the site drains toward Hubbard Street and west along Hubbard Street, then southerly along Main Street and ultimately to Wickham Brook. The southern portion of the site drains to the southwest crossing Clark Field to a manmade swale leading to Wickham Brook. Mr. Dutton explained that the swale has plenty of capacity. Runoff from larger storms will drain into a storm sewer system and flow into the manmade swale shown on the plans. Mr. Dutton said that both rain gardens are connected to the same manhole.

Mr. Dutton stated that, except for the driveway apron, **all of the impervious parking area will be treated in the gallery system.** The perforated pipe is surrounded by stone and will allow for additional infiltration. The stormwater management system is designed to hold 100 percent of the water quality volume.

Mr. Dutton explained that a conduit will be installed under the sidewalk and will be encased in concrete. He noted that it will be installed deep and not interfere with the landscaping plan. Mr. Dutton added there will be no problem with roots.

Mr. Dutton explained that the proposed 15” HDPE overflow drainage pipe will be located on the southwest corner of the site and will provide another opportunity to drain and filter out sediment. He further explained that the oversized outlet is in the plunge pool and is located in an area of a lot of brush, outside of the soccer field. The plunge pool is adjacent to the existing intermittent watercourse and will take in surface runoff. Mr. Dutton noted that the area is difficult to get to because of the overgrown vegetation and possible invasive plants. Mr. Dutton stated that an oversized outlet will work well in different conditions.

Attorney Alter explained that they have a flood zone permit from 2014 that remains in place, not expiring nor needing renewal.

Mr. Robert Schechinger, Jr., Landscape Architect, began his presentation. He explained that the landscaping proposed on the east and west sides of the site was done with consideration to the

neighbors. Mr. Schechinger said that they have staggered the arborvitae to provide privacy. He noted that some of the existing canopy trees are not in great shape and will be removed. Mr. Schechinger stated that they plan on putting in a fence and will add in trees. He noted that the size of the newly planted ornamental trees will provide privacy, blocking off the views from the balconies. Mr. Schechinger explained that they adjusted the landscaping based on the comments from the neighbors and the CBC, which asked them to reduce the number of plants. The selected plantings are all native species that add visual appeal as well as habitat value. Mr. Schechinger stated that, in addition to the ornamental trees, such as the dogwood variety, deciduous trees will also be added. Flowers, ornamental grasses, and shrub varieties are also included in the landscape plan. Mr. Schechinger said that they had to remove some of the plantings to make room for the snow storage.

Attorney Hope made an environmental impact report:

- 8.1- Direct Impacts- The conversion of the existing warehouse building to a residential use will have no direct or permanent wetland impacts. No wetlands areas will be filled or otherwise altered by the project and no loss of wetland functions or values are proposed.
- 8.2- Indirect Impacts- Indirect or secondary impacts to wetlands generally occur when activities are proposed outside of wetlands but may have an effect on the functions or values of the wetlands. Indirect impacts can include but are not limited to the removal of vegetation and habitat alterations, soil erosion, fugitive lighting and changes to wetland hydrology and water quality.
- 8.2.1- Habitat Alteration- The existing site offers no habitat value in its current condition. The addition of landscaping will provide some habitat value but the overall result is no loss of habitat. The off-site work to install a drainage outlet pipe will result in a temporary loss of a small patch of unsuccessful species adjacent to the drainage swale. The area will be stabilized with vegetation after construction and regrowth of the native and naturalized species will occur. This is a temporary disturbance.
- 8.2.2- Soil Erosion- On-site and off-site areas are flat and contain predominantly sandy soils. An erosion and sedimentation control plan is part of the plan submission. The detailed plan includes appropriate perimeter controls, storm drain inlet protection, a construction entrance, sediment controls for yard drains and pervious concrete, and detailed notes for sequencing, temporary and permanent vegetative cover, trench dewatering and final stabilization. The potential for indirect impacts due to erosion are minimal due in part to the presence of permeable sandy soils, flat topography and a detailed Erosion and Sedimentation Control plan.
- 8.2.3- Lighting- Fugitive lighting can have a significant impact on wildlife species. A detailed lighting plan has been submitted that complies with applicable regulations and standards. No lighting will be directed upwards and no lighting will extend beyond the property line.
- 8.2.4- Hydrology/Water Quality- Drainage calculations have been prepared and submitted. The design engineer has concluded that there are no anticipated impacts to downstream properties. Water quality is being maintained by providing storage and infiltration of the Water Quality Volume (WQV) as defined in the CT Storm Water Manual. The infiltration system will accommodate the first inch of runoff from the site with additional capacity

unclaimed. By providing infiltration and contact with native soil the potential pollutants in the stormwater runoff will be retained in the on-site soils.

Attorney Alter recapped that there are no direct wetlands impact on the site. He also explained that there will be no permanent wetlands impact. The only area affected will be the drainage easement, which is on land owned by the Glastonbury Housing Authority. He noted that a good erosion and sedimentation control plan will be in place. The lighting is dark sky compliant, the water quality will be impacted in a positive way and the landscaping will enhance the area.

Attorney Alter noted Mr. Mocko's memorandum and stated that they have provided a less impactful plan than what was presented in 2014. He explained that this proposal results in less impervious material, fewer parking spaces, a better stormwater system, and no negative environmental impacts. Attorney Alter stated that the building meets the ARZ requirements; it fits the criteria of adaptive reuse; the proposal will provide and encourage walkability; and the site plan protects and enhances the streetscape. Attorney Alter added that they are preserving a building of historical significance, identified as a property worthwhile of preservation. The site is located near public transportation and the project is in keeping with the Town standards of conservation and development.

Attorney Alter stated that he believes they satisfied all of the conditions to qualify for a wetlands permit and a transmittal of favorable Environmental Impact Statement to TPZ and the Town Council. Attorney Alter stated that they are all available to answer questions.

Commissioner Hawkins noted that she used the practice field for lacrosse as a child and observed that the field was often very wet. She inquired if the current site plan would improve the conditions. Attorney Alter remarked that there is already an underdrain there that was put in some years ago. Attorney Alter stated that they propose to put in a 15-inch pipe, which will be underground, and run across and underneath the field and outlet where Mr. Dutton had described earlier.

Chairman Kaputa commented that there would be no effect on current conditions; Attorney Alter agreed.

Commissioner Davis inquired about the drainage line and whether the proposed pipe would be solid or perforated. Mr. Dutton stated that the pipe would be solid.

Chairman Kaputa inquired how they would access the drainage area if the neighbor did not allow access. Mr. Dutton explained that they would access an existing drainage system into Main and Hubbard Streets.

Chairman Kaputa inquired if the wetlands were delineated. Mr. Dutton replied no. Chairman Kaputa remarked that it does not seem right and noted that it is a wetland. Mr. Mocko stated that it is a grass swale. Mr. Dutton explained that the area is stable and that, further down in the western end, there is a steeper slope. He noted that, to the best of his recollection, the area is stable. Attorney Alter stated that the report in the plans indicates that there are no signs of

erosion. He noted that the two times he visited the site, there was no evidence of water in the swale.

Chairman Kaputa remarked that there is lots of standing water. Mr. Mocko explained that water levels are at an all-time high. Chairman Kaputa noted that he understood and inquired whether soil testing had been done. Attorney Alter explained that, back in 2013, it was determined that it was not a wetland.

Chairman Kaputa inquired if the soil scientist's report from 2013 had been included in the current application materials. At the same time, he questioned whether the report should be accepted since it is dated. Chairman Kaputa remarked the Commission was directed not to accept old soil tests. Mr. Mocko remarked that the composition of the soil should not be significantly different.

Chairman Kaputa asked Mr. Dutton about the manhole that was shown on the site plans. Mr. Dutton explained that the manhole measures 24 inches and follows a bend. He pointed out that there are some trees on the westerly side. Mr. Dutton explained that they wanted some separation from the building and designed the bend into their site. He noted that all that is visible from the surface is the manhole cover and everything else is underground. Chairman Kaputa explained that he only mentioned the manhole because of its proximity to a large healthy maple tree.

Mr. Dutton stated that the easement is already defined. Chairman Kaputa pointed out that it is already defined because of the way the pipe was put in. Mr. Dutton remarked that he is not sure which came first. Chairman Kaputa stated that it is a shame to lose the tree. Attorney Alter asked if the tree has to be taken out. Mr. Dutton explained that they will be digging next to it. Attorney Alter stated that they could work with Greg Foran and Mr. Schechinger, to see if the pipe can be shifted. Commissioner Davis stated that he agrees with Chairman Kaputa. He remarked that it should be pretty easy to avoid the tree. Attorney Alter stated that the easement will not change. He explained that they can shift the line so the pipes run closer to the easterly boundary. Attorney Alter remarked that it is tough because of the size of the tree.

Chairman Kaputa asked whether the decision to remove the trees happened at the recent CBC meeting. Attorney Hope responded yes. Chairman Kaputa remarked that he did not pay much attention to those trees. Mr. Schechinger explained that they were a mix of oak, maple, and poplar trees. He noted that the trees have a lot of vines. Chairman Kaputa noticed a black walnut and stated that he did not realize these trees were slated to be removed. He explained that it is not a good idea to remove mature trees and added that they provide shade.

Secretary McClain stated that she agrees. She explained that shade trees are beneficial to the parking area and added that the large maple tree should be kept. Commissioner Davis inquired about the plan to replace the trees. Mr. Schechinger explained that it would be mostly flowering ornamental trees. Chairman Kaputa asked which species would be put in. Mr. Schechinger explained that the trees they will put in will measure 25 to 30 feet high. He noted that they will not be 45 feet high street trees. Mr. Schechinger stated that the varieties can include crabapple and dogwood. He noted that they have not been picked out yet, but the final selection will be

native plantings. He explained that if the Commission wants more shade trees, they will accommodate that as well.

Attorney Alter explained that their original proposal was not to touch any trees along the boundary with Housing Authority. He noted that the Conservation Commission has a say, and if it is their recommendation to have shade trees over flowering trees, they are amenable to suggestions. Attorney Alter explained that it was the suggestion of the Tree Warden and the Housing Authority. He added that they will put in a fence and trees to contribute to the visual separation. Attorney Alter explained that it was the insistence of the CBC remove the trees. He pointed out that TPZ ultimately approves the site plans. He explained that the developer does what the Town wants. Attorney Alter suggested that the Commissioners put in shade trees in their recommendation.

Mr. Dutton noted that there are plans in place that will mitigate the high temperature impacts. He stated that there are catch basins and mentioned the water quality volume and perforated pipe. Commissioner Davis noted that this will not keep the temperature down during times of sunshine. He inquired if the Commission can request that no trees are cut down. Attorney Alter stated that the Commission can recommend that. He stated that Mr. Schechinger can communicate with the Tree Warden, Mr. Foran, and see what can be accomplished.

Chairman Kaputa asked for the planting list. Chairman Kaputa clarified that he wanted to view the planting list proposed on the southern property line. Mr. Schechinger explained that they are not on the plan yet, but they can include a mix of shade trees and ornamental trees. Chairman Kaputa remarked that there will be a fence put in the area as well. He noted that the Commission does not have a final landscape plan. Attorney Hope explained that Dan Pennington, the Town Engineer, asked for the Tree Warden to review the landscaping plans. It was determined by the Tree Warden to remove the trees and start with new planting plans. Chairman Kaputa asked if the Housing Authority weighed in on the landscaping plans. Attorney Hope explained that they deferred the decision to the Tree Warden. Attorney Alter stated that it is preferable to have shade trees to provide shade in the parking lot. He noted that they can certainly put in shade trees.

Commissioner Davis stated that it is his recommendation to maintain as many mature trees on the south side as possible. He explained that the mature trees are of value to the environment and provide shade to the parking areas. Commissioner Davis stated that he recommends adding maintenance work to the trees. Attorney Alter agreed. Commissioner Davis remarked that, once limbed, the trees will be very beautiful.

Chairman Kaputa asked Mr. Schechinger to clarify the landscaping plans. He noted that the flowering trees will look nice and asked if there were other reasons they were selected. Mr. Schechinger explained that the CBC was looking at the scale of the trees. Attorney Hope explained that the second-floor residential units will see the trees and the views would be blocked. Chairman Kaputa remarked that a parking lot will be seen from the second floor. Mr. Schechinger explained that the grade is raised. He noted that his personal preference was shade trees because they reduce heat pockets.

After further discussion, Commissioner Davis stated that he recommends to save as many mature trees as possible. He noted that it can be added to the motion. Attorney Hope noted that if the trees cannot be saved, they will plant something that the Conservation Commission selects. She added that they can take direction regarding which trees to plant. Attorney Alter stated that the Conservation Commission can tell them what to plant.

Vice-Chairman Temple stated that the site plan can contain a combination of shade trees and flowering trees. He noted that there is nothing wrong with flowering trees. He asked Mr. Dutton about the depth of the water quality volume in the rain garden. Mr. Dutton stated it would be about 3 feet at the peak. He added that would be the maximum. Vice-Chairman Temple remarked that he drives by the area and explained that there is a concern that the rain garden can turn into a 3-foot pond. He noted that the site is in a highly traveled area and it would be noticed. Mr. Dutton explained that the water would not just sit there, but it would drain out because of the higher grade.

Vice-Chairman Temple inquired about the elevation. Mr. Schechinger stated that there is a 1:6 slope and it is an extremely shallow basin. Mr. Dutton apologized and stated that it is actually 2 feet and not 3.

Vice-Chairman Temple asked Attorney Alter if the snow storage plan would be improved from 2013. Attorney Alter explained that the snow will be stored on the eastern boundary, with some snow stored in the front. He noted that Mr. Dutton has calculated the cubic amount of snow. Mr. Alter stated that, in times of heavy snow, 15-18 inches, it will be trucked away.

Vice-Chairman Temple stated that he remembers speaking with Attorney Hope and one of the recommendations was the clean-up of petroleum. Attorney Alter stated that there is no objection to that. Vice-Chairman Temple remarked that, if it does not get done now, it may never get done. Attorney Alter stated that they are monitoring that. Attorney Hope suggested that the remediation plan from 2013 can be added prior to the certificate of occupancy.

Commissioner Davis remarked that, usually in a formal front entrance, a lawn or a manicured area is put in. He asked Mr. Schechinger his thoughts on having a rain garden in the front entrance. Mr. Schechinger stated that the rain garden will not look overly strange. He explained that broad leaf evergreen, deciduous trees, habitat trees, and canopy trees will layer the area. Mr. Schechinger noted that the landscaping will look good during the four seasons. He stated that there will be a lawn at the entry, and there will be no standing water throughout the course of rain events.

Mr. Dutton explained that he drove by the Nutmeg Credit Union and noticed that the water in the similarly designed system, as at that site, does not stay there for too long. Chairman Kaputa noted that the Credit Union might have a perforated pipe. Mr. Dutton explained that the rain garden serves as a detention basin with an underdrain. The system discourages standing water.

Secretary McClain stated that she would like to commend the applicants on the thorough maintenance plan. She agrees that the plan has improved significantly. She remarked that the EV charging stations are exciting, modern and will benefit the residents. Secretary McClain

noted that the white roof is a good idea but inquired why solar was not considered. She stated that the site is appropriate for solar. Secretary McClain also asked about bike racks. Attorney Alter explained that the lower level is not developed for residential units and the bike racks will be stored inside the first-floor level.

Chairman Kaputa reminded the Commission to include the motion on trees in the south side of the site. Secretary McClain stated that she can share the motion she wrote up.

Mr. Mocko and Secretary McClain discussed the wording of the motions. Mr. Mocko noted that the preservation of the trees should be separated from the petroleum clean-up motion.

Mr. Mocko came up with the following motion regarding the preservation of trees: "All efforts shall be taken to preserve and maintain the quality vegetation that exists immediately off-site to the south. Any supplemental plantings shall be a mix of tall shade trees and flowering shrubs."

Secretary McClain suggested that they read out the motion regarding the wetlands permit first. Mr. Mocko and the Commissioners were in agreement.

Motion by: Secretary McClain

Seconded by: Commissioner Davis

MOVED, that the Inland Wetlands and Watercourses Agency grants an inland wetlands and watercourses permit to JS Advisors, LLC for the construction and maintenance of a stormwater drainage pipe and outfall within wetlands and their regulated upland review area, and adjacent to a manmade intermittent watercourse with respect to the proposed Warehouse 38 redevelopment project at 38 Hubbard Street, 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 August 26, 2021.
2. 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.
3. 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.
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. Underground fuel storage tanks shall be prohibited to reduce the potential of contamination to wetlands, watercourses, and groundwater resources.
6. 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.

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

Motion by: Secretary McClain

Seconded by: Vice-Chairman Temple

MOVED, that the Conservation Commission transmits an environmental impact statement of the proposed Warehouse 38 project located at 38 Hubbard Street to the Town Council and Town Plan and Zoning Commission; the Commission's statement is as stated within the previously submitted Environmental Impact Report for Warehouse 38 On The Green, 38 Hubbard Street, Glastonbury, Connecticut, prepared for LAC Group, LLC submitted by John P. Ianni, Professional Soil Scientist, of Highland Soils, LLC, dated October 31, 2013. Furthermore the Commission is in agreement with said report and its conclusions that this project should not result in any significant adverse impact upon the natural resources and environment.

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

Commissioner Davis remarked that the Town will gain 31 units, which will be done through conserving and repurposing the historical building. He noted that, from a conservation standpoint, it is a valuable use of the building. Secretary McClain and Chairman Kaputa agreed.

Mr. Mocko read out a motion regarding the petroleum clean-up, titled "Special Recommendation to the TPZ and Town Council." "MOVED, that the Conservation Commission recommends the following to the TPZ Commission and Town Council concerning the proposed Warehouse 38 residential development.

1. Item #1 as Secretary McClain has summarized.
2. The remaining soil remediation measures identified within HRP Associates, Inc.'s phase 2 UST closure investigation dated June 6, 2006 shall be fully implemented prior to the issuance of a certificate of occupancy."

Vice-Chairman Temple noted it would be easier to word it as Attorney Hope had explained, referencing the actual remedial action plan. Attorney Hope found the information and stated it is from Chester Environmental, dated December 12, 2013.

Vice-Chairman Temple recommended the motion be worded as the following "The recommendation is that the actions proposed in the remedial action plan from Chester

Environmental dated 12/12/2013 shall be implemented prior to issuance of a certification of occupancy.”

Commissioner Hawkins said she would second the motion. Secretary McClain noted that Mr. Mocko had better language and she would add shade trees to the motion. Mr. Mocko explained that he put in a mix of shade and flowering. Chairman Kaputa asked for a fresh read on the motion. Secretary McClain stated that she will put together a motion.

Motion by: Secretary McClain

Seconded by: Commissioner Hawkins

MOVED, that the Glastonbury Conservation Commission recommends that vegetation including shade trees is to be maintained, preserved, or newly planted on the south side of the property in order to mitigate temperature increase of pavement and retain the value of mature shade trees with respect to climate change.

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

Attorney Alter thanked Mr. Mocko and the Commissioners.

2. Formal recommendation to the Town Plan & Zoning Commission concerning Kristina O’Leary’s proposed 1-lot O’Leary Subdivision at 1335 Main Street – creation of a 33,069 square foot new lot #2 – Residence AA Zone and Groundwater Protection (overlay) Zone 1 – Megson, Heagle & Friend, C.E. & L.S., LLC

Mr. Mark Friend of Megson, Heagle & Friend, LLC began his presentation. He explained that the proposed subdivision is comprised of 2.6 acres of land and located in Residence AA Zone and Groundwater Protection Zone 1. Lot 1 measures 1.846 acres of land (80,390 square feet). Lot 2 measures 0.759 acres (33,069 square feet). Mr. Friend noted that the square foot minimum in Residence AA zone is 25,000 square feet, and lot 2 exceeds that amount. The proposed subdivision will utilize septic systems and MDC water. Mr. Friend said that the water main is located on the west side of Main Street. He also noted that the soil is Agawam, which is a good, well-drained, permeable soil.

There are no wetlands or watercourses on the site. Mr. Friend noted that the houses are situated on one of the steepest slopes (10 percent grade). The area near Main Street is also very steep, while the rest of the site has gentle slopes. Trees will be relocated as shown on the plan.

Mr. Friend explained that infiltration trenches are located near the driveway. Runoff from the roof will be directed into the infiltration system. Mr. Friend noted that the soils are excellent. He stated that the drainage report was submitted in the application packet. The nitrogen levels have been met. Mr. Friend explained that there will be an increased permeability, with infiltration increasing by 8.6 percent. Mr. Friend reiterated that the proposed subdivision will utilize public water and septic systems. He stated that water will be recharged back into the ground and infiltrated.

Mr. Friend stated that the Town staff have reviewed the plans and made one round of revisions. The Town Engineering Department listed a few minor revisions. Mr. Friend explained that the revisions are straightforward and will be addressed.

Commissioner Davis inquired if there will ever be a rear lot on this subdivision. Mr. Friend explained that a lot was already approved. The existing driveway had been extended. Commissioner Davis clarified that he meant whether there would be another lot included in the subdivision. Mr. Friend explained that the applicants wanted to keep the area for a garden and there is not enough room to put in another lot.

Chairman Kaputa asked about the impervious numbers. Mr. Friend replied that pre-development is 9,200 square feet and post-development is 18,900 square feet. Chairman Kaputa asked for the percentage of the lot coverage. Mr. Friend told him that he will have the numbers once he gets a calculator. Chairman Kaputa calculated the percentages, which came to just under 20 percent. Mr. Friend and the Commissioners thanked Mr. Kaputa for doing the calculations.

Vice-Chairman Temple wanted to confirm that the houses on the subdivision will have separate water services. Mr. Friend replied yes and assured the Vice-Chairman that it will be done.

Motion by: Secretary McClain

Seconded by: Commissioner Davis

MOVED, that the Conservation Commission recommends to the Town Plan & Zoning Commission subdivision approval of Kristina O'Leary's proposed 2-lot O'Leary Subdivision at 1335 Main Street, 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 September 14, 2021.
2. Adherence to the Health Department's memorandum dated September 13, 2021.
3. The plot plan required for building permit application shall contain and comply with these conditions of approval. If construction including limits of clearing is proposed in areas other than the indicated locations on these plans, the Office of Community Development shall be notified and the Office of Community Development and the Chairman of the Town Plan and Zoning Commission are hereby authorized to approve or deny the alternative. Each plot plan shall indicate the limits of vegetative clearing, existing and proposed contours, soil erosion and sediment controls, all subsurface drainage, all stockpile areas, and temporary and permanent vegetative stabilization measures, including details of seedbed preparation, seed mix selection, application rates, seeding dates and mulching requirements. Vegetative clearing for stockpiling shall be minimized and subject to the approval of the Environmental Planner.
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. Tree stumps and blasted rock material shall not be buried at the site.
7. 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.
8. Underground fuel storage tanks shall be prohibited to reduce the potential of contamination to wetlands, watercourses, and groundwater resources.
9. 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.
10. A note shall be added to the plans that two street trees shall either: remain along the new lot's frontage; or be planted to satisfy the subdivision regulations' requirement. At least three suitable native shade tree species shall be added to the plans.

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

Mr. Friend thanked Mr. Mocko and the Commissioners.

3. Formal recommendation to the Town Plan & Zoning Commission concerning a Section 4.11 Flood Zone Special Permit for Cheryl Newton's proposed replacement garage at 1917 Main Street – Flood Zone and Residence AA Zone – Aeschliman Land Surveying

Ms. Newton explained that her garage, measuring 18 feet by 20 feet, was in disrepair. She would like to replace it with a pre-fabricated garage from The Barnyard. She noted that drawings are in the application packet. The new 2-car garage will be 22 feet by 23 feet and will be built on an existing bed of gravel. It will then be elevated on wood timbers. 12 Sonotube footings will also be installed, as well as four insulated flood vents which cover 200 square feet of area per vent. Ms. Newton noted that she only needed to put in 3 flood vents, but added a 4th flood vent for symmetry. She explained that her property is in the flood zone and these measures will protect the garage during flooding events. Ms. Newton stated that she has someone that will do the seeding.

Vice-Chairman Temple asked when the old garage was taken down. Ms. Newton explained that she had a permit in place and her application was in process. The new garage was originally scheduled for delivery in August.

Chairman Kaputa referenced Mr. Mocko's note about the 100-year flood zone. He asked Mr. Mocko to explain the two different flood zone calculations. Mr. Mocko explained that the consultant used the FEMA calculations, which refer to Hubbard Brook and not the Connecticut River. Mr. Mocko noted that the flood calculations are off by 0.2 to 0.3 feet. He added that this miscalculation indicates that the flood elevation cannot be properly handled during a 100-year storm.

Mr. Aeschliman asked Mr. Mocko if the FEMA numbers are incorrect. Mr. Mocko reiterated that the numbers used in the application apply to Hubbard Brook and not the Connecticut River. He pointed out that the flood numbers for Hubbard Brook are less than the numbers for the Connecticut River. For a safe and conservative assessment of the storm events, it is better to go with the higher number, that of the Connecticut River. Mr. Aeschliman replied that he now understands and added that it was a little confusing. He stated that the cross section of numbers he used included the amount of 27.6.

Vice-Chairman Temple explained that, using the Hubbard Brook calculations, the applicant would likely see higher flooding in 10 to 20 years. He noted that they can put in a condition to keep the applicants from having to come back. Vice-Chairman Temple noted that Ms. Newton wants to build next week. Chairman Kaputa inquired how it would be done. Mr. Mocko explained that they can excavate for the compensatory flood storage a little deeper. Vice-Chairman Temple agreed with Mr. Mocko and added that it is not a difficult fix. He suggested to add this into the motion, with the flood storage being recalculated to the satisfaction of Mr. Mocko. Mr. Mocko explained that the applicants would need to lower the surface elevation by 2.4/2.5 inches than what is proposed in the compensatory flood storage.

Chairman Kaputa inquired about the erosion controls. Mr. Mocko noticed it was not added in there. Secretary McClain noted that she will add it in there, as it is standard. Vice-Chairman Temple informed the Commission that the erosion controls are in Mr. Mocko's draft and added that **they can also insert the Connecticut River into the motion as well**. Chairman Kaputa thanked Vice-Chairman Temple. Mr. Aeschliman stated that they will add silt fences. Mr. Mocko explained that it will be included in the condition requiring erosion controls.

Motion by: Secretary McClain

Seconded by: Vice-Chairman Temple

MOVED, that the Conservation Commission recommends to the Town Plan & Zoning Commission approval of a Section 4.11 (Flood Zone) Special Permit for Cheryl Newton's proposed replacement garage at 1917 Main Street, in accordance with the plan on file in the Office of Community Development, and in compliance with the following conditions:

1. A Licensed Land Surveyor shall certify in writing that the proposed and required compensatory flood storage volume has been met or exceeded for the 100- Year Flood Level for the Connecticut River within the land area of the property identified to be excavated for

such. Such written certification shall be submitted to the Office of Community Development for their review prior to the issuance of the Certificate of Occupancy.

2. 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.

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

II. APPROVAL OF MINUTES - Special Meeting of July 22, 2021

The minutes were accepted as presented.

III. COMMENTS BY CITIZENS ON NON-AGENDA ITEMS - NONE

IV. OTHER BUSINESS

1. Chairman's Report

Chairman Kaputa noted that Secretary McClain has completed the ethics training. He asked if anyone else had completed it. *There were no responses.*

Chairman Kaputa informed the Board that the white oak tree located in the Stallion Ridge Subdivision on Bell Street is in bad shape. Town staff were notified because the tree may pose liability issues. Chairman Kaputa explained that he saw the tree, which only had 10 percent coverage of leaves, with 90 percent being dead branches, and agreed with Mr. Mocko's assessment that the tree was not safe to keep. Chairman Kaputa remarked that the Commission went back and forth about trying to preserve the tree, but it has to come down.

Vice-Chairman Temple inquired if the applicants will keep the roadway in the same geometry now that the tree is coming down. Mr. Mocko stated that the applicants will not redesign the roadway.

2. Environmental Planner's Report

Mr. Mocko said that Glynis had emailed a list of recent wetlands agent approvals. Several Commissioners reported that they did not receive it. Mr. Mocko noted that they will be emailed out again and read out the list of agency approvals which included the pickle ball courts, several pools, decks, generators, solar panels, and a replacement septic leaching field. Mr. Mocko noted that all of these agency approvals have no impact on the wetlands.

Mr. Mocko informed the Commission that there was a round of interviews with three candidates for his position. He noted that the decision is in the hands of the Town Manager and HR. Mr. Mocko remarked that he did not know when the new person will start and informed the Commissioners that he was asked to stay on for one project. Mr. Mocko informed the Commission that his retirement has been set for October 8, 2021. The Commissioners expressed that they will miss Mr. Mocko.

Commissioner Hawkins explained that she forgot about the ethics video, but noted that she will complete the training. She also updated the Commissioners on the gift for Judy Harper and added that it is close to being done.

Chairman Kaputa noted that the next meeting will be on October 14, 2021.

Commissioner Hawkins signed out at 8:49 pm.

The Commissions discussed pending and upcoming applications.

With no other business to discuss, Chairman Kaputa adjourned the meeting at 8:50 P.M.

Respectfully Submitted,

Nadya Yuskaev

Nadya Yuskaev
Recording Secretary