

**GLASTONBURY CONSERVATION COMMISSION  
(INLAND WETLANDS & WATERCOURSES AGENCY)  
MEETING OF MINUTES THURSDAY, FEBRUARY 24, 2022**

The Glastonbury Conservation Commission (Inlands Wetlands & Watercourses Agency), along with Ms. Suzanne Simone, Environmental Planner, in attendance, held a meeting via ZOOM video conferencing.

**ROLL CALL**

**Commission Members-Present**

Frank Kaputa, Chairman  
Mark Temple, Vice-Chairman  
Kim McClain, Secretary  
Brian Davis  
William Shea  
James Parry

**Commission Members- Excused**

Kelsey Hawkins

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

**I. INFORMAL DISCUSSIONS**

**1. Proposed 2-lot Subdivision of 470 Thompson Street – discussion on subdivision construction related to State-listed species on the Natural Diversity Database (NDDDB) – Rural Residence Zone - Wilmer Bustamante & Aremi Velarde, landowners - Christopher Switalski, applicant**

Mr. Christopher Switalski explained that he was unable to attend the previous meeting due to a family emergency. He has a few general questions and explained that he is trying to subdivide a parcel of land into 2 lots. The applicant stated that, during the process, he was informed by Ms. Simone that the property is located within a designated species of concern area. Mr. Switalski explained that, because of this designation, the ground work on site has been limited to the timeframe of November 1 through March 31. Mr. Switalski asked the Commission if there was a way to deviate from this and conduct site work outside of these dates. He explained that the construction season happens in the summer and reiterated his inquiry about a possibility of working around the timeframe of November 1 - March 31.

Ms. Simone noted that Mr. Switalski has plans outlined for the subdivision of the land. No specific building plans have been done yet. Ms. Simone stated that the applicant is looking for guidance on how to proceed regarding the stipulations made in the January 3, 2022 letter from the Connecticut Department of Energy and Environmental Protection Natural Diversity Database (CT DEEP NDDDB), which outlines best practices for the protection of known state species.

There are 3 species of concern. Ms. Simone asked the Commissioners their thoughts on allowing the applicant to conduct any work outside the timeframe that is recommended by the State.

Commissioner Parry remarked that he is assuming there are restrictions in place. He also noted that there would be disturbances to the site. Ms. Simone replied yes. Commissioner Parry explained that clearing the lot and the foundation work can be done in the winter season. He noted that there may be things that cannot get done during the winter timeframe. Ms. Simone explained that the applicant is looking to clear the land, grub trees and excavate for a foundation. Vice-Chairman Temple stated that he agrees with Commissioner Parry. He explained that clearing, grading, and even pouring cement can be done during the winter timeframe. Vice-Chairman Temple noted that blankets are put over the concrete that is poured in December.

Mr. Switalski explained that his property does not have public water and public sewer. He stated that he was informed by the Health Department that the test pits must be conducted during the wettest months of the year. Commissioner Parry explained that the test pits can be dug prior to the testing and added that the measurements can be done later during the appropriate seasonal conditions. Mr. Switalski understood and noted that the test pits can be dug in February. Commissioner Parry remarked that he does not see how the Health Department would have any issues with this. He asked the applicant to confirm with the Health Department before proceeding.

Vice-Chairman Temple asked the applicant to take the next step and present Ms. Simone and the Town engineering staff with the actual site plan designs. The Vice-Chairman noted that it is not easy for the Commission to advise when a plan is not presented. Mr. Switalski agreed and noted that he will stay within the dates. Vice-Chairman Temple remarked that the test pits could possibly be done in April. The Vice-Chairman asked the applicant to confirm this with Town staff and added that it might be acceptable to proceed with some work slightly outside the timeframe.

Chairman Kaputa noted that the area is a hot spot for rattlesnakes. He remarked that the site is not too far from rattlesnake dens. Secretary McClain noted that, in the past, the Commission has requested that developers work with a herpetologist. She suggested for the applicant to work with an engineer and remarked that it is difficult for the Commission to make any decisions without a complete plan presented. Chairman Kaputa noted that Secretary McClain made a good point. He asked the applicant to put in the foundation during the winter timeframe and get the test pits dug before the end of March. The Chairman also asked the applicant to provide detailed site plans for the Commission to review.

Vice-Chairman Temple suggested that the applicant hire an engineer. He noted the clearing can be done in 2 weeks, followed by putting in a foundation. Vice-Chairman Temple explained that, with the help of an engineer, a sequence can be put in place. He noted that the Commission is looking for specific plans and they would then make the recommendation to TPZ. Vice-Chairman Temple noted that it is important to limit site activities when the endangered species are active. Mr. Switalski inquired if it was possible to receive an approval for his application.

Vice-Chairman Temple explained that this situation does not pertain to wetlands and noted that their job is to make a recommendation to TPZ. Mr. Switalski stated that he understands and will work with Ms. Simone to ensure that all the regulations are followed.

**Mr. Matt Almond of 94 Stevens Lane** remarked that he was not aware that there are rattlesnakes in the Thompson Street area. Several Commissioners remarked that there are rattlesnakes in the area. There was a brief discussion on rattlesnakes.

**2. Proposed construction yard – stormwater basin and material processing stockpile area – 240 Oakwood Drive - Planned Commerce Zone – Jim Dutton, Dutton Associates – Attorney Peter Alter – Thor Norgaard, Mjølner Construction, applicant**

Attorney Meghan Hope of Alter & Pearson, LLC began the presentation. She explained that they will be applying for a Section 12 Special Permit with Design Review and a Groundwater Protection Special Permit. Attorney Hope stated that there are no wetlands or upland review area on the site. The site is comprised of approximately 3 acres and is located in the Planned Commerce Zone. Attorney Hope noted that across the street is an old paving company which was used as a parking area; the previous owner had a variance. The client is looking to redevelop the site, which will be used to crush concrete into reclaim. The site will have a storage area for the aggregate. Attorney Hope stated that she will discuss the site usage and flow later in the presentation.

Attorney Hope noted that the site is flat and slopes up further from the street. She pointed out the landscape and the rows of evergreen which serve as a buffer. Attorney Hope explained that, aside from the buffer of evergreen trees, there are few trees on-site. She explained that trucks that enter the site primarily dump materials or pick up materials. The proposed scale house was shown on the screen. Attorney Hope pointed out the traffic pattern and noted that trucks circle back to the front and leave through the northerly entrance. She explained that Jim Dutton had done a great job in creating the traffic flow. Trucks will be kept in a forward motion causing no back up. Attorney Hope noted that their client owns the property across the street. She stated that they propose a cross walk that will provide their employees with easier connectivity between the two properties. Attorney Hope stated that they are proposing to have a crusher and screener on site. There will be bins to store the piles of sorted rock. Attorney Hope explained that there is a chain link safety fence along with gates at each entrance, north and south, to fully enclose the site. Attorney Hope noted that security is a concern and the fencing will prevent trespassing. The presentation was turned over to Mr. Jim Dutton.

Jim Dutton of Dutton Associates, LLC explained that the circulation pattern allows trucks to enter the site and navigate the site with room to maneuver. This configuration allows the traffic site to flow without causing any backup. The proposed scale house will be used to store electrical equipment. Mr. Dutton stated that there is no sanitary sewer on the site. He noted that, even though the area is serviced by MDC, they are proposing a well on-site to be used for irrigation and dust control measures. Mr. Dutton pointed out the proposed diesel fuel tanks with concrete containment. He stated that they have created the grading plan and noted that the stormwater system is designed to mitigate the effects of the 2, 100-year storm events. The only pavement that is proposed on site is at the scale house and the driveways. Mr. Dutton pointed

out the oval shape on the site plans and explained that it is a permanent sedimentation basin. He pointed out the area in the back, which will be a material storage and processing area. This area will have a gravel surface.

Mr. Dutton stated that they have dug many test pits in the back of the site and in the area of ledge. The contour lines were shown on the site plan. Mr. Dutton explained that they will blast the ledge in the back area to create a 2:1 slope. The area will be covered with processed gravel to make it smooth. Mr. Dutton put up a slide detailing the underdrain cross section, basin-1 outlet control structure and basin-2 outlet structure. He stated that the stormwater system complies with the requirements of the Connecticut Stormwater Quality Manual. Mr. Dutton explained that the system has a 3-tiered plan for sediment removal. The water is discharged to an existing catch basin off Oakwood Drive. Mr. Dutton zoomed in on the honey combed area of the site plan design. He explained that this is a permanent construction exit from the processing area. Mr. Dutton noted that it will be replaced as required due to sediment accumulation. He stated that the trucks enter the circular area, which is designed to be a large construction entrance. This feature is another layer to the overall site plan that is designed to remove more sediment.

Mr. Dutton stated that they have a landscaping plan. He noted that one of the purposes of the chain link fence is to prevent anyone from entering the back of the site. Mr. Dutton stated that they want to close off the site to prevent anyone from falling off the steep ledge. He explained that, similar to the Tannery development, they plan on putting in 1-foot tall pine saplings on the slope. Mr. Dutton noted that, once the slope is stabilized, it will not be mowed or maintained. Mr. Dutton noted that they will monitor the area and will consider putting in erosion control fabric.

Mr. Dutton stated that they have not shown the locations of the bins because they are unsure of the sizes. He noted that the crushers and screeners will be located towards the back of the site, which will reduce the sounds coming from the site. Mr. Dutton informed the Commission that there is a single-family home located approximately 500 feet away from the site. He stated that they are proposing a cross walk and noted that Stephen Braun, Assistant Town Engineer, may not allow that. Mr. Dutton stated that there will be no sanitary sewer, gas, or electric facilities on-site. They are proposing a well for irrigation purposes.

Mr. Dutton pointed out the retaining walls on the site plan. He pointed out the pine trees and noted that they are very close to the property line. Mr. Dutton stated that the trees are a nice buffer and will not be removed. Chairman Kaputa noted that landscape plans include maple and arborvitaes. Mr. Dutton put up a slide of the outlet structure and stated that it will get cleared out when it is about 2/3 full. He explained that the first sediment trap needs to be maintained regularly.

Mr. Dutton stated that the lighting plan is still being worked on. The lighting will be minimal and there will be occasional night time activity on-site. Mr. Dutton noted that the State of Connecticut does highway work at night. He stated that the site will not be lit up like a stadium. It will have minimal lighting. Mr. Dutton explained that putting the light in the back is difficult

and might not work. He noted that they may have to go with taller fixtures. Mr. Dutton explained that it is a wide area and sticking a light pole in the middle will not work either. Mr. Dutton noted that the activity on site will be limited to picking up and moving materials away. He remarked that there are lights on the trucks and on the loading machinery. Mr. Dutton stated that they will put in some lights near the entrance and some motion sensor lights. He explained that motion sensor lights deter people from trespassing. Mr. Dutton reiterated that they are still developing the final lighting plan. Attorney Hope noted that the front area of the site will be paved. She asked Mr. Dutton to talk about the surface material that will be used. Mr. Dutton stated that the area in the back will consist of processed gravel. He explained that, once the ledge is blasted, it will be smoothed over. The paved areas on site will be in the front and near the fuel storage. The presentation was concluded. The Chairman opened the floor for questions.

Commissioner Parry remarked that some of what was presented is not relevant to the Commission's purview. He inquired about the issues that the Commission has to discuss. Chairman Kaputa informed the Commission that they need to address the stormwater management and erosion controls. Commissioner Davis remarked that in the past they discussed noise issues and inquired if this is something that is in their purview. Chairman Kaputa noted that this application is an industrial site and not a wooded area. He asked the Commissioners to weigh in. Vice-Chairman Temple stated that he assumes the applicant is not in an area located within a designated species of concern as identified by the Natural Diversity Database species map. Ms. Simone noted that there was no indication from the Natural Diversity Database. Vice-Chairman Temple asked if anything besides crushed concrete will be processed. Mr. Dutton noted that he spoke with their client, Mr. Thor Norgaard, and was told that asphalt millings will also be processed. Mr. Dutton explained that the asphalt millings will require a different treatment and it is considered a hazardous waste once it is crushed. The site will also screen out and crush aggregate, which will be stored in different bins and grouped by size. Mr. Norgaard stated that no scrap metal or building waste will be processed. The site will process rock, concrete, asphalt, and sand.

Commissioner Davis inquired about the source for these materials. Mr. Norgaard stated that some sources include buildings that will be torn down, concrete road beds, and asphalt that is being removed and repaved. Vice-Chairman Temple inquired whether this activity requires a beneficial use general permit. He added that it is standard for the reprocessing of asphalt. Mr. Dutton stated that he does not know the answer to this and stated that he will find out. Vice-Chairman Temple inquired about the volume blast. Mr. Dutton stated that he did not calculate that and will get back to the Commission. Vice-Chairman Temple inquired about the rock type in the ledge area. Mr. Dutton stated that he needs to investigate this. He noted that the rock seemed relatively soft when it was scratched with the excavator. Mr. Dutton stated that the rock type was reddish and it might be a conglomerate. Vice-Chairman Temple stated that it is important to make sure it is not arsenic. The Vice-Chairman inquired how they plan to maintain the anti-track pad. He also asked the applicants about the material of the pad. Mr. Dutton explained that it is a construction entrance and the tracking pad will be regularly cleaned up and restored. Vice-Chairman Temple explained that these measures are temporary, lasting about 3-6 months. The Vice-Chairman asked the applicants to come up with a permanent anti-tracking system. Mr. Dutton stated that he will come up with a better system.

Attorney Hope stated that they can provide a narrative. Vice-Chairman Temple explained that the measure that is proposed is temporary and they need to put in a permanent system. The Vice-Chairman stated that a system needs to be in place that specifies when to clean or replace the pad. Mr. Dutton stated that they can put in a heavily rippled concrete pad and added that the debris is swept off into the sediment basin. Mr. Dutton stated that he will investigate alternatives. Mr. Norgaard remarked that they can easily maintain the tracking pad and replace the pad when needed. The old pad will be put into a reclaim pile. Mr. Norgaard stated that they do not anticipate heavy traffic on-site. Vice-Chairman Temple asked about the amount of material that will be kept on site, to which Mr. Norgaard responded that they have room for a couple thousand yards of material. Mr. Dutton agreed with Mr. Norgaard's explanation and added that, depending on what the material is, decorative stone or large stone, it will be placed and organized in different areas. Mr. Dutton stated that, if the business has to process material from a highway, a larger space is needed. Vice-Chairman Temple asked Mr. Norgaard if he would need a beneficial use general permit. Mr. Norgaard remarked that he does not know what that is. Vice-Chairman Temple asked that applicants to look into this and added that he suspects that this permit is required. The Vice-Chairman noted that one of the contractors he worked with was required to get a beneficial use general permit. The Vice-Chairman explained that processed asphalt has the potential for contamination and a beneficial use general permit is likely required. Commissioner Shea inquired who issues the beneficial use general permit. Vice-Chairman Temple replied DEEP (Connecticut Department of Energy and Environmental Protection).

Vice-Chairman Temple asked about the well and noted that MDC services the area. Mr. Dutton stated that MDC water is significantly more expensive than putting in a well. He explained that MDC will hit them with a huge assessment, a costly monthly bill, the cost of connection, a tapping fee, and the installation of a water meter. Vice-Chairman Temple inquired if the MDC water main is across the street. Mr. Dutton stated that he needs to look up that information. Vice-Chairman Temple noted that it is a Town road. Mr. Dutton confirmed that the water main is across the street and reiterated the high costs associated with MDC water and installation. Commissioner Davis noted that he has seen some cases of residential areas where it is more cost effective to have a well. Vice-Chairman Temple stated that that applicants need the approval from the Health Department. After some discussion, Vice-Chairman Temple remarked that the applicants can take a risk with the well. Attorney Hope noted that Mr. Norgaard has a water truck. Mr. Norgaard replied that it is correct and added that they plan to reuse as much water as they can in the most efficient way possible.

Commissioner Davis asked the applicants to go back to the lighting plan. He remarked that, although the plans are not yet worked out, he would like to hear some possible solutions. Mr. Dutton stated that the area is fairly wide and reiterated that they are not trying to light it up like a stadium. Mr. Dutton noted that installing a light pole in the middle of the work area would create an obstacle for work vehicles. He stated that, if any poles are to be put in the back, they would have to be on top of the ledge. Mr. Dutton stated that the lights will be night sky compliant and added that he knows the height of the pole is always an issue. He stated that the area is better lit and light is spread out when the light fixture is higher. Mr. Dutton reiterated that they intend to put in minimal lighting, mainly for security.

Ms. Simone asked if the lights would be viewable from the residential property. She noted that there is concern if the lights from a higher height shine on the neighboring property. Mr. Dutton explained that the house is 500 feet away and added that the slope is 2:1. He noted that, if the light was put right in the center, there is 14 feet of grade behind it and it will not be seen. Commissioner Davis inquired if the lights would have a short post or if they would be mounted to a surface wall or ledge. Mr. Dutton stated that they can look into those options and noted that there are trees behind the property, which would further limit the visibility of the lights. Ms. Simone noted that the top of the slope would also block out the light. Mr. Dutton stated that the business is not a 7 day a week, 24-hour operation. Chairman Kaputa noted that the plantings will also provide cover and minimize the visibility of the lights. Mr. Dutton agreed and explained that they will do something similar to the Tannery development and put in white pine saplings. He stated that within a few years the white pine saplings will develop a root system and will revegetate better as time goes on.

Commissioner Parry remarked that the stormwater may be flowing from the easterly side and ends up in the diversion embankment. He asked Mr. Dutton to show the area on the site because the labeling of the plans is not obvious. Mr. Dutton agreed that it is not obvious and noted that it is there. Mr. Dutton stated that the detention pond captures the water on-site and requires minimal maintenance. Commissioner Parry asked Mr. Dutton to make it clearer on the plans that this stormwater system exists; marking the location clearly in the contours. Mr. Dutton stated that he will clarify this. Commissioner Parry noted that the Commission does not want to see water cascading. Mr. Dutton stated that in the winter time some water will come out of the ledge. He remarked that they do not anticipate any big problems. Mr. Dutton added that the water will go through the stormwater management system. Commissioner Parry noted that the area may have to be reinforced.

Chairman Kaputa asked Mr. Dutton to outline the plans for stabilization. Mr. Dutton remarked that the slope was disturbed and, in past discussions with Mr. Mocko, they found it very difficult to stabilize the area. Mr. Dutton stated that, once the slope is graded, it becomes hard to access. They plan to seed the area and put in erosion control fabric which will help the vegetation grow. Mr. Dutton stated that the slope is in poor condition. Chairman Kaputa asked if they had a soil scientist look at the area. Mr. Dutton stated that a soil scientist was out there for a previous application. He explained that there was an aerial photo which showed some standing water. The soil scientist informed the applicants that the water is a puddle.

Chairman Kaputa noted that there are some small areas of phragmites on the site and they indicate the presence of wet soils. Mr. Dutton stated that the soil scientist found that the water does not drain well on-site, causing standing water. Chairman Kaputa asked when the soil scientist came to the area. Mr. Dutton stated that it might have been in 2012 and noted that there might have been wetland soils on site at some point. Mr. Dutton stated that there are no wetlands on this site. Chairman Kaputa asked Mr. Dutton to provide the impervious before and after numbers. Mr. Dutton stated that the proposed impervious area for the site will be 21,912 square feet (15.5%). The total impervious area for pre-development is 0.4248 acres. The total impervious area for post-development is 0.4432 acres. The net change is 0.0184 acres.

Chairman Kaputa noted that there was a memorandum from the Assistant Town Engineer and asked Mr. Dutton to complete what was outlined. Mr. Dutton stated that his associate did the drainage calculations and he will address the other concerns that were listed in the memorandum.

The Commission asked the applicants to complete the following:

- A Beneficial Use General Permit
- Identify the rock type and rule out arsenic
- Detailed lighting plan
- Detailed plan on stabilizing the slope and other slopes that are being regraded
- Construction pad
- Blast volume
- Planting plan to stabilize the slope
- Erosion control blanket
- Address Town Engineer Memo

Mr. Dutton noted that an erosion control blanket is relatively inexpensive and he will add it to the plan. Vice-Chairman Temple stated that he likes the idea of the concrete pad and it should be added to the plan. Chairman Kaputa noted that seedlings can work on the slope. Mr. Dutton stated that he will add the seedlings to the plan.

**3. Proposed renovation and re-construction of car wash – 2756 Main Street - Flood Zone – Alter & Pearson, LLC – Jim Dutton, Dutton Associates, LLC – TCWC Holdings Glastonbury, LLC, applicant**

Attorney Meghan Hope of Alter & Pearson, LLC said the site is comprised of 1.51 acres and is located in the Planned Business and Development Zone and the Flood Zone. Attorney Hope noted that they are applying for a Flood Zone Special Permit (Section 4.11) and a Special Permit with Design Review (Section 12). Salmon Brook borders the property to the north. Town Open Space borders the eastern and southern portions of the property. Attorney Hope stated that their client has over 35 years of experience in the carwash industry. Two photos were displayed: One photo from 1979; and the other photo from 2020. Attorney Hope remarked that not much has changed and their clients are looking to modernize the facility. Attorney Hope stated that the site is almost entirely located in the flood zone. Attorney Hope stated that the property is a legally non-conforming use. She explained that they are requesting a waiver from Section 4.11.6.b.2.a of the Glastonbury Building-Zone Regulations which requires that non-residential construction either have the lowest floor elevated above the level of the 500-year flood elevation or be flood-proofed and made to be watertight. Attorney Hope noted that they were in contact with FEMA and FEMA agreed with the plans. She stated that the reconstructed carwash will have a finished floor elevation of 24.4 feet. Attorney Hope explained that the carwash is designed to get wet and explained that they will flood-proof the building and keep the electrical lines out of the flood areas.

Attorney Hope pointed out the Town recreation easement which has trees and vegetation. Attorney Hope stated that the Town has a right to build a baseball field and explained that the



space is used mainly for walking. The condo owners access the area and the area is not allowed to be blocked off in any way. Attorney Hope pointed out the change of grade regarding Salmon Brook. She informed the Commission that they received a letter from the CT DEEP regarding the NDDDB. Attorney Hope explained that Mr. Dutton followed up with the Senior Fisheries Habitat Biologist, Mr. Brian D. Murphy, and was told that, since they are not applying for any DEEP permits, the NDDDB does not need to provide any additional review. Attorney Hope stated that this determination is good for 2 years.

David Ziaks, P.E. pointed out the Town Open Space and the Stop and Shop gas station. Mr. Ziaks also pointed out the flagged wetlands area. Mr. Ziaks pointed out the carwash tunnel and explained that cars enter from the south side. He pointed out the automated pay stations. Mr. Ziaks stated that there is a bypass lane in case a car needs to exit, which prevents backup. The vacuums and retaining wall was pointed out. He stated that Mr. Ken LaForge, Senior Landscape Architect, will discuss the plantings in detail. Mr. Ziaks stated that there will be no increase in the building footprint and there will be a slight decrease in the impervious coverage with the addition of the islands. Mr. Ziaks then discussed the grading plan; the contour lanes are 2.5 feet. He stated that there is no loss in flood storage volume, with the compensatory storage remaining the same. Mr. Ziaks stated that they have provided drainage calculations to the Town Engineering Department. Mr. Ziaks noted that they are proposing 2 small rain gardens. Mr. Ziaks stated that they will be taking out the separators, which will allow them to meet the MS4 requirements. The paperwork will be submitted next week. Mr. Ziaks explained that the current electrical system is fairly large and aesthetically unpleasing. They propose a new service pole with underground utilities. Mr. Ziaks stated that the carwash will use 50 percent less water than previously. The recycling chamber was designed with efficiency in mind. A new water meter will be put in. Mr. Ziaks explained that, right now, there are no stormwater controls on-site and the water drains into Salmon Brook. The new stormwater plan will prevent any untreated runoff from draining into Salmon Brook.

Mr. LaForge briefed the Commission on their meetings with the Beautification Committee. He explained that these meetings helped them to review, revise and improve their landscape plan. Mr. LaForge pointed to the area of the recreation easement and stated that all the existing trees will remain. He stated that they will incorporate understory trees to fill in the gaps and provide interest. Mr. LaForge informed the Commission that the applicant received permission to plant on the Town-owned property. He explained that they will fill in some of the gaps with a mixture of shrubs and ornamental grasses to create a more defined property line. The driveway plantings will include a mix of canopy trees, evergreens, deciduous shrubs and ornamental grasses, which will add a vibrant and aesthetically pleasing look, improving the appearance of the site. Mr. LaForge stated that they will also put in stone mulch and mulch beds. He believes that they have come up with an appealing design plan. Mr. LaForge pointed out the 2 rain gardens and stated that they will seed the lawn area. The front entrance will have perennials and flowering plants. A river birch tree was added to the plans to add scale and provide coverage. Mr. LaForge stated that they will put in a buffer of native plantings along the wetlands border. A variety of plantings are proposed behind the vacuum areas to mitigate and block the views. Mr. LaForge stated that they cannot plant any trees within the storm easement area. He spoke about the maintenance of the rain garden. Mr. LaForge reiterated that the landscape plan adds interest.

The proposed plan is vibrant throughout the four seasons. All the plants on the list are suitable. There are no invasive plants. Mr. LaForge noted that they use native plants as much as possible. He remarked that the landscape plan is a big improvement and he is happy to answer any questions once the presentation is concluded.

Mr. Jim Sipperly, Soil Scientist, explained that Ms. Cynthia Rabinowitz flagged the soils in 2019. He explained that his report was dated 5/29/2020 and agrees with the previous report. Mr. Sipperly provided the Commission with an overview of his February 22, 2022 wetland report. He has verified the flagged areas 1-14. The soils are poorly drained and disturbed, likely because of the sanitary sewer line. Mr. Sipperly stated that he assisted the landscape architect with the planting plan, which will result in a habitat rich for animals and birds. He noted that they do not plan on putting any shade trees near the sanitary sewer. Mr. Sipperly stated that they will add trees near the wetlands area to shade Salmon Brook. He noted that the disturbed soils will be covered with a native and wildflower mix. Mr. Sipperly stated that there is no water quality system on site and explained that the proposed stormwater system will comply with the MS4 requirements. He noted that the stormwater system will be an improvement. Mr. Sipperly stated that this proposal will not have any adverse impacts on Salmon Brook. The sedimentation and erosion control plans were submitted and are in compliance with the Connecticut Stormwater Quality Manual. Mr. Sipperly stated that he is happy to answer any questions.

Attorney Hope informed the Commission that the lighting plan will be completed soon. Vice-Chairman Temple asked the applicants to provide scaled 24' by 36' plans. Attorney Hope stated that she had dropped off scaled plans and added that scaled plans will be provided in the formal submission. Vice-Chairman Temple inquired about the car capacity. Mr. Ziaks stated that they are projecting 70,000 carwashes a year. He explained that the facility will minimize labor with the equipment doing most of the work. Mr. Ziaks noted that there is a competitor nearby and added that the site can wash a couple hundred cars per day.

Vice-Chairman Temple mentioned his use of a car wash in a different location and has observed water tracking from Oak Street to New London Turnpike. He asked the applicants what they plan on doing to address this. The Vice-Chairman stated that he has seen some municipalities ask for some kind of drain and noted that they asked the other carwash to put in a drain. Mr. Ziaks explained that vehicles make a turn and there are heating pads to dry off the cars. Vice-Chairman Temple noted that he used the other carwash and noticed that most of the water comes from the undercarriage. Attorney Hope pointed out that the Town Engineer overruled the request for the drain. She stated that the other carwash did not put in the drain. Vice-Chairman Temple asked the applicants to consider the water tracking and brought up the concern of slippery and icy conditions in winter. Chairman Kaputa noted that carwashes do not provide an undercarriage blower. Mr. Ziaks replied correct.

Vice-Chairman Temple inquired about a condition of approval for potential PFAS (Per-and Polyfluoroalkyl Substances) found in wax products. Mr. Ziaks explained that most carwashes are required to have sanitary sewers and added that all of the water will go through the treatment system. Vice-Chairman Temple stated that wax is potentially a significant source of PFAS and this is something that is regulated. Attorney Hope stated that they will provide a list of

chemicals. Vice-Chairman Temple explained that PFAS is an emergent contaminate, found in firefighting foam, Teflon products, soaps, waxes and surfactants. It is believed to cause cancer. The Vice-Chairman asked the applicants to verify that they are not contributing to the problem of PFAS. Attorney Hope stated that it is not a problem and they will provide the information. Vice-Chairman Temple inquired about the snow storage. He explained that there is no specific place shown on the plans and it just lists 3 areas for the snow. Mr. LaForge stated that they plan to designate 3 areas for the snow and, if needed, they will have to temporarily sacrifice a vacuum spot. Vice-Chairman Temple asked the applicants to list the exact spots for the snow storage and added that he does not want the snow pushed into Salmon Brook. Mr. LaForge stated that he will mark the designated area on the plans. Attorney Hope stated that they can put together a narrative that outlines the snow storage.

Chairman Kaputa asked the Commissioners if they had any questions. Commissioners Parry and Davis stated that Vice-Chairman Temple addressed their concerns. Secretary McClain remarked that there is no lighting plan yet. She requested that the applicants use the usual dark sky compliant lights and asked for light poles less than 14 feet high. Secretary McClain noted that there are neighbors and they would not appreciate an over-lit site. Commissioner Davis inquired about the carwash operating hours. Attorney Hope noted that currently it is a 24 hour, 7 day a week business, but soon it will no longer be the case. She stated that the business will close for the night. Mr. Ziaks stated that the business would most likely operate from 6:00 am to 9:00 pm. Attorney Hope stated that it was important to the neighbors that the carwash does not operate blowers and vacuums at night. Commissioner Shea asked the applicants to point out the vacuum spaces. The vacuum spaces were pointed out. Commissioner Shea inquired if they back into the retaining wall. Mr. Ziaks stated yes.

Secretary McClain remarked that this design plan is so much better than what is there now. She explained that there are groups in Town working to increase the number of pollinator plants. Secretary McClain stated that she noticed 1 or 2 of these plants and asked the applicants if they could include more in their plan. Mr. Sipperly and Mr. LaForge stated that it was an excellent comment and they will add more pollinator plants. Ms. Simone inquired if the garbage cans would have lids. Mr. Ziaks explained that the covers end up on the ground and they would provide smaller receptacles that are easier to empty. Chairman Kaputa noted that the plans are an improvement. He asked if the willow trees are native, and explained that willow trees from nurseries are often mislabeled and could be the invasive variety. Mr. LaForge stated that they have researched the specific willows and are confident that they will get the right variety.

Chairman Kaputa noted that there is knotweed on the site and asked the applicants if there was a plan in place. Mr. LaForge stated that note 21 indicated that the vegetation would be removed and the area would be reseeded. Mr. Sipperly stated that knotweed is very difficult to get rid of. Commissioner Davis inquired whether the applicants would use herbicides. Mr. LaForge stated that they would avoid using herbicides because of the proximity to Salmon Brook. Commissioner Davis thanked the applicants for the comprehensive presentation.

The Commission asked the applicants for the following:

- Details on snow storage
- Chemical list
- Set of scaled site plans
- Lighting plan
- MS4 Stormwater Management Plan
- More pollinator plants

#### **4. Proposed drainage improvements at 30 Mountain Road – Rural Residence and Flood Zone – Trinkaus Engineering, LLC – Michael Weiss, applicant**

Mr. Michael Weiss informed the Commission that his engineer could not attend the meeting. He explained that the rain from the summer made it clear that their stormwater management system was insufficient; the road would flood and they contacted an engineer who can help them remedy the drainage issues. Mr. Weiss stated that they have put in erosion matting and seeded the property. He noted that the east side of the property has stabilized and improved, but water is still draining out to the road. He explained that they propose to regrade the site and put in a catch basin with a 12-inch HDPE pipe that will discharge into the underground detention system. The water will reach the swale and will be diverted to a series of concrete galleries. The water will discharge into the stream on the north side of Mountain Road. Mr. Weiss stated that they have been contacted by DOT because of the flooding issues on the road. He explained that their engineer proposes riprap and adding trees. Mr. Weiss stated that they will work with Pollinator Pathway and put in pollinator plants. They plan to mow a 5-foot wide pathway and propose turning the rest of the lawn into a meadow for better stabilization.

Secretary McClain remarked that the plan is great. Mr. Weiss explained that they did not want to clear the trees but they needed to make room for equipment. Chairman Kaputa remarked that clear-cutting trees leads to erosion problems. Ms. Simone stated that the homeowner has done an excellent job of being receptive and responsible. She noted that the project is on the right track and added that there is still significant water that sheds off the property and into the road. Ms. Simone informed the Commission that they have received a lot of comments and complaints about the water on the road. She remarked that this is an opportunity to address the issue. Ms. Simone added that the Town is working with Mr. Weiss. Once the applicant builds the stormwater basin connection to the watercourse, the Town will take over maintenance responsibilities. Ms. Simone noted that, once the corrective measures are implemented, the water in the road issue should be resolved.

Commissioner Parry remarked that he has driven up the road after the August 21 storm. He noted that this plan will be a great improvement. Mr. Weiss stated that he plans to live in the house a long time and wants to remedy the flooding situation, which will benefit the neighbors as well. He noted that a neighbor had alerted him to a significant amount of mud in the road. Vice-Chairman Temple inquired if the Town Engineering staff is on board with the proposed gallery system. Ms. Simone replied yes, and added that discussions are still ongoing. Chairman Kaputa noted that he went to the site earlier but did not look at the other side of Mountain Road where the riprap is proposed. Ms. Simone explained that it is a defined channel, a culvert crossing to

the east. She noted that there are concerns about water breaching Manchester Road. Ms. Simone informed the Commission that DOT is exploring the possibility of improving drainage under Manchester Road. Chairman Kaputa asked Ms. Simone to describe the characteristics of the stream channel. She described that it is “U” shaped with a flat rocky bottom. The banks are stabilized.

Chairman Kaputa inquired if the watercourse was manmade. Ms. Simone stated that she came across some information from a retirement party for a commission member in 1984. She noted that someone had commented that there was a channel dug without previous permission. There was a watercourse in the area that was widened by some entity. Ms. Simone stated that there were no other details, except the outcome attracted more surface water into the widened channel. Ms. Simone stated that there will be further discussions with the Town Engineering staff and added that the applicant is applying for a wetlands permit and a flood zone permit. The wetlands permit will come first. Commissioner Davis remarked that Mr. Weiss presented well and they did not miss having the engineer. He thanked the applicant for stepping up and being responsible. Chairman Kaputa thanked Mr. Weiss.

## **II. APPROVAL OF MINUTES**

### **1. Regular Meeting of November 18, 2021**

The Commissioners agreed to make the following corrections at the February 10, 2022 meeting:

The 1<sup>st</sup> correction was to replace the word “determined” with “suspected” on page 2 paragraph 3 of the minutes. The 2<sup>nd</sup> correction was to remove the sentence “Chairman Kaputa inquired if the pond existed before the house at 407 Ash Swamp Road was built” from page 3, paragraph 1 of the minutes.

The November 18, 2021 Minutes were approved as amended, 5-0-1, with Vice-Chairman Temple abstaining because he missed that portion of the meeting.)

### **2. Special Meeting of February 10, 2022**

Chairman Kaputa noted that there is a minor error on page 8 of the minutes. The passage “3 out of 8 Commission/Agency members” should be corrected to “3 out of 7.”

The February 10, 2022 Minutes were approved as amended, 4-0-2, with Commissioners Davis and Parry abstaining because they were not at the meeting.)

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

*Mr. Matt Almond of 94 Stevens Lane* inquired why some Commissioners abstained from voting. Several Commissioners explained that a Commissioner abstains from voting because they were not at the meeting. Mr. Almond remarked that he knows that the sessions are recorded and inquired if they were available to the public. He explained that he wanted to research some of

the terms. Vice-Chairman Temple remarked that PFAS (Per-and Polyfluoroalkyl Substances) was discussed. Mr. Almond stated that he has written that down. Chairman Kaputa stated that the recordings are available to the public and invited Mr. Almond to contact him if he had trouble finding the information.

#### **IV. OTHER BUSINESS**

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

Chairman Kaputa updated the Commission on the gifts that were presented to former Chair Judy Harper and former Vice-Chairman Dennis McInerney. The Chairman thanked Vice-Chairman Temple and Commissioner Hawkins for taking the lead on the gifts.

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

Ms. Simone informed the Commission that she attended the forestry session at Meshomasic State Forest. She noted that an area will be cleared and there is a management plan in place. Ms. Simone stated the State has reached out to communities and is conducting informative sessions that are open to the public. Commissioner Davis inquired if there were attendees who had concerns about the forest clearing. Ms. Simone noted that the event was posted on the website and there were people there who voiced their concerns. Commissioner Parry remarked that it might be a 10-year plan. Commissioner Davis asked if they are comfortable with the plans. Commissioner Parry remarked that he is. Chairman Kaputa inquired about the exact location. Commissioner Parry stated that it is on Windham Road. The Chairman stated that he knows the location. The Commission had a brief discussion on forest management. Ms. Simone noted that they are getting a lot of inquiries and added that the agenda will be busy. Vice-Chairman Temple inquired if there was any word on in-person meetings. Ms. Simone stated that she does not have any updates on that, but will pass along any information she finds out.

With no other business to discuss, Chairman Kaputa adjourned the meeting at 9:52 P.M.

Respectfully Submitted,

*Nadya Yuskaev*

Nadya Yuskaev  
Recording Secretary