

**GLASTONBURY CONSERVATION COMMISSION
(INLAND WETLANDS & WATERCOURSES AGENCY)
REGULAR MEETING OF MINUTES THURSDAY, JUNE 25, 2020**

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

ROLL CALL

Commission Members-Present

Judy Harper, Chairman
Dennis McInerney, Vice-Chairman
Kim McClain, Secretary
Brian Davis
Frank Kaputa
William Shea

Commission Members- Excused

Mark Temple

Chairman Harper called the meeting to order at 7:02 P.M and explained the public hearing process to the applicants and members of the public.

I. FORMAL ACTION & RECOMMENDATION

- 1. Recommendations to the Town Plan & Zoning Commission for a Section 12 Special Permit with Design Review concerning a proposed Chase Bank building, parking lot and related infrastructure at 109-117 New London Turnpike – northeast corner of roundabout with Hebron Avenue – Town Center Zone – Alter & Pearson, LLC, counsel – Bohler Engineering – Glastonbury Commons Office Condominium, landowner – TPG Architecture, applicant**

Attorney Meghan Hope, of Alter and Pearson, LLC stated that the new bank will be built at the corner of Hebron Avenue and New London Turnpike; the lot is under an acre in size. She added that there are no wetlands in the area. Ms. Hope also noted that the location of the bank does not fall in an upland review area.

Ms. Hope briefed the Commission on the changes that were made to the site plan: increased greenspace on Hebron Avenue, a building shift to the north, and relocating the mechanicals to the east side. She also stated that they had to eliminate a sidewalk to accommodate for the increased greenspace. Ms. Hope added that the landscaping was reviewed by the Beautification Committee. They are proposing new trees which include a cherry tree, red maples, ginkgo trees, an American linden tree and a honey locust tree.

Jeff Bord, Project Engineer from Bohler Engineering, stated that they have installed a monitoring well. He explained that they hired a geotechnical company that went out in January and February to test for groundwater. Mr. Bord then stated they also monitored in March, April and May and found no ground water. He also noted that they will mimic the existing drainage patterns.

Mr. Bord explained that there are some changes to the lighting plan. There will be three, 12-foot high poles that will be dark sky compliant. Mr. Bord added that they shifted the bank building back a bit further.

Commissioner Shea commented that the utilities are unsightly and is understandable why they are no longer on the front side. He asked the applicants what kind of plantings will be used in the area. Mr. Bord stated that fountain grass will be used and inkberry holly will surround the condensers. Mr. Bord further explained that the inkberry holly was requested by the Beautification Committee.

Commissioner Davis inquired about the purpose of the lane on the north side. Mr. Bord stated that it is a shared access area and it is maintaining the outside curb line.

Chairman Harper inquired if there is a drive-through teller. Ms. Hope replied no, but explained that there is a drive-through ATM. Chairman Harper inquired about the signage. Ms. Hope presented the wall and monument sign renderings.

Vice Chairman McInerney inquired about the neighboring property. Mr. Bord explained that the property, located 1,000 feet away, encountered groundwater. Mr. Bord then reiterated that they have monitored the groundwater for over 5 months and did not find any.

Chairman Harper asked if there were any members of the public who wanted to speak. No members of the public were present. Chairman Harper closed public comment on the application.

Motion by: Secretary Kim McClain

Seconded by: Vice-Chairman Dennis McInerney

MOVED, that the Conservation Commission recommends to the Town Plan & Zoning Commission approval of a Section 12 Special Permit with Design Review for the proposed Chase Bank facility at 109-117 New London Turnpike, 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 June 23, 2020.
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. Underground fuel storage tanks shall be prohibited to reduce the potential of contamination to wetlands, watercourses, and groundwater resources.
5. 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.
6. Prior to the issuance of a Certificate of Occupancy, certification from a landscape architect shall be required confirming that landscape plants were installed in accordance with the approved landscape plan.

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

2. Application of Eastern Ave Holdings, LLC (Ed Hardy, owner, Central Rock Gym for: an inland wetlands and watercourses permit; and a recommendation to the Town Plan & Zoning Commission concerning a Section 12 Special Permit with Design Review – proposed 55-space parking lot, its stormwater drainage system, outdoor lighting and landscaping within the wetlands' upland review area at 233 Eastern Boulevard (to benefit the neighboring Central Rock Gym at #259) – Planned Employment Zone and Groundwater (overlay) Zone 1 – Megson, Heagle & Friend, C.E. & L.S., LLC – Alter & Pearson, LLC, counsel – Tammy Villamizar, landowner of #233

Attorney Meghan Hope briefed the Commission on the application. She stated that her client, Ed Hardy, had entered into a 10-year lease with Tammy Villamizar and wants to construct 55 parking spaces at 233 Eastern Boulevard to accommodate his gym at 259 Eastern Boulevard. Ms. Hope explained that there are wetlands in the lot's northeast corner and a subsequent upland review area. Ms. Hope also noted that there is a bike rack on site. She added that they received permission from the property owner to extend the existing conservation easement.

Mr. Mark Friend, Professional Engineer and Soil Scientist, explained that the lot is about an acre and the slope is gentle, at 4 to 6 percent. He noted there is high vegetation, mostly Russian olive which is invasive and non-native. Mr. Friend stated that the area was part of an industrial lot and is mostly overgrown. He added there is a red maple to the back and the watercourse flows to the north and converges with other wetlands leading to Salmon Brook. Mr. Friend said that the upland soil is excessively well drained, and added that the parking lot slopes from south to north. He also noted that there is a water quality basin which will handle the runoff from storms, discharging it from the north and then to the wetlands.

Mr. Friend stated that there were some concerns about erosion. He then explained that some brush clearing had been done and the area was loamed and seeded. He also added that now the area is nicely vegetated and stabilized and not a cause for concern. Mr. Friend reiterated that they are proposing a conservation easement in the back.

Ms. Hope informed the Commission that there will be four light poles, 14-feet high installed on the site. She also stated that the property owner has not consented to the sidewalks. Ms. Hope also stated a sidewalk is not financially feasible for her client. Ms. Hope presented a slide that shows a red line with a sidewalk gap of about 300 feet. She then explained that adding the burden of a sidewalk does not make sense because the project is just for a parking lot and not for a building. Ms. Hope concluded her presentation.

Commissioner Davis inquired if the green peninsula is a walkway. Ms. Hope replied yes.

Commissioner Kaputa commented that it is disappointing about the sidewalks. He then informed the applicants and the Commissioners that 219 Addison Road is being proposed for development. He explained that it will be a long stretch of sidewalk with only 2 gaps. Commissioner Kaputa commented that it is surprising to hear that the sidewalks are not financially feasible. He asked the applicants to provide an estimate. Ms. Hope replied that it costs about \$30,000. Commissioner Kaputa then stated that the business must be doing quite well, if they can lease the property for 10 years and build the additional parking spaces.

Secretary McClain agreed with Commissioner Kaputa's points and added that the financial hardship is self-imposed and is often used by developers. Vice-Chairman McInerney inquired if the pathway/sidewalk is required in the planning and zoning regulations. Mr. Friend stated that sidewalks were not required in the past and explained that the owner originally wanted an overflow parking lot made of gravel. He also stated that the costs for the owner keep going up.

Chairman Harper asked Mr. Mocko about sidewalk regulations. Mr. Mocko said he cannot comment on this issue but explained that in commercial development on busy streets the desired infrastructure must be walkable and safe. Mr. Mocko also explained that subdivisions are an easier matter because they adhere to the subdivision regulations. He also noted that sidewalk construction is a sign of the times and people want to be safe. Secretary McClain stated it is a public health issue. Commissioner Shea inquired if they can give recommendations. Ms. Hope stated that their recommendations would be informal and non-binding and that the Town Plan & Zoning Commission makes those decisions. She also stated that the burden of the sidewalk does not match the project. Secretary McClain stated that she used to work in the area near the medical buildings and explained that people end up walking on the street all the way to Smith Middle School. She also stated that there should be a condition that requires the developer to build a sidewalk once the neighboring development builds one. Commissioner Davis stated that he understands Secretary McClain's point and inquired if there would be a change to the landscape plan if sidewalks are installed. Mr. Friend replied there would be some modification.

Commissioner Kaputa stated that 3 mature trees would need to be removed. He explained that two of the trees are unhealthy maples and one is an invasive Norway maple that should also be removed.

Mr. Mocko informed the Commission that the Town Engineer advocates for sidewalks in the report. He also stated that the sidewalks are not a wetlands item. Commissioner Kaputa agreed with Mr. Mocko's points. Mr. Mocko also noted that the engineer's recommendation was for a 4-foot-wide sidewalk. The Commission members discussed the issue and were in agreement that they would include the engineer's memorandum as part of their recommendation to the Town Plan & Zoning Commission.

Secretary McClain pointed out that the wording "by homeowners" in the motion regarding pesticides should be removed. Mr. Mocko thanked her for catching that. Chairman Harper asked if the motion can be edited when read. Secretary McClain replied yes. Mr. Mocko pointed out that earlier, Mr. Friend stated "Hubbard Brook" instead of Salmon Brook. Mr. Mocko wanted the correction made to reflect accurately in the minutes. Mr. Friend agreed.

Vice-Chairman McInerney inquired why the applicants did not put a conservation easement throughout the whole property. Mr. Mocko explained that in 10 years the land will need a new draining system. Vice-Chairman McInerney commented that it is a temporary land use in the long run and he is fine with that.

Chairman Harper asked if anyone from the public had any questions or comments. No one from the public was present.

Motion by: Secretary Kim McClain

Seconded by: Commissioner Frank Kaputa

MOVED, that the Inland Wetlands and Watercourses Agency issues an inland wetlands and watercourses permit to the Eastern Ave Holdings, LLC (c/o Ed Harney) for their proposed 55-space parking lot and its related infrastructure at 233 Eastern Boulevard, in accordance with plans on file in the Office of Community Development, and in compliance with the following conditions:

1. Adherence to the comments contained within the Town Engineer's memorandum dated June 22, 2020 **except** for comment number 2 (two).
2. A private conservation easement shall be established as generally depicted on the site plans and this area shall henceforth not be disturbed from its present condition until the conservation easement is in force. The precise delineation shall be recorded by bearings and distances. The easement shall be recorded on the land records. The conservation easement shall be marked with oak stakes labeled "Conservation Easement" with waterproof ink and tied with red flags. These stakes are to be located at each change of boundary direction and at every 100 foot interval on straightaways. All conservation easement corners shall be permanently marked with iron pins. In addition, numbered "Glastonbury Conservation Easement" signs, available from the Town's Office of

Community Development, shall be nailed to trees that are within two feet of the easement area's boundary line, at approximately 100 feet intervals. The sign shall be installed facing outwards at about 7 feet above grade, using two 3 inch or greater aluminum or galvanized nails, with the nails left protruding from tree trunks about 1-1/2". Where no trees are suitable 7 foot metal or long-lived wood posts with easement signs attached shall be used. Such placement of signs shall be performed under the supervision of a Licensed Land Surveyor prior to land-clearing or earth-moving activities and notice shall be provided to the Town's Office of Community Development upon its completion.

3. In order to protect the physical, chemical and biological characteristics of the wetlands and watercourses and water quality, the following conditions shall apply:
 - a. Pesticides and herbicides shall not be disposed of within the designated conservation easement areas;
 - b. Pesticides and herbicides shall only be applied utilizing best management practices for integrated pest management; and
 - c. The developer agrees to recite these conditions in the deed to the individual residential property.
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 shall not be buried at the site.
7. Earthen material shall not be stockpiled in the wetlands regulated areas.
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. Prior to the issuance of a Certificate of Occupancy, certification from a landscape

architect shall be required confirming that landscape plants were installed in accordance with the approved landscape plan.

11. 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 (6-0-0)

Motion by: Secretary Kim McClain

Seconded by: Commissioner Frank Kaputa

MOVED, that the Conservation Commission recommends to the Town Plan & Zoning Commission approval of a Section 12 Special Permit with Design Review for the proposed 55-space parking lot and its related infrastructure at 233 Eastern Boulevard, 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 June 22, 2020.
2. A private conservation easement shall be established as generally depicted on the site plans and this area shall henceforth not be disturbed from its present condition until the conservation easement is in force. The precise delineation shall be recorded by bearings and distances. The easement shall be recorded on the land records. The conservation easement shall be marked with oak stakes labeled "Conservation Easement" with waterproof ink and tied with red flags. These stakes are to be located at each change of boundary direction and at every 100 foot interval on straightaways. All conservation easement corners shall be permanently marked with iron pins. In addition, numbered "Glastonbury Conservation Easement" signs, available from the Town's Office of Community Development, shall be nailed to trees that are within two feet of the easement area's boundary line, at approximately 100 foot intervals. The sign shall be installed facing outwards at about 7 feet above grade, using two 3 inch or greater aluminum or galvanized nails, with the nails left protruding from tree trunks about 1-1/2". Where no trees are suitable 7 foot metal or long-lived wood posts with easement signs attached shall be used. Such placement of signs shall be performed under the supervision of a Licensed Land Surveyor prior to land-clearing or earth-moving activities and notice shall be provided to the Town's Office of Community Development upon its completion.
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 - a. Pesticides and herbicides shall not be disposed of within the designated conservation easement areas;
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 - c. The developer agrees to recite these conditions in the deed to the individual residential property.

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9. Prior to the issuance of a Certificate of Occupancy, certification from a landscape architect shall be required confirming that landscape plants were installed in accordance with the approved landscape plan.

II. APPROVAL OF MINUTES - Regular Meeting of June 11, 2020

Motion by: Commissioner Brian Davis

Seconded by: Commissioner William Shea

Page 3- Change to Kim McClain

Page 5- Typo- change Richard Jacques to Paul Jacques

Page 14- Motion is repeated

Minutes were approved as corrected.

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

IV. OTHER BUSINESS

1. Chairman's Report

Chairman Harper asked the Commissioners how they thought the Zoom meetings were going. The Commissioners were in agreement that the meetings are going well, especially the screen sharing. Chairman Harper asked if anyone wanted to speak or report on anything.

2. Environmental Planner's Report

Mr. Mocko stated that he had issued eleven wetlands agent approvals in the last two weeks, adding there was an increase in pool applications, sheds, decks and other projects. He then briefed the Commissioners on the multi-use path that is being constructed from Western Boulevard to House Street. He explained that they are working within Salmon Brook to remedy erosion problems, and added that the work should be completed by fall's end.

With no other business to discuss, Chairman Harper adjourned the meeting at 8:19 P.M.

Respectfully Submitted,

Nadya Yuskaev

Nadya Yuskaev

Nadya Yuskaev
Recording Secretary