

**GLASTONBURY CONSERVATION COMMISSION
(INLAND WETLANDS & WATERCOURSES AGENCY)
REGULAR MEETING MINUTES OF THURSDAY, JUNE 16, 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
Brian Davis
James Parry
William Shea

Commission Members - Excused

Kim McClain, Secretary
Anna Gault Galjan

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

I. FORMAL DISCUSSIONS

- 1. Application of the Town of Glastonbury for an inland wetlands and watercourses permit concerning storm drainage improvements to replace a failing stone culvert – 11 Ash Swamp Road – Rural Residence Zone – Daniel A. Pennington, Town Engineer/Manager of Physical Services, applicant CONTINUED TO JUNE 30, 2022**
- 2. Application of Jose Negron for an inland wetlands and watercourses permit to cross Salmon Brook for connection to public sanitary sewer – 39 Stanley Drive – Rural Residence Zone**

Mr. Brian Stepule of Stepule Builders, Inc., outlined the two changes to the site plan. He stated that the first change is excavating 3 feet below the stream bed. The second change entails vegetating the area with straw mulch and seed. Rye grass is proposed for rapid stabilization.

Ms. Simone informed the Commission that the changes to the plans were received and documented. The Chairman asked if there were any comments or questions. There were none.

Motion by: Commissioner Davis

Seconded by: Vice-Chairman Temple

MOVED, that the Inland Wetlands and Watercourses Agency grants an inland wetlands and watercourses permit to the Jose Negron for sanitary sewer connection, in accordance with plans

entitled “Proposed Sewer Connection, 39 Stanley Drive” Dated May 10, 2022, and in compliance with the following stipulations:

1. Permittee shall properly install and monitor the sediment and erosion controls and maintain stabilization measures for the duration of the work.
2. The work shall be conducted in dry conditions, with little to no flow within the watercourse.
3. The sanitary pipe shall be installed a minimum of two feet below the base of the watercourse.
4. Seed mix, appropriate for the site conditions, shall be applied immediately upon completion of the work.
5. The permit is valid for 5 years from date of issuance, and shall expire on June 16, 2027.

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

3. Recommendation to the Town Plan & Zoning Commission concerning a CGS Section 8-30g application for the construction of an apartment building containing 74 units, with parking and other site improvements – 1199 Manchester Road - Planned Business & Development Zone and Rural Residence Zone – Attorneys Timothy Hollister & Andrea Gomes – Wes Wentworth, P.E. – Alan Lamson, AIA, AICP – Manchester/Hebron Avenue, LLC, applicant

Attorney Andrea Gomes of Hinckley, Allen & Snyder LLP provided the Commission with a list of presenters, including Wes Wentworth, P.E., and John Alexopoulos, RLA. Attorney Gomes noted that they have worked hard to address the concerns from this Commission. She explained that they submitted supplemental plans on June 9, 2022. Additional information was also provided on June 15, 2022. Attorney Gomes noted that the Town Engineer Dan Pennington had provided an overall positive report in his memorandum. She explained that they will summarize the plan changes and answer any questions. She noted that the team had responded to every question and had filled the requests of Town staff and the various boards. Attorney Gomes noted that they are requesting a favorable recommendation to TPZ. She informed the Commission that the sustainable elements are outlined in the supplemental materials and include LED lights, dark sky compliant lights, energy efficient insulation, exploring the feasibility of using mini-split systems for heating and cooling, solar use on-site, and the addition of a rain garden near Hebron Avenue. Attorney Gomes stated that the applicant conducted a groundwater test on May 23, 2022. She explained that the test results are below or significantly below the Connecticut groundwater criteria. Attorney Gomes stated that the water on site is safe for drinking purposes.

Mr. Wes Wentworth, Principal Engineer and Soil Scientist, provided an aerial view of the site, the existing site conditions and the revised site plan. Mr. Wentworth explained that the change they made was adding a sidewalk section along the frontage of Hebron Avenue and Manchester Road. He then detailed the drainage and grading plan. Mr. Wentworth explained that they added a reverse bench in the center of the proposed 2:1 slope. Commissioner Davis asked Mr. Wentworth to point

out the exact area, which he did. Mr. Wentworth explained that in their discussions with Mr. Pennington they have added the reverse benching, even though they already included an erosion control blanket in the plans. Mr. Wentworth remarked that now they have both measures in place and it is a belt-and-suspenders situation. He explained that 2 retaining walls have been eliminated. They have revised the plans and the site grading.

Mr. Wentworth noted that they have added a rain garden east of the Hebron Avenue entrance drive to treat water quality volume. He detailed the erosion and sedimentation control plans. Mr. Wentworth explained that they have broken it down to 3 major phases: The first phase of the plan is the site excavation and grading, as well as the creation of the proposed construction entrance. Trucks and other vehicles come in at the south shoulder to a truck loading area and will exit out at Manchester Road. The excavation will occur in the area where the reverse bench is located. Mr. Wentworth further explained that the slope will be completely stabilized to a 2:1 slope. Erosion control blankets will be utilized. The second phase entails the continuation of the 2:1 slope all the way down to the proposed building. All stabilization measures will be in place. The third phase continues the erosion and sedimentation controls and the maintenance of the construction entrance. Mr. Wentworth stated that they have submitted detailed instructions regarding the 3 phases in the updated site plans. Each sheet has a specific narrative for each stage.

Mr. Wentworth stated that the existing slope conditions and the proposed 2:1 slopes will be very stable. He explained that the slopes near the gas station are much steeper and have been there in excess of 60 years with no erosion or sedimentation issues. Mr. Wentworth said that there is potential for solar panels along the southwest roof lines. He stated that they expect the solar to work 10-11 months of the year. Mr. Wentworth said that they are looking to use the solar energy for the common space areas and the outdoor lighting areas. Mr. Wentworth concluded that it is his professional opinion that there are no adverse impacts to public health, safety or welfare resulting from the construction of this development as designed.

Mr. John Alexopoulos, RLA, made a presentation via phone due to technical difficulties. He noted that 4 red maple trees were added in the right-of-way area on Hebron Avenue. A line of compact junipers measuring 2.5 to 3 feet tall were also added near the parking spaces located near Hebron Avenue. Mr. Alexopoulos stated that not much has changed in front of the building and added that the changes are reflected in the submitted plans. He explained that they propose groups of saplings on the slope which include paper birch and red cedar. Mr. Alexopoulos noted that the slope will be seeded with a conservation mix with pollinators. He stated that the plant list contains about 81 percent native plants and also indicates which plant is a pollinator. Mr. Alexopoulos stated that most of the plants are pollinators. Attorney Gomes stated that there are no invasive plants proposed. She noted that pollinator plants have been added to the slope.

Commissioner Parry noted that the applicants did not explain the cross-section diagram in relation to height. He noted that the applicants submitted a diagram of the eye line without providing an explanation. Mr. Wentworth explained that the view is based on a person of 6 feet in height looking north. The view would include the roof lines, vegetation, the top third of the top floor, which is about 5 feet of the top floor. Commissioner Davis remarked that, if a house was built in that area, with no excavation at all, it would appear more visible than the proposed

building. Attorney Gomes and Mr. Wentworth agreed. Mr. Davis noted that the roof pitch has been raised significantly and asked for the before and after measurements. Mr. Wentworth stated that Mr. Lamson is not present to answer that question and estimated the change in slope to be 5:12 in the previous plans to 8:12 in the current plans. Attorney Gomes stated that the information was provided in the June 15, 2022 supplemental materials. She confirmed that the current peak is at 8:12, which meets the Connecticut State Building Code regulations. Chairman Kaputa noted that the current roof pitch is much better for solar.

Vice-Chairman Temple informed the applicants that the lead levels are elevated. The Connecticut standard is level 12 and below, the lead found in the reports indicate level 14. Mr. Temple explained that surface water protection criteria is important to this Commission and added that elevated lead is unsafe and also has the potential to affect organisms. He added that the surface water protection criteria should apply, but the applicants indicated that the criteria does not apply to the application. Mr. Temple explained that the lead numbers may be elevated due to the testing method. He said that lead in the water is typically tested using low flow, low stress methods, adding that the method the applicants used is outdated and the results do not say anything regarding the turbidity of the water that was tested. Mr. Temple stated that it is difficult for him to move forward with the application without additional testing. He asked Ms. Simone to put a condition into the motion that requires additional testing using modern technology and methods. Chairman Kaputa asked the Vice-Chairman whether modern testing would produce different results. Mr. Temple explained that he hesitates to answer this because there is a possibility that the lead might come from something on the property. Mr. Kaputa asked the Vice-Chairman to explain. Mr. Temple remarked that the property history is not really known and added that one possibility is that it had been used as a dumping ground.

Chairman Kaputa stated that he asked about the property history and its use at the last meeting. He noted that the applicants stated that it was farm land with no real development. Mr. Temple explained that farm land can have high levels of arsenic and lead, as well as contaminants. He noted that the applicants tested only one criterion and stated that the surface water criteria apply to this application. Mr. Davis asked if there are mitigation measures that can be put into place if it is found that the lead levels are elevated. Mr. Temple explained that the applicants would have to test down-gradient and added that low stress methods and modern testing will need to be used. He also reiterated that he does not know the history of the property and could not say if it will pass. Commissioner Shea wanted to confirm that the current lead reading does not meet the criteria for surface water. Mr. Temple replied yes, and asked Commissioner Parry his thoughts on the elevated lead levels. Mr. Parry remarked that the lead levels clearly exceed the limits and added that there are different sources of lead, including some from natural material. Mr. Temple agreed with Mr. Parry and added that it is hard to know where the lead is coming from.

Attorney Gomes explained that the consultant who conducted the tests stated that the surface water criteria does not apply. She stated that even if the criteria did apply, it is a minor exceedance. Attorney Gomes noted that 12 parts per billion is not far off from 14 parts per billion. She stated that it is likely that the turbidity in the sample elevated the lead numbers. Mr. Kaputa asked the applicants why the consultant would state that the surface water criteria does not apply. Attorney Gomes explained that there was no release or spill on-site. Mr. Temple

stated that any exceedance to the lead allowance is unsafe and reiterated that further testing is needed. After further discussion, the Commission agreed to add the following condition to the motion: “The applicant shall have the monitoring well retested for total lead and turbidity, using low flow sample methods. Test results shall be submitted to the Environmental Planner to compare results with Surface Water Protection Criteria standards. Test results less than or equal to Surface Water Protection Criteria will conclude the testing. If test results reveal an exceedance of Surface Water Protection Criteria standards, a mitigation plan shall be submitted.” The Commission was in agreement that, if lead levels are found to be elevated after further testing, TPZ will have that information and determine the next steps.

Chairman Kaputa noted that while the applicants identify 81 percent of the plants as native, the list might actually be about 30 percent native. The Chairman explained that some people consider plants found in the eastern United States as native and he considers plants native specifically to Glastonbury. Commissioner Davis noted that he fully appreciates the planting groups that were added to the hillside, which will allow the building to blend in with the environment.

Motion by: Commissioner Davis

Seconded by: Commissioner Parry

MOVED, that the Conservation Commission recommends to the Town Plan & Zoning Commission approval of a CGS Section 8-30g application for the construction of an apartment building containing 74 units, with parking and other site improvements at 1199 Manchester Road, in accordance with plans entitled “1199 Manchester Road, Prepared for Manchester/Hebron Ave LLC, Glastonbury CT.”, Dated November 8, 2021, Revised Sheets as Noted” 13 Sheets:

1. Erosion controls shall be installed and maintained in proper working condition and shall be repaired and replaced as needed until the site is vegetatively stabilized.
2. Permittee shall hire an engineer to conduct inspections and provide written reports regarding the erosion control and stabilization measures to the Community Development Office a minimum of once per week, within 24 hours prior of a forecasted rain event, and within 24 hours of the end of a weather event producing a rainfall amount of 0.5 inch or greater, to be conducted throughout the construction phase and until the site is vegetatively stabilized. Written reports shall be submitted within three days of inspection.
3. The Construction Sequence and Erosion Control Notes shall be adhered to.
4. The Engineering Department comments dated June 15, 2022 shall be addressed and incorporated in the final plan set.
5. The applicant shall have the monitoring well retested for total lead and turbidity, using low flow sample methods. Test results shall be submitted to the Environmental Planner to compare results with Surface Water Protection Criteria standards. Test results less than or equal to Surface Water Protection Criteria will conclude the testing. If test results reveal an

exceedance of Surface Water Protection Criteria standards, a mitigation plan shall be submitted.

6. The planting plan is calculated to be 81% native species, this percentage shall not be reduced in the event the planting plan is modified.
7. Trees identified to remain in the landscape, as detailed in the above referenced plans, 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.

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

II. APPROVAL OF MINUTES

1. Regular Meeting of May 12, 2022

Motion by: Chairman Kaputa

Seconded by: Commissioner Davis

MOVED, that the Conservation Commission accepts the minutes from May 12, 2022 as corrected and amended according to the May 26, 2022 minutes.

Result: Motion passes. (4-0-1)

Vice- Chairman Temple abstained because he was not at the meeting.

2. Regular Meeting of May 26, 2022

Chairman Kaputa directed the Commission to page 3, paragraph 3. The sentence reads: “Mr. Braun replied that there would be 100 feet of pavement and suggested adding another catch basin.” Mr. Kaputa said that it was Commissioner Davis who suggested adding another catch basin. The passage should be corrected to “Mr. Braun replied that there would be 100 feet of pavement and Mr. Davis suggested adding another catch basin.” The Commissioners were in agreement.

Chairman Kaputa directed the Commission to page 4, last paragraph. The sentence reads “Mr. Kaputa asked about the slope.” The Chairman noted that the passage should be corrected to “slope of the pipe.” The Commissioners were in agreement.

Commissioner Parry and Commissioner Shea stated that they were not present at the last meeting and will abstain from voting on the minutes. Approval of the minutes was tabled until the next meeting.

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

IV. OTHER BUSINESS

1. Chairman's Report

Chairman Kaputa stated that he saw his first rattlesnake of the season near 470 Thompson Street. The Chairman noted that the rattlesnake was near the area of the proposed subdivision. He informed the Commission that Secretary McClain was not at the meeting because her sister had passed away. The Commissioners expressed their condolences and thanked the Chairman for informing them.

2. Environmental Planner's Report

Ms. Simone updated the Commissioners about her discussions with Mr. Paul Reddington, the East Carriage Condo Association president. Ms. Simone stated that Mr. Reddington informed her that they hired an arborist certified in tree hazards who will put together a detailed report. Mr. Reddington and the condo association will come back to the Commission soon. Ms. Simone updated the Commissioners on the open space management initiative. She noted that the Town received responses to the Request for Qualifications and the Town will begin the interview process. Ms. Simone stated that she will keep the Commissioners posted.

With no other business to discuss, Chairman Kaputa adjourned the meeting at 7:49 P.M.

Respectfully Submitted,

Nadya Yuskaev

Nadya Yuskaev
Recording Secretary