

**GLASTONBURY CONSERVATION COMMISSION
(INLAND WETLANDS & WATERCOURSES AGENCY)
SPECIAL MEETING MINUTES OF WEDNESDAY, NOVEMBER 2, 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

Anna Gault Galjan

James Parry

William Shea

Chairman Kaputa called the meeting to order at 6:00 P.M. and explained the public meeting process to the applicants and members of the public.

I. FORMAL ACTION & RECOMMENDATION

Formal recommendation to the Town Plan & Zoning Commission concerning a Section 12 Special Permit with Design Review for a construction yard with a truck scale, small shop, material processing & stockpile areas and equipment storage – 240 Oakwood Drive - Planned Commerce Zone – Jim Dutton, Dutton Associates – Alter & Pearson, LLC – Thor Norgaard, Mjolnir Construction, applicant

Attorney Meghan Hope of Alter & Pearson, LLC described the site, saying it is approximately 3.23 acres in size and located in the Planned Commerce and Groundwater Protection Zone 1. She noted that there are no wetlands or upland review areas. Ms. Hope explained that there is a 100-foot elevation change. She stated that they are planning to maintain the hillside and added that most of the proposed development is in the western half of the site. Ms. Hope stated that they are proposing a construction yard with material processing. She explained that their client takes concrete from road projects with trucks entering through the southern curb cut to unload the materials that would be processed. The trucks circle back out to leave the site. Ms. Hope indicated where pavement and gravel will be as shown on the plans. The site will be regraded and there will be two retaining walls. The proposed shed will measure 10 feet by 12 feet and will be a scale house in the future. Ms. Hope noted that the well will provide water for dust control and other maintenance issues. Ms. Hope stated that the Commission had previously asked about the volume of blasting. Ms. Hope noted that 6,700 cubic yards will be maintained. She explained that the grading and 2:1 slope will not extend over the neighboring property line.

Jim Dutton of Dutton Associates reiterated that the site will be regraded and retaining walls will be added. He noted that they have included a list of erosion control plantings in the landscape

plan. Mr. Dutton reiterated that the well is not intended for drinking and will be used for the purpose of dust control. Mr. Dutton indicated the stormwater basin and sediment basin included in the plans. He explained that the stormwater system is designed to mitigate the 2- to 100-year storm events. Mr. Dutton stated that the bottom of the stormwater basin contains a series of underdrains that are wishbone-shaped at the bottom to allow the water to sit for extended time and to remove the sediment. He noted that the submitted plans also include information and photographs of the outlet and added that it is stable and no changes will be made. Mr. Dutton explained that the retaining walls are proposed to ensure that no regrading occurs on the abutting property. He pointed out the area of the proposed diversion swale and explained that the system will capture off-site water, divert it, circumventing the activity area and discharging it into the Town system. Mr. Dutton stated that this system will ensure that off-site water runoff is minimized. He pointed out the inlet and pipe on the plans and added that the runoff will bypass the primary sediment basin to allow for the treatment of the dirtiest water. Mr. Dutton stated that they did not find any evidence of arsenic.

Mr. Dutton stated that the landscaping plan and slope restoration plan will require very little maintenance. He indicated the double row of plantings in the western portion of the site designed to hide the facility. Deciduous trees are proposed in the detention pond area. The area near the fuel tanks will have evergreen trees. Mr. Dutton pointed out the boulders that will surround the sedimentation system. He noted that the one cubic-foot sized boulders will discourage cars from driving into the basin. Mr. Dutton stated that the detention basin was designed with a driveway to allow for the removal of accumulated sediment. He noted that large trucks can turn in and out of the site. He added that the site will be completely fenced in. A rolling gate is proposed on the southern entrance because the entrance is too wide for a conventional swing gate; the entrance on the northern end will have a swing gate. Mr. Dutton stated that they felt it is important to have the fence along Oakwood Drive to keep people out of the property.

Referring to the lighting plan, Mr. Dutton stated that they propose LED night sky-compliant fixtures. He stated that the light will not affect any neighbors and added that the nearest neighbor is a couple hundred feet away. Mr. Dutton noted that the area is wooded. He explained that one of the benefits of regrading is that it will prevent noise trespass from the western part of the site. Mr. Dutton noted that the profile plan gives an idea of what the site will look like from the street. He stated that excavation will be done. Mr. Dutton noted that the two proposed, 3,000-gallon fuel tanks are bullet-proof; one will be for road fuel and the other will be for equipment fuel. These tanks are made in Connecticut. The tanks sit on a concrete slab or set on a wall with the pumping mechanism on top. Mr. Dutton stated that, to the best of his knowledge, the aboveground fuel tanks comply with all the regulations.

Mr. Dutton pointed out the proposed permanent construction entrance on the site plans. He explained that the stone pad will minimize tracking. Trucks entering and exiting the site have a longer distance to go before leaving the site, which will minimize the tracking of sediment into the street. Mr. Dutton noted that the electrical panel will be located in the scale house. He stated that the pre-fabricated buildings will sit on concrete slabs. Mr. Dutton said a large piece of

granite will hold the sign with the name of the business. He noted that other signage will include Do Not Enter signs, stop signs and truck signs.

Mr. Guy Hesketh, Licensed Professional Engineer, noted that he was asked to address whether the operation requires additional permits or a beneficial use permit. He explained that, over the years, he has gotten permits for solid waste and consulted with a contact that works for the enforcement division of the CT DEEP. Mr. Hesketh noted that he was referred to the definition of clean fill, which can be found in Section 22a-209 of the regulations. The portion of the regulations was read out. Mr. Hesketh stated that what his client is proposing meets the regulations of clean fill. He noted that clean asphalt and clean concrete are considered clean fill material. Mr. Hesketh explained that the materials must be inert and not include material that has been contaminated. He stated that bituminous material that has been part of an oil spill or chemical spill is not clean or inert. Mr. Hesketh reiterated that his client is proposing clean fill. He noted that the CT DEEP does not regulate this activity and recommended that records are kept regarding the origin of the materials. Information included in the records would include the name and address of the business and owner. Mr. Hesketh stated that that the material should be inspected. He discussed that material that comes from a school parking lot would be acceptable; other material may require closer inspection. Mr. Hesketh added that a beneficial reuse permit is not applicable to their application.

Chairman Kaputa noted that the applicants addressed the items from the last meeting and asked the Commissioners if they had any questions. Vice-Chairman Temple thanked the applicants for their presentation. He noted that he has had recycled asphalt in the parking area of his office milled and noted that many other people are removing it. Mr. Temple asked where this material will be used. He explained that there is no need to pay for recycled asphalt when dirt can be used. Mr. Norgaard noted that the reclaim customer is in the commercial construction business. He stated that the material is an economical sub-base under the asphalt. Mr. Norgaard noted that he has other products to sell and added that there are other choices. Mr. Temple noted that, even if the material is allowable, it is still being removed, and thanked Mr. Norgaard for his explanation.

Commissioner Davis noted that there is a concern about the aesthetic and asked the applicants to follow the Architectural and Site Design Review Committee's (ASDRC) recommendation about moving the fence. He also asked the applicants to consider using a stone that is pulled from the site instead of the granite that was shown in the presentation for the sign. Mr. Dutton stated that the proposed chain link fence will not be in front of the landscaping; it will be behind. He stated that the proposed fence will be black vinyl-coated. Mr. Davis noted that the public will not walk around the detention basin and asked the applicants to explain why a fence is needed. Mr. Norgaard explained that he wants to keep people off of his property. He noted that arborvitae will provide screening and added that he does not want kids to show up to his property with dirt bikes. Mr. Norgaard remarked that not having a fence would invite such occurrences. He explained that the piece of granite came out of the ground and added that in his opinion the shape is as perfect for a sign as it can be. Mr. Norgaard continued, saying if they find another stone that fits, it can be used. Mr. Temple noted that the granite will weather nicely and added that the

arkose rock would not be as long-lasting. Mr. Davis thanked Mr. Temple and added that he is still not convinced about the argument for the fence.

Commissioner Gault Galjan noted that she had a question to Mr. Hesketh regarding the risk to the site being impacted due to the fuel tanks. Mr. Hesketh asked if the question was about the residual material or the fuel tanks themselves, and asked Mr. Dutton to answer the question. Mr. Dutton stated that the fuel tanks are very sturdy and reiterated that they are bullet-proof. He noted that, if there was a spill, then it would have to be cleaned up according to the procedures in the regulations. Ms. Hope noted that the fuel tanks have double containment walls and added that they meet the regulations. Ms. Gault Galjan noted that she is less familiar with aboveground fuel tanks and thanked the applicants for their answers.

Commissioner Parry remarked that the applicants have done a good job with the plans, including the swale. He noted that he was concerned about off-site water and it is clearly taken care of. Commissioner Shea stated that he is all set and has no questions. Secretary McClain stated that she is all set. Mr. Kaputa noted that Canadian Hemlock is not a good choice as a plant for the steep slope restoration plan, adding that the plants are susceptible to woolly adelgid and will likely die unless monitored and treated. Ms. Hope asked if there was an alternative suggestion or if the other plants should be increased. Mr. Kaputa noted that the other plants can be increased and added that white pine grows fast. Ms. Hope stated that they will remove the Canadian Hemlock and increase the number of the other three plants (mountain laurel, white spruce, and eastern white pine).

Motion by: Secretary McClain

Seconded by: Commissioner Parry

MOVED, that the Conservation Commission recommends to the Town Plan & Zoning Commission approval of a Special Permit for a proposed construction yard with a truck scale, small shop, material processing & stockpile areas and equipment storage at 240 Oakwood Drive, in accordance with plans entitled “Proposed Material Processing Yard, 240 Oakwood Drive, Glastonbury CT, Dated February 7, 2022, Revised October 21, 2022” 17 Sheets, and Landscaping Plan Dated October 21, 2022 with the following recommendations:

1. Erosion controls shall be installed correctly and maintained in proper working condition and shall be repaired and replaced as needed until the site is vegetatively stabilized.
2. The temporary stockpile area (TSA) shall be encircled with silt fence and shall be seeded if the soil is planned to remain for longer than 21 days.
3. The erosion control blankets shall be installed within 3 days of establishing final regrade on the slope.
4. The Construction Sequence, Erosion Control Notes and Maintenance Schedule shall be adhered to.

Mr. Davis asked if the Commission agrees about the assessment of the fencing. Mr. Kaputa noted that he does not see any issues. There were no other comments.

Result: Motion passes unanimously. (7-0-0)

Secretary McClain left the meeting.

I. INFORMAL DISCUSSION

Discussion of the Arborist Report regarding the health of trees along and within the conservation easement at the East Carriage Drive PAD

The applicants were not at the meeting.

Ms. Simone noted that they were invited and added that they decided to withdraw the request to cut down the trees that were close to the houses. She noted that the Arborist provided an extensive report and the takeaway is that the homeowners are no longer concerned about the trees being too close to the houses because they were found to be healthy. Ms. Simone explained that the report identifies some of the branches to be trimmed and added it will not be an extensive pruning. She informed the Commission that a beech tree with extensive decay located in the conservation easement is recommended for removal. Ms. Simone noted that she spoke with Mr. Paul Reddington of the Condo Association and was only updated about the trees and not the other issues. The Commission discussed the violations and downspout water eroding the easement area. After further discussion, several Commissioners agreed to giving the Home Owners Association three years to remove the white rocks from the conservation easement area. Several Commissioners also agreed that re-purposing the white rock is not recommended for use in a natural environment. The Commissioners were also in agreement about asking for an engineering report to address the issues of erosion in the conservation easement. There was also agreement that there are plenty of practical, inexpensive solutions. Ms. Simone noted that removal of trees in the conservation easement will have to come before the Commission. Mr. Davis remarked that utilizing the services of a risk assessment arborist worked out to save the trees and protect the easement. The Commission was in agreement. Ms. Simone noted that she will draft a document to give to the Association.

Mr. Parry informed the Commission that he would need to sign off at 7:30pm.

II. APPROVAL OF MINUTES - Regular Meeting of September 15, 2022

Ms. Gault Galjan noted that at the end of the last meeting she had asked to include an educational sign in the rain garden portion of the new parking lot at St. Paul's Church. She explained that she asked for an educational sign to be created about rain gardens and native pollinators and added that it is a wonderful and simple way to educate the public about their importance. Ms. Gault Galjan stated that the applicants agreed that they would like to do that.

The minutes were accepted with the agreed change. (4-0-2)

(Commissioner Parry and Commissioner Shea abstained because they were not at the last meeting; Secretary McClain had left after the first agenda item.)

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

IV. OTHER BUSINESS

1. Chairman's Report

Chairman Kaputa noted that the agenda item on the native plant ordinance has been tabled. He stated that terms are ending for three of the Commissioners and added that in the past the Town Manager extended the terms. The Chairman asked Ms. Simone if she knows anything about this. Ms. Simone stated that she can email the Town Manager. There was a brief discussion on rattlesnakes in the Thompson Street area.

2. Environmental Planner's Report

Ms. Simone went over the draft document that will help the applicants understand the Commission's expectations. She noted that solar and geo-thermal energy is something that new developments should try to incorporate as new energy sources. Mr. Temple suggested adding heat pumps to the document. There was a discussion on the efficiency and the cost of heating pumps.

Mr. Davis noted that there was a previous discussion on increasing the percentage of native plants and asked about the language that would appear in the document. Ms. Gault Galjan noted that the Commission was in agreement with her wording which was discussed at a previous meeting. The Commission continued their discussion on native and non-native trees, pollinators, plant diversity and resources that list acceptable native plantings. Mr. Davis asked where the Commission stands on hybrid variety of plants. Ms. Gault Galjan stated that the language they came up with was great and suggested the use of non-native hybrid plants be considered on a case-by-case basis. She noted that some hybrid varieties are beneficial to wildlife. Mr. Kaputa noted that the spectrum of hybrid plants varies from naturally occurring to invasive and added that they are not always safe varieties. He agreed that hybrid plants should be considered on a case-by-case basis. Ms. Simone asked Ms. Gault Galjan if she could share some information regarding resources for native plants. Ms. Gault Galjan replied that she will provide that information. Mr. Davis remarked that he is looking forward to seeing the updated document.

Ms. Simone read off the portions of the draft document relating to lighting and EV charging stations. Several Commissioners agreed that the document will be modified as needed and will be a living document. Ms. Simone noted that she will work on the changes and provide another draft for the Commission to view. She stated that the next meeting is scheduled for December 8, 2022. Mr. Temple asked if anyone has heard about the oil spill on Main Street. Ms. Simone stated that she has not heard about this and will inquire and follow up.

With no other business to discuss, Chairman Kaputa adjourned the meeting at 7:53 P.M.

Respectfully Submitted,

Nadya Yuskaev

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Recording Secretary