

**GLASTONBURY CONSERVATION COMMISSION  
(INLAND WETLANDS & WATERCOURSES AGENCY)  
MEETING MINUTES OF THURSDAY, DECEMBER 8, 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

**Commission Members – Excused**

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**

**1. Declaratory Ruling that Joshua Miller’s proposed timber harvest on 25 acres at 275 & 295A Dayton Road is nonregulated pursuant to Section 4.2 of the Town’s wetlands regulations – Chip Beckett for Patricia S. Beckett, owner**

Mr. Joshua Miller, Certified Forest Practitioner, represented the applicants. Mr. Miller noted that they will not remove any trees near the stream. He explained that during the winter season the stream has reduced flow. Mr. Miller said that they plan to do the work in the winter and the total harvest is approximately 60,000 board feet. Mr. Miller explained that they do not anticipate any impact on the soil and will utilize erosion control measures such as waterbars and corduroy crossings. Trees that are marked for removal will be removed with a chainsaw.

Chairman Kaputa asked about the timeline. Mr. Miller replied that it should take approximately 2-3 months to complete. Mr. Kaputa asked how many trees in total will be removed; Mr. Miller said 293. Mr. Kaputa asked when the area was last harvested. Mr. Miller responded the last time the area was harvested was in the 1950s. Mr. Kaputa asked about the tree varieties that will be removed. Mr. Miller noted that they are larger black oaks in the 16 to 22-inch range. He added that there are some larger sized ones as well. Mr. Miller reiterated that the trees slated for removal will be marked.

Vice Chairman asked if the tree limbs would be piled. Mr. Miller responded that the trees would be kept to a 6-foot maximum. He added that there will be no chipping and the tree tops would be left intact. Commissioner Parry noted that he has taken part in a DEEP site walk regarding reforestation and asked if they are putting in any measures to ensure that saplings are not eaten by deer. He asked if they would put in some type of protective system around the trunk for about 2 years or until the tree reaches a maturity stage. Mr. Miller responded that he would classify this project as an improvement cut and not a regeneration. He explained that they are trying to improve the health and quality of the trees by creating gaps and removing damaged trees.

**Motion by:** Secretary McClain

**Seconded by:** Commissioner Parry

MOVED, that the Conservation Commission reviewed the forestry proposal for 275 and 295A Dayton Road and finds the following:

1. Only the skid roads shown on the provided plan will be utilized.
2. Only those trees marked for cutting shall be harvested.
3. The timber harvest will be conducted during winter months and on days with no forecasted rain.
4. Appropriate sediment and erosion controls shall be employed when required by site conditions.

Based on these findings, recent staff site walk, the information provided, the assumed use of proper harvesting techniques and interpretation of Section 4.2 of the Glastonbury Inland Wetlands and Watercourses Regulations, the Conservation Commission/Inland Wetland and Watercourses Agency declares that the proposed timber harvest activity is a permitted use as of right/nonregulated and therefore does not require a permit.

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

**2. Application of the Saints Isidore and Maria Parish Corporation (aka Saint Paul's Church) for: an inland wetlands & watercourses permit; and a recommendation to the Town Plan & Zoning Commission for a Section 12 Special Permit with Design Review concerning an expansion of its parking lot and a building addition at 2577 & Assessor's Lot W-38A Main Street – Town Center Zone – Megson, Heagle & Friend, C.E. & L.S., LLC – Davison Environmental, consultants – Alter & Pearson, LLC**

Attorney Meghan Hope of Alter & Pearson, LLC introduced herself for the record and noted that Mark Friend and Eric Davison will be presenting as well. Ms. Hope detailed the timeline of the application of Saint Paul's Church. The meetings associated with this application began on December 6, 2018. Ms. Hope noted that the current parking lot is identical to the photo from 1965. She indicated the cell phone tower, the Japanese knotweed, and the proposed parking area on a plan. Attorney Hope said that this application process has taken about 4 years. She noted that she thinks it has gotten to the point where all parties are satisfied. Ms. Hope remarked that since 1965 stormwater has flowed untreated into the surrounding wetland. The proposed site plan was displayed. The parking lot expansion is proposed in the upland review area and not within the wetlands. Ms. Hope said that the plans were revised to avoid paving over the wetlands. She explained that they will be requesting a 10.1 percent parking waiver from Town

Plan and Zoning Commission (TPZ). Ms. Hope stated that TPZ was open to granting a waiver and added that the total parking spaces on-site will be 259. She added that Mr. Friend has added as many parking spaces as he could fit.

The existing total building coverage is approximately 21,057 square feet (6.7%). The proposed total building coverage is approximately 28,446 square feet (9.0%). The existing total pavement coverage is approximately 78,980 square feet (25%). The proposed total pavement is approximately 95,857 square feet (30.3%). The existing open space is approximately 215,637 square feet (68.3%). The proposed open space is approximately 191,371 square feet (60.7%). The minimum open space requirement is 15 percent.

Mr. Mark Friend, Principal Civil Engineer, stated that currently there is no stormwater management system on-site. He noted that the runoff flows to the west completely untreated. Mr. Friend explained that they propose a stormwater management system that will capture 93 percent of runoff from the existing pavement and direct it into the treatment train. He pointed out the catch basins and noted that they extend all the way south, almost to the property line, and indicated the rain garden along with the 6-foot-wide grass strip with catch basins. Mr. Friend explained that the stormwater management basin is designed to prevent any increases in peak runoffs for all storm frequency events from 2 to 100 years. The storm management system will retain 50 percent of the stormwater quality volume for the site as required for a re-development site per MS4 requirements. Mr. Friend said that when they start construction a temporary sediment trap will be installed. He noted that they will install the usual erosion control measures, such as silt fence and hay bales. Mr. Friend said that the erosion control measures are detailed in the submitted plans.

Mr. Eric Davison of Davison Environmental, LLC said that he has been working on this project since 2018 and recapped all of the reports associated with this project (wetlands value and functions report, vernal pool report, wetlands mitigation plan, vernal pool survey, and a detailed updated evaluation). He noted that the area is disturbed and has dense invasive Japanese knotweed. Mr. Davison said that the historic disturbances date back to the 1950s and included airline towers. He explained that the area was mowed and maintained as a mowed field. Mr. Davison said that they found that there is no vernal pool activity. He explained that the area is wooded, disturbed and an urbanized wetland. He explained that a benefit of an urbanized wetland is a flood control function. Mr. Davison noted that during periods of peak flooding and rain, the wetland acts as a sponge that captures the stormwater runoff. He further explained that the urbanized wetlands also take runoff from impervious surfaces, which include hydrocarbon pollutants from vehicles. Mr. Davison added that, when the site was designed in the 1950s and 1960s, there was no stormwater treatment in place; the proposed plans will treat the stormwater. He noted that the rain gardens, buffer plantings, and stormwater basin all qualify as optimal treatment as described in the Connecticut Department of Energy & Environmental Protection (CT DEEP) regulations, which will maximize pollutant removal.

Mr. Davison said that another critical feature of the proposed plans includes wetland mitigation and removal of the invasive and non-native Japanese knotweed. He noted that they will utilize the services of All Habitat Services. The multi-year treatment plan designed by All Habitat was

shown. Mr. Davison stated that the plan to treat the invasive knotweed will take about 2-3 years. He explained that, once the knotweed is removed, the next stage of the process includes restoring the area with native plants. Mr. Davison announced that they have submitted a detailed planting plan, and the planting list was displayed. Mr. Davison noted that a total of 750 plants will be installed. He noted that plants are excellent at removing pollutants. Mr. Davison noted that the area will be re-established with all native wetland plantings to compensate for the site expansion, which amounts to an approximate 5 percent increase in proposed pavement coverage.

Ms. Hope said that they are proposing a conservation easement that measures 1.35 acres in size. The proposed conservation easement was shown. She reiterated that the planting plan and knotweed treatment plan will be done by All Habitat. She noted that the Architectural and Site Design Review Committee (ASDRC) is pleased with the new plans. Ms. Hope noted that the lighting plan has not changed and they will utilize the same light fixtures as the neighboring property, and she displayed a photo of it. The light fixture will be dark sky compliant and will measure a total of 16 feet in height with the concrete base. Ms. Hope thinks that they have met all of the different expectations. She noted that they have met the expectation of the Commission by moving the parking out of the wetlands. Ms. Hope stated that the testimony from Mr. Davison has shown that there are no adverse impacts to the wetlands. She noted that the plans will undo a lot of the disturbance and the overall plan benefits the Town of Glastonbury. Ms. Hope asked the Commission to consider drafting a statement in support of the parking waiver. She explained that TPZ has been careful about granting parking waivers because of downtown congestion issues. Ms. Hope noted that the Church is different than a busy center and reiterated the importance of a statement of support from the Commission regarding the parking waiver.

Mr. Kaputa noted that the vote will not take place tonight and added that it is the first time they are seeing this new plan. He said that now is the time for questions and remarked that no one wants any surprises on the day of the vote. Mr. Temple asked about the area of hydric ground water conditions. He asked Mr. Friend what parameters they are basing the boundary on. Mr. Friend explained that it was an area of disturbance with a sewer main and noted that stand pipes were used. He explained that, when the original soil delineation was done, the area was covered in knotweed. Once the area was mowed, they noticed that there were wetland herbaceous plants. He noted that they met with previous environmental planner, Mr. Mocko and soil scientist, Mr. Snarski, and they put in the stand pipes and monitored them. Mr. Temple asked about the snow plowing on site. He also asked if the State would continue the snow plowing maintenance. Ms. Hope informed the Commission that the State no longer maintains the site. She noted that in the past year the Town of Glastonbury has been partially snowplowing. Attorney Hope explained that the Town entered into an agreement to use the Church parking lot for the Apple Harvest & Music Festival, concerts, and other events.

Mr. Temple thanked the applicants for indicating out the snow shelf area on the plans. He asked the applicants to outline which snow placement is better in terms of water quality. Mr. Davison replied that there are some pollutants in the snow, as well as road sand. He noted that the snow routing through the basin is better for the wetlands. Mr. Davison explained that the accumulation of sand in the basin will need to be cleaned out. Mr. Temple asked if they should

include a recommendation on what demarcates the western edge to prevent snow from being pushed into the wetlands. Mr. Friend said that they are proposing curbing in the area. Mr. Temple asked how the snow would be plowed. Mr. Friend stated that the snow would be plowed to the west and pointed out a partially paved area to the north of the Church that would be opened up for snow storage. Mr. Friend pointed out additional snow storage areas on the western portion of the site.

Mr. Temple reiterated his question regarding a requirement that would prevent the snow from being pushed into the wetlands. He noted that, from a logistical stance, it might not be easy and asked the applicants for their opinion. Mr. Davison stated that the snow instructions would be given to the snow company and added that all the snow in the parking lot is not going to be pushed into the wetlands. He noted that the sand usually sits on the parking shoulder. Mr. Davison said that it is not a lot of sand and some companies sweep it up. Mr. Temple said that he appreciates the answer and asked Ms. Hope if the modification to the easement is in perpetuity. She can make the language clearer and explained that the modification was for invasive species control. She added that it is for a period of 3 years and not perpetuity. Ms. Simone informed the Commission that there is a fence proposed along the western boundary, which will prevent the snow from being pushed into the wetlands. Ms. Hope indicated the proposed split rail fence and explained that it will prevent snowplows from entering the wetlands area.

Commissioner Gault Galjan remarked that they discussed installing signage to educate the public on the function of wetland habitats at the last meeting and asked Attorney Hope not to forget that. Ms. Gault Galjan noted that the plantings for the wetland area are appropriate and added that the rest of the plantings include about 30 or 40 non-native varieties. She asked how they came to this point and added that the seeds blown from some of these non-native varieties can be problematic. Ms. Hope stated that initially the plans for the project were proposed in 2 phases. She noted that the landscaping plan was created early on. Ms. Hope noted that this Commission and TPZ wanted the project done all at once. She said that they are open to revising the planting plan, removing some plants from the list, and replacing it with something the Commission agrees with. Ms. Gault Galjan offered that honey locust may not have great results near the curb and added that it may rip up the curb. Ms. Gault Galjan suggested the applicants take a look at anything on the planting list with the name Japanese or Korean in it. Mr. Kaputa agreed with Ms. Gault Galjan's point regarding the many non-native plants on the list. He noted that nothing on the list is invasive and he remarked that it is a good non-native plant list. Mr. Kaputa added that he does not have any big concerns and noted that he is happy that the plantings in the wetlands are good native plantings as Ms. Gault Galjan pointed out. He said that any of the non-native species can be replaced with native and added that he will not push the issue.

Ms. McClain agrees with Ms. Gault Galjan's points and added that it is good to be consistent. Ms. McClain added that it is also good to include pollinator plants. She thanked the applicants for staying out of the wetlands and asked about the shade trees. Ms. Hope explained that they put in about 8-9 Acer Rubrum trees in the parking lot islands. She noted that any additional trees would result in the loss of more parking spaces. Ms. Hope said that they are trying to strike a balance and added that there is an existing Norway maple near the parking area. Mr. Kaputa

noted that it is a non-native and invasive variety. Ms. Hope explained that the ASDRC has a say in the plantings and selects plantings that match the landscape with the building. She noted that they can plant any tree the Commission likes and added that there is a lot of push and pull with other boards and commissions. Mr. Temple noted that the ASDRC is about melding the architectural with the plantings. He added that their Commission is concerned about pavement cooling. Ms. Hope pointed out that, at the end of the day, it is TPZ who decides which plantings are selected. She suggested for the Commission to have a joint meeting with the ASDRC and to publish a list of preferred plants.

Commissioner Parry noted that he was not involved with the earlier meetings and that the proposed plans offer a tremendous benefit. He noted that the stormwater treatment basin, the wetlands enhancement, and the plan to remove the invasive species all are have magnitude of benefits. Mr. Parry is very happy with what he heard today. Ms. McClain asked the applicants if they can look to add more shade trees in the parking area. She noted that there is so much blacktop and any extra tree that would be added would make a difference. Ms. McClain asked about the location of the EV charging stations. Mr. Friend said that they are still trying to work out the logistics and added that the church and parishioners are 100 percent invested in having EV charging stations. Ms. McClain remarked that EV charging stations will become a requirement and added that DEEP has a list of charging stations.

Mr. Kaputa said that no one has any big issues and added that suggestions were made to swap some species out for native varieties. He also noted that more shade trees were requested. Mr. Kaputa remarked that he does not think any of these items would be a show stopper. Ms. Gault Galjan is asking the applicants to look at the list and see if there are any opportunities to swap out for a native variety. She added that she does not think it is a show stopper. Ms. McClain said that if more trees are added that would be great. Mr. Kaputa added that trees could be swapped in general and there are trees that serve a screening or ornamental purpose. He said that he is in favor of supporting the 10.1 percent parking waiver and added that it can be part of the motion. Mr. Kaputa noted that he is also willing to speak to the TPZ and draft a letter of support. Ms. Hope explained that Ms. Simone provided a statement in support of the parking waiver that was shared at the TPZ subcommittee meeting. Ms. Hope noted that something in writing is probably enough. Mr. Kaputa appreciated all of the work that was done on the project. He noted that he is happy that the wetlands were not paved over and agreed with Mr. Parry's points. Mr. Kaputa remarked that he hopes to see the applicants one last time regarding this application. The applicants thanked the Commission.

**3. Recommendation to the Town Plan & Zoning Commission concerning the application of Joseph Orsini for subdivision approval – subdividing one lot into two – Patricia A. Orsini Revocable Trust Subdivision – 359 Country Club Road - Rural Residence Zone - Richard Deschamps L.S., Advanced Surveys**

Mr. Richard Deschamps of Advanced Surveys noted that the proposed lot measures approximately 67,793 square feet (1.56 acres). He explained that the property owners want to provide their granddaughter with a new home that will be located on the new lot. Mr. Deschamps noted that the house fits, the septic placement works, and added that the wetlands are

over 300 feet away. Mr. Deschamps stated that the roof leaders will drain into the rain garden. Mr. Deschamps explained that the proposed plans are for a 4-bedroom house with a septic system. They have marked trees that will remain. Mr. Deschamps spoke with Dan Pennington, Town Engineer, about the rain garden. He noted that Mr. Pennington was happy with moving the rain garden closer to the road to pick up more of the runoff. Mr. Deschamps said that there were no other changes to the plans.

Mr. Temple asked Ms. Simone about the process. Ms. Simone explained that this is a referral to the TPZ and there is no need to wait because it is not a wetlands application. Ms. Simone noted that she put together the draft recommendation. Mr. Temple said that the draft motion does not take into account the changes the applicant made to the rain garden. He explained that there were no details on the volume levels. Mr. Temple suggested adding a line to the motion that states "Subject to Town Engineer and Environmental Planner approval." Mr. Deschamps explained that he had submitted full plans with the MS4 counts and calculations to the Town Engineer. He noted that the only change was moving the rain garden about 15 feet to catch more water from the driveway. Mr. Deschamps said that Mr. Pennington did not have any issues. The Commission agreed to add the wording that was finalized by Ms. Simone: "The stormwater management plan should be reviewed and found satisfactory by the Town Engineering Department and Environmental Planner."

***Motion by:*** Secretary McClain

***Seconded by:*** Vice Chairman Temple

MOVED, that the Conservation Commission recommends to the Town Plan & Zoning Commission approval of a one lot subdivision at 359 Country Club Road, in accordance with plans entitled "Subdivision Plan Prepared for Patricia A. Orsini Revocable Trust, 359 Country Club Road, Glastonbury CT, Dated June 12, 2022, Revised December 2022" 4 Sheets, with the following recommendations:

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. Erosion controls shall be inspected a minimum of once per week and within 24 hours prior to 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.
3. The Development Schedule (Sheet #3) shall be adhered to.
4. The best management practices provided by the CT DEEP Natural Diversity Data Base (NDDDB) in support of species protection shall be stringently adhered to.
5. Trees identified to remain in the landscape (oak and beech), as detailed in the above referenced plans, shall be preserved and flagged for protection to the lot being cleared for development and the root zone around each tree shall be protected with the use of high visibility construction fence during construction or otherwise protected as required by

staff. No equipment or materials shall be located or stored within the root zone area of these four trees.

6. The stormwater management plan should be reviewed and found satisfactory by the town engineering department and environmental planner.

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

- 4. Recommendation to the Town Plan & Zoning Commission concerning the application of VESSEL RE HOLDINGS, LLC for site plan approval pursuant to CGS Section 8-30g for the construction of an apartment building with 48 units, parking & other site improvements – 51 Kreiger Lane – Planned Commerce & Groundwater Protection Zone 1 – Alter & Pearson, LLC *POSTPONED***

## **II. INFORMAL DISCUSSIONS**

### **Proposed 7-lot Crosby II Subdivision – 539 & 551 Manchester Road – Rural Residence Zone & Groundwater Protection Zone 1 – Megson, Heagle & Friend C.E. & L.S., LLC – Rejean Jacques, applicant**

Mr. Mark Friend represented the applicant and announced that the combined parcels measure approximately 10.3 acres in size. He noted that a wetlands permit is not required. Mr. Friend said the project will involve a 200-foot extension of Crosby Road. He said the existing house (#551) will remain. He noted that the parcels are mostly wooded and added that wetland soils are located in the rear of the property adjacent to Route 2. Site plans were displayed. Mr. Friend remarked that 7 single family residential lots are proposed, with the existing house remaining. He added that the wetland is located in the rear of lots 5 and 6. Mr. Friend noted that Crosby Road is 22 feet wide. He said that on-site wells and septic systems are proposed for the subdivision. Soil testing was performed with the Health Department. Mr. Friend stated that the soils are gravely and sandy and added that the groundwater table is deep. He noted that the soils are permeable and conducive to the infiltration of stormwater. The existing catch basins were indicated. Mr. Friend explained that runoff from the houses is directed into roof drains. The runoff from the driveways will be directed into infiltration trenches. Mr. Friend said that he has submitted the drainage report to the Town Engineering Department and added that he does not anticipate any problems. He said that the nitrogen loading numbers will be met. Mr. Friend stated that the stormwater basin is designed to handle all storms though the 100-year event.

Mr. Friend indicated the proposed conservation easement located near lots 5 and 6. He noted that there are 2 species of concern that were identified by the NDDDB Maps. The letter from the CT DEEP NDDDB was displayed. Mr. Friend stated that they have added notes in their plans as specified by the NDDDB letter to ensure that the species of concern are protected. Mr. Friend said that they need a favorable recommendation to TPZ and reiterated that they do not need a wetlands permit. He noted that they would like to come back soon for another meeting.



Mr. Parry noted that the drainage systems are privately owned and maintained. He asked what would need to be done to keep the roof drains and trenches performing effectively in the long term. Mr. Friend does not have a good answer for that and added that a solution is being worked on with the Town Engineering Department. He thinks they came up with a decent solution. Mr. Friend explained that some people sand their driveways and added that the sand will still allow for infiltration. He noted that the native soils on-site are highly permeable.

Mr. Temple pointed out an area on the plans near lot 5 that identifies an approximate location of the farm dump. He noted that State Statutes regulate farm dump as solid waste if it is more than 10 cubic yards. Mr. Temple asked Mr. Friend to measure the area and report to the Commission if the area is greater or less than 10 cubic yards. He suggested for Mr. Friend to bring in an environmental professional to evaluate the area and take a soil sample. Mr. Temple explained that his firm did a solid waste evaluation for the Mansfield Housing Authority and the soil sample results found high levels of lead, about 10 times higher than the standard. Mr. Temple noted that the high lead levels ended up costing the Mansfield Housing Authority tens of thousands of dollars. Mr. Friend stated that he has not been to that part of the site in a while and noted that the area is small. He said that he has observed mostly broken glass. Mr. Temple remarked that he hopes the area is less than 10 cubic yards and reiterated his suggestion on evaluating the soil conditions. Ms. McClain asked Mr. Friend to ensure that the house orientation is conducive to solar energy. Mr. Kaputa asked Mr. Friend to follow up on the farm dump findings, house orientation, and solar energy. Mr. Friend said he will speak to the developer and thanked the Commission.

## **2. Request for Comment on a Native Plant Ordinance – Attorney Kristi Vitelli**

Attorney Kristi Vitelli recapped the process of drafting the native plant ordinance and noted that they borrowed language from ordinances passed by other towns. Attorney Vitelli remarked that they initially included pesticides in the ordinance as well but decided to go with just the native plants; the pesticide ordinance can come later. Attorney Vitelli said that selecting the right plantings can benefit the health of children, pregnant women and others who are affected by ticks and mosquitos. She noted that the invasive bayberry plant is still for sale at Home Depot. Attorney Vitelli explained that the bayberry plant encourages the tick population. She stated that one of their goals is to ban the sale of invasive plants in the State of Connecticut. Attorney Vitelli remarked that they would like to get a group of towns to adopt native plant ordinances which will help convince the State legislature to pass a law. She noted that is how the fracking ban and plastics ban were passed. Attorney Vitelli remarked that she liked Attorney Hope's presentation and highlighted that developers do not care what type of tree to plant. Attorney Vitelli noted that trees last longer than plants and added that planting trees should be one of their goals. She explained that non-native trees are detrimental to the environment. She reiterated that a consortium of Towns in support of a native tree and native plant ordinance will lead to a law passed at the State level.

Mr. Bruce Bowman introduced himself for the record and thanked Attorney Vitelli for all of the work she has done. Mr. Bowman asked the Commission to provide some suggestions to their draft ordinance before it is presented to the TPZ. He explained that that they would like all new

developments to put in a substantial percentage of native trees and plantings. Mr. Bowman noted that this ordinance draft is proposed for Town-owned lands and open space, not toward private property owners. Mr. Bowman stated that the Town of Glastonbury was recognized as a climate change leader in promoting sustainability and land habitat. He added that the Town should pass the native plant ordinance. Mr. Bowman was happy to answer any questions.

Mr. Kaputa asked the presenters whether they were looking for feedback or a voice of support. Mr. Bowman explained that they would like the Commission to review the ordinance and see if it is beneficial to the Town. Attorney Vitelli noted that they are not experts and would like the Commission to support the ordinance. She noted that the Town Council will value their expertise and added that an endorsement from this Commission will help the process. Mr. Bowman noted that he has spoken with Mr. Greg Foran about native trees. He explained that there are native trees that can be used for various landscaping purposes. Mr. Bowman remarked that the Town Council is used to looking at ginkgo trees and noted that native trees need to be added to the palate. Mr. Bowman remarked that he liked Ms. Gault Galjan's suggestion of looking to remove plantings with the name Korea or Japan.

Ms. Gault Galjan noted that the ordinance needs work and asked about the appropriateness of working with the presenters on this document. Ms. Gault Galjan remarked that the definitions may not be correct. She noted that there is a preponderance on trees and added that no study anywhere proves that 85 percent versus 87 percent would result in a healthy bio-mass. Ms. Gault Galjan stated that she is not a strict nativist and noted that there are some benefits of non-native trees. Mr. Kaputa noted that he does not think it is inappropriate for Ms. Gault Galjan to help the presenters with the ordinance. Attorney Vitelli noted that the language of the ordinance comes directly from other Towns. The Commissioners suggested that the presenters work on the language and provide an addendum backed with scientific facts. Mr. Temple remarked that he read the ordinance and does not see how it will save the human race. He noted that the document is littered with hyperbole and unscientific facts. Mr. Parry said that credibility needs to flow through the document and added that it sounds disingenuous. Attorney Vitelli reiterated that she has taken the language of the ordinance from other Towns that have passed ordinances.

Several Commissioners noted that modifications are needed in order for the ordinance to move forward. Ms. McClain explained that the Commission is looking to support a document that is clear and specific without superfluous language. She explained that Ms. Simone has created a document to present to developers and noted that it contains clear objectives. Ms. McClain noted that it is great that Ms. Gault Galjan will work with the presenters on the ordinance. Mr. Temple explained that the Town allows for compromises regarding the use of some non-native plantings. Mr. Kaputa noted that the presenters are private citizens asking for feedback from the Commission. He explained that the feedback is valuable and noted that, if a Commissioner does not like the ordinance, someone on the Town Council might feel the same. Mr. Bowman noted that the ordinance is a draft and added that he appreciates the feedback. Mr. Bowman said that he would appreciate Ms. Gault Galjan's help. Mr. Kaputa will go through the draft ordinance and provide the presenters with more detailed notes and comments. He explained that, in general, everyone on the Commission is in favor of native plantings, while they also avoid using absolute terms like 100 percent. Mr. Kaputa noted that it is important to have flexibility and

added that that the document can be improved. After further discussion, the presenters agreed to work on the draft.

### **3. Review & Edit of Conservation Commission Guidance Document**

Ms. Simone went over the changes in the document. There were discussions on changing the headline marked Solar and Geothermal Energy. There was no consensus and the Commission agreed to discuss the matter at the next meeting. Ms. Simone noted that Ms. Gault Galjan provided the language about the native plants. Ms. Gault Galjan noted that she would like to repeat what was agreed on at a past meeting, which is that the vast majority of plantings should contain native flora. Ms. Gault Galjan noted that she has defined what a native plant is and compiled a list of native plantings and a list of invasive plants to avoid. She remarked that she did not email the list to the Commissioners. Ms. Simone stated that this list would provide the developer with a foundational understanding of the expectations and added that it is not just a check list. She noted that the other categories should be expanded as well.

Ms. Gault Galjan remarked that this is possibly the document that Attorney Vitelli and Mr. Bowman need; Mr. Parry agreed. Ms. McClain noted that the document is clear and to the point. She also noted that she agrees with Attorney Hope's suggestion of coming up with a list of preferred plants. Ms. Gault Galjan noted that there are 3 nurseries in Connecticut that offer only native plants and added that it can get very expensive for a landscaper to utilize just native varieties. She added that there is not much variety to choose from. Ms. McClain suggested adding the phrase "when available." The Commissioners discussed that native plant supply is not keeping up with the demand. Mr. Parry noted that there is a landscaping expert in Lebanon, Connecticut that utilizes all native plants including multi-seasonal plantings. The Commissioners discussed the possibility of hiring a knowledgeable consultant if funds were allocated. The Commission also discussed meeting with the ASDRC to come to an agreement about plantings. Ms. Gault Galjan noted that she will send the plant lists to Ms. Simone. Mr. Kaputa suggested the native plant list on the Connecticut Botanical Society website. The Commissioners discussed the native plant definition and plant list resources to provide to developers.

### **III. APPROVAL OF MINUTES – Special Meeting of November 2, 2022**

The minutes were approved as presented, 4-0-1. Ms. McClain abstained from voting because she left the meeting early.

### **IV. COMMENTS BY CITIZENS ON NON-AGENDA ITEMS – NONE**

### **V. OTHER BUSINESS**

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

Mr. Kaputa said that the terms of four Commissioners are ending. He noted that he expects to hear from the Town Manager and added that, in the past, he would receive a letter. Ms. Simone

confirmed that the terms are renewed by the Town Manager and added that the letters will be mailed out.

Mr. Kaputa informed the Commission that Mr. Shea will not be renewing his term. Mr. Kaputa noted that he sent Mr. Shea an email thanking him for his time and his perspective. The Commission discussed plans to meet up with Mr. Shea.

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

Ms. Simone informed the Commission that she has started a long-term project which involves compiling the conservation easement agreements and tying them to the town website. She stated that there are 633 known conservation easement agreements. Ms. Simone noted that IT will have to figure how it will tie into the GIS system. She remarked that it is likely she will find more conservation easements not captured by the GIS system. Ms. McClain suggested a college intern to help with this work. Ms. Simone noted that she will keep it in mind and bring it up when the new director starts.

With no other business to discuss, Mr. Kaputa adjourned the meeting at 9:57 P.M.

Respectfully Submitted,

**Nadya Yuskaev**

*Nadya Yuskaev*

Recording Secretary