

**GLASTONBURY CONSERVATION COMMISSION
(INLAND WETLANDS & WATERCOURSES AGENCY)
MEETING MINUTES OF THURSDAY, JANUARY 11, 2024**

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

Brian Davis

Anna Gault Galjan

Jim Thompson

Vacancy

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. INLAND WETLANDS & WATERCOURSES AGENCY

1. Application of the Town of Glastonbury for a general inland wetlands & watercourses permit to maintain and repair existing Town infrastructure within areas regulated by the Agency

Mr. Daniel Pennington, Town Engineer, provided an overview on general permits and explained that the Connecticut Department of Energy and Environmental Protection (CT DEEP) issues the permits at the state level and the Army Corps of Engineers issues the permits at the federal level. Mr. Pennington explained that what is driving the need for a general permit is the precipitation events that are unprecedented in frequency and intensity. He said that the Town has seen a number of problems, including erosion and capacity issues with culverts. Mr. Pennington explained that another factor driving the need for the general permit is instances of pipe degradation that were installed in subdivisions throughout the Town, dating back from the 1960s and 1970s. He noted that pipes were coated with asphalt and Town staff found that some were degraded, creating problematic conditions. Mr. Pennington said that a general permit would allow them to repair the degraded pipes.

Mr. Braun signed into the Zoom meeting at 6:36 pm.

Mr. Pennington provided a brief overview of the submitted documentation, with Attachment A outlining maintenance activities with suggested best management practices. He said that there are five categories and explained that the Commission can issue a general permit for all five categories or some of the categories.

The first category on erosion repair and highlighted the wording “spot repair”. Mr. Pennington explained that repairs of this type would not be large scale and would be limited in scope. The second category involves sediment, debris, and vegetation removal and he explained that work would involve maintenance of existing infrastructure. The third category, on drainage pipe repair or replacement, with the wording “spot repair” highlighted. Mr. Pennington explained that this type of repair is geared towards the repair of existing pipes that failed and provided an example of installing a larger diameter pipe to address the capacity issues. The fourth category involves culvert repair or rehabilitation. The wording “spot repair” was again emphasized and it was reiterated that the work would not be large scale. The fifth category is related to detention pond maintenance. He explained that, over time, sediment and debris, including organic matter, accumulate in detention ponds, which require maintenance. Mr. Pennington noted that the Town has a long list of projects and explained that the issuance of a general permit would allow them to proceed without delay.

Mr. Pennington asked Mr. Braun to provide the Commission with an overview of the statistics generated from the GIS system. Mr. Braun responded with a summary on the road maintenance, storm drains, fire hydrants and channels that have to be maintained by the Town. He explained that the Town has seen an increase in erosion and sedimentation issues. Mr. Pennington said that they are looking to streamline the process and added that a general permit expedites the process.

Chairman Kaputa asked about the metal pipes mentioned in the presentation and asked if they were galvanized and made of steel. Mr. Pennington replied that the pipes are made of steel and added that some of them are galvanized. He stated that some of the pipes are in good shape and others that were exposed to water have degraded. Mr. Kaputa asked if the general permit would be valid for five years. Ms. Simone answered that the permit can be renewed after five years, making it a ten-year life span. She noted that the applicants would have to come back after the permit expires in ten years. Mr. Pennington stated that they are aware of the parameters and guidelines involving general permits and added that they will follow best management practices and adhere to the Connecticut Stormwater Quality Manual and Soil Erosion and Sedimentation Control Guidelines. There was a brief discussion on quarterly reports and the possibility of revoking the general permit. Ms. Simone explained that revoking the permit would be done in extreme cases and added that the process typically involves communication and discussion before revoking the general permit. Mr. Pennington explained that he will be in constant communication with Ms. Simone and added that they have no issues with the traditional procedure of individual permits. Commissioner Davis asked if Ms. Simone would determine whether a project is classified as a spot repair or a larger scope issue that would require an individual permit. Ms. Simone responded that, if there is a situation that warrants a review, she will be in contact with the Chairman about an individual permit. She said that the Connecticut Stormwater Manual and the State Soil Erosion and Sedimentation Control Guidelines have been recently updated and have higher standards. Ms. Simone noted that Town projects will comply with the regulations. Commissioner Gault Galjan said that the new regulations mention green infrastructure solutions and asked Town staff if they can speak on this. Mr. Pennington replied that they have no reservations about using green infrastructure solutions and explained that they can implement them when viable. He noted that new construction mandates green infrastructure solutions.

Vice-Chairman Temple remarked that he understands what the Town is trying to do and added that a spot repair is not the same as replacement. He explained that he is very reluctant to allow a general permit to be used to replace culverts or other systems that require large scale work. Mr. Temple said that monthly reports are better than quarterly reports. There was a brief discussion on the proposed monthly reports. Mr. Temple noted that he is not referring to emergency situations and explained that it is not unreasonable for the Commission to be kept informed about projects and large scope of work requiring full replacement. He added that the government needs oversight and explained that he does not want someone from the public to call him about the Town conducting work that no one knows about. Mr. Temple stated that full replacements should be discussed with the Commission. There was a brief discussion on emergency repair scenarios. Mr. Temple said that, in cases of emergency, the Commission can defer to the Town. He explained that an entire culvert replacement is something that is planned and added that the Commission has a responsibility to the citizens of the Town to have oversight on work that is being conducted. There was continued discussion on the individual permits and reports that would be given to the Commission before projects begin. Mr. Temple remarked that he would like to see a general permit from another Town. Ms. Simone said that she can provide a copy of a general permit issued by the Town of East Hartford. Several Commission members agreed that it would be helpful to look at the East Hartford general permit. Mr. Temple stated that notification and some oversight is required. There was continued discussion on monthly reports and the option of having reports for the twice monthly meetings.

Mr. Pennington replied that it is definitely doable and explained that the fiscal resources might not be in place for each project. Ms. Simone noted that the issue will be discussed at the staff level and added that information can be sent to the Commission before work starts and would also include information on the location and the scope of the work. She said that they can work out the logistics and more detailed reports can also be sent to the Commission. Mr. Davis remarked that he is in favor of a simplified process and agreed with Mr. Temple's rationale about significant replacements. Mr. Davis believes that photographic evidence is helpful and should be included with the records, including before and after photos. Mr. Temple asked about the record-keeping process. Mr. Pennington responded that it depends on the project and provided an example of surveying the existing conditions and surveying the finished project. Mr. Davis asked if photographs are included in the records. Mr. Pennington answered that photographs have not always been done and added that they can include photos for upcoming projects and repairs. Mr. Temple wanted to confirm that surveying is not done for pond drainage. Mr. Pennington explained that what is typically done is to look at the design drawings to find what elevation they have to get the pond at and they also look at the outlet structure and the design intent. He stated that, generally, surveying is not done for detention pond projects. There was continued discussion on the record-keeping process as well as a public works number and file system that are assigned for the smaller in-house projects.

Commissioner Thompson spoke about his experience with general permits at the federal and state level. He noted that the proposal outlined by the Town engineers is in line with the regulations and added that they will exercise their professional judgement to ensure that the work will comply with the terms of the general permit. Mr. Temple spoke about his experience with record-keeping and stated that the Town Engineering Department has to keep certain records.

Mr. Davis said that part of the record should include repair work to have as a point of reference to see if there is a pattern or a recurrence in a particular location. Secretary McClain noted that she agreed with most of the comments and added that record-keeping is necessary for future generations. She said that the process should include a check-in. There was a discussion regarding backlogs and work delays. Mr. Braun noted that a general permit allows smaller projects to be done expeditiously. There was continued discussion on emergency repairs versus whole system repairs. Mr. Kaputa asked Ms. Simone about the next steps. Ms. Simone replied that information on the East Hartford permit will be sent out. She said that she will put together a draft motion and speak with Town staff about fine-tuning the definition of emergency. Mr. Pennington and Mr. Braun thanked the Commission.

2. Declaratory Ruling that The Diamond Lake Property Owners Association (DLPOA)'s proposed dock removal and reconstruction on Diamond Lake is nonregulated pursuant to Section 4.1 of the Town's Inland Wetlands & Watercourses Regulations – James Hagen, representative

Mr. James Hagen provided a brief overview of the Diamond Lake Property Owners Association and noted that it has been in existence for decades. Mr. Hagen said that the documentation for the dock proposal was submitted and remarked that, in the interest of time, he does not want to repeat the whole proposal. Mr. Kaputa asked Mr. Hagen to provide the basics. Mr. Hagen responded by directing the Commission to the section on new dock dimensions. He stated that the proposed dock will be 64' long and explained that the community residents are aging and the existing dock limits accessibility. Mr. Hagen said that about ninety families are part of the Diamond Lake Association and explained that there was more use of the dock in the past. He spoke about the history of the summer homes in the region dating back to the 1940s.

Mr. Kaputa said that he read through the proposal and wanted to confirm that the rest of the Commission read through it. The Commissioners confirmed that they read the proposal. Mr. Kaputa noted that he is familiar with the condition of the dock. Mr. Hagen remarked that it is much worse now. Mr. Kaputa asked Mr. Hagen to explain the reason for extending the dock. Mr. Hagen replied that it is to enhance the recreational use and added that lily pads have encroached. He explained that young children like to fish off the dock and the line drags through the lily pads. Mr. Hagen added that many residents like to bird watch. Mr. Temple asked about the floating section of the dock. Mr. Hagen answered that they have left that part of the application open and explained that they have not fully decided to include a floating section. He remarked that there are advantages to having a fixed dock, such as lower cost. Mr. Temple asked Mr. Hagen to provide details on the proposed materials. Mr. Hagen responded that the floating section would not require anchoring and would comprise of high density PVC. He stated that no machinery will be brought on-site. Mr. Temple noted that he appreciates the choice of materials. There were no other questions.

Motion by: Secretary McClain

Seconded by: Commissioner Gault Galjan

MOVED, that the Inland Wetlands and Watercourses Agency declares the removal and reconstruction of a dock on Diamond Lake, accessible from the parking area off Lake Shore

Trail meets the requirements of Section 4.1.d as an incidental use to the enjoyment and maintenance of residential property.

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

3. Draft Motion for Application of James D. Jusko for an inland wetlands and watercourses permit to modify the outlet structure of the farm pond at 150 Chatham Hill Road – Rural Residence Zone

Engineer Wayne Zirolli introduced himself for the record. Ms. Simone updated the Commission on the last inspection conducted on January 10, 2024. She said that the elbow of the pipe broke off and added that Mr. Zirolli can provide more details. Mr. Zirolli said that they plan to start the site work and dewatering tomorrow. He stated that a rain event is expected and added that they hope to get the water level down. Mr. Zirolli remarked that it is good news that the main component of the pipe did not break and only the elbow section separated from the main portion of the pipe. He explained that, since the last meeting and since the cease and desist order, there has been no work or dewatering on the site. Mr. Zirolli added that there was no equipment on site. He stated that the last three rain storms were about 2–4 inches and caused the pipe to float. Mr. Zirolli noted that they are monitoring the water level and added that the pond level rises a few inches with the rain. He stated that he had just measured the water level and it is an inch higher than the last time. Mr. Zirolli reiterated that they are ready to proceed with the site work to repair the pipe. Mr. Zirolli stated that he went over the work schedule with Mr. Gondek. He explained that a day is needed to excavate, a day of work is needed to set the forms, the concrete has to be brought in and poured, and time is needed for the concrete to set. He estimated that it will take about 7 days to complete the site work.

Ms. Simone asked how a weather event will impact the work. She also asked if the rain would impact when the concrete can be poured. Mr. Zirolli replied that heavy rain might delay the process and added that they want to complete the repairs before the temperatures plummet. He repeated that they are ready to do the work and added that he can meet Ms. Simone at the site. Mr. Zirolli stated that he will be monitoring the work site daily. Mr. Kaputa noted that a cold snap is expected and asked about the concrete. Mr. Zirolli responded that they plan to use insulating blankets in addition to additives to ensure the concrete hardens. There was a brief discussion on dewatering the pond. Mr. Kaputa asked Ms. Simone to provide an overview of the email that was sent along with the draft motion. Ms. Simone replied that the email was from one of the downstream property owners in the Matson Hill Road area, notifying Town staff that storm water does not flow into the defined channel. The property owner expressed concern that the culvert might be undersized. Mr. Simone explained that a Town engineer went out to the site and found that there are two separate watercourses and separate culverts and the problem does not appear to be related to the 24-inch pipe near the applicant's property. Ms. Gault Galjan asked if this was the first communication about this issue. Ms. Simone replied that she was aware of the issue and added that she has not been contacted by any downstream properties in the past. Mr. Kaputa said that there was clear cutting done in the area and no armored channel. He noted that Mr. Mocko explained the situation to him and was told that an armored channel would be put in to address the water issues. Mr. Kaputa added that, since then, he has not heard

anything else. Mr. Temple wanted to confirm that the notification time in the motion is sufficient. Ms. Simone replied yes.

Motion by: Secretary McClain

Seconded by: Vice-Chairman Temple

MOVED, that the Inland Wetlands and Watercourses Agency grants an inland wetlands and watercourses permit to the James Jusko for modification of an outlet pipe (encasing existing HDPE pipe in concrete) at 150 Chatham Hill Road, in accordance with plans entitled "Irrigation Pond Outlet Repair, 150 Chatham Hill Road, Glastonbury CT. Dated November 21, 2023" 1 Sheet, and in compliance with the following stipulations:

1. In preparation of the approved site work, the pond elevation will be lowered by use of a pump, discharged in a manner that does not generate sediment.
2. Notice shall be provided to the Glastonbury Environmental Planner a minimum of one day in advance of commencement of excavation activities covered under this permit.
3. Once excavation begins, the project shall continue uninterrupted until completed, and may only commence once pond level is lowered below the existing pipe and all required materials are located on site and accessible for use.
4. The applicant's engineer, Wayne Zirolli shall conduct inspection of the completed work within 48 hours of completion and shall provide written verification to Agency staff within 72 hours of site inspection verifying that the work was completed in conformance with the approved plan.
5. By statute, the permit is valid for 5 years from date of issuance, and shall expire on January 11, 2029. On January 11, 2024 the Agency received the January 10, 2024 site inspection report conducted by Wayne Zirolli, applicant's engineer. The report states that the HDPE pipe separated at the elbow joint. Mr. Zirolli stated on the record that the dewatering work is scheduled to begin on Friday January 12, 2024, and the excavation work will begin the week of January 15, 2024 and it is expected to take one week to complete the scope of work covered in this permit.

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

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

III. APPROVAL OF MINUTES - Minutes of the Regular Meeting of December 7, 2023

Motion by: Vice-Chairman Temple

Seconded by: Commissioner Thompson

MOVED, that the Commission approves the December 7, 2023 minutes as presented.

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

IV. OTHER BUSINESS

1. Ethics Video – to be viewed at meeting

There was a brief discussion on the Ethics Video and Commissioners agreed to watch the video before the next meeting. Ms. Simone will send the acknowledgment form and link to the Commissioners.

2. Administrative Approvals 2023 4th Quarter Report

There were no issues or discussion.

3. Chairman's Report

Mr. Kaputa spoke briefly on the increased frequency of rain events and the erosion in the Thompson Street area. Commissioners discussed the increase in rain fall from the last year. Mr. Temple spoke briefly about monitoring the groundwater level.

4. Environmental Planner's Report

Ms. Simone updated the Commission about a proposal for a solar farm that has come before the Town Council. She said that sheep will be used for grazing the fields and added that the proposal is an interesting mix of uses. Commission members discussed the solar farm site location and proposal. Ms. McClain noted that, in Minnesota, solar farms are required to plant pollinators. There was continued discussion on similar environmental projects and environmental trends, such as utilizing goats to remove poison ivy.

With no other business to discuss, Chairman Kaputa adjourned the meeting at 8:05 P.M.

Respectfully Submitted,

Nadya Yuskaev

Nadya Yuskaev
Recording Secretary