

**GLASTONBURY CONSERVATION COMMISSION  
(INLAND WETLANDS & WATERCOURSES AGENCY)  
MEETING MINUTES OF THURSDAY, JUNE 27, 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**

Mark Temple, Vice-Chairman  
Kim McClain, Secretary  
Justin Blain  
Brian Davis  
Anna Gault Galjan

**Commission Members – Excused**

Frank Kaputa, Chairman  
Dustin Kach

Vice-Chairman Temple 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. Discussion on lot remediation and site development at 1597 New London Turnpike – Rural Residence Zone – Jon Sczurek, Megson, Heagle & Friend Civil Engineers & Land Surveyors, LLC – Casamell Realty, applicant**

Mr. Jonathan Sczurek, Project Engineer, introduced himself for the record. The property is the former Bona farm. The existing lot area measures 15.97 acres. An existing single-family house built in 2010 will remain with 13.8 acres. The proposed lot will measure 2.08 acres. Wetland soils are located along the northern portion of the property. The lot development will be in the southwest portion of the site. A portion of the grading will be located in the upland review area. The impacted soils have been identified. The Licensed Environmental Professional recommends mixing the top foot of soil to reduce pesticide levels. The plans for pesticide remediation include input from the Commission regarding potentially impacted soil in the wetlands and conservation easement area. There is 8,600 square feet of wetlands on lot 2.

Vice-Chairman Temple asked if the concentration of pesticides was above the direct exposure levels. Mr. Sczurek replied no. Mr. Temple asked why remediate. Mr. Sczurek responded that there is a well on-site and explained that the lot is serviced by public water. He remarked that the LEP erred on the side of caution. Mr. Temple asked who it was. Mr. Sczurek replied Mr. Boris Tomicic of EngineerZoom in West Hartford. Mr. Temple explained that he does not see the need to give permission to go into the upland review area without evidence of direct

exposure. Mr. Sczurek explained that the recommendation was to mix the soil area, the removal of the topsoil would result in a reduction of the pesticides. Mr. Temple said that the plan reduces exposure and reiterated that he does not think the Commission should give permission to go into the regulated area. Mr. Sczurek read out the lead and arsenic levels. He noted that arsenic is the highest at 3 and the lead is at 15.9. Mr. Temple said that these levels are background concentration and not direct exposure. He explained that the background concentration does not pose a health risk and added that it is good to mix the soils. Mr. Temple reiterated his position and asked others to weigh in.

Secretary McClain agreed with Mr. Temple and asked about standard practice. Mr. Temple explained that the concern would be residential direct exposure and added that, in this case, there is no concern about the potential for pollutant mobility. Ms. McClain asked why the recommendation was made. Mr. Sczurek explained that the existing house had a well and added that Mr. Tomicic thought the property might be served by a well and went the extra steps. Mr. Temple said that a condition can be added for the developer to sample the well for pesticides. He remarked that it would not be an expensive analysis. Ms. McClain said that it is a good idea. Mr. Sczurek replied that they can do that. Ms. Simone spoke about a property in the Chestnut Hill area which was given authorization to conduct work in the wetlands area because of the high levels of pesticides. Mr. Temple explained that this particular application has background levels that are expected from an orchard. Commissioner Davis agreed with Mr. Temple and asked Mr. Sczurek what makes him think that remediation has to be done in the regulated areas. Mr. Sczurek stated that Mr. Tomicic recommended that they till 2 acres. Mr. Davis repeated his question. Mr. Temple asked Mr. Sczurek to provide a copy of the report to Ms. Simone. He explained that public water will be available and there is no concern about pollutant mobility. Mr. Sczurek said that the public health official said the same thing. Mr. Temple suggested a 500-foot search radius around any wells to test for contamination. He asked Mr. Sczurek to look through the Town records for other wells and to confirm the findings with Ms. Simone. Mr. Sczurek responded that he can do that. Mr. Temple asked Mr. Sczurek to email the report to Ms. Simone and update the Commission on what he finds out. Mr. Sczurek agreed and thanked the Commission.

## **2. Application of Babatunde Ogunro, T & M Building Company for an inland wetlands and watercourses permit for single family house construction at 39 Saddle Ridge Road – Rural Residence Zone**

Mr. Babatunde Ogunro of the T & M Building Company introduced himself and the team. He noted that the homeowners are present for the meeting. Mr. Mark Reynolds, Project Engineer, also introduced himself. He displayed a map of the Saddle Ridge 10-lot subdivision and cul-de-sac built in 1984. Mr. Reynolds said that the lot was approved in 1983 and was built in 1984. The wetlands were delineated by Mr. Ian Cole. The lot measures one acre. Mr. Reynolds directed the Commission to the wetland survey results. He read out the highlighted portions:

“The wetland is associated with the source of an intermittent watercourse (photo 2) that drains hillside to culvert/ headwall located in the northwest corner of the parcel which conveys flow under Saddle Ridge Road. The wetland boundary is very distinct, marked by

an abrupt rise in topography as poorly drained wetland soils quickly give rise to sandy well drained soils and an upland forest community of Oak, Sugar Maple, and Tulip trees, with a light understory (photo 3).”

Mr. Reynolds detailed the runoff patterns, with yellow arrows depicting the surface runoff which flows to the northwest. Dashed red lines depict the setbacks. Mr. Reynolds noted that the soil is suitable for septic and added that a leaching system is proposed. He said that the site presented some challenges due to the steep grading and added that grading into the conservation easement is not allowed. Mr. Reynolds stated that further complications included the need to maintain the maximum driveway grade. He stated that the proposed driveway plans meet the maximum grade and added that a short retaining wall is also proposed. The 1984 conservation easement was pointed out. Mr. Reynolds stated that they will install conservation easement placards on 4x4 posts along the conservation easement at all changes in direction with a minimum spacing of 100 feet. The proposal includes installing a silt fence backed by hay bales along the conservation easement. Mr. Reynolds said that a four-bedroom house is proposed. The house will be 50’ x 36’ and the garage will be 22’ x 22’.

Mr. Reynolds explained that the roof and driveway runoff would be directed to the existing detention basin for stormwater quality and quantity.

Mr. Reynolds directed the Commission to the changes in the narrative summary. He read out the information which was updated to reflect that the site contains 10,576 square feet of wetland area and 24,742 square feet of upland review area. The proposal contains a total of 0 square feet of direct wetlands impact and 17,730 square feet of upland review activity. Mr. Reynolds directed the Commission to the E&S notes on the plans. He stated that a perimeter sediment barrier and anti-tracking pad will be put in. He reiterated that placards will be placed along the conservation easement. Mr. Reynolds said that the proposed house and driveway will be consistent with other residences. He reiterated that there are no direct wetland impacts and that the proposal involves 17,730 square feet (0.4 AC) of activity in the upland review area.

Commissioner Gault Galjan said that the application prompted her to email Ms. Simone a procedural question and added that the applicants did not address the comments from Engineering. Ms. Gault Galjan said that there is not enough information to assess the application. Ms. McClain agreed and added that the standard practice is to get all of the application materials. Ms. Gault Galjan mentioned that an update was sent out last night and added that the Commission does not have all of the information. Ms. McClain again agreed and thanked Ms. Gault Galjan for bringing up the issue. Mr. Reynolds noted that the application is substantially the same and explained that the delineated wetland was added to the plans. He remarked that he wants the Commission to have ample time to look over the application. Mr. Temple said that there are 9 items from the Town Engineer. Mr. Reynolds explained that Mr. Braun was not available at the Administrative Review meeting and will address all 9 items when Mr. Braun returns.

Mr. Reynolds explained that the existing detention basin is part of the subdivision and many of the comments relate to this. He stated that he will work with Mr. Braun and added that he is

confident that the grading plan will direct the majority of flow into the detention basin area. Mr. Davis noted that there is a substantial drop from the garage area and added that it seems a lot of the flow would be going down the driveway. He asked if the driveway would be curbed and added that there could be problems. Ms. Gault Galjan said that the concern also applies to the back of the house and explained that the sloped area leads into the wetland. Mr. Reynolds stated that curbing is under consideration and added that he will discuss it with Mr. Braun. Mr. Temple said that item number 2 in the Engineer comments mentions treating the stormwater on-site. Mr. Reynolds did not have the opportunity to discuss the detention basin across the street and added that it will be the first thing he will discuss with Mr. Braun. Mr. Temple asked for information on the types of calculations that were done. Mr. Reynolds replied that, after he speaks with Mr. Braun, all required calculations will be done. He explained that there is easement access with nothing impeding their ability to utilize the basin to satisfy the stormwater requirements. He said that grading in the area limits the opportunity for on-site stormwater treatment. Mr. Reynolds explained that the berm in the detention area has an elevated pipe and added that there is some opportunity for stormwater quality storage. Mr. Temple asked Mr. Reynolds to provide the calculations at the next meeting. Mr. Reynolds agreed and added that it is not a complicated calculation.

Ms. McClain noted that item number 3 of the Engineering comments outlines a maintenance plan and recording the conservation easement into the land records. She explained that this needs to be made incredibly clear and spoke about past issues and problems. Mr. Reynolds stated that they will absolutely place the placards. Ms. Simone read a list of comments from Chairman Kaputa. The comments include concern about the deck's proximity to the conservation easement, ensuring the placards are put up, a barrier or split rail fence to help mark the conservation easement boundary, and a question about a machine that went into the conservation easement area. A question about dumping and the presence of a tarp filled with leaves and soil. A question about whether the dumped material would be cleaned up. Mr. Reynolds explained that the machine on-site was a mini excavator used for test pits. He stated that he did not see any dumping along the area of the brook and added that this does not mean that it is not happening. Ms. Simone asked Mr. Reynolds to comply with the CT DEEP NDBB requirements. Mr. Reynolds agreed. Ms. Simone asked Mr. Reynolds to provide information on the proposed retaining wall. She said that sheet flow to the neighboring property is a concern and also asked about the potential for erosion. Mr. Reynolds explained that the middle section of the retaining wall will be 4 feet high. He noted that there will be grading behind the wall and explained that the wall is designed to have the 4-foot-high point in the middle with the wall decreasing on both sides to 2 feet in height. Mr. Reynolds stated that there are no real concerns for erosion and explained that there is a short distance from the lawn to the neighboring house. He stated that the majority of the uphill drainage will address the issues.

Mr. Temple explained that too many homeowners do not realize what a conservation easement is and asked the T & M Building Company team to explain that trees cannot be cut and outline activities that would be in violation. Mr. Ogunro said that the property owners are aware of the conservation easement and are in attendance, listening to the meeting. He stated that the property owners consider this their forever home and they will not violate the conservation easement. Mr. Temple remarked that he would love to have the homeowners attend the next

meeting and explained that they have seen too many violations to the conservation easement, which include extending the lawn area and cutting trees. He explained that it is better for the homeowners to understand the terms of the conservation agreement and to avoid a remediation plan. Mr. Temple remarked that it is good to have the homeowners and noted that he hopes they will attend the next meeting. The Vice-Chairman asked Mr. Reynolds for full plans. Mr. Reynolds agreed and added that he will speak to Mr. Braun.

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

### **IV. APPROVAL OF MINUTES - Minutes of the Regular Meeting of June 13, 2024**

The minutes were approved as presented.

**Result:** Motion passes (5-0-1), with one abstention from Commissioner Gault Galjan who chose not to vote because she was not present at the meeting.

### **V. OTHER BUSINESS**

#### **1. Chairman's Report - NONE**

#### **2. Commissioner's Report**

Ms. Gault Galjan explained that she hopes to have names of the speakers by the next meeting. Mr. Temple thanked Ms. Gault Galjan for her work. There was a brief discussion on the upcoming joint ASDRC meeting.

Ms. Gault Galjan said that tonight's application is another example of a structure very close to the conservation easement and added that it leaves very little buffer. Mr. Davis noted that it is a shame that the Commission cannot adjust conservation easement boundaries and spoke about some of the benefits, which include a more aesthetic and organic boundary. He explained that this would allow property owners some relief and would produce a natural boundary which is not an abrupt straight line. Mr. Temple said that he thinks it could be doable and explained that straight lines allow for easier surveying and added that straight lines are easier to see and understand. Mr. Davis thanked Mr. Temple for the explanation and added that good points were made about the survey and mapping. Mr. Temple asked Ms. Simone if the Commission would be able to authorize the adjusting of conservation easement boundaries. Ms. Simone said that it is doable and explained that the Town and property owner would have to agree. She noted that the Commission would have to provide a clear reason on why the boundary would be amended and the area would have to be staked and marked with placards every 100 feet and with contour changes. Ms. Simone explained that it would be beneficial to shift away from having placards on the trees and place placards on 4 x 4 posts. She explained that trees are not always placed where the boundary is and added that there is also an opportunity to discuss buffer zones of the conservation easement.

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

Ms. Simone provided an update on the conservation easement mapping project and explained that when this long term project is complete the public will be able to view the information on the GIS and look at the conservation easement agreement and survey map. Mr. Davis explained that posts allow for more flexibility in delineating boundaries and brought up golf courses as an example. He said that the Commission should keep in mind that there should be more of an organic transition between manicured areas and the conservation area. Mr. Temple noted that property owners have brought up issues about tree limbs in the conservation area that encroach onto their deck or window. Ms. Simone introduced the idea of creating a buffer or transition zone within new conservation easements, to allow for a shrub and yard interface and then a transition to trees. This would have many benefits for diversity and pollinators and also help reduce the concern about trees overhanging houses when structures are built so close to a conservation easement line. The Commission discussed alternatives to trees in the conservation easement area. Ms. McClain brought up wetland plantings. Commissioner Blain suggested listing activities that are allowed in the conservation easement and listing activities that are not allowed. He said that this list can be site-specific and added that it might help the public understand the regulations. Ms. Simone remarked that Mr. Blain brought up good points. Mr. Temple thanked Mr. Blain for bringing up the suggestion. Ms. Simone noted that such a list is something that can keep evolving.

With no other business to discuss, Vice-Chairman Temple adjourned the meeting at 7:50 P.M.

Respectfully Submitted,

Nadya Yuskaev  
Recording Secretary