

**GLASTONBURY CONSERVATION COMMISSION
(INLAND WETLANDS & WATERCOURSES AGENCY)
MEETING MINUTES OF THURSDAY, SEPTEMBER 26, 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
Kim McClain, Secretary
Justin Blain
Brian Davis
Anna Gault Galjan
Dustin Kach

Commission Members – Excused

Mark Temple, Vice-Chairman

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 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 – Dutton Associates LLC

Chairman Kaputa asked Ms. Simone about the open items. Ms. Simone replied that the applicants submitted a revised plan and addressed the comments that were brought up at the last meeting. Ms. Simone stated that the applicants agreed to plant native plants along the conservation easement line. She noted that the clearing line has changed and the drainage area will remain wooded. Ms. Simone explained that the conditions in the field will determine whether additional plantings are needed and that the conservation easement markers will be placed. Ms. Simone stated that the outstanding items have been addressed. Chairman Kaputa asked the applicants if they had any updates to report. Mr. Mark Reynolds responded that they addressed the comments from the Engineering department and added that the plan is complete. He noted that they have also submitted a copy of the canopy analysis. There were no additional questions.

Motion by: Secretary McClain

Seconded by: Commissioner Davis

MOVED, that the Inland Wetlands and Watercourses Agency grants an inland wetlands and watercourses permit to Babatunde Ogunro, T&M Building Company for construction of a single

family house at 39 Saddle Ridge Rd, in accordance with plans entitled “Lot #1, #39 Saddle Ridge Rd, Prepared for T&M Building Co, Inc, Glastonbury CT, Dated 9.11.2024 sheets 1, 3-4 and 9.18.2024 sheet 2”, 4 Sheets, and in compliance with the following stipulations:

1. Permittee is responsible for the proper installation and consistent monitoring of the sediment and erosion controls and stabilization measures. Permittee or designee shall inspect the sediment and erosion controls and stabilization measures a minimum of once a 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. Necessary repairs shall be conducted within 48 hours of inspection.
2. A pre-construction meeting is required to be held with the Environmental Planner prior to conducting any site work.
3. The Construction Sequence shall be stringently adhered to.
4. The clearing limits are to be field located and marked. The surveyor shall provide written notification to the Environmental Planner that the clearing limit is accurate and consistent with the approved plans. Once approved by the Environmental Planner the trees within the approved development area may be cut. The erosion controls are to be installed within two days of cutting the trees. The surveyor/engineer shall provide written notification to the Environmental Planner that the erosion controls are installed correctly and in accordance with the approved plan.
5. The Environmental Planner shall coordinate with the applicant’s surveyor/engineer to develop a native shrub planting plan for installation along the conservation easement boundary.
6. The contractor is required to obtain a ROW permit before working in the Town detention pond.
7. The permit is valid for 5 years from date of issuance and shall expire on September 26, 2029.

Discussion: Commissioner Blain noticed a typo in condition 4. The Commission agreed to the corrected wording.

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

2. **Application of 2283-2289 MAIN STREET, LLC, MAIN STREET DEVELOPERS, LLC & MAIN STREET GLASTONBURY 2341 LLC for an inland wetlands and watercourses permit to allow redevelopment to include residential and retail with new parking – 2277-2289, 2327-2333, 2341-2345 & 2389 Main Street – Town Center Zone – Alter & Pearson, LLC – Peter J. Christian for HB Nitkin, representing the applicants**
POSTPONED

3. Application of Casamell Realty, LLC for an inland wetlands and watercourses permit to allow a 2-lot subdivision - 1597 New London Turnpike – Rural Residence Zone – Jon Sczurek, Megson, Heagle & Friend Civil Engineers & Land Surveyors, LLC

Jonathan Sczurek, Project Engineer, stated that the site is the former Bona Farm, with an existing lot area of 15.97 acres. Mr. Sczurek said that the existing single-family house, built in 2010, will remain, with 13.8 acres. He stated that there are sidewalks on the westerly side of New London Turnpike and explained that they will request a waiver from Town Plan and Zoning (TPZ). Mr. Sczurek added that a sidewalk would not be safe in the proposed development area due to traffic and sloped conditions. He displayed the proposed site plans for the 2.08-acre lot. Mr. Sczurek noted that wetland soils are located north of the property. He said that development is proposed in the southwest portion of the lot. He added that a portion of the grading and water quality features will be in the upland review area. Mr. Sczurek detailed the drainage plans:

- 4,725 s.f. Upland Review Area Activity
- Water Quality Basin will accept runoff from majority of the driveway and roof area
- Runoff from parking area and rear yard will be directed to a stone trench at the edge of the yard.

Mr. Sczurek said that the lot will be served by public water and connect to sanitary sewer. Three street trees will be planted along the frontage. Mr. Sczurek moved on to, displaying the following information:

- Groundwater protection Zone GW-2
- Project meets the requirements of Section 20.13
- 1.28 mg/L Nitrogen Loading
- 7% Total Impervious (not considering WQ BMPs)

Mr. Sczurek stated that erosion and sediment perimeter controls will be located downgradient of disturbed areas. The stockpile area is outside of the upland review area. Mr. Sczurek said that sediment barriers will be located downgradient of stockpile. The total disturbed area will be 0.76 acres. Mr. Sczurek displayed the details regarding the pesticide remediation:

- Historic Orchard
- 3 Samples in development area
- Impacted soils identified (meet DEC's)
- LEP recommends mixing top foot of soil to reduce pesticide levels
- Wells of nearby properties were tested and no pesticides found
- Only soil within limits of disturbance will be mixed

Mr. Sczurek recapped the discussions he had with Vice-Chairman Temple regarding the testing not meeting the pollutant mobility criteria related to groundwater. He reiterated that the site is served by public water and added that it is not an issue. Mr. Sczurek said that they tested the well on-site and found no pesticides. Mr. Sczurek noted that the results were submitted to Ms.

Simone and added that the LEP updated the report. Mr. Sczurek then displayed the following information:

- 2018-2028 POCD
- Planning Area 1- Suburban
- 10% Max Impervious
- MS4 Compliance
- Stormwater BMPs

Mr. Sczurek stated that they addressed the concern regarding the soil remediation.

Mr. Kaputa explained that sidewalk connectivity is something that this Commission has pushed for proposed projects. The area has some existing sidewalks and asked Mr. Sczurek to explain why sidewalks are not part of the plans. Mr. Sczurek spoke with the Town Engineering staff about the site and reiterated that the hill area is not a normal or safe intersection, which would create an unsafe crossing for pedestrians. Mr. Kaputa agreed that the area is not safe for crossing and spoke about the Apple Hill area which is also unsafe for pedestrians to cross. Mr. Kaputa reiterated that the usual practice is for developments to include sidewalks.

Mr. Kaputa asked the Commission if a conservation easement was discussed. Mr. Sczurek replied that it was not proposed or discussed and added that the applicant is open to designating an area in the back. Mr. Sczurek pointed out the proposed area on the plans. Mr. Kaputa remarked that he was thinking of that area as well and added that it is good to have the conservation easement close to the wetlands. Mr. Kaputa noted that the Plan of Conservation and Development only checks off 3 or 4 items. Mr. Sczurek replied that the garage roof is south-facing which is an opportunity for solar.

Commissioner Gault Galjan spoke about new construction in the South Glastonbury area with sediment barriers failing and asked if there was anything in the best management practices that will address this issue. She noted that the increased storm frequency risks sediment discharging into the wetlands. Ms. Simone answered that Town staff monitor the installation of sediment and erosion controls. The Town can issue a bond for large development projects in case an issue comes up. Ms. Simone explained that some projects are required to have 2 rows of silt fence instead of one and filling in the area with hay bales. Mr. Sczurek spoke about the benefit of hay bales to reinforce the back of the silt fence during heavy storms.

The Commission spoke briefly about erosion control measures and requiring a bond from larger developments. Ms. Simone spoke briefly on the State Guidelines and explained that the installation of a silt fence can cause damage. She stated that the work is site specific. Mr. Sczurek agreed and added that the disturbed area is about three quarters of an acre. He noted that projects under a half an acre in size are not required to put in erosion control measures and added that they do it anyway. The project is close to a wetland and added that the Commission has a right to require sediment and erosion controls. Commissioner Davis said that it is not necessary to add conditions that will supersede the best management practices and added that the implemented measures should be properly maintained. Ms. Gault Galjan agreed and added that

the State Guidelines might not keep pace with the increasing weather events. Secretary McClain asked how often the standards are updated. Ms. Simone replied that it is every 20 years and added that the 2024 version just came out. She remarked that she does not believe that the recent storm events are addressed in the latest version. Ms. Simone asked the Commission if they wanted applicants to incorporate additional erosion controls. Ms. McClain suggested a bond process since the standards are lagging. Ms. Simone stated that bond makes sense for large developments. Several Commissioners agreed that bond should apply to larger developments and not this project. Mr. Sczurek said that bond is implemented in other towns and suggested the Commission look at the criteria.

Ms. McClain agrees with Mr. Kaputa about sidewalk connectivity and the conservation easement. She stated that applicants should do more to implement solar to ensure that it is part of the proposal. Mr. Davis asked what the proposed easement offers compared to the existing setbacks. Ms. Simone replied that it is another layer of protection. She explained that property owners would be provided with notice about which activities are allowed and which are not. Regulations alone do not provide this notice. Mr. Kaputa stated that some property owners have expanded the lawn area into conservation easements without knowing. Mr. Sczurek said that the site has a farm pond and added that the watercourse is dry during the summer. Mr. Kaputa noted that the water is not noticeable in nearby Smith Brook. Mr. Sczurek said that the applicant agrees to a conservation easement close to the wetland edge. Mr. Blain noted that proportionality should be considered and explained that the size of a conservation easement would affect a smaller lot versus a larger lot. Mr. Kaputa asked if there are plans for the larger parcel. Mr. Sczurek responded that he does not know. Mr. Kaputa stated that the open item is the conservation easement. Mr. Sczurek will add it to the plans. Ms. Simone asked for a hard copy and added that Mr. Temple was provided with the soil testing report for his comment. Mr. Sczurek added that the report is 70 pages and he sent two copies to Ms. Simone. The Commission agreed that Mr. Temple should review the report.

4. Application of Rosenblit Enterprises, LLC for an inland wetlands and watercourses permit to allow creation of a residential building lot & site plan - 108 Chamberlain Lane – Rural Residence Zone – Denise P. Lord, P.E., Barton & Loguidice

Mr. Kevin Grindle of Barton & Loguidice introduced himself for the record. Mr. Mark Rosenblit was present for the meeting. Mr. Grindle recapped the process of complying with the regulations and updating the plans to create a buildable lot. He pointed out the existing encumbrances on the site which include the gas easement, sanitary sewer easement and conservation easement. It is a 5.19-acre lot and that the purple area on the plans is the buildable area. The proposed conservation easement area and gas easement area were indicated. Mr. Grindle said that the proposal is for a modest 1,500 square foot house. He explained that the gas easement does not allow for structures to be built over it. This restriction pushes the proposed house closer to the wetlands. The area was extensively tested for suitable soils to comply with the regulations for the septic system. Mr. Grindle explained that the plans had to comply with Health Department regulations regarding separation distance from the septic and well, and that the proposal meets the Health Code regulations.

Mr. Grindle stated that they increased the water quality basin from 1 to 1.3 and added that the calculations were submitted. He said that the house was shifted another 6 feet away from the wetlands. There will be no direct wetland impact. There will be work done in the upland review area. Mr. Grindle stated that they plan to enhance the wetlands edge with native plants and propose a stone wall using existing boulders. Mr. Grindle stated that they addressed the comments from the Engineering Department and pointed out the text on the plans that specifies modification to the existing drainage easement to be provided to allow for Town access and maintenance.

Mr. Kaputa asked the applicants to recap the restrictions preventing the house from moving further away from the wetlands. Mr. Grindle reiterated that they cannot put a structure over the gas easement. Mr. Davis asked why the same curb cut is not used. Mr. Grindle replied that the more suitable soils were located in that side and added that they need to comply with the septic and well setback requirements. The Commission briefly discussed the subdivision process and the lot history. Mr. Kaputa asked which agency determines the buildability of a lot. Ms. Simone replied the TPZ. Chairman Kaputa asked why the application does not go to TPZ first. Ms. Simone responded that it has to go before this Commission to assess the potential impact to the wetlands and upland review area. She noted that the Commission can request additional information from the applicants, such as a detailed report from a soil scientist. Several Commissioners said that the proposed house is too close to the wetlands and continued discussing possible changes to the plans. Ms. Simone stated that it is in the purview of this Commission to ask for an impact assessment. Mr. Grindle stated that moving the house north would create more fill in the area. He explained that the higher foundation wall might gain 1-2 feet distance away from the wetlands. Commission members continued discussing ways to shift the house away from the wetlands. Ms. Simone noted that the Commission can request additional information, including alternative plans, potentially repositioning the house, and an environmental impact report from a soil scientist. There was a consensus to require an environmental impact report from a soil scientist. Ms. Simone asked the applicants to provide a functions and value assessment from a soil scientist on the impact of the proposed development to the wetlands. There was continued discussion on revising the plans. Mr. Davis asked the applicant to rework the straight driveway and have it bend more to the north to gain a few feet. Mr. Grindle agreed and added that he will also rework the plans to save a few more feet with a 9-foot foundation wall. Mr. Davis thanked Mr. Grindle.

II. CONSERVATION COMMISSION - NO BUSINESS

III. APPLICATIONS FOR FUTURE MEETINGS

- 1. 36 Hopewell Road – 8-30g multi-family apartment building - Date of Receipt: September 12, 2024 - Presentation: October 10, 2024 (tentative)**

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

V. APPROVAL OF MINUTES - Minutes of the Regular Meeting of September 12, 2024

The minutes were approved as presented. (6-0-0)

VI. OTHER BUSINESS

1. Chairman's Report - NONE

2. Commissioner's Report

The Commission discussed the upcoming joint meeting with the ASDRC and the agenda.

Ms. Gault Galjan provided an update on her discussions with the speaker and outlined the presentation format.

Several Commissioners remarked that the goal is to reach a consensus on acceptable guidelines. There was a brief discussion on the practicality and availability of only using native plants.

3. Environmental Planner's Report

Ms. Simone updated the Commission on the Forestry Project. She said that the consultant will attend the October 10th meeting and will present an analysis of the data and methodology. Ms. Simone noted that the discussion can include looking at what type of data is useful and listed scenarios that include species in different watersheds, the ratio of live trees to dead trees, invasive species, etc.

With no other business to discuss, Chairman Kaputa adjourned the meeting at 8:11 P.M.

Respectfully Submitted,

Nadya Yuskaev

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Recording Secretary