

City of Shelton, Conservation Commission
 Minutes for the Regular Meeting on Wednesday April 2, 2008 at 7:00 P.M.
 Minutes should be considered a draft version until approved by CC at their next meeting.

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Call to Order

Present: Tom Harbinson, Chairman
Bill Dyer, Vice-Chairman
Jim Tate, Commissioner
Hank Lauriat, Commissioner
Joe Welsh, Commissioner
Ed McCreery, Commissioner

The Commission currently has 6 active members.

Also Present: Teresa Gallagher, Conservation Agent
Marianne Chaya, Clerk

A. Pledge of Allegiance

Chairman Harbinson called the meeting of the Conservation Commission to order at 7:00 p.m. All in attendance recited the Pledge of Allegiance.

B. Approval of Minutes

Commissioner Lauriat MOVED to approve the minutes from the March 5, 2008 Regular meeting. SECONDED by Vice-Chairman Dyer. All were in favor, MOTION PASSED.

C. Public Portion

Mr. John Fitzgerald, 318 Meadow Street. I just had a question of an area, which I think is called Pine Lake – reservoir #2. It's on the corner of Meadow Street and Route 108. My concern is the pine trees. Maybe about 2-3 years ago the City went in and pruned the trees down low, along Route 108 right to the chain link fence. Along side Meadow Street there is a broken guardrail for the culvert and there are a bunch of nice pines that are being killed off by choking vines. My question is there a program in place to prune them up? Normally at the subdivisions we prune them up and go back 6 months later to prune them again. The needles fall down and 2-3 years later you don't do anything because the needles have grown so thick they don't grow through. The reason I say this is that my office is down that way and I go by there many times a day. I was on the Shelton Intermediate School board and on the high school renovation group and we are trying to beautify this area and going to different Commissions and see what they have available. We're working on uncovering sidewalks up here on Meadow Street that is covered with leaves. Once the Fusco trailers leave we want to turn that area into a park, with the funds we have available. We're going to turn it into a parking area and re-establish the grass and clean up the entire area by the school. We wrote a spec for this where everything has to be limbed up 6', all the poison ivy has to be cleaned from the trees.

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This area here (pointed out from a drawing), with the mouth being filled in with the silt, I know that's a wetlands issue, but is there anything that is established that would allow a private contractor to do it in a stewardship program? I am willing to do it with a couple of my guys and I know I can't go on City property without permission or the Board knowing what I'm doing. The City workers do it and try to do a good job but they just go around stuff.

Commissioner Tate stated that Dean Cawthra and his crew did all the work. Now we are into baseball season and the fields are their focus. Anything you want to do to clean that up, as long there is some understanding of what's going on, I'm sure everyone is in your camp; go for it. Chairman Harbinson said we would endorse it. It would be up to the Board of Aldermen or the Mayor to approve the use of the open space or activities on open space. Vice-Chairman Dyer said that we could allow maintenance on open space because we have land keepers all over the town. It would be under the land keepers program.

Mr. Fitzgerald said that he noticed after a windstorm a tree would fall because it was dead. It stays there for about 6 months and then you spend a lot of money cleaning it up. They are dead because they are weak at the top because of all the invasive vines killing them. I have some on my properties, here and there, and you just prune them.

Commissioner Tate suggested just letting Dean Cawthra and the Mayor know what your plans are. We could also write a letter stating our endorsement of your endeavor.

Agent Gallagher said that when she spoke with you earlier you also mentioned clearing other vegetation around there.

Mr. Fitzgerald responded that he spoke with John Cook and said that when Dean did it he guided him on which ones could be removed. We just want to clip the vines. If you clip the vines and let them hang they will fall out of the trees in 2-3 years. The other area was on where you take a right on Rte. 108 from Meadow Street where there is another set of trees that are about ready to kick. They are being strangled.

Commissioner Tate said there is an area on the corner where there is a chain link fence that is not city property.

Mr. Fitzgerald showed another area he wanted prune and explained that he wanted to beautify the area.

Commissioner Welsh asked if the vines were mostly bittersweet? Mr. Fitzgerald responded that most were poison ivy. Commissioner Welsh stated that most times the vines that choke out the trees are bittersweet and you have to be careful when you cut this vine. You could be doing more damage – if you cut a stump the roots will push up a lot more shoots. We have experimented with Round-up Pro, you brush it on the stump, it goes down into the roots and has a pretty good kill rate.

The Commissioners agreed that it might not be a good idea to use any pesticides.

Mr. Fitzgerald agreed and said he didn't want to get that involved in that process. Since Parks & Rec. now is focusing on the ball fields I could take the time and do this as long as you are ok with it.

The Commissioners suggested Mr. Fitzgerald get with Agent Teresa Gallagher to plan it out. Commissioner Tate instructed them that it was ok to remove any invasive vines that physically can be removed (not chemically), we don't want to alter the ground, such as removing grass or grading. Any branches could be removed within 8' of ground level could be pruned and trimmed. Any hanging branches off any tree, or any dead material that is in the way or creating a hazard or falling on a fence could be freely removed. I don't think we want to remove large logs that have fallen in open space areas or near the edge of the water. Saplings (less than 2") are ok to cut. Leave the groupings or mass plantings alone. Do not cut gray dogwood, sumac (only if in a mass), any invasive materials. Leave the multi-flora rose, if it's in a mass. This is because it's a good habitat for songbirds.

Mr. Fitzgerald commented that for the schools their goal is to create green areas where lawn mowers that the city has could access it for maintenance.

Mr. Fitzgerald said that he wanted to volunteer his time for maintenance for the areas shown on the drawing and maybe some others will follow.

He also commented that the Trails Committee is doing a beautiful job on the trails.

Chairman Harbinson instructed Agent Gallagher to send a memo to the Mayor and John Cook to let them know that Mr. Fitzgerald will be doing activity as a land keeper and if anyone has any input to offer.

Mr. Fitzgerald stated that he is looking to have the area cleaned up similar to what it looks like at Stewart Woods, off Nells Rock Rd.

He asked about the silt at the mouth and Commissioner Tate commented that it is a major undertaking that would have to be done, possibly with grant money.

Agent Gallagher will take a field walk with Mr. Fitzgerald.

The Commissioners thanked Mr. Fitzgerald for his interest in volunteering.

Mr. Jeff McGregor said he wanted to come to a meeting to find out what goes on at the meetings.

Chairman Harbinson mentioned that we have an opening on our Commission and recognize that he submitted his resume for consideration. We did have some interviews several months ago and we did recommend one person to the Mayor and he has not made an appointment as of yet. That person is still interested and we certainly can add your name into the mix for him to consider. We appreciate your interest in Conservation issues and if it doesn't end up with an appointment to this Commission there are other activities we could get you involved with – such as Trails Committee.

D. Trails Committee Report

Vice-Chairman Dyer reported as follows:

1. National Trails Day – June 7 & 8

We will be spending most of May getting ready for the bridge-to-bridge hike. We will be putting together a handout.

2. Planned Projects for 2008

A. Rec Path – Phase I Specifications

Terry Gallagher (Trails Committee) submitted the document needed to get the procurement. The Commissioners and Terry Gallagher reviewed and discussed the drawing. There was discussion of where the funds come from and it was noted that it does qualify for LOCIP funds. It was also noted that there is a scouring problem by Constitution Blvd. and it was decided that they should run it by the City Engineer. We still need to have the wetlands flagging done.

B. Rec Path – Phase 3

The direction of the path was detailed for the Commissioners for Lane Street. This area needs to be surveyed and wetlands flagging. There needs to be approval from the Land Trust to do the proposed work.

C. \$2500 State Grant Status

Agent Gallagher contacted the state and it is on hold for the funding. Vice-Chairman Dyer said he'd like to use our own money to get the logo done. Agent Gallagher said she was trying to find out if we can spend the money now and get reimbursed.

Vice-Chairman Dyer MOVED to expend \$900 from this year's budget to pay Peter Stockmal for finishing and the rights to use the logo that was approved by the Commission, subject to appropriate transfer of those rights to us by Mr. Stockmal. SECONDED by Commissioner Lauriat. All were in favor; MOTION PASSED.

D. New bridge over Curtis Brook

Job well done. Pictures were distributed. While we were out there working a woman stopped by and offered to buy the lumber. We said no, it was already taken care of. So she gave us \$100 and said she wanted to treat everyone to lunch. Terry Gallagher said she wanted to remain anonymous and said she uses the trails and her family has lived here forever and she likes what we're doing.

E. Riverwalk Design

We submitted a formal letter in support of the Riverwalk going along the river. We are going to continue to support it and will try our best to

make sure there aren't any more residential units created along the first floor of the buildings that the future River walk is going to go by or else we'll have negative issues from those people.

F. Trail along driving range and behind hockey rink

It is complete.

G. Trail at Old Master's Site – Route 110 & Far Mill River

I will talk to Joe about the trail tomorrow – was not done the last time I went by there.

H. Connect Blue Dot Trail to Shelton Lakes

We are continuing working on this issue and plan to talk to John Anglace and are getting the documents together to show them. Chairman Harbinson reported that we received a letter from Gary and Barbara Sheffer, who live on Mayflower. He read the letter to the Commissioners, which was regarding the flagging of the trail without authorization from the BOA and without further input from the affected neighbors.

Chairman Harbinson said he had not responded to it but obviously we are not constructing anything, we are just flagging the potential routes; one of the three that we forwarded on to the Aldermen as outcome of our meeting that we had with the neighbors, the Aldermen and Mayor. We have not had any response from the Aldermen as to using one of those choices.

Agent Gallagher pointed out that flagging has to be done before the trees leaf out and the flagging had to be done so that the Aldermen and other interested parties could walk the proposed route.

Vice-Chairman Dyer asked about the comment they had in the letter regarding changing the use of the open space. They contended that the trail extension could not proceed unless the board allowed a use change for the open space involved. Chairman Harbinson commented that he thinks that is confusion on their part. It is public open space. Anybody who wants to walk on it now can do that. You can walk on any City public open space. The only exception is if open space has an exclusive license for farming, you couldn't go and walk all over the crops.

I. Trail Enhancements

1). Handicapped fishing platforms for Pine and/or Hope Lakes

We have a boy scout, Jimmy Flood, who is interested in doing the handicapped fishing platform. This will not be a wooden platform

above the water level. He will be submitting a sketch and hopefully he will be at our next meeting.

J. Trails Maintenance

1) Gator Lift bed status

During the installation they discovered the voltage regulator was faulty and had to be replaced. The total came in above what we had authorized at our last meeting. We need to have a motion to approve paying the invoice for the power lift gate and the voltage regulator.

Vice-Chairman Dyer MOVED to authorize payment of the invoice for the power lift gate and the voltage regulator for the Gator. SECONDED by Commissioner Lauriat. All were in favor, MOTION PASSED.

Vice Chairman Dyer MOVED to authorize payment to Housatonic Lumber for the components and lumber for the bridge up to \$600. SECONDED by Commissioner Lauriat. All were in favor, MOTION PASSED.

2) Birchbank Mountain Trail

The trail has been blazed. Lynn Reid is leading a hike for the Appalachian Mountain Club Sunday morning on that portion of the trail and the Paugusset. We talked about having a hike in May when the wildflowers were in bloom. Agent Gallagher said that at the end of April, beginning of May at the bottom of the hill at the bank is a profusion of these wildflowers. Commissioner Lauriat said that on Mother's Day if you walk out to the point (Blue Dot Trail) is covered with beautiful pink Lady Slippers.

Tape 1, Side B

Cliff Aubrey came to the Trails meeting to see if it was ok for him to blaze the trails that he maintains in open space #24 (Far Mill), and it was decided it would be ok for Agent Gallagher to do it.

3) Derby/Shelton Rotary Club

I have been invited to give a presentation on our trails.

4) Work Party Schedule

There will be a work party this Saturday, April 5, and we will get the Gator out and use it.

E. Review of P&Z Applications for Subdivisions and/or Developments

1. OLD APPLICATIONS

145 Riverdale Avenue (Housatonic River – south of the Riverwalk)

Chairman Harbinson stated that there isn't anymore for us to do on that and that it has been referred to the Board of Aldermen from Planning & Zoning.

Commissioner Lauriat commented that there was an article in the paper (Huntington Herald) and it said that their attorney commented that there was nothing to prevent the user from grading that property to suit him. Chairman Harbinson reminded the Commissioners that the current owner is currently storing contractor equipment and wants to re-grade it so they can better utilize it to do the same thing.

Commissioner McCreery commented that the applicant is correct – if you want to buy my property, buy it, but I am applying for use of the property that is allowed by the zoning. It seems almost as if they are using us as a scapegoat by saying Tom Harbinson and the Conservation Commission said we should buy it. We never raised the issue. The issue came to us, asking if we think this is a good thing. We said no, it's not a good thing, why don't you do something about it and send it to the Board of Aldermen. Now they say the Conservation Commission said we should buy it so we can't allow them to have the zoning use of it. I don't like the way the whole thing played out.

Chairman Harbinson noted that it is just Planning & Zoning not doing the planning ahead of time. Bottom line. It's easy to go ahead and rezone the canal area and Riverview Park but not to consider other areas in town that might need rezoning.

2. NEW APPLICATIONS

None

F. Shelton Canal – Proposal to fill canal for residential development

Related documents posted on:

www.sheltonopenspace.googlepages.com/sheltoncanal

Agent Gallagher reported that there was a letter from the Army Corps sent the applicant a letter saying they needed more information. I was not surprised to see that they are saying the alternatives were not properly discussed because there were no alternatives – they just said we are going to fill this in for a profit. They do have to present alternatives. There were 55 comments.

Commissioner Lauriat raised the issue of why the fish ladder has to be built and it was noted that it is a requirement and they are putting in a multi-million dollar fish ladder at Stevenson Dam, which is upstream and that one will be useless unless there is one downstream. Discussion ensued regarding fish ladders.

G. 784 Long Hill Ave/Wintergreen Lane open space (Map 21 Lot 46); Request to clean-up property and replant.

Chairman Harbinson reported that this is the property acquired from Zuckerman and was cleared prior to the City acquiring it. There was a request by a neighbor at Crescent Village to clean it up. There are tree stumps and logs strewn across the property. John Anglace emailed us concerning the property.

There was discussion of why it was purchased, which was because it was along the Long Hill Ave. connectivity of the open space that buffered Long Hill from the Crescent Village development.

Agent Gallagher said that the Board of Aldermen is asking for a recommendation of a plan.

Chairman Harbinson showed the photo that Agent Gallagher took of the property and read the email from John Anglace.

Commissioner McCreery MOVED that the Commission agrees with the need for a clean-up and suggests that the City sends the public works department to the site to clean up the existing larger logs and siltation fences. The Conservation Commission would pay for white pines (seedlings) out its budget. The Commission would coordinate the plantings. SECONDED by Vice-Chairman Dyer. All were in favor; MOTION PASSED.

H. Open Space Trust Account – FY2008-2009 funding

Chairman Harbinson commented that the funding for this account is \$1 (to keep the account line item alive). I have made my comments publicly that I think it is reprehensible that they don't follow the ordinance.

Vice-Chairman Dyer asked what happened; didn't the BOA agree or disagree with you?

Chairman Harbinson responded that like anything in this town in terms of communications – it's zero. I have not had the Board of A&T chairman get back to me as to what they are doing. All I know is what I have read in the paper. The Mayor didn't notify me in terms of the change, which is a dramatic change, which he is required to do by ordinance. We are just kind of in the dark.

Commissioner Tate suggested writing a letter to be on record.

Chairman Harbinson commented that the next step is the Board of Aldermen has to do the budget.

Commissioner Tate suggested the letter state that we feel it must have been an oversight that the open space account was not funded by the ordinance.

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Agent Gallagher stated that their argument is that they are meeting the intent of the ordinance. You have to address that argument.

Commissioner Tate said that he thinks they are in error in intent in not funding something means that the funds are not available when you need them. Intent does not buy property. As far as I am concerned, the intent of the ordinance was to have funds available for small purchases or to supplement purchases, or to be used for quick liquidity when those opportunities arise. We don't know what's coming in the future. It is extremely important for us to have that. The people that are in positions of authority right now may not be there in short order. I think this is a very ugly precedent to start. To think that this is acceptable given that there is an ordinance in place and should be funded. I don't see how it affects anyone's position in the city, in terms of positioning of the city in any kind of financing. I just don't see that legitimate reason.

Vice-Chairman Dyer asked, why don't they just put the money in and take it out? There was discussion of whether they should send the letter and felt it would be best stated for the record. We would be amiss because it would be assumed we knew something that would make it ok.

They did discuss the reason for the revision to the ordinance.

It was commented that without this seed money there might be a long dry spell of chances to buy open space. Having that seed money starts the process. This would give the opportunity to be able to possibly write a check for a down payment. It allows immediacy of movement of action. If you don't have that liquidity, you've removed that potential to act promptly in competition with other people in the market place who are after the same parcel, which we've seen recently.

Commissioner Tate commented that it is a public attitude. If you don't fund it, it assumes you don't prioritize it. There is an assumption here, why would you? By funding it, you are showing your commitment. That doesn't mean there aren't other ways, but from the public point of view, this is the most visual, or public statement that says you are committed. I am not debating the fact that the Mayor has supported open space, which has nothing to do with it. The public perception that there are funds available for open space means a lot. It certainly means a lot to me, to have a community that has a viable open space trust account.

Chairman Harbinson agreed and said this is not to disparage all of the past accomplishment that has been done under the current administration. This is about the future. We have to be prepared for the future.

Commissioner McCreery said that he is concerned that this is giving the perception that "ok, we're done, we don't need to buy any more open space". That is what bothers me.

Chairman Harbinson stated that this account has been used very well for recent purchases, such as the Pagliaro, the UI property on Buddington Rd., the initial seed money for some of the Overlook property, the Goodman parcels on Constitution Blvd. and Route 110. Vice-Chairman Dyer added that many of

which we have been able to get grants to partially fund the purchase. If you look at the amount of money that we expend for the Overlook and the reimbursement we get through a grant. You get about a 31% return on your money. Why would you not want to fund an account that was able to get a 31% return on your money?

Commissioner Lauriat MOVED to write a letter to the President of the Board of Aldermen regarding the funding of the Open Space Trust Account. The letter will be drafted by the Chairman and edited if necessary by the Commissioners. SECONDED by Commissioner McCreery. All were in favor, MOTION PASSED.

Chairman Harbinson said he just wanted to say that he is disappointed in the lack of communication between the Board of Aldermen, the Board of A&T and the Mayor's office to me on this subject. My only source of information is what I have read in the newspaper.

I. Use of Tall Farm Open Space (OS 119.02), Long Hill Ave/Stowe Drive

Agent Gallagher took and emailed photos of the area.

Chairman Harbinson detailed the area from the photos and video (as shown from his laptop).

The Commissioners noticed there was a storage trailer on the property; only assuming it is probably Lacrosse equipment.

The pictures show that they have taken some stones out, put down some chalk lines for a practice field, apparently.

There was discussion about the maintenance of the field and what is the intent of the field.

Vice-Chairman Dyer asked if this use was voted on and Chairman Harbinson said that no, the Board of Aldermen have not reviewed this.

Commissioner Welsh asked about the purchase of the open space and Chairman Harbinson said it was purchased with the General City Funds with no restrictions on the property.

The Commissioners continued to review the photos of the property.

Chairman Harbinson commented that he is not happy that there was no process followed for the use of this property. He asked how the Commissioners felt about this could be addressed in terms of a process when a group does want to use open space. This seems to be a perfectly valid use of open space but maybe this parcel might be better suited for agriculture.

Commissioner McCreery said it bothered him that there is a storage trailer on the open space. He feels it was impolitic to not consult with the Conservation Commission. He feels that there was no plan thought out about putting a Lacrosse field in the middle of a hay field, how is it going to get hayed? Let's say the Lacrosse parents mow the Lacrosse field, what about the rest of the 10 acres if you take out the haying plan? It's all going to get overgrown. This is a

potential beautiful site that is going to turn into a disaster by what was intended as a good deed.

Vice-Chairman Dyer said he doesn't think we should write a letter. We should do a little more investigating.

There was discussion about the trailer and the location of it.

Chairman Harbinson and Commissioner McCreery said we should address this to the Board of Aldermen stating that we know the field is being used as a practice field and our concern is that it is now been taken out of an agriculture use (haying) and we'd like to inquire as to if the BOA has a plan in place of the maintenance of the property.

Commissioner Lauriat wanted to add in the letter that this Commission now assumes the role of the Open Space Committee. The Commissioners didn't feel that needed to be added.

Chairman Harbinson said we are trying to put the burden on the BOA to say we recognize this activity that has been allowed. There are ramifications to it. In your overall scheme, what is your plan to address those ramifications? We'd like a response before the growing season starts.

Commissioner McCreery suggested starting the letter, "before the growing season starts, we'd like to know....".

Commissioner McCreery MOVED to write a letter to the Board of Aldermen to inquire as to addressing the ramifications of the Lacrosse activity that has now been allowed on the Tall Farm Open Space (OS#119.02), requesting a response before the growing season starts. SECONDED by Chairman Harbinson.

Discussion:

Vice-Chairman Dyer said he thinks we are too early to write the letter. I think we should just talk about it first because we already have a letter going to them about the budget issue. We don't even know if the guy who was haying it is willing to hay it again. Maybe he said he doesn't want to do it anymore. We should have a few more facts.

Commissioner Tate said he feels we are in the purview of asking this question. I will vote for it.

A voice vote was taken, the vote was 4-1(Lauriat), and 1 abstention (Dyer). MOTION PASSED.

Commissioner Lauriat said we could just pussyfoot around all night and not get anywhere. Mark my words, next month and the month after we are going to be sitting here wringing our hands and saying oh, my God, the sky is falling, and the Lacrosse field looks like crap, and the Mayor is mad at us because we let it happen. Just watch.

J. Communications

- Working Lands Alliance – communication talking about components in the Face of CT legislation that they were promoting. Discussion.

K. Conservation Agent Report

Agent Gallagher reported on the following:

Community Resource Inventory Committee

We are still working scenic resources. We will be seeking public input. Work has begun on a website for the ability of the public and the Commission to be able to utilize.

Open Space Trust Account

Balance is \$377,000 with \$200,000 committed as a first payment on the Soundview Ave. property

Plastic BB's

I went to Hartford with Chairman Harbinson. There was an incredible amount of agenda items for the Environmental Committee and we drew #117 to be heard. We wouldn't have been able to speak until about 7PM so we left after many hours. Jason Perillo was very accommodating and let us use his office and staff. We originally were asked for the non-biodegradable ones to be banned and only sell the biodegradable. That got changed into a law that would require the use of the non-biodegradable ones on municipal or state land. That wouldn't really help us out because we've banned any of those pellet guns on City property. Senate bill #626, the State Legislature website, shows only that there was a public hearing on March 10. The co-sponsors are Jason Perillo and Larry Miller.

Birchbank Mountain Open Space

Already covered earlier in the meeting.

Shelton Clean Sweep

I am the point person for this Citywide clean up program. I have been getting a lot people interested in participating on this. There are a number of cleanups scheduled around the city, including open space areas such as Riverview Park, Gristmill Trail, Oak Valley Trail, Huntington well field, and the banks of the Housatonic River.

Commissioner McCreery said he has been noticing lately that there is so much litter around, even in front of people's properties where you would think they would maintain. Maybe we should do a letter to the editor addressing this and suggesting if you don't have time to join one of these crews to take care of your own area.

Tape 2, Side A

Commissioner Lauriat pointed out that the building that is at the northern edge of Riverview Park is the site and may still be part of the original structure for the streetcar barn.

There is also a group doing cleanup calling themselves "Belden's Bums" and will have t-shirts available. Dick Belden's niece is doing this as a tribute to Dick Belden.

Open Space maintenance project list

This list was given to Dean Cawthra as this is the slow time of year for his crew:

1. Repair ruts and potholes at Shelton Lakes parking areas (Pine Lake, Constitution Blvd No., Nell's Rock Road at Hope Lake).
2. Remove deer stand at Shelton Lakes near Rec Path and Turkey Trot Trail
3. Clear thick brush behind Riverview Park small ball field (Riverview Trail goes behind the fence)
4. Add a garbage can at the Nells Rock Road parking area (across from L'Hermitage)
5. Add a pull-off parking area (millings) at Huntington Street near Maple Lane, where people pull over and get stuck in the mud.
6. Wiacek Property: Haul out large amounts of debris that was on the property when we purchased it (in ditches). Note: This MUST be done ONLY when the ground is very frozen in winter or extremely dry in Aug/Sept. The hayfield and access road are very, very muddy and vehicles can sink a foot. Also: grade out the pile of topsoil that is near Meadow Street (again, must be done when ground is either frozen or parched).
7. Remove trees at Lane Street where Rec Path comes out onto the road.
8. Fill in two test pit holes at Big Horn open space near Pine Tree Hill Road.

L. Quality of Life - Executive Session

Commissioner Lauriat MOVED to go into Executive Session at 8:48 P.M. for the purposes of discussing land acquisition issues as outlined in the agenda. SECONDED by Vice-Chairman Dyer. All were in favor, MOTION PASSED.

Commissioner Lauriat MOVED to return to regular session at 9:05 P.M. SECONDED by Vice-Chairman Dyer. All were in favor; MOTION PASSED.

No votes were taken in Executive Session.

M. Comments By Members

Marianne Chaya, the clerk, said she had been noticing for the last couple of years and it just hit me again last week concerning people who dump into open space. On Saturday I was driving down Maple Ave, heading towards Soundview Ave., where there are 3 fairly new homes built where there used to be an orchard, I saw a lady walking along side the road with a wheelbarrow full of stuff which looked like grass clippings, etc. I passed her and looked in my rearview mirror and saw her cutting across the street and dumped in what I think is open space. It's not right – I have to deal with my stuff from my yard.

There is also a guy right on the corner of Maple Ave. and Constitution Blvd. North, I see him every fall blowing all the leaves from his yard over to the creek. It also appears that someone dumped a big tree into the creek. I don't think a tree fell from that area because it appears to have been dumped there.

When this happens do I go to John Cook for the creek area? Agent Gallagher said yes, if it's wetlands. On the open space you'd have to call the police. They reviewed the area and determined it was open space #40.

N. Adjournment

Next regularly scheduled meeting will be Wednesday, May 7, 2008.

Commissioner Lauriat MOVED to adjourn. SECONDED by Commissioner Tate. MEETING ADJOURNED at 9:12 PM.

Respectfully submitted,

Marianne Chaya
Clerk, Conservation Commission