

City of Shelton, Conservation Commission
Minutes for the Regular Meeting on Wednesday August 5, 2009 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
Ed McCreery, Commissioner
Hank Lauriat, Commissioner
Joe Welsh, Commissioner

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

A. Call to Order/Pledge of Allegiance

Chairman Harbinson called the meeting of the Conservation Commission to order at 7:05 p.m. All in attendance recited the Pledge of Allegiance. Chairman Harbinson reported that the Commissioners met at 6:00 P.M. at one of our open space properties at the corner of Nells Rock Rd. and Route 108. It has been discussed as a potential location for a dog bark park and the animal control facility.

B. Approval of Minutes

Commissioner Tate MOVED to approve the minutes from the July 1, 2009 Regular meeting. SECONDED by Commissioner McCreery. All were in favor, MOTION PASSED.

C. Public Portion

None

D. Animal Shelter Relocation - discussion

Marilynn Gannon, Falmouth Rd, stated that she is an animal lover and have always felt just because I like my animals doesn't mean my neighbors are going to like them as well. The area along Nells Rock Rd. is a very pristine and quiet area. There are several condos along there – Greystone, Sunwood, L'Hermitage, Basking Ridge, plus homes. That area is very quiet. We also have a lot of wildlife in the area. When any of the wildlife roam through the neighborhood a dog will start to bark. Once one starts, then they all start to bark. If you put in an animal shelter, when the wildlife goes through there and they all start barking, and then the neighborhood dogs bark at the same time, no one will get any peace. Many times I have been at the Highways & Bridges facility which is just above the current animal shelter on Saturdays when there is no activity you can hear the dogs. You can hear it when the normal sounds are absent. From my deck, which is off of Nells Rock Rd, in the quiet of the night I can hear the cars going over the Route 8 bridge, which is 5 miles away. With a shelter ½ mile away is going to be disturbing to the neighbors. I just wanted you to take this into consideration.

Tony Minopoli, 11 Balsam Circle, Chairman, Animal Shelter Building Committee
Gerry Craig, 12 Christmas Tree Hill Rd, Vice-Chairman, Animal Shelter Building Committee

Mr. Minopoli stated that he is glad that she brought that up. I wanted to be abundantly clear based on the tone of the letter that was sent to Gerry. We did

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not ask for nor seek out that site. We were directed to go look at the site by the Mayor. Our committee, as did yours, went to the site to see where it could go. We had looked at a piece of property near the current animal shelter. We had both Phase I and Phase II environmental testing done at the site. We didn't want any issue once the building went up. The test results came back that if we were to put up any type of commercial or industrial building on that site would be fine. There are some questions to where the busses are going to go or if the water pollution dept. needs expansion space. It was because of the various questions that came up that the Mayor specifically asked us to consider the Nells Rock property.

Commissioner Tate asked if the parcel by the animal shelter was there first choice?

Mr. Minopoli responded, absolutely. Mr. Craig stated that they were directed to go to that site as they did not pick any site. Mr. Minopoli said that this site is adjacent to the Pink Elephant. We knew that anywhere we wanted to put the shelter would be some issue because no one wants to live next to an animal shelter, which I can appreciate. We figured since the current animal shelter is very close to that site, the likelihood of people voting it down or fighting it would be reduced by the mere fact that there is an existing shelter now.

Commissioner Tate asked if they did any reconnaissance around the city for any other sites besides the ones you were directed to go to.

Mr. Craig said that they had a map of the City-owned properties. We were basically going at the Mayor's request for the two sites. We don't care where we go as long as we get a decent piece of property. Quite frankly we are very happy that you are looking into a dog park.

Commissioner Tate asked how the committee feels about the compatibility of the dog park next to the shelter?

Mr. Craig responded that the animals are kept inside in the evening. There are two compartment kennels they are kept in.

Mr. Minopoli stated that they have spent a lot of time on the design phase of the building and looking into acoustic absorbing materials.

Commissioner McCreery commented that from what they have heard is that they are incompatible because dogs at the shelter naturally bark and that creates a stressful environmental for the dogs who would be in the adjacent dog park, who are there in theory to socialize, which some of us have a pet peeve about spending tax dollars for that.

Mr. Minopoli said that we have, for lack of a better term, have no dog in the fight in terms of the dog park. We are strictly and solely focused on the animal shelter. I have no idea if the dog park is compatible uses or not.

Mr. Craig said that he can sympathize with the question and I also don't know the answer to that. I don't know if it's deed restricted to whether the shelter could be put there. I agree that the site near the current shelter is an ideal place because it wouldn't upset the neighbors because they are already used to it. We are precluded from putting it at the shelter where it is now because the site is too

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small. If we did we'd have to consider euthanasing animals because we would have nowhere to put the animals during construction.

Mr. Minopoli stated that they have done a lot of homework on the appropriate sizing of the facility. The current building is about 1200 sq. ft. We are looking for a 5000 sq. ft. building. The property ideally would be a minimum of one acre. The parking needs would be probably a maximum of 12 spots. Speaking for the committee, we really don't care where the facility is located. There has been a lot of thought regarding the construction use and growth.

Commissioner Tate asked about service needs and Sheryl Taylor, the Animal Control officer explained them to the Commissioners. She explained that she, as well as the committee members is just looking to get the facility built somewhere, and the committee members have been very dedicated and have gotten nowhere.

Commissioner Tate explained that this Commission is an advisory committee and we are here to understand the problems and we will try to help if we can.

Mr. Minopoli discussed some of the areas they have looked as well as the Nells Rock Rd. one. There are no immediate houses right on Route 108 and there are condos a little way down on Nells Rock. Where we are now the residential are non-existent. There are few other parcels closer to the high school which is densely residential, and we discarded them right away. We have requested a site from the Mayor and BOA because we are ready to go. We have a plan and the building will look like a barn but will be a steel structure. It will be a very attractive building and we are trying to focus on cost. We just need somebody to say, here's your piece of land, go for it.

Commissioner Lauriat asked who owns the property under the Route 8 bridge where the skate park is. The State owns the property. The City leases the land from the State. He asked if that might be a spot for the dog pound.

Commissioner McCreery pointed out that he thinks it might be stressful to the animals with the vehicle noise.

Chairman Harbinson asked if there is any need to have the shelter centrally located in the town for the response capability?

Ms. Taylor responded that centrally located would be fine but where we are now I can get to the south end very easily. I can get where I need to go within a decent amount of time.

Mr. Minopoli said that based on the tone of the letter sent to Mr. Craig we understood that we were attempting to claim squatters rights on the Nells Rock Rd. property. We don't want the property and we have less interest in it because of the residential reasons. Frankly I look at that property as a pretty nice piece of property and there may be a higher and better use for the land. The reality of it is, there is going to be pressure put on the city by the state because our animal shelter, for their purposes is not large enough and is broken down.

Mr. Taylor said it is in very deplorable condition and when they come down to inspect we always pass because of the cleanliness. But for the building itself, it

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we didn't have it so clean we would have a big problem. People come to the shelter from all around and it's pathetic and it's sad.

Mr. Craig said that a lot of people think that a shelter is a prison for animals or they are places for damaged goods. This is a place for an animal where they would be perfectly protected and comfortable there. We are very mindful of the adoption process. Most people won't go to a shelter to adopt because they have to walk down a whole line of kennels with all these poor animals looking up at them. We put into this plan an adoption room where if you have a specific animal you are interested in we can put the animal into a residential type room with couches. We are trying to enhance the image of Shelton's adoption and animal care in doing that. We have interviewed two companies that we are very happy with and will go out to bid.

Mr. Minopoli said that the bottom line is we were directed to look at that property and if that is the determination from the BOA or the Mayor that is the best place for it to go, we will figure out how it could go there. If it's determined that the piece of property that has already been environmentally tested where I feel about 99.9% accuracy that we're not going to have any environmental problems, we're ready to go on that property.

Commissioner Tate asked, the obvious question comes up, why is that property not suitable to whoever?

Mr. Minopoli answered; I think there is oil or gold under it.

Gail Craig, Clerk for the Animal Shelter Building Committee, to go back to the Riverdale Ave. site, the Mayor directed us to that site and we spent money doing the Phase I and Phase II evaluation and then went before the BOA in November 2007 and they gave us permission to pursue it. A man got up at that meeting and brought up the possibility of environmental issue. We could not proceed without the environmental study.

Mr. Minopoli explained the environmental testing process and discussed the Riverdale Ave. site as far as the desired size needed for their facility.

Mrs. Craig said that while the testing was going on we read in the paper that the busses were going to be going there. That might be part of the wrinkle in this whole thing.

Ms. Taylor said to clarify it, that where they want to put the shelter on Riverdale Ave. is where the bus drivers park their personal vehicles. The busses are on the same side of the street as the sewer plant. We can't go on that side because it's in a flood plain.

Vice-Chairman Dyer suggested maybe the drivers could park their car at the current shelter location after that one is torn down.

Mary Jane Martucci, Aspetuck Village

Ms. Martucci asked if the ultimate decision would be based on the Conservation Commission's recommendation to the Board of Aldermen? The Commissioners said absolutely not.

Chairman Harbinson explained that the Conservation Commission is purely an advisory Commission for the community. We make comments to the Board of

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Aldermen for possible land acquisitions or land uses that the City has ownership of, and to Planning & Zoning for development applications. We only have the long history of all of us serving here, living in the community and having knowledge of the parcels and deed restrictions that may be placed upon them and planned uses for different parcels. In this case, there is a building committee in place, they would be making a recommendation to the Board of Aldermen who have the fiscal authority to construct a facility at a specific location. There would be an application to P&Z and possibly Inland Wetlands, and would be a typical type of process for any development for any development that happens in town and along that line we would provide commentary. In this situation we had heard these innuendos and rumors about using a pristine piece in the core of our greenway that had been purchased from the water utility and is currently used for trails and a Rec Path routing a possibly a bark park. We wanted to be contributory to the process rather than reactionary. To be able to be involved in the process early on and lend our knowledge base that we collectively have towards the process would be the better outcome. That is the intent. Ms. Martucci asked, if we have concerns, whom would we address those concerns to?

The Commissioners answered it would be the Mayor.

Commissioner McCreery asked which parcels are governed under the percentage of open space restriction from the water company purchase?

Chairman Harbinson explained that in 1998 the City purchased a large amount of property from Bridgeport Hydraulic Company. It is a class 3 watershed as defined by State Statute. When the City purchased it, it came with a deed restriction that 85% of the collective acreage must be used for passive recreation. The parcel on the corner of Nells Rock and Route 108 was one of the parcels within the collective assemblage of parcels that was purchased.

Commissioner Tate explained that there are several parcels that are part of Shelton Lakes (the acquisition parcel), and a certain percentage of that was cut out for SIS school and that is part of the Board of Education jurisdiction. The corner piece falls under some of that jurisdiction that Shelton Lakes was purchased under.

Commissioner McCreery asked, did the use of the purchase of open space that the middle school was built on use up any of that 15%?

Chairman Harbinson answered that the way the deed restriction was written was that in the purchase agreement which included several parcels, including areas on Mill Street, Birchbank Mountain, Shelton Lakes area, Huntington well field, that collective acreage amount, 85% of that had to be used for passive, which left a residual amount that you could do whatever. A very large amount of that residual was consumed on the one parcel of the intermediate school.

Commissioner Tate said that it was clear with the purchase of the Shelton Lakes that there were to be municipal uses.

Commissioner McCreery said with that said, people can't just blindly say we are going to build a pound there because that's where I want it to be without taking

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into consideration the deed restrictions. I also want to ask, does anyone on the Commission have a suggestion for any other parcel?

Commissioner Tate said this is the first time we have heard the criteria. Why don't you just say for the record that you prefer that property?

Agent Gallagher said they did.

Commissioner Tate said I just want to be clear.

Mr. Craig said that the reasons they prefer that property is because it's already near where a currently is and that we won't have to tear down the current shelter first before building the new one and we could just transfer the animals once it's complete. As we stated, it's going to be very attractive and functional building. It will meet the needs of the town for a long time.

Jeff Forte, Nells Rock Rd.

Mr. Forte said I'm probably preaching to the choir here but as a resident who lives near the proposed site I want to oppose it. Just the mere suggestion is so far from any kind of logical discussion. There is really no reason. It's too close to residential areas, there are noise issues, plus there are much better uses for that site.

Commissioner McCreery said the reason I asked for suggested alternatives is because, I'm not sure I agree with Jeff. When I'm thinking of open space parcels, if you move that a little further west, if it were to be somewhere other than downtown I'm not sure there is any other parcel that we can get from residences.

Chairman Harbinson said that if you're looking for a parcel that is removed from conflict with residential living, you could look at the CRRRA transfer area at the border with Stratford.

Commissioner McCreery said that this is why the people across the street on Route 110 could make the same complaints that Dr. Forte is making. I am not disagreeing with the selection committee, I'm just saying if it's got to go somewhere the people downtown could say we've put up with it all these years, it's time it goes somewhere else.

Some of the Commissioners didn't see the logic.

Mr. Craig said the only objection they got was from the person concerned about the environmental issues, and that has been addressed.

Agent Gallagher asked if the Commissioners have heard the criteria for the facility that they were looking for. Chairman Harbinson said that they have addressed the criteria and the building committee has stated on the record that the preferred location is the area they have done the environmental study at. If there is any way we could contribute towards finding a solution towards the construction timeline and how things can move or shift around there to do that, we're willing to help with that.

Commissioner McCreery suggested making a motion to support their position.

Ms. Gannon pointed out that the dog shelter now is in an industrial zone and there are residential properties in that zone. Now if you put something that is zoned for industrial in a residential zone, and since there is no spot zoning that

would change the whole complexion of that road. That is my main objection is that you would change the whole complexion of a residentially zoned area and make that whole strip that you have for Conservation now residential and could bring a lot of other things in there.

Chairman Harbinson pointed out that as we mentioned before there is some deed restrictions to the properties we bought and has been bought as open space some of it recognizing that other city purposes need to be accomplished within the community in future years, but, we've pretty locked up everything on Route 108 corridor. What you might be referring to as the expansion of Constitution Blvd. going from that corner and then out towards the Mas property. Ms. Gannon said no, I'm thinking about the Abbey Wright property and a lot of other properties along there. Once you change that one corner to industrial that it could open it up.

Commissioner Tate said to the other Commissioners, I think we're getting kind of soft here. How many years have we been trying to enforce this pristine corridor and recreation path routing free of any inputs that are giving us problems? It could right now that we would have a beautiful Rec Path through there and this would be a non-existent situation; it wouldn't even be a consideration. The plan was that was going to be an environmental center or related activity ancillary to the use of the Rec Path.

Mr. Minopoli said the dog park might actually be a bigger disruption than the animal shelter.

Commissioner Tate said let's be clear here, the Commission collectively, is not in favor of the dog park. That has been on the record for many months. I am speaking for the Conservation Commission and the reality of the Rec Path. We've invested way too much money and time, to think that's going to be at all compromised with a facility. Nothing against you, but this is from my background, but a steel building, a barn, I don't care what you call it, just doesn't make it for me when I'm talking about that corridor. I think maybe it's time for us to stand up and tell them what we think.

Chairman Harbinson said he'd entertain a motion saying that we support the building committee's preferred location downtown is more suitable than the location at the Nells Rock/Route 108 corner.

Commissioner McCreery MOVED that the Commission send a letter to the Mayor's office and to the Board of Aldermen stating that the Conservation Commission took a site walk of the Nells Rock/Route 108 property on Wed Aug 5, at 6pm, in conjunction with the suggestion that the site could be utilized for a dog park and a relocation site for the animal shelter. The Commission also met with the Animal Shelter Building Committee and heard input from members of the public during it's regular August meeting meeting following the site walk., The Commissioners would like to note that they observed several mature specimen trees that should be taken into consideration with any use of this site. The Commissioners would not want to see them removed as part

of any development of the site. The Commissioner would like to express its opinion that it agrees with the representatives of the animal shelter building committee that the proposed Nells Rock Rd. site is inappropriate for a proposed relocation of the animal control facility for the following reasons:

1. The proposed site suggested by the Mayor is not part of the master plan;

2. The proposed site would move the dog shelter from a current industrial zone to a residential zone;

3. The proposed site is next to the recreational trail and a dog shelter would be inappropriate, as it would be inconsistent with the City's goal of keeping a natural greenway corridor, and it would destroy the tranquility of the adjacent water bodies for users of Hope Lake and Silent Waters who will hear barking while they are trying to fish or picnic;

4. The proposed site selection is against the wishes and desires of the Animal Shelter Building Committee which has spent close to 3 years in its efforts to find a suitable location;

5. This Commission received several complaints from prospective neighbors if this site if this site were to be located at the Nells Rock Rd. location.

6. The City has already spent significant money on testing for the Riverdale site, which is the preferred location of the Animal Shelter Building Committee.

7. The proposed site of Nells Rock Rd. does not take into account the 85% passive recreation restriction that attached to the acquisition of the property by the City from the Bridgeport Hydraulic Company. Most of the 15% unrestricted use has been used up by virtue of the construction of the intermediate school on land procured for open space from the same source. The dog park would qualify for passive recreation;

For these reasons, the Commission expresses its strong opposition to locating the dog shelter to the Nells Rock Road site. It would appear that this issue has been put off by the City far too long and needs to move forward and this Commission endorses the location selected by the Animal Shelter Building Committee.

Commissioner Lauriat SECONDED the motion.

A voice vote was taken, all were in favor; MOTION CARRIES.

Mr. Craig commented that at some time the Dept. of Agriculture is going to take issue with the current location. Although Sheryl keeps the place running and does a great job, the facility is not great in the eyes of the state. The clock is ticking.

The Commissioners thanked the members of the committee for coming as well as the members of the public.

E. Shelton Lakes Recreation Path, upgrade to handicapped –accessible standards. Status

Commissioner Tate commented that the Rec Path over the years has been a goal project for us and we're taking steps to get to the end of that. The Trails Committee has been doing it and some of their projects are related to the Rec Path. There are some broad issues on the Rec Path that need to be brought to the table almost every month. One of them would be property acquisitions, one would be where are our funding sources for 2010, or whatever component that we are going to do. I feel like I'm spinning wheels here. Year after year, moving to a project that I set as a goal, and I don't work that way in my business and I don't work that way in life.

Tape 1, Side B

Chairman Harbinson acknowledged Commissioner Tate's thoughts commenting that Jim has worked on this Rec Path for many years and we still have far to go. Not that we haven't had accomplishments along the way.

Commissioner Tate said that the only way we've gotten pieces done is that we've broken them off by phases. Then we kept on it until that phase got done. I think we have to kind of go back and focus on the next piece. If we are ever going to get this thing done it's more important that we get it done sooner rather than later. The only reason that I say this is the spirit of the Rec Path is dying in many ways. I say that in property rights and the ability to get money to do these things due to economic constraints. It's becoming harder and harder to make this thing happen. If we are going to keep this as a goal as a Commission to get this done I would like to put it up right at the forefront and let's work on it.

Commissioner Welsh commented that as an example, on Lane Street section, we had a volunteer roughed in an area where it was a fairly simple task to finish off and it's still sitting there. We are waiting for millings, so why don't we just go buy some process and be done with it?

Chairman Harbinson reported that he did meet with the Mayor this morning and one of the topics was that. We had thought that the City had the millings on hand for us to use there and we have found it is no longer available. The Mayor gave his ok and I have asked Agent Gallagher to find out what the cost would be for processed material (needing about 70 yards). By next month our goal is to have this task under way.

Chairman Harbinson also commented that there aren't many subdivision plans in process for their review so we could focus on the Rec Path and property acquisitions.

Commissioner Tate commented that some of this requires us to be creative; creative politically in the way we maneuver, the way we know what the process is

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so we can expedite the task. If we can get the task out front and outline it and work on it.

Chairman Harbinson said that an example of that is what we did on the last section last fall by working with P&Z to release some escrow funds along with City funds to accomplish what we had budgeted and contracted with the contractor to get done.

Agent Gallagher commented that a lot of people use the finished section. Commissioner Tate said that it's become more individual areas have become more focused. People aren't looking at the broad plan. We have to go back to the big picture. What I want to say is, by next month we'll have Phase I, 3 C, Lane Street under way.

Vice-Chairman Dyer reported that Jim Swift came to the Trails Committee meeting tonight to discuss the layout of the Huntington Woods area and as a result we are going to do a field walk with him this Saturday. The contract that we have him doing is do to the planning and preparation for the wetlands approval for what is called phase 3 A&B. It goes from Wesley Rd. and Lane Street, behind Wesley across Wesley and all the way out to the power lines. The amount of money required to do just that section to the handicapped accessible is \$500,000.

Commissioner Tate discussed cost differentials depending on the routes and said he is fully behind having the Trails Committee making some of the judgments making proposals to the Commission to get through this quicker but the key may be to break it in sections to get it moved along. We need to keep at it every month.

Vice-Chairman Dyer said he would get some people to come out give quotes and then we can proceed.

Commissioner Tate said that this section is still in the planning stage to find out what is practical to build. The Trails Committee will look at Jim Swift's professional knowledge and how it may work. Then we will go to the execution stage; looking at the budget and parameters.

Commissioner McCreery suggested that if there is not any large parcel of open space in the next year or two that we are going go to referendum on, maybe the next referendum ought to be the amount of money to finish the Rec Path.

The Commissioners thought it might get a lot of support. Commissioner Tate said that if you had the planning document behind it and right cost estimate behind it and then you would be set to go with that. You have go through those steps first; you have to get the acquisitions done and you have to get the engineered plan with a cost estimate. Then we'd be shovel ready.

The Commissioners agreed to have this item on our agenda every month. Next month we can get into more specifics on where we stand with the Lane Street section and where we stand with Jim Swift's study on the Huntington Woods section, and where stand with the missing parcel.

F. Trails Committee Report

Vice-Chairman Dyer reported as follows:

1. Scout Projects

We had one Boy Scout come to the meeting and presented plans for drainage improvements at Abbey Wright. He will be going before the Council on 8/24 and plans to have it completed before his birthday in October.

2. Rec Path – Phase 3a & b: Jim Swift presentation on the route and preparing the Wetlands Application

We met with Jim Swift and will have a field walk on Saturday morning. We encourage you to come at 8:30 am.

3. Rec Path – Phase 2: Relocate to avoid large trees, dip and sharp turns

We need to relocate it and we know where it will be going.

4. Rec Path – Phase 3c: PO issued to Mucci Construction, status of millings

I think I can get a quote tomorrow and will work with Agent Gallagher on the details.

5. Shelton Day

We are looking into having our own booth at the event. It is the first Saturday in October.

6. DEP Trails Grant

It is due September 1st and we will submit a proposal for a section of Phase II in the amount of \$73,000. We got our evaluation back from the last grant application and we reasonably high but in the section where you could get 40 points for public support we got none. We needed letters from the Chamber of Commerce, from Land Trust and from our State representatives.

7. Guided Hikes

We are looking into scheduling the next three months and put it into the newspaper.

6. New Member

We elected Sherry Dutkanic as our newest trail committee member.

7. Expenses for reimbursement

Expense invoices were submitted for reimbursement to Terry Gallagher in the amount of \$123.96 for Eklund Garden gate, signs, flyers.

8. Connecting the Blue Dot Trail from Indian Well to Mayflower

Agent Gallagher reported that the meeting with the residents didn't go well. They don't people using the road. All but one person said they don't want people using the open space that was preserved for the purpose of the Rec Path. The Mayor said he wanted another meeting with the residents to go over the plans and review them.

Chairman Harbinson recounted his meeting with the Mayor this morning where he pulled up emails he had regarding this issue from 2002 and the meeting he had with the residents back then. We gave him 4 alternative routes 2 ½ years ago and the Mayor wants to have another meeting in his office for review again. Agent Gallagher mentioned that Kelly Walsh from CFPA came to the meeting and she commented that it was a very eye-opening experience for her and she was basically speechless.

G. Dog Park: Status

Agent Gallagher asked Vice-Chairman Dyer to let her know when the next meeting was, as she wants to attend.

Commissioner Lauriat asked if we need to write a letter and to whom it would go. Commissioner McCreery commented that for those of us who expressed their misgivings about it, speaking from a taxpayer point of view and personal preference, not as to whether its an appropriate use or not. Agent Gallagher's emails were very enlightening to what could happen if it's not maintained. Milford's dog park is a disaster. On the other hand we have heard Ridgefield's is nice.

Chairman Harbinson commented that it's like the trails in town where you have a passionate group of individuals dedicated for many years to make it come to fruition.

Vice-Chairman Dyer said he agreed with Commissioner McCreery in that he doesn't think the City should buy the fence. I think volunteers should raise it. That should be the only expense; the other aspects should be done by volunteers.

H. Review of PZC or IWC Applications for Subdivisions and/or Developments

None

I. 279 Soundview Avenue, OS#80.03 – Proposal to sell 1-acre building lot with existing house.

Possible inclusion of property and dwelling in Uconn's Farm-Link program for lease to a farmer. Possible request to the USDA Connecticut Environmental Review Team for agricultural potential of open space farmland.

Agent Gallagher reported that she has been trying since the last meeting to set up a visit via phone calls and emails, they said the only way they can do that is to file an application to the USDA Environmental Review Team (Kings Mark) and specifically ask for a review of agricultural properties.

Chairman Harbinson commented that Commissioner Tate suggested that if we are going to have a review of an environmental area that we also include the Wiacek property.

Commissioner Lauriat commented that according to Alderman Anglace our comments regarding Soundview Ave. have been received and discarded so I don't understand why this is on here except I would like to ask, will there ever be the touted public hearing on this?

Chairman Harbinson said there would be a public hearing and Commissioner Lauriat said where they could once again disregard our comments. He said would attend the meeting to make his personal comments.

Chairman Harbinson directed Agent Gallagher to proceed with the application and she said there is quiet a waiting list for this – it would probably be in October. Commissioner Tate asked the Commissioners what they think is the ideal use of this property?

Commissioner McCreery commented that at a previous meeting we had made a motion that it would be a viable candidate subject to the study of the soil types for participation in the UCONN farmland sharing program.

Commissioner Tate asked about the structures that are on the property.

Commissioner McCreery said that it would depend upon on what UCONN's dept. of agriculture told us. They won't do a structural analysis per se as.

Chairman Harbinson said they might be looking as to whether the location of the house and is it accessible to a roadway, a vegetable stand for retail.

Agent Gallagher said they gave some examples of other open space properties that they studied that had barns and ancillary buildings as part of "what could this be used for".

UCONN is the farm link program – that's just the listing.

After some discussion Commissioner Tate asked, there is no entity that says the criteria we need for a viable "farm-et" is "X". Agent Gallagher said no. We could post any property on that farm link program, correct? Agent Gallagher answered, as far as I know, yes. If Kings Mark comes down we tell them we are thinking of listing this as a farm-et on UCONN's site, can you evaluate this property and the Wiacek and others, whole or in part to this criteria of making it a viable farm-et? Study the soils, the uses, the marketing aspects, eco-tourism links. Agent

Gallagher said you would specify that in the beginning and that is what they direct it towards.

Commissioner Lauriat asked who this Kings Mark company is and the cost. Commissioner Tate explained that there is no cost; it is purely an independent evaluation of what your property will support and the feasibility. Then we would go public with the findings.

The Commissioners directed Agent Gallagher to have Kings Mark evaluate not only 279 Soundview Ave, the Wiacek property, and the Summerfield Gardens open space area.

Agent Gallagher said that she believes that Kings Mark did the report for the Discovery Zone in Monroe.

Chairman Harbinson said that we have utilized Kings Mark in the past and the staff also works for the USDA. When we got the grant for the timber bridges the staff person from the USDA Kings Mark came to do the evaluation.

J. Communications

- CT Farmland Trust –invitation to the annual celebration of farms event. September 13 at the Graywall Farms in Lebanon. Cost is \$150.
- HVA newsletter
- Copies of letter sent to the Animal Control Committee
- Copy of the letter sent to the Iroquois Pipeline following up on the results of the use of the grant money at Eklund Nature Center

K. Budget Report

Copies of the budget report were distributed to the Commissioners and discussed.

L. Open Space Trust Account

As of May 31st, the balance is \$183,054.70.

Vice-Chairman Dyer pointed out that by August 15th, by law, the balance should go up by \$250,000.

M. Eklund Garden - Status

Agent Gallagher reported that she did prepared a packet to Iroquois explaining how we used the grant money, giving copies of receipts, showing how we publicized it (front page article in the Herald, the brochure, and various websites). Chairman Harbinson said it looks beautiful and hopefully the adopt-a-garden application is recognized.

N. Open Space Plan of Conservation and Development – Status of action plan

Agent Gallagher distributed copies of the action plan for the Commissioners to review.

The action plan is available for review at the following link:

<http://www.sheltonconservation.org/OS/documents/ActionPlan3.doc>

Commissioner Tate suggested that all Commissioners review the list and determine the ones they feel are a priority and which ones to concentrate on and how to accomplish them. At least we can come back at some point in time and we are following the plan of conservation and we can justify our actions and show our progress and move the plan through its paces a little bit. There are a lot of items and I'm sure each person has an interest in some of them. We have already done some of the items.

After the Commissioners have had time to review them next month we should highlight the areas that you feel are important.

Chairman Harbinson suggested that there are some items/goals we could make the Trails Committee aware.

Tape 2, Side A

O. Open Space Mapping

Chairman Harbinson asked Agent Gallagher if she had the GIS mapping on her computer and she said she still does not have the program.

She just got a new computer and up until now she thought the internet speed was really slow but it was just her computer. The speed is very good.

Commissioner Lauriat mentioned that at a recent Land Trust meeting the Chief of Police said that they would coordinate the mapping between the City and the police department.

P. Quality of Life – Executive Session

Commissioner Lauriat MOVED to go into Executive Session for the purposes of discussing land acquisition issues at 8:46 P.M. SECONDED by Vice-Chairman Dyer. All were in favor; MOTION PASSED.

Commissioner Lauriat MOVED to return to regular session at 8:53 P.M. SECONDED by Commissioner Welsh. All were in favor; MOTION PASSED.

Chairman Harbinson reported that there were no votes taken in Executive session.

Q. Comments by members

Commissioner Tate asked Chairman Harbinson to report on his meeting with the Mayor this morning. He said that from the dialog he heard tonight from the building committee there must be an obvious reason why this facility is favored to be at Nells Rock corner. I think we've made it known that it wasn't a good spot from our standpoint but it seemed on our field walk that you were resigned that it was going to go there. That makes me a little nervous because when you are in a meeting you are representing the Conservation Commission.

Chairman Harbinson discussed the items in his meeting with the Mayor; the first being the vacancy in our Commission plus the fact that his term ends in August as well. He is now a candidate as a Planning & Zoning alternate. He asked about that and if it would be a conflict. I said that I didn't see anything that would conflict and we discussed it openly. I asked if he would be re-appointing me and he said yes. I also mentioned that there are people who have expressed interest in a position on the Commission and I would like for him to follow-up promptly plus there is a member who has expressed interest in leaving the Commission but is hesitate until we receive confidence that there are replacements coming for the vacancies that exist. He agreed to move along on that.

We talked about the Rec Path and the fact that we had volunteers do substantial dedication of resources to rough it out on Lane Street, which was two years ago, and we had been relying on the City to provide millings for the contractor and what can we do? What is in process? That led to the discussion about having Agent Gallagher getting prices for the process material and get back to him on that. I did mention that it is a LOCIP project and we have the money in our budget.

We talked about the Nells Rock Rd/Route 108 location for the possible bark park and animal control facility. I did say we are not in favor of that from Conservation's prospective. We've talked about the bark park and how it's viewed as a possible ancillary use to passive recreation but putting an infrastructure of a building with the runs and the noise is incompatible. He asked what would be the problem, it would be set back from the road, and it would look like a barn. Once he started talking like that I got the impression that there had been a whole lot more evaluation, not having heard anything from this building committee about the setbacks, where it would be placed, what kind of design it would be to fit into the environment. He was talking about the barn style, which the committee did mention. My impression from his comments were that there has been a whole lot more progress that I was not aware of, so I was trying to look while we were at the site with an open perspective as to would it fit, given that there are several structures on that site. I am not in favor of planting an infrastructure piece in the core of our greenway. We've worked too long on getting the Rec Path moving along plus all the money we've spent (over \$3M spent on the open space to acquire the Shelton Lakes greenway). That is a substantial investment of the community in that area. The community has come

out and supported the usage of the greenway that has been constructed so far and as the residents have demonstrated with their comments when they saw a few articles in the paper they are opposed to it conceptually having not seen any details of the proposal.

Commissioner Tate asked what is the problem with the Riverdale site?

The Commissioners talked about possible issues with the busses.

The Commissioners also discussed plans for other open space properties for other uses.

Commissioner Tate suggested that this Commission could be useful to help master plan some of the open space uses. We will be fighting it otherwise.

Chairman Harbinson commented that was the tone he set with the Mayor; we want to be a contributor to the process, not a reactor. We want to be helpful to the community and contribute to the community. This is in line with why I said I wanted help serve on Planning & Zoning. I did not seek this nomination.

Commissioner McCreery commented on the roto-tilling at the Nells Rock site for a community garden. The unilateral decisions are not the way to handle it for the city. This is why you have Commissions to help with input.

The Commissioners talked about the process of how things are done in the City and the role of committees/commissions.

Commissioner McCreery commented that he has seen a lot of people using the new sidewalk along Huntington Street, especially on the weekends. I think maybe we should send a letter to the Mayor complimenting on the work done and how much it's being used.

There was discussion if that sidewalk would be plowed in the winter.

Vice-Chairman Dyer MOVED to write a letter to the Mayor thanking him for the efforts put in place by the City for the construction of the Huntington Street sidewalk and look forward to the connection it will make with our Recreation Path and trails network. It has been observed that it is being heavily used by the public. SECONDED by Commissioner McCreery. All were in favor; MOTION CARRIES.

Commissioner Lauriat pointed out that the new Shelton Life magazine has some nice write-ups about the Land Trust.

R. Adjournment

The next regular meeting is Wednesday, September 2, 2009

Commissioner McCreery MOVED to adjourn. SECONDED by Vice-Chairman Dyer. All were in favor; MEETING ADJOURNED at 9:20 pm.

Respectfully submitted,
Marianne Chaya
Clerk, Conservation Commission