

City of Shelton, Conservation Commission
 Minutes for the Regular Meeting on Wednesday November 4, 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
 Hank Lauriat, Commissioner
 Joe Welsh, Commissioner
 James Goodman, 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 7:00 p.m. All in attendance recited the Pledge of Allegiance.

B. Approval of Minutes

Commissioner Lauriat MOVED to approve the minutes from the October 7, 2009 Regular meeting. SECONDED by Vice-Chairman Dyer. All were in favor, MOTION PASSED.

C. Public Portion

None

D. Welcome New Member

Chairman Harbinson asked the new member, Jim Goodman to say a few words. Commissioner Goodman introduced himself and stated that he owns Goodman Insurance in Shelton. He was born and raised in Shelton. The Mayor asked me if I would be interested in serving on the Commission. He felt that I would be of benefit.

Chairman Harbinson stated that Agent Gallagher would bring Commissioner Goodman up to speed with some maps so he could become familiar with the areas discussed during the meetings in addition to the Open Space Plan. He gave Commissioner Goodman a brief intro of the other Commissioners.

E. Election of Chairman

Vice-Chairman Dyer MOVED to re-elect Tom Harbinson as the Chairman. SECONDED by Commissioner Lauriat. Chairman Harbinson AMENDED the motion to re-elect Bill Dyer as the Vice-Chairman. SECONDED by Commissioner Lauriat.

Discussion:

Commissioner Tate requested to table the motion until the next meeting.

Commissioner Tate MOVED to TABLE the motion. SECONDED by Commissioner Lauriat. Vice-Chairman Dyer RECINDED his motion, Commissioner Lauriat RECINDED his second, Chairman Harbinson RECINDED his amendment, and Commissioner Lauriat RECINDED his second to the amendment. A voice vote was taken, all were in favor of TABLING the motion, MOTION TABLED.

F. Approve 2010 Regular Meeting Schedule

The meeting dates for 2010 are as follows:

The meetings will be held the first Wednesday of every month at 7PM. Room 303

Wed, Jan6

Wed, Feb3

Wed, Mar3

Wed, Apr7

Wed, May5

Wed, Jun2
Wed, Jul7
Wed, Aug4
Wed, Sep1
Wed, Oct6
Wed, Nov3
Wed, Dec1

Vice-Chairman Dyer MOVED to accept the meeting schedule as outlined by the Chairman. The meeting dates are the first Wednesday of every month at 7 P.M. in Room 303. SECONDED by Commissioner Tate. All were in favor, MOTION PASSED.

Vice-Chairman Dyer noted that the Trails Committee would meet on the same day at 5PM.

Marianne Chaya said she would send a memo to the Town Clerk & the city web-master as required.

G. Shelton Lakes Recreation Path: Upgrade to handicapped-accessible standards - Status

Vice-Chairman Dyer reported that Jim Swift has completed his work and Chairman Harbinson said that he received Mr. Swift's invoice and has signed off on it. The work done by Jim Swift was for the Rec Path layout in the area of the Huntington Woods subdivision (3 a&b).

Vice-Chairman Dyer MOVED to authorize Chairman Harbinson to approve the invoice from Jim Swift in the amount of \$4950.00 for the work done on preparing the plans and presenting them to the Inland Wetlands Commission for the approval needed for the planned route through Huntington Woods (Phase 3a and 3b). SECONDED by Commissioner Tate. All were in favor; MOTION PASSED.

H. Trails Committee Report

Vice-Chairman Dyer stated that the Trails Committee would like to buy 5 more of the granite ballards with the Shelton Trails logo.

The Commissioners discussed how the posts are holding up, which are good with the exception of one at Pine Lake with some graffiti. It seems that one could be cleaned up with some acetone. The markings were done on the smooth side. Commissioner Lauriat commented that the person who did the artwork for the logo design went out to look at them and said they looked great.

Vice-Chairman Dyer stated that he would go to Swenson to get a quote for 5 more of the granite posts with the logo and 5 without the logo.

Phase 3a & b

Discussed on agenda item G

Phase 3c

1. Status of Mucci Construction project

Trails Committee member Terry Gallagher put some pictures on the website along with Chairman Harbinson of the progress along Lane Street. Barry Mucci is doing all the work himself.

Commissioner Welsh commented that he has been monitoring the progress and said that it is progressing well. Vice-Chairman Dyer said that the City Highways Dept has been actively helping in the project as well. The problem is that their trucks are too big for the path so we made an agreement with Parks & Rec to use their smaller vehicles. Trails member Terry Gallagher presented the map of the trail that was approved by Inland Wetlands and pointed out some of the details. He commented on Barry Mucci's progress and mentioned that there is concern that we might run out of the processed aggregate. We had a purchase order approved for 200 tons of the processed aggregate that the City is buying from Brennan. Mr. Mucci reported that he has used 70 tons so far and is only about ¼ complete. Parks & Rec today brought out 45 tons. You may have to plan on possibly needing an additional 30-50 tons of the aggregate. This would relate to about \$500.

Mr. Gallagher talked about what to expect for the remainder of the path Mr. Mucci is working on. He talked about stabilizing the area where the processed aggregate has gone and suggested boulders and gravel. Parks & Rec said they have lots of compost and wood chips, but no rocks and gravel. You may have to increase the purchase order for Brennan.

The Commissioners talked about the work Barry Mucci is doing for the path and how it really is a contribution to the City on Mr. Mucci's part for the labor.

Mr. Gallagher reported that Parks & Rec and Barry Mucci have cut some trees along the route.

Connect Blue Dot Trail to Shelton Lakes – Status

The Mayor authorized them to contact an adjacent property owner about having the trail go onto their property. He said the property owners were not receptive to the idea.

Guided Hikes

At the end of November (weekend) we are planning a hike on the Tahmore Circle and another one at Abbey Wright at the end of December. They will have a work

party (November 14) before the hikes to do a clean up. Commissioner Welsh suggested sending an email to the Land Trust and they could put in on their website and calendar to maybe recruit some volunteers for the work party.

Equipment and Expenses

We want to buy a mower/brush cutter to tow behind the gator. We have \$4300 left in the Trails budget and would like to use some of that for this purchase. There was discussion about the Trails Committee volunteers not being able to use Parks & Rec equipment and liability issues.

A receipt was submitted for reimbursement to Terry Gallagher for drainpipes, layout flags and keys in the amount of \$474.89. Chairman Harbinson signed the receipt for reimbursement.

Dog Park Status

The plan has gone to Parks & Rec Commission and as far as I know it was approved. I don't believe we received a response to our letter.

Discussion of the dog park ensued.

Vice-Chairman Dyer stated that he believes the next step is to go to the Board of Aldermen for approval at the November meeting. The funding issue will have to be addressed. They are proposing to use LOCIP money for the fence. The other items will be paid for by donations or by selling memorial bricks.

Commissioner Welsh suggested that since they are going to go after LOCIP funding for the fence, why not go after additional funds for the Rec Path around this dog park?

Chairman Harbinson suggested that Vice-Chairman Dyer talk to Alderman Papa about this idea.

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

1. Old Applications/Monitor/Follow-up

i. Cranberry Hill Estates: Conveyance of Open Space.

Request by Planning & Zoning for alternative way to preserve designated open space.

Chairman Harbinson brought Commissioner Goodman up to date on this subdivision. He noted that this Commission got a letter from Rick Schultz (read to the Commission). This letter states that P&Z has decided to re-visit how the open space should be maintained. The Conservation Commission has been asked to recommend how this open space should be maintained including alternative ownership, including Shelton Land Trust or a private homeowner's association.

Also consider the use of the pedestrian easement if the open space should be retained by the future private homeowners association and the need for a walking trail is recommended for the neighborhood.

Chairman Harbinson commented that the Board of Aldermen did not take any action and didn't put it on their agenda. Planning & Zoning decided since the BOA didn't take any action to ask Conservation to give commentary on how else we can assign the property to a legal entity. The message P&Z is getting is that the BOA is not going to receive this open space for the City. P&Z said they need to look at alternatives.

There was discussion that because of the outstanding issues the BOA didn't want to take the open space at the time.

Commissioner Tate suggested that we send a letter reinforcing the opinion that the City should take the open space dedication.

Commissioner Tate MOVED to write a letter to Rick Schultz, copy to the President of the Board of Aldermen, in response to his request for commentary from the Conservation Commission regarding the open space dedication for Cranberry Hill Estates that the Conservation Commission reinforces our original opinion that the City should accept the open space dedication. SECONDED by Vice-Chairman Dyer.

Discussion:

Commissioner Lauriat said it sounds like P&Z are asking us what to do with the open space? We're telling them to accept the open space. We're not telling them what to do with the open space.

Vice-Chairman Dyer said that what P&Z is saying, is, if we don't accept it, do we want to have other restrictions?

Chairman Harbinson said that if it's accepted by the Land Trust or a private homeowners association, if that were our recommendation, what extra caveats would you put upon the transfer of the property, that it be maintained as public open space as a trail. This is what they want to know if we were going to an alternative entity beyond the City.

Commissioner Lauriat said he read it as Rick was asking for more than that.

Chairman Harbinson responded that what he thinks Rick is saying is that he is kind of jumping the gun, in my opinion, in thinking that we are going to recommend that it go to an alternative entity. If it does so, we want to add caveats as to what we want to insure the property can be utilized for.

Commissioner Tate and Chairman Harbinson commented that they don't think there is any advantage of having the property under control of the homeowner's association. The other Commissioners agreed.

Mr. John Trautman asked if Commissioner Tate meant the "advantage" is to the Conservation Commission or to the City? Commissioner Tate said he always speaks of the City.

Chairman Harbinson explained to Mr. Trautman that what Commissioner Tate meant is that when it's owned by the City, the City has greater control as to what the outcome could be of that property; how it could be utilized, the protections that could be placed upon it. We have open space regulations that could be enforced if, for instance, someone were to cut down a tree on City open space. If it's owned by a private entity, we've lost that control of imposing some extra effort to protect that property.

Commissioner Lauriat commented that to do anything but accept it as open space is a dangerous thing. The Commissioners agreed.

Vice-Chairman Dyer asked if having the property transferred to the Land Trust would be equally as good?

Commissioner Welsh responded that is a whole different matter. The Land Trust board would have to be approached to see if they want it. They would have to go out to the parcel to see if there is any benefit to the organization. There are stewardship maintenance costs involved. If someone were to throw that idea out there, they might have good intentions but they should really talk to the people they are naming, as we might want to give this property to.

After discussion of what should go into the letter to P&Z, with copy to Alderman John Anglace, Chairman Harbinson said we should be very clear, we are reinforcing that the City should accept as the open space dedication.

Tape 1, Side B

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

2. New Applications

None

J. Communications

- CACIWC newsletter
- Copy of memo to Shelton Police Dept. regarding ATV activities and the damage that has occurred, where it has occurred and when it has occurred, including photos.
- Correspondence regarding the dog park from a resident on Spicebush Lane citing reasons why they would not like a dog park at Nells Rock Rd.
- Correspondence on open space encroachments on Soundview Ave
- Agent Gallagher has been visiting open space parcels as part of her on-going review.

K. Quality of Life – Executive Session

Vice-Chairman Dyer MOVED to go into Executive Session for the purposes of discussing potential land acquisition issues at 8:00 P.M. SECONDED by Commissioner Welsh. All were in favor, MOTION PASSED.

At 8:20 P.M. Commissioner Lauriat MOVED to return to Regular Session. SECONDED by Vice-Chairman Dyer. All were in favor, MOTION PASSED.

Chairman Harbinson reported that out of our discussion in Executive Session we have one action to take.

Commissioner Lauriat MOVED to write a letter to the Mayor and the BOA regarding commentary as requested by the Mayor on a proposal of open space acquisition. SECONDED by Vice-Chairman Dyer. All were in favor; MOTION PASSED.

L. Comments by Members

Agent Gallagher reported that on the Valley Independent Sentinel <http://valleyindependentsentinel.org/>, under EXTRA, EXTRA, there is a link to the Trails Committee blog with a bunch of pictures of the Rec Path construction.

Chairman Harbinson commented that the Sentinel did a great job covering the election of the Valley, including live blogs and video of the candidates, the poll results.

Commissioner Lauriat mentioned that years ago Rick Schultz used to meet with this Commission and then he was pulled off. During that time and even after, we were asked to go to Tech Sessions. Do they no longer do work sessions with developers?

Chairman Harbinson said they do have un-official work sessions but they don't do them like they did before.

Vice-Chairman Dyer said that Jim Ryan from SEDC used to be on our agenda monthly as well.

M. Adjournment

The next regular meeting is Wednesday, December 2, 2009.

Commissioner Lauriat MOVED to adjourn. SECONDED by Vice-Chairman Dyer. All were in favor; MEETING ADJOURNED at 8:40 pm.

Respectfully submitted,
Marianne Chaya
Clerk, Conservation Commission