

City of Shelton, Conservation Commission
Minutes for the Regular Meeting on Wednesday October 7, 2009 at 7:00 P.M.
Minutes should be considered a draft version until approved by CC at their next meeting.

Call to Order	1
A. Call to Order/Pledge of Allegiance.....	1
B. Approval of Minutes.....	1
C. Public Portion	1
D. Shelton Lakes Recreation Path, upgrade to handicapped-accessible standards. Status	2
E. Trails Committee Report.....	3
F. Dog Park – status update	3
G. Review of PZC or IWC Applications for Subdivisions and/or Developments...5	
1. Old Applications/Monitor/Follow-up.....	5
H. Communications.....	5
I. Budget Report.....	6
J. Open Space Trust Account	6
K. Open Space Plan of Conservation and Development	6
L. Shelton-Derby Rotary Pavilion at Shelton’s Riverwalk – Update and status of SEDC plans	6
M. Quality of Life – Executive Session.....	7
N. Comments by members	7
O. Adjournment.....	7

Call to Order

Present: Tom Harbinson, Chairman
Bill Dyer, Vice-Chairman
Jim Tate, 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.

B. Approval of Minutes

Commissioner Lauriat MOVED to approve the minutes from the September 2, 2009 Regular meeting. SECONDED by Commissioner Tate. All were in favor, MOTION PASSED.

C. Public Portion

None

D. Shelton Lakes Recreation Path, upgrade to handicapped-accessible standards. Status

Vice-Chairman Dyer presented the drawing done by Jim Swift and detailed the plan for the Rec Path upgrade. The application to Inland Wetlands has been received and it is on their October agenda for deliberation.

Agent Gallagher reported that John Cook asked her if we were notifying all the neighbors. Chairman Harbinson responded that no, we were not notifying them. Agent Gallagher said she felt that the neighbors are aware of what we were planning.

Vice-Chairman Dyer commented that at the Trails Committee meeting tonight John Cook was present and made the same comments as from the email questions.

Chairman Harbinson commented from the plan that there is some cut and fill on the bank at Wesley/Lane street extension and along Old Town Rd. where the sewer line easement is. There are some intermittent watercourses that we would have to go through. The existing stockpile was noted. The wetland impact will be at the area known as lizard head.

Commissioner Tate mentioned that he would prefer a stacked rock retaining wall, utilizing the materials on site instead of bringing materials in.

Trails Committee member Terry Gallagher told the Commissioners that John Cook commented that he thought the 350 linear feet of boardwalk through the swamp was an esthetic feature and was treating it as a desirable thing rather than a wetland impact.

Commissioner Tate suggested that Vice-Chairman Dyer take the plan to update the Mayor before going to the wetlands meeting if possible.

Vice-Chairman Dyer brought up the issue of getting bids for this project and the funding. The Commissioners suggested going for a preliminary bid to get a ballpark idea of the cost to discuss the funding and possible use of grant money to fund this. Commissioner Tate suggested going to the Board of Aldermen after we know the numbers to give them the information necessary on this project.

There was also discussion of phasing the project for purposes of the funding.

Terry Gallagher mentioned that most likely we would have to hire a licensed surveyor at some point to get a detailed topo for a detailed construction document to aid the bidding process.

Vice-Chairman Dyer expressed his opinion that he feels we won't need to do the survey, and explained why.

Commissioner Tate and Terry Gallagher discussed whether there would be the need to have soil testing.

Commissioner Tate also gave Vice-Chairman Dyer and Terry Gallagher his suggestions of the steps from this point through the bidding process to execute the plan. Vice-Chairman Dyer asked Commissioner Tate for his help in this project because of his expertise.

Vice-Chairman Dyer said he would first start on getting a ballpark figure as his first step.

Commissioner Tate suggested addressing any probable issues with residents along this path. Discussion ensued.

Vice-Chairman Dyer reported that the project has started for Phase III being done by Mucci Construction. The first thing to be done is tree removal. The path will be 8' wide. The City Highways Dept. has agreed to pick up stone from Brennan and drop it off.

E. Trails Committee Report

Discussed on agenda item D

F. Dog Park – status update

Vice-Chairman Dyer presented the drawing prepared by the City Engineer's office for the proposed location at Nells Rock Rd/Route 108. He detailed the drawing for the Commission. It was noted that the Rec Path was not shown on the plan.

The Commissioners discussed the plan for quite a while and gave their opinions. They have some suggestions for editing.

Tape 1, Side B

After discussion of the plan, Chairman Harbinson asked for a straw poll of what the Commissioners think about the construction of the dog park.

Commissioner Tate said that if the residents want to pay for this, support it, and maintain it, then the City could offer a spot for that. I am not ok with the City being part of this – I don't think it's a good use of our resources. I think with all the parks around the City that we don't need a special facility for dog socialization. If you were in a more urban area, maybe this would be ok. To me this doesn't make site-planning sense. My opinion is that if someone wants to put it here and it's maintained by that group, this should be a revocable permission to use this property if it is not maintained.

Vice-Chairman Dyer said he agrees with the part about the revocable permission. If the City puts up some money for a fence is ok with me. I totally agree that it needs to have some sort of on-going group of volunteers to maintain it. The purpose of this is not for exercise. It is socialization for both the dogs and the dog owners. This is so that you can bring your dog and they can run around without a leash.

Commissioner Welsh commented that he sees some maintenance issues with the fence and upkeep. That is a lot of fence posts to trim around to keep it neat and tidy. There is always going to be few bad apples that might not follow the rules. Who is going to come and dump the bins on a regular basis? At some of

the schools I have seen some of the garbage bins rotted and garbage strewn all over the place. We can't even keep up with what is already in place. There needs to be a dedicated group of volunteers to maintain it. We need to know there will be a group committed to this to say they will make it work no matter what parcel we find. This location is where most people would have to drive to get to.

Commissioner Lauriat talked about the dog beach in Florida that he went to and commented how nice it was. He expects a lot of money went into this endeavor and said it was nicely maintained. He also commented on how the skate park in Shelton has failed, so how is this going to work? He thinks that after the election this whole idea will go away, hopefully.

Agent Gallagher said she loves the idea of a really nice dog park. She has doubts that this will be really nice. If it's not really nice I don't think people will use it and it will be a waste of money (some Commissioners agreed). I am concerned about maintenance. I have seen first-hand what the dog park in Milford looks like, which is horrible. Ridgefield had a great park and she and her family (dog included) had a great time. She talked about the need for socialization, especially when the dog is a puppy. You can't socialize a dog on a lease, which leads to aggressive behavior.

Vice-Chairman Dyer said that the plan is to be presented at the next Parks & Recreation meeting (3rd Thursday of the month). If it's approved at that meeting they will go to the Board of Aldermen. If it's approved volunteers and the City can go in there to start taking down the dead trees and the small trees. The issue for funding will be for the fence. They plan to raise money through memorial bricks.

Commissioner Welsh asked who the members were and Vice-Chairman Dyer mentioned some of them, him included. Commissioner Welsh commented that there seems to be a good group of people there and maybe they could come up with a better plan.

Vice-Chairman Dyer agreed with the Commissioners that there needs to be a better plan than what has been presented.

Commissioner Tate MOVED to write a letter to the attention of Parks & Rec Chairman John Papa and Ron Herrick. The Conservation Commission is in receipt of a plan prepared by the City of Shelton for a dog park area at the corner of Nells Rock Rd. and Route 108. During our discussion of the site plan presented at our October regular meeting there are a number of concerns that were brought up specifically related to 1) parking, 2) integration with other services such as the Rec Path that are to be located on that parcel, 3) screening of the dog park from the adjacent roadways, 4) actual layout, 5) long-term use of the building structures, 6) overall relationship of the site plan seems to indicate a short-term use, rather than a long-term view of the property, 7) the aspect of the built structures either be funded by the City or by private groups being maintained properly.

If the indications are the history of the City and other facilities that we have seen in other communities show that dog parks can be well maintained, for if they are not maintained at the highest level they become an eye-sore and a liability to the City. We feel the City is not prepared to maintain or has not shown that the City can maintain a facility like this at this time. Our concerns over this property as a hub or focal point for the Rec Path is not addressed in this site plan. We look forward to working with the Commission to resolve these issues. SECONDED by Commissioner Lauriat. A voice vote was taken, all were in favor; MOTION CARRIED.

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

1. Old Applications/Monitor/Follow-up

Commissioner Welsh commented that he read in the last Inland Wetlands Commission meeting minutes that at the Aspen Ridge subdivision they are putting in grass pavers around the storm water detention system. I thought that they were putting it in part of the City open space. If that is the case I don't think it ever came to our Commission. In the minutes they agreed to 9 parking spaces in the grass paved area.

Chairman Harbinson directed Agent Gallagher to talk to John Cook and Rick Schultz to see if something has been modified in terms of usage of open space.

H. Communications

- Email from Agent Gallagher reporting that she will start looking at all the open space properties. If she finds anything in violation she will send a certified letter to the homeowner. She has some aerial photography and mapping. She and Chairman Harbinson discussed a property on Soundview Ave. that is of concern. Agent Gallagher had sent a certified letter and will keep everyone apprised.
- Wednesday, October 14, at 10 A.M., Kings Mark will be here with their team – a landscape ecologist, recreation planner, geologist, etc. to review the Soundview Ave. property. (Chairman Harbinson commented that at the last Board of Aldermen meeting there was a little misinterpretation of what the farm link program was. Alderman Anglace commented in the minutes that we were turning the property over the State).
- Copy regarding the 8-24 referral on the license between the City and Maybeck for 279 Soundview Ave. Art Maybeck had already passed away by the time the City approved his license. Vice-

Chairman Dyer commented that Fred Monahan farmed the property this year.

- Copy of approval of the 8-24 referral on the disposition of Soundview Ave with a 4-2 vote. This is the 8-24 referral request from the Mayor's office, not the one from the Board of Aldermen. Commissioner Lariat asked about the process of selling the property and some discussion took place. Vice-Chairman Dyer commented that twice Parks & Rec Commission voted to not sell the property.

I. Budget Report

Not available

J. Open Space Trust Account

Not available

K. Open Space Plan of Conservation and Development

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

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

Chairman Harbinson reported that the members of the Plan Update Advisory committee have met informally with P&Z twice. We thought we'd touch base with them to insure that the plan is in review. We want to have a standing committee from P&Z that will continually work on keeping the plan up to date.

The Commissioners took some time to review the action plan and commented on the Priority #1 items for Agent Gallagher to update their status and take any appropriate action at this time.

During the discussion they talked about the Housatonic River Estuary Commission and Marianne, who also clerks for that Commission, filled the Commissioners in on current topics that HREC is working on. They just created a website. The link to it is: <http://www.thehrec.org>

Tape 2, Side A

L. Shelton-Derby Rotary Pavilion at Shelton's Riverwalk – Update and status of SEDC plans

Commissioner Tate's business has been hired to create a plan for a pavilion to be located at the Shelton Riverwalk. He presented a copy of the initial plan view detailing the concept study, photo simulation, design notes and plan view to the Commissioners.

The idea is to create this park pavilion to hold fund-raising events and would let other groups to use this as well. The plan at this point is for construction in the fall 2010.

He spent some time detailing the some of the specifics of the plan for the Commissioners.

It was asked about the funding of this project. Commissioner Tate explained that it will be a shared expense but the Rotary will be a primary benefactor of it.

Chairman Harbinson commented that he just got an email from Commissioner McCreery who said he tried to get into the building to come to the meeting at 8 PM but all doors were locked. It was also noted that the 3rd floor hall lights were turned out while we were meeting.

M. Quality of Life – Executive Session

Commissioner Lauriat MOVED to go into Executive Session for purposes of discussing land acquisition issues at 9:04 P.M. SECONDED by Commissioner Welsh. All were in favor; MOTION PASSED.

At 9:26 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 no items discussed required any action in Executive Session.

N. Comments by members

None

O. Adjournment

The next regular meeting is Wednesday, November 4, 2009.

Commissioner Tate MOVED to adjourn. SECONDED by Commissioner Welsh. All were in favor; MEETING ADJOURNED at 9:27 pm.

Respectfully submitted,
Marianne Chaya
Clerk, Conservation Commission