

City of Shelton, Conservation Commission
Minutes for the Regular Meeting on Wednesday February 3, 2010 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
Joe Welsh, Commissioner
Jim Goodman, Commissioner
Sheryl Dutkanicz, 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 Goodman MOVED to approve the minutes from the January 6, 2010 Regular meeting. SECONDED by Commissioner Dutkanicz. All were in favor, MOTION PASSED.

C. Public Portion

None

D. Shelton Lakes Recreation Path – upgrade to handicapped accessible standards

Vice-Chairman Dyer reported that there was a long discussion at the Trails Committee of how to proceed with getting out a bid package. Terry Gallagher proposed a design-build approach, where we put out a bid package and ask them to provide feedback on design areas. We voted on it and it passed 5-2, with Terry Gallagher and Richard Skudlarek voting against Terry's motion. I will write up a statement of work, add the necessary maps plus what Jim Swift prepared for us and the maps from Tracey Lewis, and by this time next month we should have a bid package ready to present to the Commission.

Trails Committee member Terry Gallagher mentioned that in certain areas where we know we have certain key details we will ask for a sketch on how they would do their design, such as the ramp coming up off Wesley Drive to get to the high point where we will need a retaining walls to get the 8% maximum grade for the handicapped accessible standards. This will be part of the bid submittal. This is so the bidder can qualify what they are giving for a bid. At the end of the job, before they get paid, we will require an as-built survey done by a licensed land surveyor, giving us a profile of the trail, any retaining walls, drainage, or anything would be a safety issue like fencing that might come up. This way the City would be protected fully.

Commissioner Tate suggested that the City Engineer be involved and have him sign off on the as built.

Agent Gallagher suggested that the Administrative Assistant, Tom Taylor also be involved.

Terry Gallagher said that each section could be bid separately.

E. Trails Committee Report – Bill Dyer

Vice-Chairman Dyer reported as follows:

Terry Gallagher presented the 2009 Trails Committee summary that will be ready to email to the Commissioners soon. In this summary the 2010 goals will be included. The big project for the spring will be the northwest passage. We already have had some work parties in this area and will have more in order to have it completed by April.

Vice-Chairman Dyer and Agent Gallagher reported that they have yet to get prices on additional granite pillars from Swenson Granite. They are waiting for prices from Vermont themselves.

1. Planned Rec Path Projects for 2010

a. Maintenance Issues

Martinka will pick up the Gator to perform maintenance.

2. Guided Hikes

a. February 6 – Marshmallows, fire and sticks –1PM at Nicholdale

3. Equipment and Expenses

Terry Gallagher has submitted an expense report for various equipment and supplies in the amount of \$340.24.

Vice-Chairman Dyer MOVED to reimburse Terry Gallagher \$340.24 for Trails equipment and supplies. SECONDED by Commissioner Tate. All were in favor; MOTION PASSED.

Commissioner Tate MOVED to approve the \$48.00 bill from Carrolls Lumber for wood for the Turkey Trot bridge replacement. SECONDED by Vice-Chairman Dyer. All were in favor; MOTION PASSED.

F. Dog Park Status

Vice-Chairman Dyer reported that Parks & Rec cleared all the wood that they needed to clear. Now the issue is the funding needed for the fence (approximately \$18K).

Chairman Harbinson pointed out that the tree clearing was done in conjunction with the tree warden. The appropriate trees were cleared.

Commissioner Tate asked if that property (corner of Nells Rock Rd/Rte 108) in the jurisdiction of the Conservation Commission? This topic created a considerable amount of discussion and it was determined because of the house it is doubtful that it is under Conservation's jurisdiction.

Commissioner Tate pointed out that this should have an 8-24 referral and there has to be a plan. There should not be any work done until a plan is adopted.

Otherwise someone may in trouble at some point for not following the process.

Terry Gallagher stated that he supports Commissioner Tate's request to have a plan for this site. Everyone on the Trails Committee is concerned about what goes on at this site in relation to the dog park. Whatever happens there, we want it to work for everybody. The details have to be ironed out.

Chairman Harbinson said that he requested a meeting with Ron Herrick, Alderman Kudej and Papa. Due to vacation conflicts he has been unable to get the meeting scheduled.

Agent Gallagher stated that she has been getting a lot of calls regarding the dog park. She is re-directing them to Parks and Rec because it is not something she is responsible for. It appears that residents in the area are concerned of something going on this property.

Chairman Harbinson said he thinks what sparked the interest is when there was talk of the animal shelter possibly going in there and what may happen to other open space areas along this corridor.

G. Community Garden

Agent Gallagher said she has been spending a lot of time on “up-front” work to prevent any concerns of the use of open space properties and get the communication out there of what is going on with the community garden. The committee is working on the site selection. The first thing was to ask Conservation for a recommendation of properties. It was presented to the committee. The committee has met once and the minutes are available on-line. Chairman Harbinson commented that they received a copy of the letter from the City Engineer giving a favorable 8-24 referral to P&Z. P&Z has given their favorable 8-24 referral to the Board of Aldermen on January 28.

Agent Gallagher reported that she sent 30 notices to the residents in the area communicating what the site selection process was and invited them to the meetings.

Agent Gallagher also reported that she has been communicating with the newspapers about the garden as well as having flyers available around town. Alderman Anglace requested that the committee demonstrate a need for the garden. One of the things I did was to go to other towns to see how they did it plus asking for pre-registrations.

Some of the communications have been to the library, newspapers (paper and online) city web site, facebook, and the blog.

Commissioner Tate asked if Conservation would be funding any part of this garden? It was discussed and suggested maybe giving some initial seed money because it is an agricultural project.

Commissioner Welsh suggested keeping this as Conservation issue and use it to Conservation's benefit where we are tying people to the land. It was agreed that we should make it known that we are considering taking ownership of this garden and do the funding.

Commissioner Welsh suggested that we have guidelines set as to the look, the fencing, the signage, etc. This could be used as an educational tool. If it were at Wiacek would be an advantage because of it being so close to the high school.

Chairman Harbinson asked how we proceed to take ownership from the Board of Aldermen? Commissioner Tate suggested that Agent Gallagher request it.

Commissioner Dutkanicz asked about the jurisdiction aspect and Commissioner Tate said that he would feel comfortable having the jurisdiction since we have a budget where the funding could come from.

Agent Gallagher and the Commissioners discussed the Klapik property and the issue of the easement with Iroquois pipeline plus possible parking issues.

H. Environmental Review Team (ERT) report for OS 80 Wiacek/Soundview: Status

Agent Gallagher reported that the report would be available within the next week or two.

Chairman Harbinson asked for this via email so it could be forwarded to the Aldermen.

I. BOA request for recommendation regarding acceptance of open space properties including Map 177, Lot 82 (Dickenson Drive), Map 180, Lot 64 (Thoreau Drive) and Map 177, Lot 64 (Meghan Court)

Agent Gallagher said these properties are old, in the poet's section of White Hills. Mr. Blakeman apparently just realized this year that he is paying taxes on these. This is just a housekeeping issue. We have it on our records as open space. The BOA is formally asking for our recommendation. The properties were shown on a map to the Commissioners.

Chairman Harbinson said he didn't have a problem with the recommendation but because they are close to some private property is the open space pinned? I wonder if there might be some encroachments. I think we should request that the property be surveyed and pinned (marked), given the potential for encroachment from private property owners that are close to or abutting these properties.

Commissioner Tate MOVED to recommend to accept the following parcels as open space with the request that the boundaries be surveyed and pinned: Map 177, Lot 82, Map 180, Lot 64, Map 177, Lot 64. SECONDED by Vice-Chairman Dyer. All were in favor; MOTION PASSED.

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

1. Old Applications/Monitor/Follow-up

None

2. New Applications

None

K. Communications

- 8-24 Referral notice from Planning & Zoning for the Community Gardens and the Pavilion at the Riverwalk.

Discussion of the Pavilion at the Riverwalk. Commissioner Tate recused himself from the discussion and left the room.

Chairman Harbinson commented that the proposed Pavilion is at the Veterans Riverwalk Park. We have seen the drawings when Commissioner Tate presented them. The Derby/Shelton Rotary is proposing this Pavilion, working in conjunction with the Shelton Economic Commission. I went out and did a site walk with the landscape architect as well as members from the Shelton Rotary. We put down some flags at the location so we could get an idea of the perspective as you are utilizing the space. The community has used the area for fireworks, concerts, and other recreation activities. The design plan has been tweaked a little bit here and there and could be used for various activities. The Pavilion is an open structure with the idea to lessen the impact on the park's visual. Since this is on City open space it would be appropriate for Conservation to make comment on it.

Vice-Chairman Dyer MOVED to comment that the Conservation Commission endorses the concept and preliminary design of the proposed Derby/Shelton Rotary Pavilion. SECONDED by Commissioner Goodman. All were in favor; MOTION PASSED.

Commissioner Tate returned to the meeting.

- Communication from the DEP for a request from Salvatore Matto to construct a private dock for recreational boating. This parcel of land is off the Housatonic River on Fanny St.(located detailed). This property used to be on the open space quality of life list and was purchased by Mr. Matto. This property doesn't abut any other open space so there is no need to comment. This communication should be forwarded to John Cook for Inland Wetlands.
- CACIWC Habitat newsletter
- Housatonic Valley Association newsletter
- CT Forest & Parks Association request for membership renewal.

Commissioner Tate MOVED to upgrade our membership with the CT Forest & Parks Association to a sustaining member at a cost of \$100. SECONDED by Commissioner Welsh. All were in favor; MOTION PASSED.

K. Executive Session

Tape 1, Side B

The Commissioners discussed the need to review the quality of life list especially for the benefit of the new members plus the need to send out new letters to property owners that have expressed an interest in preserving their land. Agent Gallagher passed out the current list to the Commissioners.

Vice-Chairman Dyer MOVED to go into Executive Session at 7:55 P.M. to discuss the quality of life list and land acquisition issues inviting the clerk, Marianne Chaya to attend. SECONDED by Commissioner Welsh. All were in favor; MOTION PASSED.

Vice-Chairman Dyer MOVED to return to Regular Session at 7:59 P.M. SECONDED by Commissioner Welsh. All were in favor; MOTION PASSED.

L. Comments By Members

Vice-Chairman Dyer commented that the owner (Ian) of the gift shop in Huntington Center, Gifts By the Green, has taken a bunch of photographs, some of which are the trails, and has created some very attractive postcards of Shelton.

Commissioner Tate commented that the Civil War Monument Committee is looking at placing a statue on the Huntington Green if they can raise the appropriate funds. He noted that in our history that is where the Civil War soldiers mustered. It seems to be a very appropriate place for the statue. The Civil War has a national anniversary that will be coming up starting next year and will run for 5 years. There is some federal money that may be available plus different national organizations will have fundraising efforts.

Vice-Chairman Dyer mentioned that Tom Taylor mentioned to him that the Valley towns had the highest number of fatalities per capita in the State of CT during the Civil War.

Commissioner Tate mentioned that the Civil War monument is in Derby and there is a pretty good reason why the monument is in Derby and not in Shelton. They think it was because Derby was the government seat. Commissioner Dutkanicz thinks that it may be because the Ambassador at the time, Henry Shelton Stanford, who was from Derby, may have had some influence. She conveyed some of the historical knowledge she knew of who he was.

Commissioner Tate said that the archeology study has just been completed for the Riverwalk and he will have an email copy to the Commissioners in the near future.

Commissioner Tate also mentioned earlier that the Civil War committee is considering doing a Civil War re-enactment possibly on the Soundview property/Wiacek open space.

M. Adjournment

The next regular meeting is Wednesday, March 3, 2010.

Commissioner Tate MOVED to adjourn. SECONDED by Commissioner Goodman. All were in favor; MEETING ADJOURNED at 8:05 pm.

Respectfully submitted,
Marianne Chaya
Clerk, Conservation Commission