

# OPEN SPACE COMMITTEE MEETING

## *Minutes*

*Craft Room 3, Community Center*

*Shelton, CT*

*Monday, October 25, 2004*

### **Members Present:**

**Dave Zamba  
Tom Harbinson  
Regis Dognin  
Harriet Wilber  
Celeste Beattie**

### **Members Absent:**

**Ed Conklin  
Ken Olin  
Neil Hayes  
Paul Gabor  
Ralph Rotondo**

Dave Zamba, Co-Chairman at approximately 7:45 P.M, called the October 25, 2004 meeting of the Open Space Committee to order. All in attendance recited the Pledge of Allegiance.

### **Public Portion**

Steven & Arlene Grey, 48 Pine Tree Hill Rd

Mr. Grey asked if any one is working on or have investigated putting up another cell tower for the White Hills area. Tom Harbinson responded that there was a request for a radio transmission tower that would have a cell tower on it located on open space that was purchased from Bridgeport Hydraulic and it was turned down. We encourage them to co-habitat on current towers or other tall structures, such as the high transmission towers or church steeples. There is one on the Route 8 corridor near the Far Mill River that has a nest of cell phone towers on it. There is also a cell tower that looks like a flagpole on River Road. The thing I would suggest is to contact your carrier and ask them where their coverage upgrades are scheduled to be. Mr. Grey said he did do that in the past and they suggested we complain. Is there anything in the works? Tom Harbinson said there is no application at present that we are aware of. There are some companies, one that I think is called Power America, who puts up a tower and sells space to other providers.

Mrs. Grey said that when they were looking for a place to live in this area, the one thing that drew them here was the open space commitment that Shelton has. We very impressed and thank you. Whatever you are doing, it's working. Dave Zamba mentioned the questions on the voter ballots and encouraged them to vote yes.

They thanked the committee for hearing them.

### **Review of Minutes**

**Tom Harbinson MOVED to approve the minutes from the June 28, 2004 and the August 23, 2004 regular meeting. Harriet Wilber SECONDED the motion. All were in favor, MOTION PASSED.**

### **Treasurer's Report**

Tom Harbinson reported that he only has the Open Space Trust Account balance sheets up to June 30, 2004. I printed the reports from July, 03 through June 30, 2004. Tom reviewed each of the additions and expenditures, highlighting the check paid for development rights for the Shelton Family Farm at the Shelton-Monroe border. It was noted that the dates noted for transactions in December, 2003 show as December 04. The question came up about the yearly allocation from the City to the trust account. It appears that it is posted in October. It was questioned how the calculation is done and Tom will check with Sharon Scanlon. Marianne Chaya said she sent a memo to John Anglace regarding the ordinance, which calls out how the calculation is to be done, but is not the way it is currently being calculated. Everyone thought that the current ordinance was revised to the method Finance is currently using. This memo asked John Anglace to determine whether the ordinance should be revised. We have not heard back from him. Tom questioned, when we are approving the treasurer's report from Finance, what are we really approving? We don't approve the expenditures; it's just done by the Board of Aldermen. Tom said that he is looking into doing an annual accounting of the subdivisions, what the fee-in-lieu-of amounts were received. This gives you a summary of what to expect. The ending balance at June 30, 2004 is \$115,869.15. **Regis Dognin MOVED to approve the treasurer's report as presented, through June 30, 2004. Celeste Beattie SECONDED the motion. All were in favor, MOTION PASSED.**

### **Correspondence**

None

### **Subdivisions**

There are no new subdivisions to review. Celeste Beattie brought in the revised plans presented at the Inland Wetlands meeting for the Woods at Lake Road, off of Route 108 near the intermediate school. They were denied the application for

the PDD; therefore the revision changes the number of units from 40 to 16. The committee members reviewed the changes, noting that the open space did not change. This should come into P&Z next meeting and then we would be able to make our comments at the next meeting.

Dave Zamba noted that the public hearing for the Tall Farm would be held on December 14. There was a copy of a memo in our mailbox from P&Z to John Anglace, stating that the 8-24 referral, City acquisition of the Tall Farm property was unanimously voted in favor at the September 28, 2004 Planning & Zoning meeting. Tom Harbinson stated that this is a formality that has to be done. This was a result of the Board of Aldermen meeting where the request was for the City to acquire the 3 properties, the Wabuda, Tall Farm and Wiacek. When the vote came up for the Wiacek property 2 members could not sever themselves in the financial way the Aldermen were acquiring the Wiacek Farm, so it was denied. One of the ones who voted no used to be on this open space committee. The vote 3-2, with 1 abstention. From a planning perspective, which is all that Planning & Zoning is supposed to do, they should have voted yes.

Tom Harbinson reported that there have been some substantial changes to the Wabuda property application. The engineering department was never comfortable with the new road going out to East Village Rd. and the road extension will now go out from Wabuda Rd. to East Village/Maple Rd. The open space dedication will be right next to French's Farm. They reoriented the lots, with the same number, but in doing so we lost the open space corridor that linked French's Farm to the Land Trust. All of the Wabuda property is being subdivided with Joe and Loraine Wabuda retaining a large parcel. If they subdivide that in the future they wanted it on record that the open space dedication has already been done in this application process. Celeste Beattie noted that when this application came back to Inland Wetlands they presented it as to the fact that Conservation got exactly what they wanted. Tom Harbinson said that just because he is present at the tech session does not mean that I wholeheartedly represent the Conservation Commission. Dave and Celeste noted that they do that all the time. Dave Zamba reported that at the public hearing for the Wabuda property, they pretty much said that the Conservation Commission endorses this as the way it is. I said at the meeting that just a few months ago the Conservation Commission and Open Space Committee recommended this to be purchased, but we have to work within the parameters that we are given. When you shove these things down our throat, we make the best of what we can.

Tom Harbinson said that he read the Inland Wetlands minutes online and was amazed at what was said regarding the new subdivision off of Independence Dr, where it was said that Harriet Wilber named the subdivision and Conservation Commission was happy with it and that Ed McCreery made a legal opinion. That really got me teed off because it was a total misrepresentation of what we were saying. Celeste said that it would be worthwhile to know how Conservation really feels about an application while reviewing Inland Wetland applications. Tom noted that this is probably why this committee is worthwhile. Previous minutes talked about the fact that we haven't been able to get a quorum or representation from the Board of Aldermen or Planning & Zoning. This information, though, is a

perfect example of why we need to keep this committee. Celeste Beattie talked about the eminent domain portion of the Wabuda property for the road. It was reported at the Inland Wetlands meeting that it was a friendly taking. Tom said that it was stated that way so they could say that this is something they were not required to do in the subdivision application and everything beyond that is a gift to the City. They are doing it because of tax purposes. The other part of the Wabuda application is, they may look over the zoning wording on the open space dedication, it says you shall do an open space dedication or do a fee in lieu of. The attorney, Dominick Thomas, is asking a review of that, asking if the open space is really a requirement. They want the City to write a letter to say it's not a requirement and what they are giving as open space is actually a gift to the City, because they are doing it for tax planning purposes. Dave Zamba noted that Mr. Thomas has a colorful way of describing open space, to which I corrected him at the public hearing as well. He said that it was only fit for Billy goats. Harriet and Tom said that it is because it is the nature of that area. The blue dot trail is not a trail like the ones around Shelton lakes. It's a rugged hiking trail.

### **Trails Report**

Tom Harbinson reported that the Trails group got together last Saturday, working on the Huntington Woods subdivision where the recreation path will be. Two members (Bill Dyer and Andy Cable) have GPS mapping to hook everything up for the trails. We now have 3 gates installed on our open space. Two are on Route 108 under the power line corridor and one on Oak Valley Rd. These are the strong gates made by Flat Iron Works, the two on Rte. 108 are painted silver and the one on Oak Valley Rd. is painted brown. Now that the leaves are dropping this is a good time for the trails group to outline where the path will be. The recreation path near the Senior Center, Pine Lake, is being worked on with staff and equipment dedicated for the job. Bob Wilkins will be the clerk of the works to oversee it. The timber bridge still needs railings to be installed. Jim Pjura emailed Tom and said he was after the supplier and should have something by the end of the week. Harriet Wilber asked about using LOCIP funds for work on the recreation paths. Tom said that Terry Gallagher was putting together a synopsis of the work phase around Pine Lake and maybe that would be a good place to use the LOCIP funds. Charlene DeFilippo is the one who manages this funding. Celeste asked if the timber bridge has been installed at Huntington Center, to which Tom Harbinson reported that it was installed right around the time St. Lawrence had their carnival. Millings have been placed to ramp up to the bridge.

### **Round Table**

Regis Dognin reported that Constitution Park was dedicated on September 26. The Mayor was present and Dick Belden was the master of ceremony. There are 5 benches ordered, which will be memorialized, and we are expecting them to arrive at the end of November, to be installed in December. Dave Zamba said

that the park has not been turned over to Parks and Recreation as of yet. Celeste Beattie asked about controlling the flyers placed on poles around town and the committee members discussed suggestions. They also discussed the problems with the ATV's around town and especially at the new park and how to try and keep them from ruining the parks and open space.

Harriet Wilber brought up the revision of the Open Space plan. This will be needed for the PUAC for their planning. My suggestion is for Conservation to pay for this update. Jim Tate gave an estimate of \$5000 to write it. We can funnel the information to Jim Tate. The others though \$5000 was too much for the revisions. Harriet said that what is needed is to look at the properties and take out the ones that are no longer viable. Some do need to be added, but that has already been done with the "quality of life" document. Dave offered to revise it with the help of Tom.

Regis Dognin stated that there is a need for signage, a welcome sign and a sign noting the park rules, especially at Constitution Park. He passed around an example of what he felt would be appropriate and a suggestion that all signage needs to be uniform. Regis stated that he felt that it is ridiculous that there are not signs for the "adopt-a-garden" sponsors. Other towns have it, why don't we? The reason why we don't is that we don't have a standard sign and there is not a budget for the signs. There was discussion of placement and design of the signs. Regis stated that he talked with his alderman and he suggested bringing up the signage with the Open Space Committee and Parks & Recreation Commission.

Regis Dognin informed the members that he would be starting work at City Hall, working for Lou Marusic, to work on the GIS system to interface engineering and the Assessor's office. Tom Harbinson said that at the meeting with PUAC they discussed the need for the GIS system to map the distribution of the students. This type of information will be vital to the planning of the community. They would be able to make recommendations to the Planning & Zoning regulations regarding a development. For an example, it might be denser but it would result in less impact on the school community, and in that region of the town where there is not a school close by, they are trying to limit the possibility of a new elementary school having to be introduced. Those are the kinds of things that can be done now.

Dave Zamba reported that they opened the skateboard park downtown under the Route 8 bridge. It is popular and we have not had any problems following the rules and regulations. The Valley YMCA monitors it when it is open. It was paid for by funds from Shelton and Derby. Presently the only requirement for safety is a helmet. I also wanted to mention the referendum. There will be a press conference tomorrow to address the two questions and explain the first question.

### **Executive Session**

**Tom Harbinson MOVED at 9:00 P.M. to go into Executive Session to discuss possible land purchases, SECONDED by Regis Dognin. All were in favor, MOTION PASSED. At 9:20 Tom Harbinson MOVED to return to**

regular session, **SECONDED** by Regis Dognin. All were in favor, **MOTION PASSED.**

Tom Harbinson made a motion to write a letter to the Mayor endorsing the Conservation Commission's efforts for the acquisition of the approximate 7-acre parcel in the vicinity of Route 110. Because of its proximity to properties previously acquired as open space for the benefit of the City of Shelton and it is in the Shelton Lakes greenway. **SECONDED** by Regis Dognin. All were in favor, **MOTION PASSED.**

**Adjournment**

Regis Dognin **MOVED** to adjourn the meeting, **SECONDED** by Celeste Beattie. All were in favor, **MEETING ADJOURNED** at 9:30 P.M.

Respectfully submitted,

Marianne Chaya  
Clerk, Open Space Committee  
One tape is on file in the City/Town Clerk's office