City of Shelton, Conservation Commission
Minutes for Regular Meeting of Wednesday January 3, 2007 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
Hank Lauriat, Commissioner
Jim Tate, Commissioner
Joe Welsh, Commissioner
Ed McCreery, Commissioner
Also Present: Teresa Gallagher, Conservation Agent
Marianne Chaya, Clerk

The Commission currently has 6 active members.

Pledge of Allegiance
Chairman Harbinson called the meeting of the Conservation Commission to order at 7:06 p.m. All in attendance recited the Pledge of Allegiance.

Approval of Minutes of December 6, 2006
Commissioner Dyer MOVED to approve the minutes from the December 6, 2006 regular meeting. SECONDED by Commissioner Lauriat. A voice vote was taken; all were in favor, MOTION PASSED.

Chairman Harbinson stated that there were a few items on the agenda where he noted we were waiting for input for what Inland Wetlands would have done at their December meeting; however everyone should be aware that their meeting was cancelled.

Chairman Harbinson requested to amend the agenda to add to the Communications – Other: to go over the budget.

Public Portion

Carol Jacobsen presented a copy of a letter to the Commission expressing her interest in the open Commissioner position. I also wanted to say that if you need extra help if I am not chosen I would like to let you know that I would be available to help in any way. The Commissioners thanked Ms. Jacobsen.
Jim Barnes stated that he also submitted an application to the Commission and also offers any help to the Commission. The Commissioners thanked Mr. Barnes.

**Review of P&Z Applications for Subdivisions and/or Development**

**Lava Real Estate, PZC#06-27 (Commerce Drive and Bridgeport Ave.)**
Chairman Harbinson reported that there is nothing new to report since Inland Wetlands did not meet December 14.

**Bishop Development, PZC #06-41 – 865 River Road**
Chairman Harbinson stated that this is the old Master’s restaurant. Was there any P&Z involvement with Trails about providing access to the river?

Commissioner Dyer said that Rick Schultz gave him a map of what they are planning. I went down and looked at it and the area that is planned to be green is fine. They don’t restrict the access to the existing trail. It needs some significant maintenance because of the trees and neighbors dumping garbage. It will be a project for the spring. I reported back to them that the plan is fine and they stated they are willing allow people to park there to use the trails.

Chairman Harbinson asked if there would be designated parking spots?

Commissioner Dyer said he did not know but would ask.

Chairman Harbinson suggested asking for them to delineate 1 or 2 spots.

**A & A Brothers Inc., IWC#06-42 – 163 Long Hill Crossroads**
Chairman Harbinson stated that there is also nothing to report on this because of the cancelled Inland Wetlands December meeting.

**Shelton River Front Development, PZC#06-48 – Upper Canal Street**
Chairman Harbinson reported that he read our letter into the public hearing on December 12. The plan we reviewed at our December 6th meeting has been modified slightly. The canal area was not entirely filled in as parking. There is an area that they have opened up and shows some fountains. They are moving in the right direction of our comments but I don’t think they are entirely there yet. P&Z has not made a decision as of yet. We need to get the revised plans.

Agent Gallagher said she would check into it. Chairman Harbinson said that the plans do not have title blocks and revision numbers that normally should be on plans, and to ensure we have the latest version when discussing.
Paez-Hopkins River’s Edge Subdivision, PZC#06-50 – 206-208 River Road
Chairman Harbinson said this is the two-lot subdivision where we asked P&Z to put a conservation easement along the river at our last meeting. Did Planning & Zoning respond favorably to that request?

Agent Gallagher responded that she did not hear directly from P&Z but the homeowner contacted her. He had been told by P&Z that this was a voluntary thing and that he should get in touch with me. He is interested in the idea and his only concern is the cost of the legal filing. I asked him to get a quote and get back to me.

Chairman Harbinson commented that if they are dividing the lot they will have to submit an A-2 survey for the city’s records. It is just a matter of having it delineated where the conservation easement is by that surveyor or engineer. It should really not cost him that much more incrementally.

Any Pending
None.

Communications
Chairman Harbinson reported on the following communications:

Clear-cutting parcels – tree cutting ordinance
As far as I know the Board of Aldermen have not scheduled any joint meeting as they had talked about in September.

Commissioner McCreery suggested sending a letter to the BOA if we don’t hear anything by next meeting.

Chairman Harbinson instructed Agent Gallagher to send an email to Alderman Anglance to remind him that we forwarded our information to him and we had heard they wanted to schedule a joint meeting and we are still open to do that.

River Ridge tree cutting – 865 River Road
Again, since the Inland Wetlands Commission meeting was cancelled I do not know of anything regarding John Cook’s review of their restoration plan.

Agent Gallagher said she spoke to John Cook yesterday and he said it was all done.

Commissioner Tate asked if we could get a copy of the restoration plan.
Chairman Harbinson said it would be really nice to know what the restoration plan was because we had such an interest in this situation.

**Mr. Henry Mileski – 33 Murphy’s Lane**
Chairman Harbinson asked Agent Gallagher if there was any response from the Board of Aldermen and Agent Gallagher said no.

**Birchbank Mountain area**
Commissioner Lauriat had brought this up last meeting regarding the sanitary services going into the river and contacted Valley Health. We had some email discussion regarding that. It was determined that the Commissioners felt it was resolved at the last meeting.

**Former UI property on Buddington Road**
This property is referred to by the BOA as lot 10. There was a proposal made by Blakeman Construction on November 6th to the BOA. We were asked to comment on it. At last month’s meeting I had expected to receive a formal letter from John Anglace, President of the BOA, but we haven’t. In the interest of moving along we are going to take it up. Agent Gallagher has posted pictures and video of the site for commissioners and public to view via the internet.

Commissioner Tate and Welch commented that they did not know why we are still talking about this. Does the City own it yet?

Chairman Harbinson responded that the City has made a deposit. The BOA at their December 15th meeting approved funding the expenditure for the final balance of the purchase and any appraisal and attorney fees out of the Open Space Trust Account. The final closing is scheduled for anytime prior to February 1st. I talked to the City’s Attorney Tom Welch on Tuesday and he wanted to know if there was anything from Conservation that may change the City’s pursuing the final closing on it. I said no, I do not foresee anything coming out of this Commission that is going to alter the City’s direction on completing the closing.

Commissioner Lauriat asked if we should do a gentle reminder that we already did it in writing some time ago?

Commissioner Tate stated that no one has made a presentation to us.

Chairman Harbinson agreed but noted that there was a special presentation to the Board of Aldermen, which a couple of us witnessed.

Commissioner Tate said that there were two Aldermen here at the last meeting and the question was directly asked if there was a request for response. The
response was, and we can check the minutes, is that no formal request was made. I just heard Tom reiterate that just 30 seconds ago.

The clerk pulled up the last meeting minutes and Chairman Harbinson read that it clearly stated that “Alderman Finn stated that last night we never authorized John Anglace to write any letter to you, this is the first I’ve heard of a letter. If he writes one it would not be our views.” Chairman Harbinson said that there was no formal request that came from the BOA to us to say here is a proposal that we would like you to review. There is obviously an informal understanding that they want us to give our commentary, again.

Commissioner Welsh said, close the deal to purchase and then we will discuss what to do with the property once the City owns it. Otherwise, why waste our breath talking about.

Chairman Harbinson stated that it could be simple. We could just reply to the BOA, and it’s a technicality whether it’s a reply or not, but we could draft a letter to the BOA saying we see no reason at this point in time to halt the process for closing on the property as City Open Space.

Commissioner Dyer agreed and said if we sit back and do nothing that there are people who would like the date to go by.

Agent Gallagher said that there was an article in the Post about this and I was speaking with an employee in City Hall who said that after she got done reading the article that she couldn’t understand why the City wouldn’t just go ahead and do it because it sounded like such a great deal for the City. There is just one side out in the media and the other side has not been addressed.

Commissioner Tate commented that too many of the public are ill-informed and if they read the record from the history of this parcel it would be very clear. If every meeting we have to reiterate our position I am afraid that something is going to get lost in the whole scenario. Are we here tonight to evaluate a new site plan and make response to that site plan and the good and bad points of a site plan presented to a board that we have no purview over? We are advisory only. We have already made our position known and I am pretty comfortable with that position. I don’t feel I want to change it based on any site plan. If you are asking me to make a position based on the fact that we have articles in the newspaper and that people in Town Hall are ill-informed, then maybe we should re-read the letter that we wrote 2 months ago. Maybe that is the opinion that you would like to have. How do the other Commissioners want to handle this?

Commissioner Dyer said my only position is that the clock is ticking and I think we should respond formally saying that we need to own this property, and we
need to own it now. Then after that they can come with the 8-24’s or any number of line swapping deals they want. If the date goes by, then we don’t own it. It’s gone.

Chairman Harbinson stated again that the Aldermen voted unanimously to fund the closing costs. I have let the City Attorney know that I thought there would be nothing emanating from this Commission that I believed would dissuade them from finishing the closing. If you want to reiterate that formally, that’s fine.

Commissioner Welsh said that he thinks we should reiterate it formally.

Commissioner Lauriat commented that he thinks its peculiar based on what you just got through saying that we are all sitting around this table ringing our hands wondering what we are going to do, all because somebody out there did a lot better job of putting their message in front of the public than we have.

Commissioner McCreery commented that Commissioner Lauriat just hit the nail on the head. You can’t sit back on protocol. You have an opinion. Public perception is reality. If you want to get your opinion out there and if it reiterating whatever opinions the Commission has issued in the past, you have to do that.

Commissioner Welsh commented that there is something very fishy with this deal because they are not closing on it.

Chairman Harbinson suggested that we be clear as to our consistent opinion regarding this parcel.

Commissioner Lauriat added that he doesn’t think anyone is arguing that we should change our opinion. I think our problem is we haven’t told anyone (the media) what our opinion is.

Chairman Harbinson said that the video Teresa Gallagher took on the site now after the leaves have dropped shows how much visual disruption would occur to the vista of that important corridor we are trying to preserve, should some sort of development happen.

Commissioner Dyer stated that he felt we should not react to that plan. I think we should just react to the fact that they haven’t closed on it. It was supposed to have closed on December 19th. Here is it January 3rd and it hasn’t happened.

Commissioner McCreery said you are standing on technicalities that you are not getting your opinion out because, “by-golly I’m standing on my technicality that I gave my opinion and I am not issuing it again”. Where does that put you in the P.R. campaign war?
Commissioner Welsh stated that the Conservation Commission is been asked to comment on something that’s totally out of protocol in the way that we should operate. First of all we should own the property before we look at any subdivision. We decided to be the better Commission, or whatever, and make comments in good faith beforehand and this whole way of doing things is wrong because it is setting bad precedent for any future scenario of someone wanting to use City open space for development.

Chairman Harbinson added that he did receive an email from Ed Harris (Huntington Herald reporter) who is out of town and asked if I could get in touch with him tomorrow because he wanted to do a story on the Ul/Buddington Rd. property outcome of tonight. In terms of P.R. there is no problem in getting that out. We might not have been first off the starting line, but it's not a problem.

Commissioner Tate suggested there are two ways to look at this. The first is to be very direct and explain that we’ve made the position very clear that we want the property to be closed on as quickly as possible and if we are presented with any future plans we would deal with them as they come along. The second is to spend 15 minutes hearing from Teresa about what she observed on site and formulating another letter responding to what our position is, in direct response to a site plan that was presented to the BOA.

Commissioner McCreery said putting this application aside, and I can’t vote on this one, if you knew anyone who was trying to in-run the process, if that what was going on here, and going to the BOA and saying look at all the goodies I’m dangling in front of you if you’ll just give me this, why would you sit on protocol and say, until that comes formally in front of us we can’t respond. Why wouldn’t you, knowing that’s not what you wanted to happen, why wouldn’t you respond to that verbatim? You would lose on protocol.

Commissioner Tate said I think we should take the effort and go through it. If you even think there is a chance that we would lose because of some sort of formality then let’s go through it.

The Commissioners agreed to review it.

Commissioner Tate directed Agent Gallagher to be factual about what you observe and don’t editorialize on what may, or make assumptions based on what you see.

Agent Gallagher said that she didn’t bring the points but it was emailed to the Commissioners. She showed the drawings that were submitted from Blakeman Construction of what they would do and they propose to do on the property if the City were to allow them to utilize it for development with adjoining parcels that
they own. There are pictures and a video, which is available for the public online through the Google group service. It was taken on 1/31/06.

Chairman’s note: all emails, photos and videos on this subject can be viewed at: http://groups-beta.google.com/group/sheltoncc. Simply use the button “search this group” with an appropriate search term such as “Buddington.” All public libraries provide free access to the internet and this website.

Agent Gallagher detailed the area of the Shelton Lakes greenway and how it connects to what we have. This is all part of the greenway as shown in 1993.

Chairman Harbinson added that this UI parcel was targeted along with two other UI parcels on Oak Valley Rd., which how have been acquired. I thought at the time we were going to have all three. This one was unfortunately not part of a 3-UI parcel acquisition.

Agent Gallagher continuing detailing the corridor from north to south, pointing out the existing open space from both the Huntington Woods subdivision and acquisition from the Sciorentino family, and the Wells property south of Buddington Road which hopefully someday we could acquire some of that for open space to be able to continue down to the Far Mill River. It is part of one contiguous corridor, as is.

The next proposition drawing Agent Gallagher detailed is where she marked up to show the tree line. She showed where the Blakeman parcel is off of Doe Place and the one off of Buddington and Old Kings Highway, which is a city right-of-way. She detailed the Dominick Trail and we have been talking about turning that into the Blue Dot Trail because we can connect it now. We have all the property and can connect the Paugusset trail from Indian Well all the way down to Shelton Lakes.

There are about 700-800 miles of Blue Dot Trails in Connecticut. They are “real hiker” trails. The Paugusset trail is one of the Blue Dot trails that are as far to the southwest as you can get. It is a very rugged trail.

Agent Gallagher showed one possible route. There is an existing road going through the power lines. In the video I show a scenic knoll and an overlook. This property the City owns (to the north) came from the Huntington Woods subdivision.

The proposal was shown with the tree line marked up and the lots. With this proposal Agent Gallagher showed where the Paugusset trail could be re-routed in comparison to the City simply owning the parcel as it currently is. The proposition’s re-route would be along the power lines and have an additional wetland crossing. It would then be squeezed between lot 12 and the wetlands, along the cleared power line corridor, cross a road, keeping under the towers.
through the briars and rocky areas. It would eventually dive back into the woods into the same location as shown. Blakeman Construction listed that they would change the configuration so that we could take the Paugusset out onto Buddington without a wetlands crossing. I don’t see that. What I see is there would be two crossings instead of one, unless he means that we could come out where there is a City right-of-way.

Commissioner Tate asked why we would want a trail on Buddington Road.

Agent Gallagher answered that we don't. We've had problems in the past on Mayflower Lane with encroachment issues.

Commissioner Tate asked about the view line and Agent Gallagher pointed out the area. The Commissioners discussed the visual corridor. Commissioner Tate commented that the major failure here that I see is that the road divides this view or corridor and splits the nice interrupted Paugusset trail north to south, correct? Agent Gallagher agreed.

Agent Gallagher mentioned that they were offering to build 4600 feet of a recreation path. What was listed there was very vague and had no construction standards.

Commissioner Tate asked if that was presented as something we want?

Chairman Harbinson commented that the developer is also the developer of Huntington Woods and he knows we are trying to accomplish the recreation path through there and there has been recent conversations about how the $50K dedication that was made to Planning & Zoning from the approval of that subdivision would be utilized for the recreation path in that area and so he might have picked up on that it might be a benefit to throw into the pot.

Commissioner Tate questioned on how the two are related.

Commissioner Welsh asked if there is any guarantee that this conceptual design will remain that way. Could the lot count increase, decrease, or could there be a 17-story tower put in there?

Chairman Harbinson answered that this is not something we are used to, but like any property owner when they sell a property to a developer it’s an option type basis in that you would sell the property contingent upon certain parameters.

Commissioner Tate said that the answer is no, there are no safeguards.
Commissioner Dyer pointed out, in looking at it from all angles, the town would benefit because they are going to presumably move the road in here, and swing it around.

Chairman Harbinson pointed out that is beyond our purview. I have no idea if that is a dangerous intersection. Is that on a priority list from the City Engineers list? I don’t know. It is obvious that a lot of things he proposed as being beneficial to the town in his proposal were things that would have to be done anyway for doing the development, such as city water, city sewer, and improving that corner and those are beyond our purview. Let’s just stick to within the open space, conservation component of his proposal.

Terrance Gallagher, from Trails Committee, commented that no one from Blakeman Construction ever came to us at any time and asked us if we wanted what he was offering as to what he was calling the recreation path. It is really not what we were talking about designing. It's not where we want it to go. It's not of any construction standards that we asked for. It is really a non-issue. The City has said for over the last 10 years is that they want this property as a connector between the Shelton Lakes Greenway and the Far Mill River Greenway. Among other things it can provide that visual corridor, wildlife habitat corridor, and as a corridor for the re-establishment of the Paugusset Trail, one of the state's premiere Blue Dot trails. It's not just a hiking trail; it’s one of the “premier hiking trails” in the state that was disrupted when Aspetuck Village was constructed.

We are trying to re-establish that by piecing the patchwork of open space that the taxpayers have spent a lot of money over the 10 years buying up. Having this as a green open border has a tremendous value to implement the town’s 1993 open space plan, which all the City boards have reviewed and commented on favorably. I believe P&Z, Open Space, Trails, Conservation, the Mayor and the BOA have commented favorably. We should close on this right away because it implements the City's open space plan.

Chairman Harbinson noted that Terry Gallagher's comments outline a good letter.

**Commissioner Lauriat MOVED to write a letter based on Terry Gallagher's comments regarding the UI property on Buddington Road to the Board of Aldermen, the Clerk, the Mayor, the Administrative Assistant, Planning & Zoning and City's Corporation Council. SECONDED by Commissioner Tate. A voice vote was taken; all were in favor, with Commissioner McCreery abstaining. MOTION PASSED.**

**Trails Committee Report**

Commissioner Dyer reported as follows:

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CC minutes 2007-01-03 submitted via m.weber@cityofshelton.org email to City Clerk for legal posting requirements.
Tape recording of meeting available at City Clerk's office.
**Bridge over Silent Waters Dam**
Foundation has been poured. The work has been done beyond my expectations. The holes have been filled in and they have removed the ruts. The delivery will be either January 10th or 11th. We have the fence contractor and he is going to put in another small section and we will take a look at that.

**Leaf Grant for boardwalk and path relocation**
Boardwalk has been completed. Good work! Joe is working w/contractor to put in gravel. The Land Trust may have some money remaining in the budget for the gravel.

**Bridge Near Crabapple**
The Crabapple Bridge that we built, had a tree came very close to wiping it out. It only clipped part of it and we were able to go out and repair it.

**Scout Projects**
Spencer Tate did his two bridges and they are holding up very well. Another scout project was all that trash removal from north of Route 108. Jim Tate mentioned that last night there was the Housatonic Council Eagle Scout recognition dinner. Each Eagle Scout has a mentor and they explain what the Eagle Scout project was and Shelton’s Conservation Commission was prominently involved throughout the night and mentioned.

**Trails Committee’s 2006 projects handout**
Terry Gallagher passed out his handout regarding the year’s effort of the Trails Committee. We can use this handout for grant requisitions.

**Dikofsky Property**
Tracey Lewis did his survey at no cost. The map was detailed for the Commissioners showing where our trail crosses his property. Terry Jones and I met with him asking if we could get an easement, either buying it or trading for it. He said why don’t I just give it to you. I talked to the town attorney and he said what you need is a formal description from a surveyor and a title search to verify that he owns the land, which means he is authorized to give it to the City. We would need to relocate the trail because it is very slippery on a rainy day. His only request is that if he subsequently develops on his property that this be counted towards his open space. I talked with Tom Welch and he said it was fine. I need a vote from the Commission to authorize the town attorney to proceed to accept the property on behalf of the town.

**Commissioner McCreery MOVED to recommend to the Board of Aldermen and the Mayor to accept the generous offer of Basil Dikofsky to donate a**
parcel of land as shown on a land transfer map dated December 27, 2006 prepared by Lewis Associates for the donation of approximately 6496 sq. ft. of land abutting open space parcel B as shown on said map for purposes of extending the cross-town recreational path and providing the recognition be given to the donor of the said parcel of land shall be considered part of any future open space contribution that the landowner would be required to make as part of any future subdivision of his property and the appropriate deed be prepared by the City attorney, executed by the property and recorded on the land records with the gracious thanks of the City of Shelton for helping in the completion of the cross-town recreational path. SECONDED by Commissioner Dyer. A voice vote was taken, all were in favor, MOTION PASSED.

Commissioner McCreery MOVED to reimburse Land Titles Inc, for the title search for the Dikofsky property (35 Old Town Road) as requested by the Trails Committee in the amount of $250. The funds are to come from 414-60-01 Land Improvements. SECONDED by Commissioner Tate. A voice vote was taken; all were in favor, MOTION PASSED.

Agent Gallagher suggested we put in a gate to block off the area to keep the ATV riders from getting in.

Commissioner Tate suggested sending a letter to Basil thanking him for his help and a mug and Commissioner Lauriat suggested putting up something posted there to show our appreciation for the land dedication.

Trail Maintenance
We are planning to apply for the recreation trails grant due sometime in early March. One of the goals is to get specification for the entire recreation path. Rick Schultz says there is $60K from Huntington Woods and some of that could be used.

The Well Spring Estates still owes us a trail. I do not know if it has been deeded to the City yet.

Blue Dot Trail
We have a project to connect the Blue Dot Trail this year. This will have an impact on the residents of Mayflower when we put the trail in.

Lane Street – upper ROW boundary
I received a quote but have not opened it as of yet. This is the re-survey of the Scenic Lane Estates. What are we going to do once we have the boundary? We talked about it and we suggested a split rail fence or pine trees. The
Commissioners agreed the fence seemed to be a better idea and could become a scout project.

**Trail Enhancement efforts – 2007**

We will probably do the Turkey Trot Bridge ourselves. It originally was a scout project. We are still considering the handicapped-fishing platform and it is in our grant. We have discussed doing a variety of other trails such as in Huntington Woods. We have an adequate number of signs and Agent Gallagher reported that they are staying up. 10’ high seems to work well.

**Work Party Schedule**

We have a work party scheduled for January 6\(^{th}\) at 9AM at the missing link between the recreation path and Constitution Blvd. We brought some of the old boardwalk from Lane Street over there to put over some of the rough spots. On January 20\(^{th}\) we are going to have a publicity hike @ 11AM starting at the Abbey Right parking area and walk to Huntington Center and drive back. We will invite people to have pizza afterwards.

**Conservation Agent Report**

Agent Teresa Gallagher reported as follows:

**Open Space Trust Account**

The balance as of 11/30/2006 was $211,512. Kathy from the Finance Dept. has given me two different reports with two different amounts for 2006/12/31 (either $212,358.78 or $201,891.45) received just before tonight’s meeting – maybe just interest addition, for the first number, but haven’t reviewed the second number)

**Project Safe Trails**

Nothing new to report except for ATV activity (see below):

**Long Hill Avenue** (showed greenway map) complaint from neighbors about two ATVs coming from 519 Long Hill Avenue and damaging large areas of the open space behind Long Hill School. Neighbors spoke with riders, who reportedly indicated that they would continue to ride and no one could stop them. Neighbors took photos, and the riders gave their names and address to them and dared them to call the police. Significant damage was caused within one week in wetland areas. Commission needs to determine what action it wants taken. I recommend that we ask the riders to repair the ruts to the extent possible. If they refuse, then the City should pursue further legal action via the Police or by the new State Encroachment Law. Video and photos are online via the Commission public-access Google Group. Aldermen have been copied. Chief Hurliman is aware of it as well.
Commissioner Dyer slyly suggested forming a SWAT committee – Shelton Wants ATV’s Terminated.

**Buddington Road dirt bikes:** Two dirt bikes (one yellow and one blue and white) were seen in the front yard of #214 Buddington Road with kids getting on them and were seen driving on the Shelton Lakes Greenway about 15 minutes later (a total of three dirt bikes – two blue and white). Photos were taken. A report will be sent to the Police and a certified letter will be sent to the homeowner. The kids enter via the Blakeman lot off of Doe Place, where they have created a track. (House 214 is at the base of Buck Hill Road, which leads to Doe Place). Clearing and fill from the Blakeman project is encroaching into the UI Open Space about 1/3 to 1/2 acre, so this ATV track is now partially on Open Space. Photos are online via Google Group.

**Independence Drive**
Nothing new to report

**220 Soundview Avenue – Open Space Encroachment**
As of this week, Inland Wetlands continues to work with the homeowner to formalize a planting plan.

**Waterview Landing**
Trees have been cut in the private open space between the development and the Housatonic. Video is online via Google Group. I have been unable to locate anything legally defining what can and cannot be done in that open space. As of this week, Rick Schultz says there must be a Conservation Easement on file and that he will look for it.

**129 Lane St. – Scenic Lane Estates**
The property line between homeowner and Open Space needs to be re-marked. Bill Dyer had spoken with surveyor Tracey Lewis about getting a quote to have that done.

**Vistas at White Hills (Toll Brothers) – Maple Ave/East Village Rd**
Hank Lauriat was working on a draft letter to Toll Bros regarding the parking area and stone walls. Commissioner Lauriat sent it out on the Google group and no one remembers it. He read the draft to the members. Commissioner Dyer asked if we want them to define the end of the parking area with a row of trees.

**Commissioner Lauriat MOVED to send a letter to Toll Brothers, copying Planning & Zoning, Agent Gallagher, the Board of Aldermen & the Mayor regarding the items listed in Commissioner Lauriat’s draft letter of items the Commission wants addressed prior to the end of the development.**
SECONDED by Commissioner Dyer. A voice vote was taken; all were in favor, MOTION PASSED.

Open Space Marking/Pinning
Bill Dyer was going to ask Tracy Lewis to review our new verbiage to be included on all subdivisions. Commissioner Dyer said Tracey likes the plan.

Encroachments
I have created a new system to track encroachments and an online spreadsheet has been created so that Commissioners can review the status of all encroachments at any time. Chairman Tom Harbinson was also given “collaboration” status so that he can leave notes on the spreadsheet for me. There are currently 16 encroachment issues listed, six of which are closed. The spreadsheet is online at:

http://spreadsheets.google.com/pub?key=p7eVfoW0oJhvt7WAQyJrDYw

Commissioner Lauriat mentioned the vehicles on the side of the road as you enter the Vistas at White Hills and wondered who owned the property. You would think that Toll Brothers would be concerned with the look it is presenting, especially for the people who are buying the “million dollar” homes. It appears the property the odd vehicles are sitting on is the Wasilewski’s not the Wabuda’s.

Communications
- Housatonic Current
- American Farmland Trust
- Nature Conservancy Membership
- Working Lands Alliance

Tape 2, Side A
- Complaint from homeowner, Chet Rubinstein, 19 Kimberly Drive. His property is adjacent to City Open Space. There are two large dead trees on the property and is a dangerous situation. Dean Cawthra reported that one tree would need to be cut on City open space. We need to authorize payment from Land Improvements and to get a quote.

Commissioner McCreery MOVED to authorize to expend up to $1000 for tree removal according to the complaint form received on November 8, 2006 and reviewed by the Tree Warden who will be getting an estimate. The funds are to come from the Land Improvement line item. SECONDED by Commissioner Tate. A voice vote was taken; all were in favor, MOTION PASSED.
Memo from P&Z regarding an 8-24 referral regarding the extension of lease for 234 Shelton Avenue. Commissioner Tate suggested writing a letter – think about getting the money from the lease put into Open Space Trust account. Commissioner Dyer had always stated that it would make an excellent nature center. Chairman Harbinson suggested sending an email to Rick Schultz and copy the Board of Aldermen to let them know that is something in the Trails Committee’s long-term plans.

Chairman Harbinson brought up the Chairmanship. I would like to have a co-chair or a vice-chair. Commissioner McCreery said he always felt it was awkward having two co-chairs. I recommend a chairman and vice-chairperson. Commissioner Dyer nominated Jim Tate as vice-chairman. Commissioner Tate said he did not want to be Vice-Chairman.

**Jim Tate nominated Commissioner Dyer as Vice Chairman with Tom Harbinson as Chairman – for at least one year. Seconded by Commissioner Lauriat. A voice vote was taken; all were in favor. MOTION PASSED.**

Chairman Harbinson stated that there are three individuals interested in the vacant Commissioner position. The applicants are: Carol Jacobsen, Jim Barnes, Cynthia Giancaspro

Commissioner McCreery read from the CT. statute book as to whether they should discuss who they would recommend to the Mayor for the position.

**Commissioner Dyer MOVED to go into Executive Session at 9:05 PM for the purposes of discussing appointment issues. Commissioner position. SECONDED by Commissioner Lauriat. All were in favor.**

At 9:22 P.M. Commissioner Lauriat MOVED to come out of Executive Session. SECONDED by Vice-Chairman Dyer. All were in favor.

**Commissioner McCreery MOVED after considering the three very qualified applications for filling the vacancy created on the Commission by the unfortunate demise of Harriet Wilber the Commission recommends to the Mayor the selection of Ms. Carol Jacobsen. We have included the resumes of all three applicants, who each bring qualifications of either horticultural or engineering background to the Commission making it a difficult decision but Ms. Jacobsen’s continued expression of interest in the Commission shows her keen willingness to participate in the Commission’s work. SECONDED by Vice-Chairman Dyer. A voice vote was taken; all were in favor, MOTION PASSED.**
City of Shelton, Conservation Commission
Minutes for Regular Meeting of Wednesday January 3, 2007 at 7:00 P.M.
Minutes should be considered a draft version until approved by CC at their next meeting.

Budget
Chairman Harbinson handed out copies of the Shelton Conservation Commission's 2006-2007 goals. I don't think there has been too much that has changed.

Commissioner Tate asked to have monitoring the Open Space Trust account added in to our responsibilities. Item 8 needs to be revised to be more comprehensive noting the Open Space Plan.

The Commission discussed some future needs such as maybe more hours for Agent Gallagher and some equipment, such as a scanner.

There was also discussion on some of the line items such as Program Development, what is incorporated in each item and how much has been spent. Some items that would have been spent from that account happened to come from a grant. A grant may not necessarily fund future needs so the line item should have a budgeted amount.

There was discussion that we make sure there is money in the budget to address the maintenance of open space. Commissioner Welsh discussed what the Land Trust group does for maintaining their property and the cost.

Tape 2, Side B
Chairman Harbinson said that he and Vice-Chairman Dyer would work on the 6-year capital outlay request.

Plan of Conservation and Development

Open Space set-aside of 15%
No update.

Ensure public access to the Housatonic River
The Mayor’s office has not gotten back to us on the CRRA public use plan.

Scenic Resource Inventory
We did get about 5 responses to our request from the public to provide what areas in town they felt should be added. Agent Gallagher said some mentioned Trap Falls and a section of the Far Mill River and one person nominated their house.
Quality of Life – Executive Session
Commissioner Lauriat MOVED to go into Executive Session for the purpose of discussing land acquisition issues at 10:01 P.M. SECONDED by Vice-Chairman Dyer. All were in favor; MOTION PASSED.

Commissioner Lauriat MOVED to come out of Executive Session at 10:23 P.M. SECONDED by Commissioner McCreery. All were in favor; MOTION PASSED.

Commissioner McCreery MOVED to write a letter to the Mayor which states that due to our many other priorities that we do not see the priority in acquiring the parcel discussed in Executive Session as open space at this time. (SECONDED by Commissioner Lauriat. A voice vote was taken; all were in favor, MOTION PASSED.

Comments By Members
None.

Adjournment
Commissioner Welsh MOVED to adjourn. SECONDED by Commissioner Lauriat. All were in favor, MEETING ADJOURNED at 10:25 P.M.

Respectfully submitted,

Marianne Chaya
Clerk, Conservation Commission