1.0 Call to Order/Pledge of Allegiance

Co-Chairman Tom Harbinson called the January meeting of the Conservation Commission to order at 7:09 p.m. in Room 303, Shelton City Hall. The Pledge of Allegiance was recited.

Attending: Chairman Tom Harbinson, Chairperson Harriet Wilber, Commissioners Bill Dyer, Ed McCreery, Jim Tate, Joe Welsh, Hank Lauriat

Guests: Steve Bellis, John Trautman, Nancy Steiner, Irving Steiner, Terry Gallagher, Randy York.
Addition to the Agenda
At 7:10 p.m. Chairman Harbinson entertained a motion to add to the agenda a presentation by Randy York, Shelton Alderman, regarding coastal wetlands areas. Chairperson Harriet moved the motion; seconded by Commissioner Dyer. All voted in favor; motion passed.

2.0 Approval of Minutes of December 14, 2005
At 7:11 p.m. Chairman Harbinson entertained a motion to approve the minutes of December 14, 2005. Commissioner Lauriat moved the motion; seconded by Commissioner Dyer. All voted in favor; motion passed.

3.0 Public Portion
None.

4.0 Subdivisions
None pending.

5.0 Request to Sell Lot 137, Map 66, Frank Drive
Mr. Steve Bellis made a presentation regarding a lot on Frank Drive which is listed as a “no count” parcel in the Commission’s open space plan. The proposal is for a land swap. Mr. Hugo Provensano, who owns the adjoining 4 acre property, would like to acquire the City of Shelton’s piece which is the size of .38 acres in exchange for .40 acres of his land. He would like to build three houses on his property.

The City of Shelton’s piece was not deeded as open space. The reason Mr. Provensano thinks the Commission might be interested in the swap is because Fleet National Bank Trust owns an undeveloped, wooded parcel of land of approximately 25 plus acres adjoining Mr. Provensano’s lot. The .40 acres borders this vacant land.

The City also owns Lot 73 along Wigwam Drive. Mr. Provensansno is also proposing to grant the City a pedestrian and conservation easement along the southerly portion of his property in order to connect the property on Wigwam Drive to the Fleet National Bank Trust’s land, which the City may wish to acquire in the future.
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There is no application or no contract for sale for Mr. Provansano’s land. The reason Mr. Provansano wants the corner Lot 137 is to better accommodate the septic system on Lot 1.

While a road could be constructed through the wetlands for the proposed three houses, it does not seem feasible. With or without the road and with or without the land swap, three houses can be built without needing variances.

A Board of Aldermen letter was sent to the Commission asking the Commission to review the land swap. PZC, in its review, would have to get the land swap an 8-24 Referral. Mr. Bellis commented there is a policy for the sale of land in Shelton that only applies if the City land is an acre or more which this lot is not. If the land swap is approved, he suggested the stonewall should be relocated along the road with some planted streetscape trees. He said this proposal provides a better linkage to open space in the future.

Chairman Harbinson suggested he will make copies of one drawing that shows the standard road through and one drawing that shows the lots for the Commission to contemplate to make a decision for next month’s meeting.

Mr. Bellis left the meeting.

5.1 **Randy York, Alderman, Coastal Wetlands Along the Housatonic River**

Ms. York recently got an ecologist to make a preliminary review of 550 River Road along the river. She would like the Commission to get the specifics on this piece of land in order for it to be strongly considered for an open space purchase.

She introduced a Fairfield ecological consultant, John Trautman, who distributed a summary of his qualifications to review the property.

He was requested by the Shelton Citizens Against Riverfront Environmental Disasters to perform a preliminary ecological evaluation of an undeveloped riverfront which he did externally. His resources
were the DEP, Shelton Inland Wetlands office, waterborne access, and the Wallingford Natural Resource Service’s database of the subject parcel.

He pointed out the diversification of the 9.32 acre property encompassing the topography and the wetlands which provide valuable ecological functions to the community and the bio-region; the vegetation contribution which provides wildlife, nesting opportunities, and terrestrial organisms; soils with biofiltration, groundwater recharge, and water quality renovation.

In its current undeveloped state, the land provides control of non-point source pollution, protection of aquatic habitat, temperature control, provision of food for aquatic life, insulation of fish and wildlife habitat from human activities, and provision of corridors linking wetlands and watercourses. Additionally, the property may contain significant historical and archeological resources where the intersection of the Ivy Brook and Butternut Holly Brook streams connect to the Housatonic River. This area was likely used by Colonial Americans and Native Americans.

Mr. Trautman’s professional opinion is that this parcel contributes significant ecological functions, values and benefits to the community and the bio-region. The property should be examined by the Office of the State Archeologist.

His recommendation is the City of Shelton conduct a complete and thorough evaluation of this property and its cumulative contributions to the community and bio-region, so that it may be properly considered for open space acquisition. This evaluation should include ecological, archeological, educational, scientific, historical, and recreational components.

The Commission asked, if a 150 foot setback from the river was taken, would there be a balance of some development potential on the property and also preserves some of the ecological benefits. Mr. Trautman answered site development and natural resources ecological benefits would not be consistent on this piece of property because of the slopes, the
topography, the layout, and the features. This is not the place for even limited development.

Also, the Commission stated Shelton is a municipality with limited resources and has to allocate and prioritize. When Mr. Trautman said this property is unique, the Commission asked unique in comparison to what. In his answer, Mr. Trautman lauded the Town of Fairfield’s open space program. Commissioner Tate responded that the City of Shelton is equal to no others in its planning, acquisition, and execution of open space, Open Space Plan and Inventory, and no City in the State of Connecticut comes close. Mr. Trautman replied the Commission should be very proud of that.

Mr. Trautman suggested since the Commission’s resources are limited, it would be beneficial to bring in the group “Kings Mark” because it works with the DEP and assembles an environmental review team to conduct a review of all the aspects of the property at no cost to the City and to take a second look at the property. The Commission replied it did use Kings Mark on another piece of property and used the company for the grant application for the timber bridges. Chairperson Wilber stated the Commission has the Housatonic River corridor in its Open Space Plan.

The Commission suggested to Ms. York that if the belief is there for this piece of property to become open space, she shouldn’t stop with this Commission. It should be brought to the Inland Wetlands Commission, PZC, and the Aldermen. This Commission is only advisory.

Mr. Trautman left the meeting.

6.0 Proposal for UI Property on Buddington Road – Chairman Harbinson
Monty Blakeman and Jim Blakeman are adjacent property owners to the UI property. Jim Blakeman was the winning bid on the UI property, but the City is purchasing it through its right of first refusal. The two Blakemans are still interested in utilizing the UI parcel in order to develop their property in a more advantageous way to them. Chairman Harbinson
has told them the Commission’s concern that it would like to maintain a vegetated clear corridor in that area. Chairman Harbinson said the Blakeman’s mentioned they could provide aerial photography that would show how they could achieve this.

Chairman Harbinson stated the property is an important natural resource for the City to own. The City has not closed on the property, and yet, because there is a process by State statutes for utility property. The City’s attorney has matched the offer of the winning bidder by putting down a deposit. The funding will come through after that. Chairman Harbinson declared it is in the process, and the City is closing on the property. The City has five months from November 14th to close the deal and everything is moving in that direction to do this.

Mr. Irving Steiner asked if it is in the realm of possibilities among the Board of Aldermen, Mr. Blakeman, and the Mayor, that the picture of previous negotiations could change. The Commission replied, no, the City is buying the property from the United Illuminating, and Chairman Harbinson explained the proposal or concept process.

The Commission was asked if there will be a point of time when it will be deemed open space and not available for sale. There could be deed restrictions placed on the property depending upon what funds are used to make the purchase from the United Illuminating. If funds were used from the General Fund Account, there could be no restriction.

Mr. Steiner asked if the United Illuminating has right of access. The Commission answered no, the power lines are not on the property; they are on an easement on the adjacent owner’s property on Buddington Road. However, the Iroquois underground pipeline easement crosses the property. Also, there are wetlands on the property. The property’s location can be found at the City’s website on Draft Update Plan of Conservation Development by turning to the page showing open space. On Buddington Road the property can be located.
Chairman Harbinson received two letters from Aldermen Chris Panek and Jack Finn which asked to be read in the meeting. They are as follows:

Aldermen Chris Panek, January 4th.
Dear Conservation Commission Members,
I am unable to attend your meeting tonight as I am attending another City meeting. I understand you will then be discussing the UI property on Buddington Road, under Item #6 on your agenda. I am attempting to get a copy of the “new proposal” for this property. However, as of this meeting, I have not been able to, and my only understanding was that your Commission would discuss the proposal tonight. I would like to express my concern for the residents of this area of Shelton as well as the entire City that I feel it is in the best interest to keep the property as open space. I am aware after reviewing your minutes of the past several months as well as the Open Space Committee minutes that everyone agrees this property should be preserved in its natural state.

Tom Harbinson clearly conveyed this in his presentation to the Board of Aldermen on November 10, 2005 on your Commission’s behalf. The Board of Aldermen on that same night voted appropriately voted unanimously to approve this City’s purchase of this property. The property has run its required course according to local ordinance and at no point was there any resistance from any boards or commissions.

The City has reserved this right to purchase this utility property at a very fair price. To change course now would in no way be a benefit to the residents that we all represent and serve. I appreciate the hard work and effort that every Conservation Commission member has put forth in protecting our most valuable resources, and I am sure that you will remain steadfast in your position on this property. Feel free to contact me with any questions or concerns.

Sincerely,

Chris Panek, First Ward Alderman
First Ward Alderman Jack Finn  
January 2, 2006

Dear Mayor Lauretti:

I read in the December 14, 2005 Shelton Commission minutes where it was revealed “Mr. Monty Blakeman is still interested in purchasing this parcel from this City and offered a new, however, similar concept for proposal for development.” The Board of Aldermen in their 2005 regular meeting made a motion to exercise the City’s right of purchase this parcel to preserve Lot 11 on Buddington Road as open space.

Any discussion between Mr. Monty Blakeman, your office, and the President of the Board of Aldermen, John Anglase, should cease. I encourage your office to negotiate with Mr. Blakeman for the two parcels that are separated on both sides by Lot 11 to preserve those two parcels as open space, which would blend in beautifully with the other parcels of open space we have preserved in this area.

Sincerely,

Jack Finn, First Ward Alderman

Chairperson Wilber apologized and said if the minutes truly say that word for word, that should not be. Chairman Harbinson stated we can consider Alderman Finn’s suggestion to purchase the Blakeman’s land for open space in our Quality of Life issues.

At 8:15 p.m. Chairman Harbinson entertained a motion to rescind the approval of our minutes from the December 14th meeting. Commissioner Lauriat moved the motion. Commissioner McCreery abstained; he was not in attendance; seconded by Commissioner Dyer. All voted in favor; motion passed.

At 8:15 p.m. Chairman Harbinson entertained a motion to approve the minutes to be amended by Chairperson Wilber. Under Item No. 13.0 Comments by Members, instead of the sentence “Monty Blakeman is still interested in purchasing this parcel from the City
and offered a new, however similar, concept for development” should read, “Monty Blakeman is still interested in utilizing this parcel...” Chairperson Wilber moved to approve the minutes, as amended; seconded by Commissioner Welsh. Motion passed. Commissioner McCreery abstained for the decision and the approval. He was not at the meeting in December.

7.0 Communications - Chairperson Wilber
- Rick Schultz’s Annual PZC Report.
- Zoning Board of Appeals Agenda.
- Copy of Alderman Jack Finn’s letter.
- Flyer announcing the Farewell Celebration for Shelton Chief of Police Vocola, Friday, February 10th, 5:30 p.m. to 8:30 p.m., Madison’s Restaurant, 514 Bridgeport Avenue, $50.

8.0 Trails Report - Commissioner Dyer
- The Trails Committee met today and discussed the bridge over Silent Waters Dam. Four companies were named that could build the bridge. There is a meeting planned to present it to the City engineer and the Mayor. The committee is ready to move ahead on the project and the trail.
- Scout Spencer Tate Eagle Scout’s project, a model of the timber bridge, was presented and signed off. It will be placed on two locations and poles will be dropped off into the right-of-way next week. The dimensions are 16 feet long and eight feet across. This project will be started next month. It was noted that Scouts have done fantastic jobs on Eagle Scout projects building kiosks and now bridges.
- Commissioner Tate stated he will meet with the Mayor on Friday to discuss the budget for the bridge and Recreation Tail and try to get the City engineer to be a partner in the Committee’s group effort on the Silent Water Bridge. Funds may be needed from the Conservation Commission to do the structural engineering if upgraded abutments are needed.

The proposal of the bridge is to resemble and match the other bridges such as the Huntington Center
Bridge and the bridge that crosses over Pine Lake. Since the bridge needs a protective barrier on one side, there are two ways to achieve that. One way is to use an institutional black vinyl chain link, but the better method would be to use a natural post and rail fence with a wire backer. He estimated there will be approximately eight hundred feet of fence. Additional fencing may be added for bicycle traffic.

Terry Gallagher, Trails Committee member, stated the bridge should be priced both ways. Commissioner Tate agreed, and if there is a change needed as the project progresses, the option can be decided next month. The millings will be completed by Dean Cawthra, Public Works Department. Commissioner Tate estimated the funding needed will be $70,000 to $75,000; there is about $58,000 in grant money.

- There is $60,000 from the Huntington Woods project to be spent through the PZC. The money will be spent on the Recreation Path through Huntington Woods and nearby areas.
- There is a new grant in process, and the Committee will find out next month if it has been awarded.


Landkeepers Program
- Nothing to Report

Hanging of Open Space Signs

Old Subdivisions
- Golden Heights, Golden Hill Lane has been signed.

New Subdivisions
- Keeping current with developers and their signing responsibilities from the active bond list.

Riverwalk-Veterans’ Park Regulations

Handouts are available for anyone who did not receive copies at last Commission’s meeting. These can be discussed at a later time.

America the Beautiful Grant

Charlene DeFlippio will have the regarding information. The grant awarded the Commission $2,500 and will be discussed in the next meeting.
10.0 Plan Update Advisory Committee – Commissioner Tate and Chairman Tom Harbinson

There was no change since the last meeting. Commissioner Tate reported the updated plan has been made and is starting to get some feedback. It is an aggressive plan, and the committee looks forward to seeing how it works.

The plan is still in draft form with different levels such as an inventory plan, strategies, policies, and tasks. The Plan Update Advisory Committee would like the plan to be not just adopted, but implemented.

Randy York, Alderman, commented she encourages people to get involved with this plan even though it is advisory because there might be legislation “down the road” that focuses on public interest in the ten year plan and eliminates public input at the PZC level and the approval process level.

11.0 2006-2007 Conservation Commission Budget – Chairperson Wilber

Chairperson Wilber stated in the Shelton Conservation Commission’s 2005-2006 goals, in Item #2, she will substitute the word “continue” for the word “develop” a system of volunteer “landkeepers” in the 2006-2007 goals.

Chairperson Wilber recommends the transferal of $50.00 from Postage to Subscriptions.

Terry Gallagher discussed the Six Year Capital Outlay Request regarding the Construction of the Shelton Recreation Path. The Commission suggested Terry should talk with Mayor Lauretti about the capital request.

At 8:52 p.m. Chairman Harbinson entertained a motion to approve the budget as presented in Chairperson Wilber’s comments to transfer $50 from Postage to Dues and Subscriptions. Chairperson Wilber asked if she needs more, would the Commission leave it up to her to adjust the amount between Postage and Dues and Subscriptions doing it appropriately? The Commission answered, yes.
Commissioner Tate moved the motion; seconded by Commissioner Dyer. All voted in favor; motion passed.

Terry Gallagher left the meeting.

12.0 Quality of Life – Possible Executive Session – Commissioner Harbinson
   - Updating of List – Commissioner McCreery
     This was discussed in Item 15, Quality of Life – Possible Executive Session on Page 13
   - Letter to Landowners – Commissioners Welsh, McCreery. This was not discussed in the meeting.

13.0 Update of 1993 Open Space Plan – Chairman Harbinson
Chairman Harbinson spoke to Sandy Nesteriak, Shelton’s Administrator, regarding the Open Space Committee which has not had many meetings recently because there were times there wasn’t a quorum or no PZC representative in over a year. He said it was awkward when commenting on subdivision applications to have someone from the Planning and Zoning Board make comments because they could prejudice themselves. Since the Open Space Committee was created to work on an Open Space Plan and the Open Space Trust Fund Account, not to look at subdivision applications, he will suggest to Dave Zamba, Chairman that the meetings be held to update the Open Space Plan. Invitations will be given to the Board of Aldermen and Planning and Zoning to send representatives to attend the meetings.

14.0 Zoning Regulations Regarding Clearcutting in New Subdivisions – Commissioner McCreery
Commissioner McCreery reported Agent Pjura called him to say he was unable to find any town regulations that required a permit before someone went in to clear cut the land. Commissioner McCreery did find that information on the internet and will submit these regulations with a list of other proposed regulations changes in upcoming meetings.

Chairman Harbinson mentioned the Aldermen’s ordinance regarding the procedure for disposing of City parcels that are greater than an acre. He suggested that should be changed to be a smaller amount because a
half-acre or a third-acre parcel could be of great value.

Commissioner McCreery mentioned in a previous meeting that the Aquarion Water Company might have an interest in setting up a program similar to the Iroquois Gas Company’s leaf program. He E-Mailed the Iroquois Company with the possibility of having lunch with the Aquarion Company and the Commission in regard to this program.

15.0 At 9:07 p.m. Chairman Harbinson entertained a motion to go into executive session for discussion of land purchases. Commissioner Lauriat moved the motion; seconded by Commissioner Dyer. All voted in favor; motion passed. Ms. Shortell, Clerk, was invited to remain for the session. The tape machine was turned off.

At 10:20 p.m. Chairman Harbinson entertained a motion to come out of executive session back into regular session. Commissioner Lauriat moved the motion; seconded by Commissioner Dyer. All voted in favor; motion passed.

No action was taken in executive session.

16.0 The Full-Time Natural Resource Manager Position – Possible Executive Session – Chairman Harbinson
This was combined with Item #15 on the agenda, Quality of Life – Possible Executive Session.

17.0 Comments by Members
At 10:21 p.m. Chairperson Wilber entertained a motion she would like to write a thank you to the Donofrios for their patience and the sale of their land on Hilltop Drive. Commissioner Tate moved the motion; seconded by Commissioner Dyer. All voted in favor; motion passed.

18.0 Adjournment
At 10:21 p.m. Commissioner Dyer made a motion to adjourn. Motion seconded by Commissioner Lauriat. All voted in favor; meeting adjourned.

Minutes Prepared By
Anita Shortell, Clerk