City of Shelton
Conservation Commission
Meeting Minutes for
March 2, 2016

Members Present: Tom Harbinson, Sheri Dutkanicz, Pat Gajdosik, Jim Tate, Joe Welsh, Bill Dyer, Ed McCreery

Also present: Teresa Gallagher, Natural Resource Manager; Terrance Gallagher, Trails Committee.

1. The meeting was called to order at 7:04 pm.

2. Meeting Minutes: Pat Gajdosik made a motion to approve the February 3, 2016 meeting minutes. Seconded by Bill Dyer. All were in favor.

3. Public Portion – for items not on the agenda: No one wished to address the Commission at this time.

4. Review of proposals before the Planning and Zoning and Inland Wetlands Commissions (this item was move up in the agenda):

   a) Bridgeport Avenue Shelter Ridge Associates, Preliminary Concept Plan for a 121-acre PDD bounded by Mill Street, Buddington Road, and Woodland Mobile Home Park, zoned Light Industrial.

      i. Natural Resources Inventory Report – presentation by Teresa Gallagher, Natural Resources Manager. A 17-page report titled “Natural Resources of ‘Shelter Ridge’” (ATTACHED) was emailed to the Commission members and attorney Dominick Thomas prior to meeting. Printed copies of the report were handed out at the meeting along with copies of a 1994 report titled “The ‘Old Kings Highway’ (FM8) Proposed Open Space Area” and a set of marked up color maps depicting key natural resources.

      Ms. Gallagher summarized the report for the commission, highlighting the Old Kings Highway Open Space, Old Kings Highway (historic colonial road), Mill Street (designated scenic road), Far Mill River, and the proposed route of the Paugussett Trail. A sheltering ridgeline
crosses the property that can be used to separate new construction from the key natural resources as well as the residential neighborhood. New construction east of the ridge line would have little impact on the key natural resources so long as buildings are kept below the elevation of the ridgeline. Building west of, or on top of, the ridgeline, would have significant impact on these key natural resources. Ms. Gallagher also noted there are very few wetland areas for a property of this size.

ii. **Presentation by Attorney Dominick Thomas** representing both the property owner Royal Wells and the developer Serge Papageorge. Mr. Thomas described some of the recent history of previous attempts to develop the property, and noted this proposal could be a $300 million dollar project and the largest in Fairfield County. In addition to meeting with the Conservation Commission, they intend to meet with the aldermen for the ward, along with neighbors of the project. He then introduced Jim Swift (engineer and landscape architect).

Mr. Swift showed a detailed existing conditions map of the site and noted that the ridge top location as identified on Teresa Gallagher’s handout was accurate. Also, the lack of wetlands was “striking”, and a small pool noted in the Natural Resources Inventory was found to not be a vernal pool. They have Matt Popp, a wetland scientist, working on the project.

Mr. Swift then showed a plan titled “Towne Center at Shelter Ridge – Master Plan”, which was similar to the concept plan reviewed by the Conservation Commission in February (see next page), except some buildings were shifted slightly, a new band of open space was depicted along Mill Street, and the three luxury apartment buildings were now eight stories high.
Original Concept Plan, similar to the master plan reviewed at the meeting
Mr. Swift drew the ridgeline across the concept plan, through several of the proposed buildings. He noted that there is a 200-foot grade change across the property, that the ridgetop was the most developable part of the site, and that they could not avoid building on top of it.

Jim Tate interjected: “I think you still can.”

Mr. Swift explained that the lower part of the site along Bridgeport Avenue will not carry the development.

Tom Harbinson asked about the powerline/gasline corridor. Mr. Swift responded that they needed to keep some distance from the gas pipeline and the Iroquois Gas Company will have strict limitations for road crossings.

Jim Tate said that ‘the ridgeline is for me the break point. We’ve spent
twenty-five years trying to preserve greenway corridors through the city. Here we are going to destroy the corridor where there is so much natural resource value. The ridgeline is the Point of Impact. We all know what grading is involved. Do we – the City of Shelton – really want to destroy this ridgeline? There should be some rethinking to protect the ridgeline, protect the drainage, it’s a very aggressive site plan. I don’t know any place else in Fairfield County that would accept this. Concentrate the development in this lower area [closer to Bridgeport Ave.]. I will do anything I can to preserve this ridgeline. We spent so much time and money working to preserve the greenway. We know the public is behind it.’

Jim Swift responded that ‘to do so would cut the project in half’.

Jim Tate said, ‘I understand.’

Jim Swift offered to spend some time on the site with Bill Dyer and anyone else who cared to join to walk the trail route.

Dominick Thomas interjected that this is a PDD. The site is zoned Light Industrial, so if this was an application for a light industrial development, it would be ‘as of right.’ Jim Tate said it wouldn’t matter, he would fight for that ridgeline if it was light industrial as well.

Tom Harbinson brought up the water temperature issue, with the potential for stormwater runoff too warm for trout in the nearby Far Mill River. Jim Swift said the stormwater detention will be all underground, which is best for reducing water temperature. Jim Tate said there are going to be huge discharge points with this proposal. Jim Swift said they weren’t going to discharge directly into the Far Mill River, and the underground chambers will be huge.

Dominick Thomas said the application is scheduled to be accept by Planning and Zoning at their March 23 meeting, and a public hearing has been tentatively scheduled for April 20. Word about the project appears to be out and Rick Schultz is already receiving comments. They will also be scheduling a public meeting. That is the only way members of the public are allowed to ask questions of the applicant directly.

b. PZC #16-4 Pearmain Estates Lot 5, resubdivision, Key Development, LLC, 4.3 acres, Map 143, Lot 4. The Commission reviewed the plans and directed Teresa Gallagher to verify that the City had received either open space or a fee in lieu of open space during the original subdivision. **Tom Harbinson made a motion for Teresa Gallagher to draft a letter to the Planning and Zoning Commission accepting the proposal and conservation easement area shown on the site plan, subject to verification that there was an open space dedication, or fee in lieu of, during the original subdivision. Otherwise, the Commission will revisit the application at next month’s meeting. Bill Dyer seconded the motion. All were in favor.**
5. **Trails Committee Report**: Bill Dyer summarized the Trails Committee meeting that immediately preceded the Conservation Commission meeting, as described in the Trails Committee meeting minutes.

6. **Budget Status**: Tom Harbinson was unable to complete the budget request for fiscal year 2017 and directed Teresa Gallagher to prepare it.

7. **Shelton Locks, condition of**: Ed McCreery noted that the historic Shelton Locks were rotting continuously. He did a quick search for companies that specialize in restoring locks, but that is really for functioning locks. We really don’t need our to be functional. He asked if anyone knew the status of the talks between the Shelton-Derby dam owner and the City. Jim Tate responded that there have been no discussion between McCallum and the City for a few years, and recommended that Ed McCreery speak to Jim Ryan.

Mr. McCreery asked about the building at the end of Canal Street. Jim Tate responded that those two end buildings are in private control until plans develop further for Canal Street. There are environmental issues, and structural issues to the wall. Restoring the locks won’t be a simple issue. It will require a multi-stepped process. Jim Ryan will be a good source of information.

8. **Open Space Report**: Teresa Gallagher said that only one plot became available at the Long Hill Community Garden this year. The other 29 gardeners are all returning.

9. **Communications**: The Conservation Commission received a ‘victim notice’ from the State of Connecticut Judicial Branch, Adult Probation, stating that Richard Hammond has been sentenced to “stay off Shelton walking trails in Shelton, CT” until February 1, 2017. This stemmed from a charge of indecent exposure last year near the Dog Park.

10. **Quality of Life – Executive Session**: This item was skipped.

11. **Comments by Members**:

    a) Sheri Dutkanicz attended a showing of a Naugatuck River Revival Group movie.
    b) Jim Tate noted they are clearing along the River Walk downtown and that Chromium Processing will be coming down in May or June.
    c) Joe Welch said there is a property listed for sale along Mohegan Road, six acres for $85,000, near Wigwam/Clinton Drive. It’s a long piece that runs along the river. Jim Tate advised him to bring in the real estate offering to the next meeting.

12. **The meeting was adjourned at 9:00 pm. Next meeting will be April 6, 2016.**

Minutes were prepared by Teresa Gallagher and should be considered a draft until approved by the Conservation Committee.
EXECUTIVE SUMMARY:

The majority of the property faces Bridgeport Avenue and is reasonably well suited to the high-density development for which it is zoned. However, the City of Shelton has extensive documentation, dating as far back as the early 1990s, which identifies a high-priority greenway corridor to be preserved along the western margin of the property along Old Kings Highway and Mill Street (see map).

Key features of this greenway are Old Kings Highway (an early colonial road), the scenic Old Kings Highway Open Space property, Mill Street (a designated Scenic Road), and the Far Mill River. The 16-acre Old Kings Highway Open Space was purchased by the City using the threat of eminent domain in order to prevent high-density housing from being constructed at this key location. This proposed greenway corridor is the only viable route for the long-planned restoration of the historic Paugussett “Blue Dot” Trail to the Stratford border.

A ridge or height of land runs roughly north-south across the property, shielding this greenway corridor from any development to the east of the ridge, so long as the buildings are kept below the elevation of the ridge. Buildings and parking garages may be several stories tall and not impact the greenway if located partway down the slope towards Bridgeport Avenue. The greenway corridor would also serve as a natural buffer between the existing 1-acre residential neighborhood and new construction.
Map showing natural resources of significance: Far Mill River, Mill Street (designated Shelton Scenic Road), routing for the Paugussett Trail restoration, Old Kings Highway Open Space, and Old Kings Highway (historic colonial roadbed). These feature are located to the west of a ridgeline which crosses the subject property.
INVENTORY OF NATURAL RESOURCES

Old Kings Highway This section of old roadbed from colonial times runs from Mill Street to Buddington Road along the western edge of the subject property. An 1867 map of Shelton depicts this road using a dashed line, indicating it was already an old and obsolete road at that time. The earliest colonial roads often followed old Indian trails, so it may be part of an Indian road formerly connecting the Riverview Park area to the Far Mill River (two other road fragments called “Old King’s Highway” lead in that direction). The southernmost 500 feet is now paved and serves several homes off of Mill Street. The old roadbed continues north from these homes for about half a mile with open space abutting to the west and the subject site abutting to the east. The roadbed becomes more difficult to follow towards the north, but comes out onto Buddington Road opposite Old Town Road. This old ‘highway’ is the primary public access point for the Old Kings Highway Open Space.

Old Kings Highway Public Open Space (16 acres) abuts the property to the West. Although it was part of the 1998 Shelton Lakes purchase, the purchase actually occurred in 1994 when the City commenced eminent domain proceedings to preserve the site. The property is dominated by a broad scenic valley with a stream that runs through it. Due to a lack of public parking, no official blazed trails currently run through the site, although the property is well-used by the neighborhood and there are several unmarked trails. The old “blue dot” Paugussett Trail once crossed the property, and the newly restored Paugussett Trail would do so as well. Because the property is located in a valley, it is vulnerable to viewshed degradation on the private slope overlooking the property.

Paugussett “Blue Dot” Trail Restoration The map below shows the only viable route for the long-planned Paugussett Trail restoration. This type of regional hiking trail is designed for backwoods hiking, in sharp contrast with a multi-use type of trail like the Shelton Lakes Recreation Path. While it is acceptable for this type of trail to have difficult footing, there should be at least the illusion of wilderness. The ideal trail route is located near the top of the hill along Mill Street because the sound of vehicles on Commerce Drive and Mill Street is amplified further down in the ravine, and is quite loud. Also, the slope is steeper and more rocky further down the slope. If new construction is located strategically behind
the ridge of land on the subject site, the illusion of wilderness can be maintained for the greenway corridor and hikers on the Paugussett Trail.

Photo: Paugussett Trailhead parking on Buddington Avenue.

Paugussett Trail Background: This historic hiking trail was first created in the 1930s as part of Connecticut’s 400-mile network of blue-blazed regional trails, and stretched from Monroe to Stratford. In the 1960s, the trail crossed Buddington Road at Old Town Road and proceeded south down Old Kings Highway. The trail then crossed the Far Mill River and passed through what are now the Corporate Towers before continuing on to Roosevelt Forest in Stratford. The entire trail south of Indian Well State Park was abandoned in the 1970s after being blocked by new subdivisions. The Paugussett Trail was first constructed in the 1930’s under the Civilian Conservation Corps (CCC), a Depression-era works program for young men. A long-term goal of the Conservation Commission has been to restore this historic trail from Indian Well State Park to the Stratford border, and has succeeded in this restoration effort as far south as Buddington Road.

Connecticut “Blue Blazed Trails” are officially designated as such by the Connecticut Forest and Park Association, who is responsible for maintaining the 825 miles of trails. In order to achieve the goal of reaching Far Mill River Park at the Stratford border, the trail would need to pass across the subject property above Mill Street and descend gradually down the hill to the traffic light at Bridgeport Avenue at Mill Street.

The trail extension can only be classified as “Connecticut Blue-Blazed Trail” (the Paugussett Trail) by a vote of the Connecticut Forest and Park Association (CFPA). A
route that is not scenic and which is dominated by views of roads and buildings will not be accepted by CFPA. Because of the mandatory road walk on Beard-Sawmill, it is especially important to create a scenic route from Buddington to Bridgeport Avenue. This section must ‘make up’ for the subsequent road walk or the trail will not succeed.

Above Map: 825+ miles of Connecticut Blue-Blazed Trails. The recent Paugussett Restoration to Buddington Road is not shown on this map, which predates the restoration.
Above photo: The long stone wall than runs along the top of the slope above Mill Street, as seen from the proposed route of the Paugussett Trail. Note the large ‘wolf’ tree along the wall at right.

Photo below: View from the route of the proposed Paugussett Trail, looking towards Split Rock as the trail approaches Bridgeport Avenue.
Mill Street was Shelton’s first officially designated Scenic Road. The old road travels near the bottom of a gorge defined by the Far Mill River, and was one of the first areas in Shelton to be settled by colonists.

After passing a dramatic view of river rapids not far from Bridgeport Avenue, the road passes several classic older homes, including one converted from the old stump mill factory, as well as various forested conservation properties.

The steep river gorge is well forested on the north side of the road for one third mile west of Bridgeport Avenue, adding to the scenic quality of the road. This steep forested stretch is part of the subject property and is vulnerable to erosion.

Photo: Shelton Scenic Road Mill Street. Subject property rises steeply on the left, Far Mill River is on the right.
The Far Mill River, located immediately to the south of the site, is a well-known trout fishing stream (stocked by the CT DEEP) and destination for advanced kayakers. It is lined with the ruins of old mills along much of its length. The Shelton Land Trust and the Conservation Commission have both prioritized land along this river for open space acquisition in order to protect water quality and preserve the scenic character of the river. Trout and other organisms in the river are highly vulnerable to increasing water temperatures during the summer due to rainwater runoff from hot impervious areas, including parking areas and roofs.

Wildlife Corridor: The subject site currently provides critical linkage between the Shelton Lakes and Far Mill River natural areas for wildlife. The “Shelton Bear” was seen crossing Bridgeport Avenue in this area from points north, and this is common location for deer strikes. Site development will not stop all animals from passing through on their way from one natural area to another, but may exacerbate conflicts between humans and wildlife as animals become accustomed to traveling through developed areas.
**Stone Walls:** High quality traditional New England stone walls run throughout the site. Wherever possible, such walls should be saved, but of particular interest is a long wall that runs along the top of the slope above Mill Street. This wall, and the large old ‘wolf’ trees along it, are scenic features. If the Paugussett Trail is routed a few feet down the hill, the wall would help to block views of any development that occurs near the top of the hill.

![Photo: A long stone wall runs along the top of the steep slope, parallel with Mill Street.](image)

Aerial showing a portion of the long stone wall at the top of the steep slope along Mill Street.

**Stone foundations:** Remains of two old stone foundations were located. The first foundation is located near Buddington Road between the wetlands and the powerline corridor, and would be a feature of the Paugussett Trail. This foundation is tumbled. GPS coordinates are N 41°17’15” W 73°07’15”.

![Aerial showing a portion of the long stone wall at the top of the steep slope along Mill Street.](image)
The second foundation is more substantial and in good condition, but is more centrally located on the site and therefore more vulnerable to construction activities (location is west of the powerlines and stream, near the top of the ridge). Coordinates are N41°16′52″ W73°07′17″.

Stone foundation #2, centrally located on the site.
SUPPORTING DOCUMENTS AND RECORDS

The importance of this natural resources corridor for conservation and recreational purposes, and the City’s intentions to preserve it and restore the Paugussett Trail through the greenway corridor, has been well documented over the years:

- **1993 Open Space Plan:** The plan recommends that the Far Mill River and Shelton Lakes Greenways be “recognized as critical resource areas in the land use planning and regulatory process.” The Old Kings Highway property is specifically identified for land acquisition from Bridgeport Hydraulic due its location and scenic features, as well as the ability to reestablish the “blue dot” (Paugussett) trail (pg 40). This trail extension is shown on the greenways map contained within the plan. (see document - select pages)

- **1993: The Open Space Committee** voted to recommend the purchase of the Old Kings Highway property “for the purpose of ensuring continuity between the Shelton Lakes and Far Mill Greenways as proposed by the city’s Open Space Plan.”

- **BOA Minutes for November 9, 1993: Ordinance #660 “Mill Street as a Scenic Road.”** “This ordinance was passed because Mill Street met the following criteria for Scenic Road:
  1. The highway is bordered by mature trees and stone walls.
  2. The highway offers scenic views
  3. The highway parallels the Far Mill River for its entire length.
  4. The travelled portion of the highway is generally no more than 20 feet in width.
  5. The highway blends naturally into the surrounding terrain.
  6. The abutting property does not contain any commercial development.”

- **1994 Report: “The Old Kings Highway Proposed Open Space Area: Assessment Report”** prepared by the Open Space Committee for the Board of Aldermen and Planning and Zoning Commission. “The property offers numerous passive recreational opportunities including hiking trails as well as cultural and historical resources. It will also provide critical linkage between the Far Mill River and the Shelton Lakes Greenways and will permit the planned extension of the Blue Dot Trail through this section of the City.” (see document)

- **1997 FOCUS brochure** prepared in advance of a referendum to purchase 471 acres of land from the Bridgeport Hydraulic Company identified the Old Kings Highway property and states the property “will connect to Blue Dot Trail.” (see document)
- **2006 Plan of Conservation and Development** “Continue the Success of the Greenway System” (pg 3-6) references the Far Mill River and Shelton Lakes Greenways and states “Interconnecting open spaces with greenways is the most effective way for Shelton to establish a meaningful open space system that provides benefits for both passive recreation and wildlife.”

- **2008 CFPA Award to Shelton** for “vision and perseverance in developing a town-wide trail system...and continue their invaluable effort to restore and extend the Paugussett Trail from Indian Well to the Stratford town line.” ([see award](#))

- **2009 Open Space Plan.** The new plan expanded upon the 1993 Open Space Plan, with greenways updated to reflect changes within the City. “Private land located within one of the conceptual greenway is of special interest to the Conservation Commission. The land will receive a higher rank for open space acquisition, and the Commission would have an interest in reviewing applications for any site developments that might impact the open space corridor.”

The Shelton Lakes Greenway runs through the western half of the subject property and meets the Far Mill River Greenway just above Mill Street. The junction of two greenways is a critical point of connection. The proposed Paugussett Trail is also shown crossing the property, crossing Bridgeport Avenue, and heading down Beard-Sawmill Road towards the Far Mill River. The conceptual greenways were placed in this area due to the aforementioned natural resources of significance.
Paugussett Trail Restoration (under Goal #7 Recreation): “The Open Space Plan of 1993 identified a proposed route for the location of the extended trail from Indian Well to the Stratford border. In 2006, the northern portion of that route was completed, allowing the trail to be extended south through Shelton Lakes to Buddington Road. The next goal is to extend the Paugussett Trail along the Far Mill River to the Stratford town line, from which the trail could be further extended through Far Mill River Park to Route 110 with the support of the Town of Stratford.”

Scenic areas: Goal #9 was to prepare a Community Resources Inventory (CRI), including scenic resources. A CRI Committee consisting of representatives from across Shelton was subsequently established (see below). (see document and greenway map)

- **2009 Community Resources Inventory Committee** - Scenic Inventory (see inventory). The following locations were designated as Shelton Scenic Resources by the CRI Committee:
  a. Mill Street
  b. Far Mill River
  c. Old Kings Highway from Mill Street to Buddington Road

- **2010 Shelton Life Issue** “The Paugussett: Shelton Historic Trail, Follow the Blue Dot.” “Eventually it is hoped the trail can be extended south to the Far Mill River and Stratford town border.” (see document)

- **2012 Shelton Life Issue** “Paugussett Trail Extension Approved.” This article documents the efforts to restore the blue dot trail and states that “of the twenty separate properties that the new trail crosses between Indian Well State Park and Buddington Road, all but two have been acquired since the 1990s.”
PROTECTING NATURAL RESOURCES WHILE DEVELOPING THE SITE

The natural resources of greatest significance are located primarily to the west and south of the site below a height of land that crosses the subject property roughly from north to south. This ridge forms a natural barrier between the areas which need protection and the intense development which is to be expected along Bridgeport Avenue.

Image above: Profile cross-section between Buddington Road and Bridgeport Avenue showing that tall buildings can be set below the elevation of the ridgeline to eliminate visual degradation of the community resources to the west.

From Bridgeport Avenue, the property rises about two hundred feet before leveling off and then dropping moderately towards Buddington Road and Old Kings Highway, and much more steeply down to Mill Street. Construction activities on the Bridgeport Avenue side of this line and which do not rise above the height of land will have negligible impact on the surrounding residential neighborhoods, the designated Scenic Road (Mill Street), the Paugussett Trail, the Old King’s Highway Open Space, the historic colonial roadbed, and the wildlife corridor. The scenic attributes of the Far Mill River will also be preserved for fishermen and kayakers. The only remaining source of concern would be the temperature of stormwater runoff into the Far Mill River during the summer, an issue that may be addressed with the site design details.

Using the ridge line as a natural divide between new construction and land conservation would effectively balance the desire for economic development with the protection of Shelton’s natural resources. The project can be designed to so that the ridgeline blocks sound and outdoor lighting from impacting the surrounding residential and conservation areas.
High density development has less environmental impact than an equivalent development that is sprawled across a larger area. The use of multi-storied buildings and parking garages on this site in order to reduce the overall footprint would allow for preservation of the land west of the ridgeline and safeguard the important community resources nearby.

The property to the east of the ridgeline, sloping down towards Bridgeport Avenue, is generally well-suited to development. Site design will need to take into account the slopes and utility lines, but there are minimal wetland areas. An intermittent watercourse flows across the western part of the site, but the flow was very minor while I observed it even after heavy rains when the Far Mill River was flooded. There is also a small wet area that may be a vernal pool, but even if it were preserved, the new development would likely cut off any breeding amphibians from gaining access to it.

Photo: Looking down towards Bridgeport Avenue. There appear to be very few wetland areas on the site.
Photo: A natural plateau runs parallel with Bridgeport Avenue part way up the slope. The land continues rising behind the camera. A building in this location could have many stories and not impact the sensitive greenway corridor on the other side of the ridge (behind the camera).

**Deer:** The area near Bridgeport Avenue on either side of the utility corridor appears to serve as a ‘deer yard’, and there is an abundance of deer sign (i.e. scat, bones, antlers, trails, rubbings). I passed two deer-vehicle strikes over the past year on Bridgeport Avenue in front of this area. Deer may be feeding in the fields at Wells Hollow Farm at night and bedding down on the subject property during the day. These deer are likely to be displaced and may cause increased human-deer conflicts in the surrounding neighborhood. If possible, allowing deer hunters to cull the herd prior to development may lessen that impact.
Supporting Documents (by link):

1993 Open Space Plan (select pages)

The “Old Kings Highway Report”, Open Space Committee, 1994

1997 FOCUS brochure promoting the Old Kings Highway property for acquisition and citing the Blue Dot trail extension.

2008 Award from the Connecticut Forest and Park Association (CFPA) for Shelton’s trail system, including efforts to restore the Paugussett Trail to the Stratford town line.

2009 Open Space Plan and Greenway Map (part of the Open Space Plan)

2009 Scenic Resources Inventory

2010 Shelton Life: The Paugussett: Shelton’s Historic Trail - Follow the Blue Dot