Call to Order

Present: Tom Harbinson, Chairman
Bill Dyer, Vice-Chairman
Joe Welsh, Commissioner
Sheri Dutkanicz, Commissioner
Jim Tate, Commissioner
Ed McCreery, Commissioner
Jim Goodman, Commissioner

Also
Present: Teresa Gallagher, Conservation Agent
Marianne Chaya, Clerk
Terry Gallagher, Trails Committee

A. Call to Order/Pledge of Allegiance

Chairman Harbinson called the meeting of the Conservation Commission to order at 7:10 p.m. All in attendance recited the Pledge of Allegiance.
B. Approval of Minutes

Vice-Chairman Dyer MOVED to approve the minutes from the April 3, 2013 Regular meeting. SECONDED by Commissioner Dutkanicz. All were in favor, MOTION PASSED.

C. Public Portion (items not on agenda)

Guy Beardsley, Shelton Farmers Market
Mr. Beardsley talked about the market organization and the cost of being a vendor, which is $44. Each vendor must carry their own liability insurance, a minimum of $1M.
They are still planning to open June 15th.

D. Request for use of open space for K-9 Search & Rescue training

Peter Neary, Treasurer of R-SAR Inc. (Canine Search and Rescue Team)
Robin Ramik, Canine Handler
Peter explained that their group is a volunteer search and rescue. They are fairly new. He explained a little of his background and that he has a certified dog. He handed out a card that they give to children’s groups which has a picture of one of the dogs. He talked about the breeds of dogs they use and that they are not bite dogs. They have a relationship with ECHO Hose Ambulance and have done some training with them. They are in need of acreage for training areas.
He talked about some of the types of search and rescue needs and of the skills the dogs have.
They would like the use of two land parcels.
Chairman Harbinson said that he and Agent Gallagher have been looking into what open space might suit their purposes. The two we feel would suit their needs the best would be French’s Hill and the Mas property.
Robin talked about how they promote prevention of lost and missing people by offering education programs and demonstrations.
Robin said that they train the dogs generally from 9AM-4PM. They have 15 people in our group. They would need parking for about 4-6 cars and would have about 11 dogs training throughout the day.
Chairman Harbinson mentioned that our open space has been used in the past for training events for emergency responders. It sounds like these two parcels may meet your needs.
Commissioner McCreery MOVED to recommend the endorsement for the K-9 Search and Rescue activity on the two City open space parcels, French’s Hill and Mas property, and potentially another location if it suits them in the future. SECONDED by Vice-Chairman Dyer. All were in favor; MOTION PASSED.

Chairman Harbinson said that they would have to meet with the Board of Aldermen for their review and approval.

**E. Trails Committee Report**

Boy Scout Daniel Vigezzi, Troop 27 in White Hills.
Daniel presented binders to the Commissioners which details his proposed project. His proposal is for a 3’ wide, 16’ long bridge on the Paugusset Trail. It is located about 50 yards from the edge of Independence Dr. where the power lines cross the road. His visual presentation was a tri-fold board with a map, pictures and drawing details.
They discussed the particular area in detail.
Daniel spent quite a bit of time detailing the construction process and the materials he will be using. He did explain that the bridge will not touch the water. The bridge will be built on-site.
This project will also have to get approval from Inland Wetlands.
Commissioner Goodman MOVED to endorse the Eagle Scout project as presented by Daniel Vigezzi. SECONDED by Commissioner Welsh. All were in favor; MOTION PASSED.
Commissioner Tate complimented Daniel on his presentation.

Vice-Chairman Dyer reported that April was very active for the Trails Committee. They had the chainsaw safety class. Several members of the Commission attended. The ones who attended said it was a very good class.
Vice-Chairman Dyer said that they had a wildflower hike at Birchbank as well as two successful work parties with some high school kids who needed their volunteer hours.
He mentioned that the Eagle Scout bridge project proposed tonight will be part of the relocation of the Paugusset trail.
Vice-Chairman Dyer discussed the survey that was done at the end of Mayflower. This was the property discussed last month. To re-cap, Vice-Chairman Dyer explained that this is part of the re-establishment of the Paugusset trail from Indian Well to Independence Dr. We have had issues with some of the neighbors on Mayflower Lane. The original choice was to bring it up behind the houses and the neighbors were not happy. In the interim, we agreed to bring the trail up from Indian Well State Park, across Rte. 110, behind Sinsabaugh, onto Mayflower, cross over Meadow St onto the Wiacek property.
Only one neighbor had a problem with this, so we authorized Tracey Lewis to
survey the open space. The official map was shown to the Commissioners. A little bit of their driveway and a granite post is on City property. He showed where the planned trail is in relation to this property. The property owners had been mowing the open space.

The Trails Committee recommends putting a 2-rail split-rail fence along the border so the hikers will know where the trail progresses. With hope it will also get the homeowners to stop mowing the open space.

Commissioner McCreery suggested sending a copy of the map to the homeowner with a letter stating the encroachments and letting them know we will probably be erecting fencing. The letter should also request that the homeowner stop mowing in the open space. With respect to the encroachment of the driveway, we request the homeowner contact the Board of Aldermen for a resolution.

Commissioner Tate stated that fencing causes maintenance issues in the future for the City and suggest that the homeowner pay for the fencing. He said that we may otherwise suggest having them remove the asphalt that is in the open space. They did mow the open space for quite some time. We shouldn’t have to correct their problem.

The Commissioners and Agent Gallagher discussed this idea. Vice-Chairman Dyer said they also talked about shrubs as a delineation. Agent Gallagher explained that now hikers are confused as to where the trail is when they reach that point; they think they are walking on private property. We need something to mark the trail.

It was noted that Agent Gallagher had blazed a tree at that location and someone scraped it off.

Commissioner Tate suggested creating a gravel path to mark the trail. Agent Gallagher said that it is also within 75’ of a watercourse and you are not supposed to have lawn unless they have a permit.

The recommendation from the Trails Committee is for a 2-rail split-rail fence. He showed the area where they would like the fence. They also want the homeowner to stop mowing.

Terry Gallagher, Trails Committee, said that the fence would need to be about 180’. They didn’t discuss who would be paying for the fence.

Commissioner Tate MOVED to mark the map where the 2-rail, split-rail fence should be installed. A letter will be written to the Board of Aldermen requesting that the fence be installed and we would fund it. There would also be a request for the homeowner to stop mowing the lawn. SECONDED by Commissioner Dutkanicz.

Commissioner McCreery made the following suggestion to add to the motion:

We should send a copy of the survey map to the homeowner noting that a survey was done and it was determined that you are encroaching upon open space. You need to cease doing that and a fence will be erected soon. With respect to your driveway, some of the asphalt has encroached.
in the open space. You would need to take that issue up with the Board of Aldermen. Commissioners Tate and Dutkanicz approved the addition to the motion.

The Commissioners talked about the cost of the fence and decided to cap the cost at $2500. Commissioner Goodman said he doesn’t agree that the City should pay for the fence. Discussion. A voice vote was taken, all were in favor; MOTION PASSED.

Terry Gallagher mentioned that when they had their work party at that location there were several large piles of yard debris placed at various locations on the Paugusset trail. The fencing should help clarify where the public can go and not infringe on the rights of the surrounding neighbors.

Vice-Chairman Dyer reported that we are still waiting for Dean Cawthra to get back to us regarding the status of the structure at Pine Lake. We all agree that it should be repaired or removed.

May 19th will be a Rec Path hike – from Pine Lake to the Community Center. June 1st (National Trails Day) will be a hike on the Paugusset Trail. We will meet at the parking lot at Indian Well. We will hike across Rte. 110 and come up to Silent Waters, then return.

Vice-Chairman Dyer said they were approached today by a group who on August 17th wants to have a trail race. They will cross Route 108 twice. The route is about 6 miles. They will start at the “Missing Link” and go up the Turkey Trot.

Side B

Commissioner Tate suggested they contact the Mayor and the police for approvals. The Commissioners and Terry Gallagher discussed suitability and insurance requirements. They determined they have no objection. Chairman Harbinson MOVED to endorse the trail race as proposed to the Trails Committee. The Board of Aldermen and Mayor’s office would administrate the details. SECONDED by Vice-Chairman Dyer. All were in favor; MOTION PASSED.

Vice-Chairman Dyer MOVED to approve the reimbursement request from Richard Skudlarek for the purchase of 10 fence rails for replacement along the trails @ a cost of $91.67. SECONDED by Commissioner Goodman. All were in favor; MOTION PASSED.
Commissioner Dutkanicz showed two photos of signs that Richard and Sandie took for leash requirements for dogs. She wanted the Commission to consider something along the trails. Agent Gallagher said she does put up signs but they just specify the Rec Path. There is a leash law that affects the whole City. She has been getting a lot of complaints about un-leashed dogs on the Rec Path. She has gotten several complaints near Lane Street. She has forwarded the information to the police. People should either call the police or the animal control if it’s a weekday. It was suggested to do a press release in the local papers regarding this issue.
Agent Gallagher said she has put signs up, people tear them down, and she goes back and puts them back up.

Terry Gallagher mentioned that last Sunday he came across a man in a wheelchair fishing at the Hope Lake using the handicap accessible fishing platform.
Terry also said that the City has an RFP for the Lane St. bridge. We should contact the Street Committee and the Mayor to request that it be wide enough for the Rec Path and that it would connect from our trail head at Lane St up to the sidewalk at Route 108.

F. Open Space Encroachments
Agent Gallagher presented a copy of the correspondence from Corporation Counsel regarding the encroachment on Wesley Dr. Chairman Harbinson read the letter to the Commissioners.
Chairman Harbinson said that we also received a copy of the correspondence to the property owner on Pine Tree Hill Rd. This is the one with the gazebo. They need to get approval from the Board of Aldermen for the gazebo that is in open space.
Commissioner McCreery asked about the encroachment on Leavenworth Rd. At the last meeting the Commissioners decided not to act on it at this time because it was pre-existing before the acquisition. Commissioner McCreery disagreed. The Commissioners discussed this for a while and then determined we should have Corporation Counsel investigate the encroachment after some other encroachment issues have been resolved.
They determined that Agent Gallagher will present encroachment issues as they come up and the Commissioners will determine the priority of when to act.
Commissioner Tate suggested getting the word out to the residents that the Commission is acting on open space encroachments.

G. Open Space Trust Account Status
No report
H. Budget – 2013/2014 FY

Chairman Harbinson reported that there are some line item transfers that need to be done so as to not go over-budget.

Vice-Chairman Dyer MOVED to request $6000 from Other Outside Services (414.30-23) to Part-Time Employee (414.10-02). $100 from Other Outside Services (414.30-23) to Mileage (414.11-01). SECONDED by Commissioner Dutkanicz. All were in favor; MOTION PASSED.

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

1. Old Applications/Monitor/Follow-up
   i. PZC 13-5 Hawks Ridge, Long Hill Cross Road/Beard Sawmill Rd, PDD zone change from Light Industrial for 140 residential units

Conservation has submitted the letter to Planning & Zoning. The public hearing has been extended.

The Valley Independent Sentinel posted an article on the meeting and included some of our comments.

2. New Applications
   None

J. Communications (sent or received)

- Copy of the award given to Agent Gallagher for identifying a Canadian goose. It was given from the US Geological Survey and the Canadian Wildlife Service. The bird was hatched in 2006 and banded on June 27, 2007.
- Agent Gallagher was contacted by a couple who want to have their wedding at Eklund Garden in July.

K. Quality of Life – Executive Session (land acquisition and security issues)

Vice-Chairman Dyer MOVED to go into Executive Session to discuss land acquisition issues and security @ 8:25 P.M. SECONDED by Commissioner Dutkanicz. All were in favor; MOTION PASSED.
Vice-Chairman Dyer MOVED to return to regular session at 8:30 P.M. SECONDED by Commissioner Dutkanicz. All were in favor; MOTION PASSED.

Vice-Chairman Dyer MOVED that in Executive Session they discussed a parcel of property that the Board of Aldermen will be taking up for acquisition and the Conservation Commission endorses the acquisition for the price that has been agreed upon by the buyer and seller. SECONDED by Commissioner Dutkanicz. All were in favor; MOTION PASSED.

L. Comments By Members
Commissioner Dutkanicz reported that there are 3 immatures, eagles that are under a year old. They are down by the locks, on the Derby side. She said she also attended a lecture on water quality given by a professor at Southern. He talked about the history of the Housatonic over the last 100 years. He also talked about the progress since the enactment of the Clean Air Act. The water in this area is tremendously cleaner but we still have the stigma of bad water. The current issue now is primarily contamination from pharmaceuticals. Vice-Chairman Dyer mentioned that Commissioner Welsh’s picture is on the Huntington/White Hills magazine and the feature article is about the Nicholdale property and the Land Trust organization. Agent Gallagher presented her spreadsheet of the litter picked up and by whom. She said they are asking that people report it when they pick up litter. They can go on the website, www.donttrashshelton.org. Commissioner Welsh said that they are having the dedication for the Bushinsky property this Saturday for the Land Trust Committee. Commissioner McCreery said that they would be unveiling the restored tractor at the event. Commissioner Welsh said that they would like to have a Boy Scout Eagle Scout project done for a bridge at the Bushinsky property. The Commissioners welcomed Commissioner Goodman back to the meeting and he thanked everyone for their concern and support.

M. Adjournment
Meeting adjourned at 8:45 P.M.

The next regularly scheduled meeting is Wednesday, June 5, 2013.

Respectfully submitted,
Marianne Chaya
Clerk, Conservation Commission