Call to Order/Pledge of Allegiance

Co-Chairman Tom Harbinson called the April meeting of the Conservation Commission (CC) to order at 7:05 p.m. in Room 303, Shelton City Hall. The Pledge of Allegiance was recited.

Attending: Co-Chair Tom Harbinson, Commissioners Hank Lauriat, Ed McCreery (arrived apx.8pm), Jim Tate, Joe Welsh, Bill Dyer, Conservation Agent Teresa Gallagher.

Not Attending: Co-Chair Harriet Wilber

Public Speaking on record:

![Table of Minutes]

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**Not Attending:** Co-Chair Harriet Wilber

**Public Speaking on record:**
Approval of Minutes of March 8, 2006

At 7:06 p.m. Co-Chair Harbinson entertained a motion to approve the minutes of April 5, 2006. Commissioner Lauriat moved the motion to approve last month’s minutes, seconded by Commissioner Tate. Co-Chair Harbinson clarified that when the Commission spoke last month about Aspen Ridge Condominiums (minutes pg.2of11), the letter received was not from the “Board of Aldermen”, rather several of the Aldermen as mentioned. Commissioner Tate duly noted the clarification. No other changes. All voted in favor; motion passed.

Public Portion

Judith Agusta, 91 Mill Street, Shelton, spoke about her opposition to the changing zones which would enable condominiums to be built near the Far Mill River. A few years ago Mill Street was voted a scenic road and the thought of condominiums rising from the river bank would destroy the scenic character of this river and the street. Because there will be noise, blasting, and dust in the development; wildlife will be displaced. In addition, because the trees will be cut down on (facing) Mill Street, it will take the appearance of countless developments that are already destroying the beauty around our lovely City. The river is in danger from runoffs from residents’ chemically treated lawns and from asphalt payment runoffs. Because this is a City designated scenic road, this special river corridor should be saved from destruction. The zone change should be opposed and all efforts for water quality should be maintained for fish, wildlife, trees, and plants which together create the natural environment enjoyed for many years.

Mr. Gill Pastore, Yukata Trail, from the Pine Rock Park area of Shelton spoke at the public hearing (PZC on Aspen Ridge) regarding the quality of the Far Mill River over the years. He has taken a video of the Far Mill River which he presented and spoke about.

Mr. Pastore went to the Far Mill River and took a video of it at 10:30 a.m. on April 23rd when Shelton had a substantial rain fall. He went to the area of where the restaurant was to be built in relationship to the Far Mill River and went to Far Mill Crossing which is the road connecting Old Stratford Road to the road on which Healthnet is on.

With his video camera he wanted to document what he had been seeing on the river for the last 10 years. He brought to the meeting and showed the Commission a large transparent bag of garbage he took from the banks of the Far Mill River. He said he also gathered heavy construction items which were too heavy to bring in. He researched and documented how the garbage got into the river. Much of the garbage is coming from the construction sites along Bridgeport Avenue and Old Stratford Road and the garbage from the construction sites all the way up to WalMart entering the tributaries there and eventually flowing into the Far Mill River from one mile and one half away. He stated he cleaned up the garbage a week before the April 23rd rainstorm and now the garbage is back again.

Mr. Pastore showed an eight minute video recording narrating what he saw and documented. Standing on Far Mill Crossing facing north along the Far Mill River by the entrance of Healthnet, he showed an orange marker flag where the parking lot of a restaurant was to be built and the relationship of the flag and the water was 30 feet. The actual marker to show the end of the parking lot was eight feet from the running water, and looking north, a constant volume of flowing water could be seen with a consistent flow of garbage containing plastic jugs, bottles and other
mixed debris floating down the river which was coming from Huntington Center and Bridgeport Avenue storm drains. He described the storm drain discharge containing construction debris behind a hotel (Hilton Gardens) and silt discharge from the construction on Bridgeport Avenue (Split Rock).

He put his hand in the water and saw only 1 or 2 inches of visibility in the water, so the aquatic life in the river is no more because of the silt discharge.

Mr. Pastore stated 6 inches of rain fell in 24 hours on the date the video was made. Looking south towards Route 8, rain water carried the silt from commercial dumpsters filled with garbage behind a building on Bridgeport Avenue and Old Stratford Road (Hilton Gardens) into the Far Mill River. There was no retention for the silt running into the storm drains (from Split Rock). In addition, diesel from machines parked nearby (Split Rock entrance) was running in the storm drains into the Far Mill River.

He showed an 800 foot distant storm drain from a parking lot of the Far Mill Condominiums (Old Stratford Road in Stratford) reaching the Far Mill River and cutting a fissure in the hillside.

Mr. Pastore ended his presentation stating this was an Inland Wetlands problem, but he wanted to bring the Conservation Commission’s attention to the impact of commercial development by showing the silt from Split Rock and the garbage going into the Far Mill River.

He left the Commission the video and an album of still pictures of storm drains on the video. (given to the Conservation Agent)

Since it was raining when this video was taken, the Commission suggested to Mr. Pastore to take the same trip on a sunny day to point out that the trash and the silt are still there. So no one would get the impression when the sun comes out, the problem would go away.

Co-Chair Harbinson stated since the Commission is studying water quality of the river, this presentation is extremely helpful.

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

Aspen Ridge Condominiums PDD (PZC#06-26, 06-27)

Drawings for Aspen Ridge, Applications #06-26 and #06-27, were left on the table by PZ staff for the Commission to peruse. Co-Chair Harbinson stated this was an application to PZC for an SDA and a PDD; the PDD would be a 16 lot condominium development and PZC is asking for the Conservation Commission’s opinion on this application. Commissioner Tate asked if the Commission could wait because Commissioner McCreery would be in the meeting later. Co-Chair Harbinson answered yes, we could. Commissioner Welsh asked to recuse himself and said Commissioners McCreery and Lauriat would also. Co-Chair Harbinson explained that as he understands Robert’s Rules of Order, when someone is recused, that person does not discuss the application and also abstains from voting.

Mr. Welsh stated he would like to discuss the Land Trust map of Aspen Ridge left by the PZ staff because his main concern is a buffer. He and Mr. McCreery spoke at the public hearing. No matter what the development is, there should be a substantial green buffer because if it is City open space, a natural resource, such as a river, it should be protected. He suggested the buffer
to be a sight specific depth of 75 feet which would be a reasonable distance to protect Land Trust property. The Commission discussed the buffers protecting Land Trust property.

Co-Chair Harbinson showed that the plans that were presented at the public hearing on April 25th were mirrored from those previously looked at. He said it meant the decks face Commerce Drive and the driveways would face the river.

On the map, Mr. Welsh stated there were two buffers a .3 acre parcel off Bridgeport Avenue and a 75 foot buffer protecting Land Trust property. He showed the plans to the PZC and said if the PZC chooses to protect the river as a natural resource, they should choose a 50 foot buffer for public access from the edge of the river.

Mr. Lauriat showed a set of plans given to the Commission from the Land Trust. They were a mirror image of the previous drawing. Mr. Welsh stated his comment would be the same as in the public hearing which was there should be a 2-1/2 acre site around any Land Trust property and a reasonable buffer of 75 feet should be left green and cleared around this. It should be a minimum of 50 feet from the river along the high water mark of the river with no structures in it and no parking lot. If the buffer is to be made green, various trees should be planted to provide shade to the river since there was a concern for the grass’ quality because of runoffs. He added the buffer cannot be 20 feet or 25 feet; it has to be substantial at 50 feet or more.

Commissioner Tate recapped the discussion and stated based on Mr. Welsh’s site observation, experience with the Land Trust, and his review of the property, Mr. Welsh would recommend that there should be a 75 foot buffer from the existing Land Trust on the north parcel and to the Land Trust parcel to the south, and 50 feet from the Far Mill River. Commissioner Tate questioned why not have an equal 75 feet to the river since that is the protected resource. Mr. Welsh answered he would hope the Commission and PZC would look at the river as a natural resource as well as Land Trust property and expand on the buffers as he suggested.

Co-Chair Harbinson spoke with Co-Chair Wilber who asked the Commission to look into the Route 8 corridor study that the PZC did and recalled this area mentioned in this study. Conservation Agent Gallagher got the study from Rick Schultz, PZC Administrator, and found it does mention the objectives and goals. Co-Chair Harbinson read one of the goals, HI3, is “coordinate the goals and activities in a manner that enhances and protects the environmental qualities of the area” and another objective, “identify and protect remaining sensitive properties bordering the Far Mill Area Corridor”. There is a Route 8 Corridor map and in that map it seems to show by the legend that this area is one shown as open space conservation. He stated it is in PZC’s future planning documents to be an open space conservation area. The plan was adopted and is now a part, by addendum, to the 1992 Plan of Development.

The Commission discussed the zoning of the property which is now zoned for light industrial. As in many developments, an applicant may have an option to purchase the property contingent upon the approval of his application. To that degree it would be for sale, but there has not been a for sale sign on it. Co-Chair Harbinson said when the application was looked at last month that showed the pavement on the Commerce Drive side, the city engineer had a lengthy letter, stating he had a number of concerns which he had proposed with the application. Co-Chair Harbinson read the letter to the Commission. One of the major things the city engineer questioned was the FEMA 100 year flood maps. Commissioner Tate stated the FEMA Flood lines activity was pulled back.

Mr. Welsh commented the parking area along Commerce Drive during its reconstruction on the northern boundary of the Aspen Ridge Condominiums was presented as a benefit to access Land Trust property. He spoke with the workers doing the realignment and asked if there were any
provisions for pull-offs or parking areas to access either City open space or Land Trust property. They answered no, but at the public hearing it was shown. Bob Kulacz, City engineer, said it was an area for underground utilities. It is part of the Commerce Drive reconstruction.

Co-Chair Harbinson asked if they were proposing a strip in fee as the engineer said was a deficiency in the previous revision, or are they proposing a conservation easement. It does not indicate to us other than a public access trail. The Commission stated this revision does not know if it may be a public easement or in fee. The City engineer’s letter stated he wanted it in fee.

In addition, Co-Chair Harbinson said no historic structures have been mentioned during the application. Atty. Dominic Thomas, attorney for the applicant, mentioned during the PZC public hearing that Old Mill Street was a right of way, an access pass way, between Blockbuster Video and Land Trust property. The pass way came through here and crossed over the Far Mill River. There are some ruminants of abutments and then on to Mill Street. Many years ago there was a mill and an earthen berm sluice way at the site, part of it can still be seen. It proves there is some historic history to the site and it seems they are on Land Trust property. The Commission stated that is why buffers would be needed.

Commission discussed the buffers and the possibility of looking into the entire aspect in regard to zoning, land use, existing vs. proposed, impervious surface, impacts of solvents of an industrial facility that would not be prevalent on a residential outcome, and protection from hazardous materials getting into the Far Mill River. If there was development here, what would be the least intrusive? Co-Chair Harbinson stated if this was an R1 zone and applied for a standard subdivision as this, what would be the open space requirement under a standard subdivision because there is no open space requirement under a PDD. Commissioner Tate said it would be 2-1/2 acres or 10% of that and it would be very little. The impacts to the river were discussed.

The Commission stated the plan was inadequate because no one paid attention to the Far Mill River Resource, to the Land Trust buffering, or to the Commerce Drive in and out. The load has to be lessened, so the impacts are not there.

The Commission inquired how the properties would link as they are utilized now, and what linkage is being proposed could enhance that usage. The Commission stated if the little narrow strip would allow fishermen access to the Far Mill River, it would provide a linkage to an area not bordered by cars. The Commission discussed the pristine areas of the section.

At 7:41 p.m. Co-Chair Harbinson entertained a motion to write a letter to the Planning and Zoning Commission on the Application 06-26 and 06-27 for Development of Aspen Ridge Condominiums, then separately discuss the potential values of acquisition of open space. Commissioner Dyer moved the motion; Seconded by Commissioner Tate.

Commissioner Tate noted important points for the letter as follows:

- Route 8 corridor study was important.
- Comments from the Land Trust indicated that a 75 foot buffer abutting their properties is warranted and equal that distance or more to the Far Mill River.
- Far Mill River is the valuable resource here.
- Prevent encroachment on Land Trust property.
- What the acquisition of this property would mean to the City following the City engineer’s recommendation to make the buffer 100 feet.
- Reference the City engineer’s letter.
• Linkage between north and south pieces of Land Trust property should be preserved and enhanced warranting the expanded buffer along the Far Mill River.
• Impacts on the river, there are retaining walls and serious grading needing to be completed and as we have seen these grading plans implemented, the encroachment is far greater and has far more impact on the removal of trees, underbrush, and wildlife habitat along the river. Specifically pointing to the southern portion where there is a retaining wall along the entry drive. The entry drive should be moved north further away from this encroachment. The grading would be relieved, the wall would be unnecessary, and the buffer would be preserved.
• The same would be for backup. The facility that looks like an apparition in the site plan to accommodate some backup requirement to get in and out of the facility. One of these appears not to belong because we are creating a fairly large retaining wall to accommodate it. It will be on the flood side of the river and does not encroach over the flood line. No disturbance below the flood limit should occur. It also buts the Land Trust property. If that were pulled back, from the Land Trust boundary line, the site plan would be improved and will accommodate the grading without encroachment onto adjacent properties which appears to be the case when the grading plan is reviewed by the Commission.
• The landscape designer architect should take careful note of the plant list because most of the plantings here are not native or indigenous to the landscape value. The landscape plans regarding the resources and habitat that was created along the Far Mill River be sensitive to that, but any plants that are "deer food" should be eliminated.
• Any open space dedication should be in fee.

Commissioner Tate noted this Commission has some experience for years in looking at the Far Mill River along this area from trail work at the northern boundary of Far Mill. We have former Commission members still living along the Far Mill River, and we have recent experiences of seeing how this river acts under flood conditions and as this plan is presented, it is fairly irresponsible.

All voted in favor; motion passed. Only three voted, Commissioners Welsh, Lauriat, and McCreery abstained.

(Regular Rules of Order Notation: The Conservation Commission has 7 members. 1 was absent, 6 present made a quorum. 3 abstained from voting. Of 3 votes cast, a majority would have existed with 2 votes favorable.)

Conservation Agent Gallagher will put the letter together by May 19th which will be read at the public hearing on May 23rd.

Ms. Diane Jowdy, a former Conservation Commissioner, stated the original Old Mill Road is a historic road. There was no Mill Street, so the access to the grist mill which is on her property was on that south bank. The bridge abutments are behind a homeowner’s house. The original road was on that south bank. The Mill Street is a 19th century road. It went up the south bank to the mill. The mill connected to the south bank of the river, to the mill on her property, and to the mill above it which was on Rosa Rio’s property (“The Cave” at intersection of Mill and Judson). Rosa Rio’s mill was a 5,000 square foot woolen mill that existed to the 1920’s. It connected to Old Stratford Road.

Conservation Agent Report
Conservation Agent Gallagher reported as follows:
Project Safe Trails

- Securing access points (gates): Wrote specs with pictures of nicer gates which were sent to three local metal fabricators.
- Signage (informing people of open space uses and prohibitions): Created a sign to have printed on a heavy-weight plastic and obtained quotes from VOSS, a company that did the West Nile signs that Sandy Nesteriak, Mayor’s Administrator Assistant, would prefer. The sign would differ from the mark-up passed around which showed the white background would be brown and the back lettering would be white. A 2nd color can be added for an additional fee which has red lines crossing out the prohibited activities shown in the sign. At 8:17 p.m. Commissioner Lauriat made a motion to approve the purchase of 100 of the 2-color version of the signs for $250. Seconded by Commissioner Lauriat. All voted in favor; motion passed.
- Trails mapping (knowledge sharing with emergency responders): E-Mailed Jason Perillo. There is no response, as yet, and there was nothing to report.

Far Mill River Water Quality Study

- Caprice Shaw at HVA is also gathering water quality data on the Far Mill River and will share her findings with the Conservation Agent.
- Joined the HVA/DEP Stream Team volunteers in collecting biological sampling of the Far Mill River; took DEP equipment home and collected a 2nd sample on April 22. Teresa was able to collect one additional sample before the big flood on Sunday. A sampling now would be meaningless because of the flood. She hopes to borrow the equipment in the fall to take more samples.
- One sampling point was near Route 110. The second one added was off Gristmill Trail near Judson Street. More sampling was planned, but could not because of the flood.
- Biological analysis is the most sophisticated and best type of sampling because it tells what type of life is supported by the river and gives a bottom line evaluation of water quality. Sampling at various locations along the river can help identify the source of poor water quality.
- Stream Team Volunteers are trained to collect the samples, look for animals in the samples, and do a preliminary identification of the animals. A form is completed which would identify what animals are found and how many were found. Identification of some species is very difficult, so one of each species is saved and put in a jar with alcohol.
- Initial results are not promising. 90% of animals were midge fly larvae. Most of the rest were back fly larvae. No caddishfly (sp?) larvae were found. They are an indicator of good water quality. Because a few other animals were hard to identify, we are waiting for a DEP analysis.
- HVA took a sample on Indian Hole Brook.

Posting/Marking of City Open Space (document process and actions)

- Re-organized the filing system so information on violators, engineering maps, etc. which goes into specific open space parcel files in order to allow for better record keeping of actions taken.
- Spoke to Richard Schultz, Planning and Zoning Administrator, about spacing of open space signs. The developer is required to do what the Conservation Commission would want to be done. The developer marks the location of each open space sign on an as-built map and gives that to the Commission. The Commission and the Conservation Agent should decide on a standard as to how far apart the signs should be. They should be placed close enough to be meaningful. Commissioner Tate asked her to see what Town of Fairfield does with signs. Asked to call Tracey Lewis, surveyor, to find out what other towns do in regard to placing pins or monuments on open space during a subdivision.
Commissioner Tate brought up the issue of silt fences not being removed at the end of a project, as well.

**Open Space Plan Revision**
- Reviewed plans from Ansonia, Derby, Seymour, Monroe, Madison and Washington and E-Mailed Co-Chair Harbinson a summary. Ansonia, Derby and Seymour have only Plans of Conservation and Development which are not well done and showing very little about Open Space. Monroe has only a Plan of Conservation and Development, but does address Open Space. Madison and Washington have substantial Open Space Plans online. There were aspects of the plans she liked, but Shelton’s current Open Space Plan does a better job of defining greenways.

**State bill 5447 “An Act Concerning Encroachment on Open Space Lands”**
- This bill was passed unanimously by the Connecticut House of Representatives and the Senate.
- “Encroachments” include building trails, putting in lawns, cutting trees, etc.
- Fines are the cost to put the land back to its original condition. Punitive fines can be imposed for willful violations if the violator benefitted economically, up to 5 times replacement costs and attorney’s fees.
- Drafted a thank you letter to State of Connecticut House of Representatives Richard Belden and Lawrence Miller, and State of Connecticut Senator George Gunther. At 8:40 p.m. Commissioner Dyer made a motion to approve the letters regarding encroachment to be sent to State of Connecticut House of Representatives Richard Belden and Lawrence Miller, and State of Connecticut Senator George Gunther. Commissioner Lauriat seconded the motion. All voted in favor; motion passed.

**NC 27 “Whoville” parcel (Board of Aldermen asked Commission if it should be sold)**
- Prepared a report and submitted it to the Commission.
- The property is small, but has the Indian Head Rock on it. It also has an idea canoe landing and a stream with waterfalls.
- At 8:45 p.m. Commissioner Lauriat made a motion to send a letter to the Board of Aldermen regarding NC27, “Whoville”, to not sell the property per all the reasons in the Conservation Agent’s report.

**DEP Open Space Grant Funds for 2006.**
- These grant funds are due on June 30th and cannot be applied to any land acquired before June 30. Co-Chair Harbinson suggested the “Aside the Overlook” parcel may not be closing before that date.

**Jones Family Farms “Homestead Acres” PDR**
- Obtained appraisal quotes. The Board of Aldermen voted to approve the lowest bidder, Peter Vimini.

**Boy Scout Camporee for May 2007**
- Theme: Emergency Preparedness. The Scouts have asked for a place to meet. Mayor Lauretti suggested the Wiacek Farm. She will be meeting with Russell Shimer on May 18th to walk the site. Three hundred to five hundred people are expected at the event. Co-Chair Harbinson said to check locations of wet spots and review the mapping of the site that showed where wetlands are located.
Communications

Co-Chair Harbinson reported that communications received are as follows:
- Shelton Planning and Zoning Meeting Report for April.
- Memo from Sandy Nesteriak regarding Workshop Meetings following FOI rules.
- Letter from John Anglace, Board of Aldermen President, regarding 8-24 Referral: Acquisition of Portion of 27 Cynthia Lane Property (Aside the Overlook).
- Notice from American Farmland Trust’s Seventh Annual Celebration in Saratoga Springs, Saturday, July 20, 2006, 5:30-7:30 p.m.
- Housatonic Valley Association 2005 Annual Report
- Healthy Valley Kellogg Environmental Center, 500 Hawthorne Avenue, Derby, meeting of March 27, 2006.
- Spring 2006 Farmland Protection Campaign Reply Form.
- Notice from Working Lands Alliance regarding this year’s monetary contribution.
- Letter from Louis M. Marusic, Shelton Director of Finance regarding year end financial cut-off dates.
- Letter from David Elder, Regional Planner, Valley Council of Governments, regarding DEP Open Space and Watershed Land Acquisition Grant Program
- IWC Letters to Warren R. Jacques, Long Hill Tree & Lawn Care Service, Inc. and others regarding clear cutting along Far Mill River Violation without Permit.
- PZC Letter regarding notice to Cease and Desist Regrading/Filling to Property.

Trails Report

Commissioner Dyer reported that:

**National Trails Day will be held on June 3, 2006.**
- Commissioner Dyer will clear the path from the current trail to the pedestrian light at Constitution Boulevard.
- **Route 108 to Power Lines:** Conservation Agent Gallagher will provide a sign at the crossing of the Recreation Path and Dominic Trail for the Bridge to Bridge route.
- **Power Lines through Wesley to Lane Street:** Spencer Tate Bridges Commissioner Tate will procure the materials necessary to complete the bridges.
- **Third stream crossing:** Mr. Bob Wilkins will supervise the construction of the third bridge.
- **Lane Street to Lane Street:** Path relocation in meadow – Commissioner Welsh has Inland Wetlands Commission’s approval and will supervise the contractor to proceed with the work during the week of May 8th. Repair boardwalk – To be accomplished on May 6th.
- **Publicity for B-to-B Hike:** Commissioner Dyer will verify that the event is on the Mayor’s calendar, prepare flyers to be posted at public locations, and notify the papers. The Gallaghers will erect their “Flower-Boot Signs”. Co-Chair Harbinson volunteered another pair of boots with steel reinforcements.
- **Support for the Day of the Hike:** Volunteers are requested to help with the Hike. Raveis Realty has agreed to provide water and support.

**Bridge over Silent Waters Dam**
- Big “R” Manufacturing sent shop drawings on April 28.
- Fence bid received for $11,271 from P&C Fence, Stratford. Commissioners Tate and Dyer will visit P&C to insure that they can perform on the project.
- Proposal for foundation design received and has been given to Purchasing.
Leaf $10K grant for boardwalk and path relocation
- Inland Wetlands permit for invasive species removal approved and work to being soon.
- Plans to build Boardwalk are being developed.

New Projects
- Mike Conger Eagle Scout Project is to clean out metal and other trash from power lines scheduled for 2:30 p.m. on Saturday, May 6.
- Mr. Jim Swift agreed to prepare the Wetland permit for the entire Huntington Woods section from Wesley/Lane to the power lines.

Open Space Committee Report
The Open Space Committee did not have a quorum again last month. There was some discussion among the Commission that perhaps the Committee should be abandoned and the duties folded into those of the Conservation Commission.

Fee-in-lieu of payments from P&Z applications
None received that we are aware of.

Funding to Open Space Trust Account, Ordinance Proposal
Co-chair Harbinson read the proposal that was being considered at the Finance Committee regarding the funding to the Open Space Trust Account. The major change is that the fund be used primarily for the ancillary needs of open space acquisition such as surveys, appraisals, etc. The actual property purchases would come from bonding. There was much discussion as to whether this was proper, legal or appropriate. No decision was made to endorse the proposal or recommend changes to it.

Zoning Regulations
Clear-Cutting of parcels
Commissioner McCreery handed out a 2-part draft document entitled “An Ordinance Establishing Tree Preservation Regulations”. The first part is an ordinance based on Alderman York’s version, with some changes made by Commissioner McCreery. The second part is an alternative ordinance drafted by Commissioner McCreery.

The two versions consisted of regulations for Tree Preservation Ordinance, Purpose and Intent, Definitions used in the article, Exemptions from these Regulations, Requirements for the Issuance of a Permit, Tree removal Permit Application, Tree Cutting Permit Procedures, Administration for Application Forms, Fees and Incidental Rules, and Appeals, Enforcement and Penalty.

Commissioner McCreery read his version of the ordinance to the Commission making notes to change items as they made comments. Alderman York’s original version required permission to cut nearly any tree. Commissioner McCreery’s version requires permission if 10 “priority” trees are cut, or more than ¼ acre is clear-cut. Priority trees are defined in both versions as having a diameter of 10” or more at breast height, or any evergreen tree 13’ or higher.

The cutter would have to come to the Town Hall to fill out an application form in the Planning and Zoning Department. The Commission stated a fee of $20 should be collected.
The York version requires the cutter to plant one tree for every tree taken down, and the Commission discussed if it should stick to clear-cuts to avoid getting permits by too many residents.

The target of the ordinance is to keep developers from clearing all the trees on their land, especially in sensitive areas such as river banks.

**Plan Update Advisory Committee**

The public hearing on the proposed plan is June 6th at City Hall.

**Application for PDR (USDA)**

Purchase of Development Rights to the Jones Family Farms “Homestead Acres”. The Commission was aware of the grant, but could not take a step until it was published in the federal register and the deadline was 40 days shorter than what was done in previous years. It is a federal program.

There was commentary in the meeting of the Board of Aldermen regarding other grant avenues to help in sharing the cost, such as the Land Acquisition Grant Program from the State DEP, but it probably would not be applicable on this property because those grants have a consideration of public access being granted to the property. The Jones Family Farm, while allowing pick-your-own, is a working farm with spraying and plantings with equipment that operates, which would be in conflict with generally or freely allowing the public there to hike or fish.

Another grant program mentioned is at the State of Ct. Department of Agriculture, which only helps share with the cost, as they do limit the value they will contribute to $10,000 an acre, which makes it in effect only a supplemental program. It would be the City’s decision if it wants to apply for the program. Mr. Terry Jones of Jones Family Farm, was concerned that his work with the Working Lands Alliance encouraging the preservation of agriculture properties in the State, while applying through the program that is trying to preserve it, would not be appropriate.

The allocation to the State of Connecticut is in the range of three million dollars for this grant program, and the contribution it would give on any application is up to 50% of the appraised value. The property owner can give part of the value in gift up to 25% of the appraised value. The Jones’ have done that in other parcels, such as Pumpkinseed Hill.

**Quality of Life – Possible Executive Session**

At 9:47 p.m. Commissioner Dyer made a motion to go into executive session for the purpose of discussing land acquisitions. Seconded by Commissioner Lauriat. All voted in favor; motion passed. The machine was turned off.

At 10:00 p.m. Co-Chair Harbinson entertained a motion to come out of executive session back into executive session. Commissioner Dyer moved the motion; seconded by Commissioner Lauriat. All voted in favor; motion passed. The machine was turned on.

Commissioners McCreery and Tate were authorized to meet with the family discussed in executive session.
Comments by Members
Co-Chair Harbinson and Commissioner Tate will be in a meeting tomorrow in regard to a plan of development for downtown being proposed by the firm constructing the Birmingham. Rick Schultz left a map of Shelton River Front Development for the Commission to get an impression of the development. The Commission's perspective would be the Riverwalk continuation downtown, and the fill in of the canals. The Commission discussed:

- One or two pocket parks that the residents can enjoy
- The turn around blocking the canal. Filling in the canal and using the water for flushing metals by companies along the canal, and the restoration of the historic locks.
- The City might consider owning the last parcel at the end of the trail because it would be a beautiful park or a restaurant. Rather than everything being residential at the last parcel, there should be a residential/commercial development with public access instead of private development at the end of the trail.
- There should be an architectural character designed for this area, because it is valued.


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

Minutes prepared by Anita Shortell, Clerk

NOTE: Our tape machine recording the meeting was inoperable during a portion of the meeting. The secretary was unaware at the time and did her best to construct what occurred during the gaps from notes.