Call to Order ................................................................. 1
A. Call to Order/Pledge of Allegiance ................................................................. 1
B. Approval of Minutes.......................................................................................... 2
C. Public Portion (items not on agenda) .............................................................. 2
  D. Shelton Lakes Recreation Path, upgrade to handicapped accessible standards. Status ............................................................................................................. 2
E. Trails Committee Report ................................................................................. 3
F. Dog Park and Planning for corner of Nells Rock Rd & Shelton Ave - status .... 3
G. Community Garden .......................................................................................... 4
H. Brook Naming: Shelton Lakes Greenway/Wesley Dr. .................................... 5
I. Open Space Trust Account: status .................................................................... 5
J. Budget Status .................................................................................................... 5
K. Open Space set-aside: Status of increase to 15% in subdivision regulations ... 5
L. Review of PZC or IWC Applications for Subdivisions and/or Developments ... 5
  1. Old Applications/Monitor/Follow-up ............................................................ 5
     i. Aspen Ridge open space-landscaping ....................................................... 5
     ii. Cranberry Hill Estates – proposed hiking trail and associated pedestrian easement through Association open space ....................................................... 7
  2. New Applications (Applications received between agenda creation and our Regular Meeting may be amended to this Agenda at start of regular meetings by a vote from the Commission.) ................................................................. 7
M. Communications ............................................................................................. 8
N. Quality of Life – Executive Session (land acquisition and security issues)...... 8
O. Comments by members .................................................................................. 8
P. Adjournment .................................................................................................... 8

**Call to Order**

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

Also  
Present: Teresa Gallagher, Conservation Agent  
Marianne Chaya, Clerk  

**A. Call to Order/Pledge of Allegiance**

Chairman Harbinson called the meeting of the Conservation Commission to order at 7:00 p.m. All in attendance recited the Pledge of Allegiance.
B. Approval of Minutes

Vice-Chairman Dyer MOVED to approve the minutes from the May 4 2011 Regular meeting and from the May 25, 2011 Special meeting. SECONDED by Commissioner Goodman. All were in favor, MOTION PASSED.

C. Public Portion (items not on agenda)

none

D. Shelton Lakes Recreation Path, upgrade to handicapped accessible standards. Status.

(Chairman Harbinson explained the Rec Path history and current endeavors to the Shelton Patch reporter)

Vice-Chairman Dyer reported that the contractors have finished 2a, which goes from Route 108/Constitution Blvd. to Oak Valley Rd. The contractors have also finished 3c. They would have had 3a done by now but we asked them to hold off because we want them to now go from the Crabapple bridge all the way out to the power lines. The base work is all done. I met with John Cook and Rick Schultz today and we walked the path from the corner of Wesley Dr. and Scotchpine out to the portion where they have completed and then showed them where we would extend the trail out to the power lines. The modification from what we had submitted to the Inland Wetlands Commission to what we want to do now was before we were going to build a boardwalk in the wetlands and now we are talking about building the trail parallel to the wetlands. John Cook agreed that it is far less of a disturbance to the wetlands. Both John and Rick were very impressed with the trail and the erosion control measures. John Cook said he would go back to his Commission Chairman and he would recommend that the present IWC approval is ok with what we are planning to do. We may not have to go back for a modification to the permit.

Vice-Chairman Dyer said that the request for 3 additional items to the contract is going before the BOA at their next meeting (6/9/11). The total additional expense would be $39,700. $35K is just for finishing from the Crabapple bridge out to the power lines. The other two tasks are to use the same top dressing on the emergency access portion. The last task is to move the bridges and pick it up so we can put a center beam down. Right now the Rec Path goes parallel to both bridges. They need to be moved. Commissioner Tate asked if we need to write an endorsement to the BOA? Vice-Chairman Dyer said he thinks we should and maybe we should be there to make a presentation. The others think maybe just be there (at the meeting) if they have any questions, should be sufficient.

Chairman Harbinson asked Agent Gallagher to write a letter requesting this add-on to the contract to extend and enhance the trail to the Rec Path standards. The members gave Agent Gallagher particulars of what needs to be in the letter.
Vice-Chairman Dyer continued by saying as far as the progress is concerned they are going from the top of Wesley to the bottom. They have gotten through the area where the sewer easement is. When they got to the corner (picture shown) they did find that there is a significant chunk of ledge. They will probably bring in a rock hammer to deal with it.

Chairman Harbinson thanked Vice-Chairman Dyer for “bird-dogging” this project. It is a big undertaking. Nice job.

The Commissioners talked in length about the bridge moving event.

**E. Trails Committee Report**

Vice-Chairman Dyer reported that they are ready for National Trails Day (Saturday, June 4, 2011). They will be having a bridge-to-bridge hike from Pine Lake (Shelton Ave.) to Huntington Center. The Mayor will be coming and will give his proclamation.

There will be multiple events going on the same day as National Trails Day. Commissioner Dutkanicz said she has posted signs throughout the community and in the kiosks regarding the hike on Saturday. I have also contacted the CT Post.

Right now the State is going repaving of Route 108. The equipment is taking up the whole parking area. Hopefully they will have it moved by Saturday.

Orange Fence has the contract for building 330’ of fencing. They haven’t started as of yet. They also promised to show me a design for removable bollards. Until then we will place boulders at the ends of the Rec Path to keep vehicles out.

The white house is scheduled for a control burn this month.

Vice-Chairman Dyer stated that there is one last piece of equipment the Trails Committee wants to purchase. It’s a Troy-Built string trimmer that operates as a trimmer as well as hedge clippers.

The Trails Committee is organizing a kayak/canoe event for July.

(For more detailed information on the Trails Committee see the minutes on line at [www.CityofShelton.org](http://www.CityofShelton.org)

**F. Dog Park and Planning for corner of Nells Rock Rd & Shelton Ave - status**

Agent Gallagher reported that the Dog Park group is getting a shed donated because they need a place for all their stuff. The group asked the Trails Committee for permission to use their shed but were denied. Because they have work parties they need a place for shovels, rakes, pooper scoopers, and extra bags.

The Commissioners said that maybe Bill Dyer could talk to them about using a portion of their shed. Since there are two sides to the shed perhaps they could use the smaller side and have a key for it.
Chairman Harbinson voiced his concern about how we go through hoops for years trying to put a simple trail that is on all our maps on certain places and then here comes a group that can just come in a drop down a structure on a city open space parcel without any approval process? How does that happen? All along anything we wanted to do regarding the trails have been pushed back, we have to wait for Board of Aldermen approval, etc.

Agent Gallagher said they are also putting in a port-a-let. It will be in the big parking area towards the back.

Commissioner Tate suggested this all be master-planned before anything goes in.

There was concern expressed again about stuff going in without approvals. The space could easily be over-run unless it’s properly planned.

The Commissioners talked about who has control of the parcel, which seems to be Parks & Rec but the land is under the jurisdiction of open space. Parks & Rec only seems to manage the parcel but not designing it. There was discussion of their committee, which seems to be only John Papa and Ron Herrick. Our Commission requested a meeting with them and they said they didn’t have any need to meet with us.

Agent Gallagher said she thought there was going to be a committee of the dog park but now it seems it’s now just Mandy Oram running a meeting every month and anybody in the general public can come. There are no committee members. She has a list of tasks that need to be done and it’s divvied up. Mandy is doing a great job and she’s very competent but there is no committee and there are no minutes. It seems to be working ok now.

Commissioner Dutkanicz expressed concern that it could become a circus down there, first thing is the outhouses. The white house is coming down and then we’re going to see port-a-potties, sheds, etc. Who authorized the orange signs? Chairman Harbinson is concerned it’s going to lose its New England ambiance feel for that prominent corner.

Commissioner Goodman asked whose jurisdiction does this come under? Agent Gallagher said ultimately it’s the Board of Aldermen and they said that the dog park can go in there and it’s Park & Rec.

Commissioner Tate talked about what could happen in the future once the white house is taken down and how it affects the barn structure. It needs to have a master plan.

Chairman Harbinson said that maybe someone should attend a Parks & Rec meeting.

Every Commission member expressed their concerns and we should take action quickly.

**G. Community Garden**

Agent Gallagher reported that work is being done on the water for Longview Ave. garden. She explained the process of this project to the Commissioners.
Soundview Ave. garden is still not open because we haven’t had the dry weather needed to do the rock removal task. We are fortunate to have a person who has rock removal equipment to be able to come and do it for us at no charge.

Tape 1, Side B

**H. Brook Naming: Shelton Lakes Greenway/Wesley Dr.**
Chairman Harbinson directed Agent Gallagher to touch bases with Theresa Adcox to make sure this item gets on the BOA agenda to officially name the brook Basil’s brook.

**I. Open Space Trust Account: status**
Agent Gallagher reported that we received one check for $8700 for the parcels on Long Hill Ave. The balance should be about $282,000. Chairman Harbinson asked Agent Gallagher to check w/finance to see what they did with the motion for the purchase of the property on Mohegan.
We should have a monthly report from Finance on the Open Space Trust account.

**J. Budget Status**
Chairman Harbinson reported that the budget was approved and passed by the BOA so our budget request was fulfilled.

**K. Open Space set-aside: Status of increase to 15% in subdivision regulations**
Chairman Harbinson stated that we were going to have a tech session with P&Z yesterday but it was cancelled. It will be rescheduled. According to Rick Schultz they had drafted some language regarding the subdivision regulations and increasing the set-aside.

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

1. Old Applications/Monitor/Follow-up

   i. **Aspen Ridge open space-landscaping**
   Agent Gallagher met on our behalf with the developer and John Cook, Inland Wetlands Enforcement Officer. She had emailed all the Commissioners a video and photos of the area of concern.
Agent Gallagher talked about the photos taken by Commissioner McCreery. The area of concern was pointed out to the Commissioners. The bulk of the landscaped area is on Land Trust property. They planted myrtle, which was not part of the approved landscape plan. The developer did agree to move some of the rocks and said he didn’t put them there. It was somewhat of a confrontational meeting.

Chairman Harbinson asked Agent Gallagher what she would recommend this Commission do. She stated that we should comment to P&Z and IWC that all future developments impacting open space we would only want native species. The myrtle planted was not part of the landscaping plan. It would be quite an effort to remove it. It does look very attractive from a landscaping perspective but it doesn’t look like open space. It looks like a private development.

Commissioner Dutkanicz talked about a previous landscape violation in wetlands where they were directed to re-landscape the area. They ended up not planting what they were supposed. What recourse does the City have? It seems like they cut down whatever they want, get fined a small amount, and then just pay the fine. My concern is that if people think the punishment is not substantial they will just do whatever they want to open space. I’m bothered that this landscaping is not natural.

Agent Gallagher is bothered by the fact that it looks private and not a public open space.

Commissioner Tate suggested solving this problem we post open space and Land Trust signs.

Commissioner Goodman said that he is bothered by the fact that the developer comes to the City, makes a plan that is approved, and then they do whatever they please without any repercussions.

Chairman Harbinson asked Agent Gallagher to ask Rick Schultz if the open space is properly marked.

Vice-Chairman Dyer suggested a sign that not only marks it as open space but states that mowing, cutting, etc. allowed. The Commissioners made some sign suggestions for Agent Gallagher to obtain.

Agent Gallagher read the letter written to the BOA when this development was approved regarding the acceptance of open space and the request for strict guidelines regarding the disruptions and landscaping of the open space.

Chairman Harbinson suggested writing a letter to both P&Z and IWC stating that we are extremely disappointed with the current outcome of the open space dedication. The landscaping that occurred on the city open space is not in keeping with the concept. Reference should be made to the letter sent from this Commission. The developer did not follow the landscaping plan. It creates a private feel or character of the area that is supposed be publicly accessible for the enjoyment of the river by fishermen and other sporting enthusiasts. Our recommendation is that the two Commissions use their enforcement capacities and measures to insure that the property is properly posted as public open space in an adequate manner so it could be visible to the general public. The non-
native myrtle should be removed. The area should be marked as a no-mow or naturalized area. As an added note, this is an illustration of a greenway corridor, high profile and valuable piece of open space, even though it’s small in size, that developments that occur in the future along our greenway corridors should garner special attention from these enforcement agencies.

Commissioner Tate asked how we can get a balance since the violation has occurred. Commissioner Welsh said that they should have known better from the start. Correct the problem. Commissioners Dutkanicz and Goodman felt a letter should be sent. Commissioner Tate agreed. He expressed concern of how much impact this letter is going to have. We definitely have to put this incident on record. Agent Gallagher expressed her concern that there are a lot of people who really don’t understand what native species are. Perhaps there be some education or letters to P&Z stating that any activity in open space in the future we only want native species. That needs to be specified in any approval, whether it’s seeding or shrubs. Anything going in open space comes to us first for review.

ii. Cranberry Hill Estates – proposed hiking trail and associated pedestrian easement through Association open space

Vice-Chairman Dyer presented a drawing of the proposed hiking trail. He stated that the town did not endorse the acceptance of open space as proposed. They proposed it be private open space. There is a plan to put in a walking trail for public use. He noted that the Trails Committee will not be maintaining it. Agent Gallagher stated that this meets the condition of approval. The Board of Aldermen didn’t take the open space and they still have to do the trail. So they are trying to meet the requirements by putting in a pedestrian easement. Chairman Harbinson asked if P&Z asked for comment and Agent Gallagher said the developer dropped this off to her. He wanted our comment. Chairman Harbinson commented that it’s not a formal application. Generally it’s a conservation easement for public access on the trail he is constructing on the private association open space. We are in favor in seeing accessibility to open space.

It is noted that it is up to the association to maintain it. After review of what this land represents, the Commission comments as follows: We encourage public access to the natural environment and the outdoor and a conservation easement of private open space could best accomplish that with a fully encompassing pedestrian easement over the same parcel area.

2. New Applications (Applications received between agenda creation and our Regular Meeting may be amended to this Agenda at start of regular meetings by a vote from the Commission.)

None
M. Communications
None

N. Quality of Life – Executive Session (land acquisition and security issues)
Vice-Chairman Dyer MOVED at 8:47 P.M. to go into Executive Session for the purposes of discussing land acquisition issues. SECONDED by Commissioner Dutkanicz. All were in favor; MOTION PASSED.

Commissioner Goodman MOVED to return to Regular Session at 9:25 P.M. SECONDED by Commissioner Welsh. All were in favor; MOTION PASSED.

Chairman Harbinson stated that no actions took place in Executive Session.

O. Comments by members
Commissioner Welsh said that on June 18th at 9AM there is a cleanup on Beard Sawmill Rd under the Route 8 overpass. It’s National Rivers Cleanup Day. It’s a big Trout Unlimited event. They contacted the Land Trust to see if we wanted to partner with them. If there is time we will do the Means Brook behind Huntington Center.
Agent Gallagher said if you can, focus on the river because she may have someone adopt the street.
Commissioner Welsh said that the Far Mill River Association is doing a cleanup on Mill Street.

P. Adjournment
The meeting adjourned at 9:25 pm.
The next regular meeting is Wednesday, June 29, 2011.

Respectfully submitted,
Marianne Chaya
Clerk, Conservation Commission