Call to Order/Pledge of Allegiance

Commissioner Jim Tate called the August meeting of the Conservation Commission to order at 6:50 p.m. in Room 303, Shelton City Hall. The Pledge of Allegiance was recited.

Attending: Co-Chair Tom Harbinson, Commissioners Ed McCreery, Jim Tate, Bill Dyer, Hank Lauriat, Teresa Gallagher, Conservation Agent.

Not Attending: Co-Chair Harriet Wilber, Commissioner Joe Welsh

Public Speaking on record:
Mike Buturla, Larry Iannucci,
Mr. Irving Steiner, 23 Partridge Lane,
Margaret Paulson, 64 Sunset Drive, Shelton
Approval of Minutes of July 12, 2006
At 6:51 p.m. Commissioner Dyer made a motion to approve the minutes of July 12, 2006. Seconded by Commissioner McCreery. Commissioner Lauriat mentioned there was a minor type over regarding a misspelled word on Page 3. Commissioner Tate stated it would be reviewed. All voted in favor; motion passed.

Communications
Conservation Agent Gallagher reported as follows:
- Tracy Lewis brought the Willow Estates map to her office today.
- John Cook, Inland Wetlands Administrator, E-Mailed the Conservation Agent a copy of a letter to the Planning and Zoning Commission regarding Permit Application #06-30. MBC Office Development on Waterview Drive. It read as follows:
  Dear Mr. Schultz:
  On July 13, 2006 the regular meeting the Shelton Inland Wetlands Commission received the above application to conduct regulated activities. During the course of discussion the Commission was made aware that the applicant would be constructing significantly greater parking area than would be expected by their proposed use. The Inland Wetlands Commission recognizes the necessity of anticipated future uses but also in recognizing the water quality classification of Ivy Brook is of very good quality request the PZC consider allowing the applicant an adjustment to the required paved parking if at all possible. If alternatives could be created in this regard whereby the overall design of the parking is established, the infernal impact from heated pavement surfaces could be minimized by thereby help maintain the overall water quality of Ivy Brook.
  Our offices are available to discuss the matter at your convenience.
  Commissioner Tate commented to keep track of it and see what happens.
- HVA sent a Thank You letter for the Commission’s donation.
- Notice from the National Parks Conservation Association.
- Nature Conservancy would like a donation.
- Basics of Writing Policies and Procedures a One Day Seminar.
- College of Agriculture and Natural Resources Journal.

Conservation Agent Report
Conservation Agent Gallagher reported as follows:

Project Safe Trails
- Gates, Signs, Mapping – Agent Gallagher showed the Commission a sign she made entitled City of Shelton Open Space which stated Open from dawn till dusk for: hiking, bicycles, skiing, horses, dogs on leash, and fishing & canoeing. Prohibited: Ice fishing, ice skating, alcohol, littering, removal of plants or animals, motorized vehicles, campfires, hunting, archery and paintball, and swimming. Note: This is a general listing. Refer to City Ordinance #769. Dean Cawthra, Parks and Recreation Department, asked to help put up the signs. Commissioner McCreery commented how great the signs were in letting everyone know what is allowed or not allowed.

At this time, Co-Chair Harbinson came into the meeting with food for the Commissioners because the Commission was on a site walk before the meeting.
Open Space Plan Update

- **Labels – “no count” and “disposable”**  
  Agent Gallagher spoke to Co-Chair Wilber regarding the labels who said when she and Marybeth Banks, former clerk of the Conservation Commission, were labeling open space and came across tiny pieces of land, they did not want to count them towards the overall open space total. Not that they were not important to open space, but they did not want to count them. Since then, a lot of larger pieces bought for Constitution Boulevard and the Mas property have been put into the “no count” category. Co-Chair Wilber suggested labeling them as “not counted” or “possibly not classified” and to look back at those little pieces and reclassify them “as counted” open space.

Commissioner Tate stated the Commission will have to think about these classifications, but will not be able to do it tonight since there is a whole rational that must be defined on it. Just as other names are being changed, such as managed open space and perceived open space, the Commission is dealing with different definitions. Those definitions will also have to be revised. Maybe the Commission will have to eliminate the “no count” parcel and the no count classification of “disposal” or a combine the two. It relates as to how the open space plan will be used. It doesn’t relate to the definition of that parcel.

Commissioner Tate explained how the Commission the open space plan was labeled before. In regard to this labeling, we will have to go down the list to make sure these labels are qualified to some other definition and not the definition used originally. Commissioner Tate stated it can be done through email communications.

Commissioner McCreery said if that is done, then Commissioner Tate will be a committee of one. Commissioner Tate answered, it will not happen overnight, and we will come to grips and it should be voted on. It will be thrown out there, and people will test the definitions.

Agent Gallagher had emailed an outline to the Commission relating to the labels. The Commission will review it.

Commissioner Tate stated his reflections on the plan as to how the plan will be used and how it will be implemented and adopted. It has to be based on some natural inventory factors which it is not right now. An example of that is not Planemetrics data only. An example is soil, aquifer invasion, key inventory features, site features, specimen trees, scenic roads, and outstanding pentways. The plan must protect these elements, if not the plan should be thrown away.

Co-Chair Harbinson took over from Commissioner Tate in running the meeting and stated there is much to do on the agenda and since there is no one from the public attending that is not on the agenda, we will start with the first item to be reviewed.

Public Portion

No one spoke during the public portion
Review of P&Z Applications for Subdivisions and/or Development

Upper Canal Street Master Plan
Co-Chair Harbinson stated the Commission had a field walk before their meeting and had the drawings for the proposal for the Upper Canal Street area that is proposed for development and asked the Commission for comments.

Commissioner Lauriat stated the only way the Riverwalk can go to the locks along the edge of the river is the put a cantilever bridge at the first building next to the bridge which has little dirt behind it.

Co-Chair Harbinson recommended starting where they first started to walk by the locks. There has been no public hearing on the Upper Canal Street Master Plan and it is not an "application", but Jason Perillo of the Downtown Subcommittee had a meeting of the parties that had an interest as to how this might turn out and he dispersed drawings at that meeting and asked for input to be brought back. No one has commented on it, as yet. The Conservation Commission is the first one to actually take a walk. Since no one from the parties involved was able partake at this time, the Downtown Subcommittee would like to set up a walk meeting which would be more efficient for all parties.

Canal Locks
- Co-Chair Harbinson stated the locks have tremendous historic, preservation, and highlight potential for the Riverwalk as a feature.
- Commissioner McCreery said the locks are Shelton’s most hidden historic treasures. What a piece of history there. Actual wooden gates ready to lower boats to different level sitting in a state of disrepair and as part of this project if the narrow locks, grids, could be renovated that should be investigated.
- Commissioner Tate suggested, if the open space park benches were redone in a more attractive manner, it would be an award winning park.
- Co-Chair Harbinson reminded everyone that the locks are not part of this development concept; they are private property. In regard to getting the locks renovated and the park benches redone, it would be something to think about the next time the Shelton Canal Company has permitting for their license to operate the hydro-electric plant since they already have to have public access for fishing there.

Mr. Irving Steiner stated when he went to the SEDC meeting, it was said the locks will be restored and won’t be able to save the canal as it is because there were two users and the two users disappeared because of high expensive maintenance. Co-Chair Harbinson stated there is nothing in this plan that shows anything offsite of the development and the canal area. According to this plan, there is nothing shown for the locks renovation.

Watt’s River Tower
- Co-Chair Harbinson’s concern was the structure at the end replacing the Better Packages building. It will be called Watt’s River Tower. When it is constructed, it will have a parking deck below the structure and is proposed to be six stories tall. The existing building is three stories tall from the back. This will be an extreme and massive structure on the end of the development. It is shown as a mixed use of commercial and residential and will have a total of 290 parking spaces. It would have some great public worth to that end of the development regarding the vistas looking up river with the island and towards the Ousatonic Dam. As it is shown, it is hard to ascertain where the
Riverwalk is when it gets to that end, and it looks like it is pinched at that point. It is hard to determine from these drawings what is happening to the Riverwalk when it gets to that end. That vista is the most attractive feature of the whole area that would draw people to use the Riverwalk and to end up at that as a destination and then to loop back.

- Commissioner Dyer agreed that open space should be there with picnic tables, and if the locks are restored, the public could watch the locks work.
- Commissioner McCreery stated it would be a heavily used park for people living down there because now it is only known by fishermen and some Boy Scouts. It is a hidden jewel.
- Co-Chair Harbinson stated a total of 619 residential units will be built over the entire proposal area and there and 74,000 square feet of commercial offices proposed to be built.
- Commissioner Lauriat was concerned about liabilities because there is a part of the Riverwalk which has a shear drop to the water. Co-Chair Harbinson stated it has to be designed properly with the proper buffer. A riverwalk would not be designed right next to an abutment. It would need 10 feet to 20 feet of a buffer from the bank to the walk with an appropriate guard rail and a 12 foot wide bank with perhaps another buffer between that and the residential. The total would be 35 feet to 40 feet.

The Commission had no further comments on the first building on the site walk and moved on to the second building. Co-Chair Harbinson asked for comments.

This building is situated as to when the Commissioners walked through the bridge inside the building to get to the “barbeque” pit area.

- Commissioner Dyer stated the path could go as the Commission walked it today underneath the bridge, through the building, rather than putting the path outside.
- Co-Chair Harbinson mentioned the drawing did not show what that building’s future development would look like. It just showed the existing building. This building will have 100 condominium units, but the Commission is not sure as to how it would be tailored on the existing building with add-on structures and knocking down existing structures or portions near the river.

Wooster Street North

Co-Chair Harbinson stated there were comments in the field regarding Wooster Street north.

- The Commission commented on the view as one would look down that road towards the river, to have that vista opened up, if it was possible.
- The concept plans are showing a building being constructed on site called Riverview Square. The existing building would be knocked down.
- At that point, the Riverwalk comes from the river and seems to show an access spur point that comes out to the sidewalk infrastructure being planned for Canal Street.
- There is a reconstruction plan of the street to put some utilities underground, straightening the road, and building sidewalks. That will shift the road away from these existing buildings and cause some filling of the canal as it currently exists in those spots.
- The turnaround, shown in front of the last building, will show some filling of the canal.
- In regard to all of the parking spaces, from Wooster Street North to Bridge Street, the canal is all filled in. The canal is piped and there are two businesses that currently utilize water off the canal for their operations.
- The Commission stated what a missed golden opportunity of the City of Shelton not to have reopened the canal, maybe not as wide, the street could be widened and put the sidewalks in, but, the canal should have been reopened rather than parking because it would have been an attribute that no other city within 100 miles would have had.
Commissioner Lauriat commented if the City keeps the canal as shown in the plans, it should encourage the water to move through the canal because items in the water never moved during our site walk. When the water company was there, all the old buildings there had sluiceways. Perhaps one of these sluiceways could be opened up in order to encourage movement. It was suggested there must be some sort of leakage through those sluiceways from when the water company was there using the canal actively.

Mr. Steiner from the public, commented hearing from the SEDC meeting that the canal water is fed by a small stream that feeds into the canal coming in north from Brook Street.

Commissioner Dyer suggested on Site E, Riverview Square, have some less density in order to open the vista looking down from Wooster Street. It was suggested to open it up by the canal log, if there was a choice. Commissioner Dyer suggested pocket parks to be built for the children who live in these buildings to play in.

Co-Chair Harbinson said the property on the end would suit such a purpose. He stated pocket parks should be destinations to heighten one’s interest while walking along the Riverwalk. They would be small elements, such as a park bench, a veterans’ memorial, and vegetated areas such as trees or gardens, to entice a person to move forward to the next thing.

Co-Chair Harbinson suggested part of current Riverwalk’s success is its looping character because people walk it and come back on the sidewalk section. On the back of the parking spaces and parking garage allocated for the Birmingham there is currently a berm adjacent to the railway that could be enhanced to allow a linear bike path that would then only have one street crossing at Wooster St. The Upper Canal Street area of the riverwalk could be a looping character if the path went along the riverfront and came back on this long linear run near the train tracks. Improvements to the parking lot could be done to enhance pedestrian movement.

Site B, Wharf Townhouses

The Commission commented that a couple of townhouses along the river were one unit to many close to the riverfront, also, one on the asphalt site. Their proximity to the riverwalk doesn’t look like it functions properly.

The Birmingham on the River

Co-Chair Harbinson asked the Commission if there were any comments regarding The Birmingham, which is currently under construction. The plans show the riverwalk will come from Bridge Street down the side street to Canal Street elevation along the front of the Birmingham, then down along the side of the Birmingham, and then along the river.

The Commission stated a cantilever walkway would have to be built through the first arch to keep the riverwalk entirely along the riverfront. The Commission thought it could be done because there are spots, as in the current Riverwalk, where the abutments had to be shored up before the Veterans’ Memorial and the handicapping grading down to that level. There are structural features that can be created to make certain spots work.

The Commission stated the City has to determine how important this Riverwalk is and when they decide how important it could be, then it will be designed correctly. Then the City will get the maximum benefit out of it. If not, it will be compromised, and that compromise will be seen.

Commissioner Dyer asked is there was access along the river on the southside of the Derby/Shelton bridge. Co-Chair Harbinson answered there are other separate schemes showing a road that comes on Center Street coming down alongside Spongex then looping up the elevation of Bridge Street at that intersection. So, there are other plans offsite of this developer’s concept that could work in conjunction with a Riverwalk along
the river at that point. Commissioner Tate stated, as in the same condition of a railroad bridge, it could go under the railroad bridge or over a railroad bridge.

- Commissioner McCreery asked is it feasible for us to retain a structural engineer for our Commission, not to design this animal, but to look at the feasibility of running the walkway of a cantilever structure off parts of the Birmingham building off the underside of the Bridge Street bridge to get a dramatic feature of the walkway. Actually not to walk on the street and get back on the Riverwalk, but actually walking on the river, whether it's like pilings in the river. There will be issues of engineering which could warn us about whether we need the Army Corp of Engineers for that or whether it would not be allowed because of floods. He asked if we could hire an engineer to look at this for $7,000. Co-Chair Harbinson said this is only a concept at this stage. He added, he will convey that idea to the developer at the group meeting to see what the feedback would be. Commissioner McCreery said the Commission would pay for the engineer to just tell us if it could be done or if it is impractical.

Co-Chair Harbinson commented the Conservation Commission is the first body to comment on this. He had mentioned to Jason Perillo over this concept that it would be nice to have a 3-D model, such as an electronic for a virtual flythrough or a physical model. He would like to see what the view lines would be like, when these structures get demolished, pieces get added on to, or new townhouses get located.

Co-Chair Harbinson stated the minutes will reflect all the comments made tonight and a copy will be forwarded to Jason. He will make the Commission aware when everyone involved has this mass meeting for more efficiency.

At 7:30 p.m. Commissioner McCreery made a motion the Commission move to Item iii. on the agenda. All in favor.

**Ianucci Property, Pawtucket Ave. IWC #06-16**

Agent Gallagher had previously emailed the Commission and Mr. John Cook, Administrator of Inland Wetlands Commission her report of the Coram Avenue Gardens application by Ianucci, Inc., Pawtucket Ave.

Agent Gallagher’s report stated Mr. Burturla is seeking a permit from the Inland Wetland Commission to build seven houses and extend Pawtucket Avenue. In exchange for permission to fill wetlands, the applicant, Ianucci Inc. is offering to donate five parcels as Open Space and to create wetlands on one of the donated parcels. This development is located within the proposed Ivy Brook Greenway and the Commission has a vested interest in the water quality of Ivy Brook. Development along the brook upstream can adversely affect existing Open Space downstream. The proposed open space is located about 80 feet from Ivy Brook, near its headwaters.

Mr. Michael Buturla, Licensed Engineer with the Huntington Company of Fairfield with Mr. Larry Iannucci presented a map of the Ianucci Property on Pawtucket Ave regarding the submitted application to the Inland Wetlands Commission #06-16.

Mr. Buturla described the area regarding his IWC application. It is a piece of wetlands in the middle of Pawtucket Avenue and a large parcel at the end which goes to Weybosset Street (a paper street). The present pavement at Pawtucket ends at Manton Street. Cranston Avenue to the south ends in a dead end.

There is an existing sanitary sewer that runs down Pawtucket Avenue through Weybosset Street into the existing sanitary sewer that goes through the open space. The sewer was put in around the mid 90’s to connect the existing houses above on Pawtucket Avenue.
In order to build the houses proposed and extend Pawtucket Avenue, two pockets of wetlands have to be filled in. The plan before the IWC is to create wetlands on a lot that would become a part of the existing wetlands. The proposal is to have as open space four 50’ by 100’ parcels and one 50’ by 100’ parcel which would be ½ acre of property with the existing open space on the Ivy Brook Corridor. Direct access to these small properties is the paper street of Weybossett Street and the remaining paper street of Pawtucket Avenue.

The Commission asked why would you have these three vacant lots that do not have yet houses on, they’re mostly wetlands, right? Mr. Buturla said these two are wet, and he tried to get through one, but there was no proposal.

The Commission asked why you wouldn’t convey it for all, why wouldn’t you convey those two as open space too. Mr. Buturla answered we have these people in agreement who can make this offer to this Commission and that we can convey these, but we don’t have that commitment from the names of people there, although they are on the application before the IWC.

Mr. Buturla said Mr. Ianucci does not own all of the parcels, but on the application he has agreements for rights. Everyone on the application is to do what is proposed. He does not have the O.K. from these three people to offer these parcels as open space. We do on these five parcels.

Commissioner McCreery stated if the town would allow wetlands on these three lots, which are mostly wetlands, those three lots have to be included too, otherwise, they could not be included in the wetlands.

The Commission, Mr. Buturla, and Mr. Ianucci discussed the parcels.

Agent Gallagher stated this wetlands has been disturbed, but said it was not an issue, it is a perfectly functioning wetland. The only problem is there is phragmites, an invasive species, which is not good for wildlife.

Commissioner Tate explained since this is not a subdivision and there is no dedication open space, Mr. Buturla is transferring the development rights in the wetlands by using this as a mitigation measure.

The Conservation Commission is discussing this property because the IWC asked the Commission for its opinion on this proposal to see if it would be a good or bad idea if the City accepts the property as open space and create wetlands in some of that open space.

Commissioner Tate stated in theory the ownership of those lots, even though they are laid over a wetlands, has to go some where because right now someone owns that wetlands. If he says it is mitigation, it is what happens to that land itself, and it is what happens to a parcel in ownership. He is saying he will give it to the City as open space. Now the Commission has to consider that. The Commission has not dealt in giving us un-buildable property as the regulations of the deed now, because of the underlining soil. This is a little different.

This offer is being made, because it is adjacent to the headwaters of Ivy Brook which is the focus of the Commission, and has direct access to these parcels.

Commissioner McCreery stated we could start a process of preserving the headwaters of Ivy Brook. Do we go along with sacrificing that little pocket of wetlands? The Commission asked is there a right of development based on the soil condition as it is now and the regulations that exist.
Is there a right of development for any nuance within the wetlands buffer? Commissioner McCreery said it is not a black and white answer. Because if someone came in right now and bought all the lots that were just wetlands, they could make an argument that they should be allowed to build some of it, but not all of it.

The Wetlands Regulation is the law, not wetlands cause being the issue. The regulation tries to minimize the impact, but it does not mean it will never ever be building on the wetlands. If someone bought those lots, you can’t argue as the argument before would be, you can’t buy wetlands and you think you can build on it, if all you had was wetlands and never dry land.

The Commission asked by having that property with City ownership, does it insure with a greater degree, that it would not be built upon. Commissioner McCreery said we should start looking at the other lots. We keep talking about parcels that escaped our scrutiny, if this one had shown up on the assessor’s map we never would have looked at that as potential open space.

The Commission stated it would not want to see wetlands created. In addition, the Commission recommended if the City’s Wetlands Commission have wetlands to be filled, the City’s Wetlands Commission ought to require the maximum mitigation. Preserve the wetlands that are there which are those three lots, the lots to the north, and the lots being offered.

Margaret Paulson of 64 Sunset Drive discussed her walk on the property she took today.

At 8:10 p.m. Commissioner McCreery proposed to send a letter to the Wetlands Commission thanking them for referring us to review the proposed dedication of open space on the Ianucci property on Pawtucket Avenue, Wetlands Commission Application #06-16 specifically for our Commission to review the proposed conveyance of open space to the City of Shelton as a manner in which to mitigate in filling of open space for the continuation of Pawtucket Avenue.

The Commission would point out that Ivy Brook and the open space and the undeveloped areas surrounding it has recently become a matter of importance to our Conservation Commission after a recent walk and a video tape presentation by our Conservation Officer and that any undertakings pursued by the Inland Wetlands Commission preserve the headwaters of Ivy Brook to minimize impact upon the surrounding tree canopy would be great to benefit appreciation by this Commission.

The Commission had the Conservation Officer walk the proposed site and attaches her report to this letter. It is the opinion of the Conservation Commission that should the Inland Wetlands Commission decide to allow the filling of a pocket of wetlands on Pawtucket Avenue, that it would be appropriate to accept as open space, in particular, lots 315, 314, 313, 312, and 317 to the City of Shelton as open space.

Disposing of the recommendation of the Conservation Commission that the applicant not be required and should not perform mitigation by creating wetlands on lot 317. Aside from the fact, that there is disputed evidence whether man made created wetlands, actual and functional as true wetlands.

We feel that the disturbance there would unnecessary remove an existing tree canopy and would actually make it more difficult to access the proposed open space that would be dedicated to the City as open space in the area.

None the less, the total filling of a pocket of wetlands does deserve some mitigation. This Commission’s lodging the proposed mitigation should not be the creation of wetlands on lot 317 or rather a conveyance also of open space and wetlands preservation to the City of Shelton of
lots 303, 304, and 305 which are under in the indirect control of the applicant. If the applicant is unwilling to propose such mitigation by the permanent preservation of the wetlands on those lots, which are 100% wetlands, as it is, probably we do not recommend that the City Wetlands Commission allow the continuing extension of Pawtucket Avenue.

Finally, it is the recommendation of the Conservation Commission if the Wetlands Commission does accept this proposal, with or without our comments, that the developer be required that he and his predecessors also convey to the City any rights and interest they have in the paper streets that abut the conveyances being granted to the City of Shelton.

Seconded by Commissioner Lauriat.
Commissioner Dyer asked what does it mean when they own part of a paper street.
Commissioner McCreery said the legality of it means you need to get the rights of way.
All voted in favor; motion passed.

Mr. Buturla, Mr. Ianucci and Margaret Paulson left the meeting.

Jeffrey Estates, Mohegan Road PZC #06-40
Co-Chair Harbinson stated a person bought this entire parcel and then performed a free split of the property into parcel A with a house, and parcel B. They then proceeded to subdivide parcel B into three lots, which is this application, and had no open space dedications with the application acreage. They want to give an open space piece off of parcel A (technically off-site) and a fee in lieu of because this open space dedication acreage does not meet the 10% of subdividing parcel B.

The Commission stated if he had subdivided the entire parcel, he would have been able to give the right amount of acreage. The Commission said it will not hurt any open space efforts by accepting this recommendation. They are asking to give a combination of open space and fee in lieu of.

The proposed open space is .5265 acres. Lot 1, lot 2, and lot 3 add up to 3.4235 acres.

The Commission said the subdivision application is an as of right situation here. In addition to the open space, there could be some conservation easement on the old stone wall since it is near the ball fields of Mohegan School.

The Commission discussed the property.

At 8:26 p.m. Commissioner McCreery made a motion on Jeffrey Estates that the Conservation Commission send a letter to the Planning and Zoning Commission that having reviewed the proposed subdivision map, we think that the proposed dedication of open space creates an impractical strip of land that won’t be really accessible, but the idea of a buffer with a school property is admirable. We recommend the Planning and Zoning Commission instead impose upon the applicant a requirement of a fee in lieu of any open space with an appropriate conservation easement to ensure the preservation of the existing trees and the stone wall along the boundary for its entire westerly boundary between the parcel being developed adjacent to the school property and the other properties.

Said conservation easement to be not less than 15 feet wide but not to result in an offset of the fee in lieu of obligation based on the acreage of the easement.

Commissioner Tate seconded the motion. All voted in favor; motion passed.
**Vista at White Hills, Maple Ave/East Village**

Commissioner McCreery stated he rode through the Toll Brothers development and was dismayed to see all of the piles of dirt on the open space that will be dedicated to the City. It is continuing to be used as a construction staging area.

The Commission asked if the open space is always dedicated to the City at the time of the subdivision application. Commissioner McCreery answered no, when they pay by money, the money can be split up and is divided by lots.

Most towns require, before a person can start any work, that the subdivision map and the deed to the land are recorded as open space to the town, as it was in this case.

The Commission said in the future the City should take the open space upfront and not let the developers use it as a staging area for their construction. It is open space to be preserved in its current state, not in its destroyed state.

When Commissioner McCreery rode through, he noticed the catch basins were clogged up and the hay bales all trashed. He emailed Co-Chair Harbinson and John Cook. Mr. Cook took action and notified the Toll Brothers site engineer and instructed them to readdress all their storm detention areas.

Co-Chair Harbinson propose the Conservation Agent send a memo to Richard Schultz, Planning and Zoning Administrator, asking him what the schedule is for the open space being returned to its natural state as called out for in development approval and its dedication to the City for public access and enjoyment as it is adjacent to the French’s Hill Open Space property.

**Any Pending**

Co-Chair Harbinson stated in relation to Ivy Brook which the Commission has talked about, this property is not a subdivision. It is located off of Waterview Landing. Pitney Bowes is north of the property and Constitution Boulevard is south. There is an existing building, DataSwitch I believe it was at one time, as part of two parcels. They are proposing to do a two story office building rerouting the sewer line. This is going to be a backup center for emergencies purposes. The anomaly is this is not being used and staffed to the degree that regulations require parking to be created.

The parking lot only needs about three active parking spaces, but it is a requirement to build a certain number of parking spaces per square footage of office space. Because of its current nature would be a backup data center for emergencies purposes, the IWC is asking them to look into the possibility of not paving the entire space for impervious surface, to use concrete pavers that have a porous center, or similar system to minimize impact of non-necessary impervious surface. Co-Chair Harbinson brought it to the attention of the Commission keeping in mind Ivy Brook that has been recently discussed.

In addition, Tracy Lewis, surveyor, handed the Conservation Agent a map today regarding the Boehm Woods open space. He is asking in lieu of the pedestrian easement, he is proposing to convey an extra strip of open space in return of abandoning the former pedestrian easement.

At 8:26 p.m. Commissioner McCreery made a motion in regard to Tracy Lewis proposing to convey an extra strip of open space in return for the City of abandoning the former pedestrian easement and based on the map as presented and our previous discussions, the Commission recommends favorable comments to the Planning and Zoning Commission on the applicants and favorable comments to the Board of Aldermen and conduct a request for abandoning the right of
way based on the most current revised plan showing dedication of the 53 foot wide additional
parcel to the City’s open space.

Commissioner Dyer seconded the motion. All voted in favor; motion passed.

Conservation Agent Report (continued)

**Greenways – Trap Falls, Long Hill, Ivy Brook**

Agent Gallagher presented the Open Space and City Owned Land, City of Shelton map to show
ideas to revise greenways. She pointed to sections of the map showing the purple was
undeveloped or underdeveloped, Ivy Brook, Trap Falls, lots the Commission might purchase, and
the connection of Trumbull open space.

Co-Chair Harbinson asked her to look at Web Mountain and across the Housatonic River Valley
to Osborndale Park. Commissioner McCreery mentioned at the end of Beardsley there was a
dedication of the Town of Monroe’s open space which backs up against the Big Horn open space.

The Commission members stated they have a lot of work ahead of them and advised Agent
Gallagher what properties could be included in the Shelton Lakes area.

Agent Gallagher mentioned she picked a small piece of property in Shelton Lakes next to the
trails that could possibly be given to the Girl Scouts to work with toward preparing a camping
area. She is a Girl Scout leader.

Open Space Committee Report

**Open Space Trust Account**

Since the Conservation Commission is taking on the duty of open space, Co-Chair Harbinson
reported as of the end of May, the Open Space Trust Account has $172,148.81.

Commissioner McCreery stated remember when the outstanding bonds were tracked on a board
in this office by the Planning and Zoning Dept? He asked couldn’t they put that back up for open
space dedication so the Commission could track the amount. He asked, Mr. Chairman, could you
recommend that they put a similar board back up for open space fee, so they track what gifts
given. Co-Chair Harbinson answered if the Commission takes on what the Open Space
Committee was doing, he would like to have some communication from the Finance Department
saying here is what the Open Space Trust Account is doing.

**Open Space Ordinance**

Co-Chair Harbinson went to the public hearing and there was not any problem with the $250,000.
Somebody brought up the point that the ordinance as amended was not on file in the Town
Clerk’s office as stated in the public notice. Probably the town will have to have the public
hearing over again.

This is in advance of the ordinance taking effect and the Conservation Commission taking over
the duty of the Open Space Committee.

In addition, Co-Chair Harbinson mentioned regarding the property on Buddington Road the City is
purchasing from the UI Company, The adjacent property owner Mr. Blakeman would like to talk
further about using that former UI property to access his property for development. Mr. Blakeman
would like to talk about it again with the possibility of constructing some part of the recreation
path. Co-Chair Harbinson asked the Commission if it would allow him and perhaps another
Commissioner to meet with these parties. Co-Chair Harbinson stated he is not sure what Mr. Blakeman will propose because he told him what the Commission’s reason was for buying the property and what the Commission would like preserved on the property. That has not changed.

He asked if anyone had any comments.

The Commission said Mr. Blakeman cannot be denied the opportunity to talk with him. Just tell the Commission what he said in the meeting. Commissioner Dyer said if Mr. Blakeman would help build the recreation path, he would be interested in discussing the trails.

Co-Chair Harbinson asked does the Trails Committee have a design of the recreation path of what the standard is, as it would be constructed from the Knells Rock towards Huntington Woods direction. Is it to be paved or crushed stone? The Commission agreed it does not want a driveway through the woods. The portion along the SIS school campus, which the Trails Committee thought would be well utilized by runners, has a crushed stone area for runners, but this has not turned out too well. It is easily washed out, but the 8 foot wide width is appropriate and in narrower spots, 6 feet wide would be all right.

Zoning Regulations

Clear-Cutting of Parcels

Commissioner McCreery emailed Atty. Tom Welch, Counsel for the City of Shelton, and asked him to return his comments so Commissioner McCreery could report back to the Commission. Instead, Atty. Welch sent him generic information on tree cutting. Commissioner McCreery will look it over to see if it impacts or changes anything he proposed on the ordinance. If it does not, at the next meeting he will recommend sending it to the Board of Aldermen.

Plan Update Advisory Committee

Co-Chair Harbinson stated the new plan is out and has been received. It is a new bound version in the Planning and Zoning office. It has been published online, also and is effective as of July 31st. Any applications received now will have to follow the new plan. It will be available for $30. There are only 100 copies printed as contracted with Planematics.

Implementation Schedule

The Implementation Schedule in back of the plan is the important item, and the PZC has started to do the revisions to the PDD’s Subdivision Regulations, and many tasks lead to Conservation’s concepts. Agent Gallagher stated one of the items would be to update the Open Space Plan.

Co-Chair Harbinson stated for next month, looking at the plan, the Commission should think of items the Commission is involved with, when the Commission would want to have them accomplished, and how the tasks might be delegated amongst the members to get them done.

Trails Committee Report

Commissioner Dyer reported as follows:

- Sent the bridge drawings back to the manufacturer with a few suggested changes.
- The goal for the bridge over Silent Waters is in late September or October.
- Received the contract for the fence people
- The engineer is now designing foundations, but in his first effort he made mistakes. They were sent back to him to make changes.
The Trails Committee will make a presentation to the Inland Wetlands Commission on August 10th for the boardwalk which will replace the small boardwalk. The 100' boardwalk was designed by Bob Wilkins. Jim Swift, engineer, will do a cutaway drawing similar to what he has done on the Conservation Commission's bridges.

- Working on Boy Scout projects.
- Gave a list of five things to Ron Herrick to do. One task was to put boulders at the end of Sycamore Drive which the Mayor said to do a month ago.

Commissioner Lauriat stated there is more than one access to French's Hill, and there is a trail off of East Village Road to go there through the woods. He wondered if ATV's were using it for access. He will check French's Hill again to see what is happening.

**Quality of Life – Executive Session**

i. 2nd 2006 Application to Shelton Farm & Forest Protection Program.

ii. DEP Land Acquisition Grant

iii. 3 separate parcels that would append to existing Greenways

Co-Chair Harbinson asked does the Commission need to go into Quality of Life? The Commission hasn’t received anything further on the Farm & Forest Protection application we are expecting, the Jones Family Farm Homestead Acres negotiation, nor from any of the parcel owners under item iii. Co-Chair Harbinson stated there is no need to go into executive session for land purchases.

There are a couple of items that need to be paid from the Commission’s accounts regarding cutting of trees on the open space area and other small items. If the Commission agrees, he will pay these from the accounts.

**Comments by Members**

The Commission asked has Co-Chair Harbinson heard from Co-Chair Harriet Wilber. He spoke with Co-Chair Wilber yesterday, and because she does not have the energy to go to the meetings, she is preparing a letter of resignation. Co-Chair Harbinson mentioned it to the Mayor. The Mayor replied that he will not accept it, which is recognition of how much he values her contribution. Co-Chair Harbinson stated Co-Chair Wilber is a valued member and has been in the Commission for a long time. She is always only a phone call away, and until he receives that letter, she is still in the Commission.

**Adjournment**

At 8:57 p.m. Commissioner Tate made a motion to adjourn. Motion seconded by Commissioner Lauriat. All voted in favor; meeting adjourned.

Minutes prepared by Anita Shortell, Clerk
Reviewed by Thomas Harbinson, Co-Chair