1.0 **Call to Order/Pledge of Allegiance**
Co-Chairman Tom Harbinson called the September meeting of the Conservation Commission to order at 7:05 p.m. in the Shelton City Hall, Room 303. The Pledge of Allegiance was recited.

Attending: Co-Chairman Tom Harbinson, Co-Chairperson Harriet Wilber, Commissioners Bill Dyer, Jim Tate, Joe Welsh, Ed McCreery, Conservation Agent Jimmy Pjura.

Not Attending: Commissioner Hank Lauriat

Guests: Al Ziedins, Jim Swift, Jim Blakeman

2.0 **Approval of Minutes of August 3, 2005**
At 7:07 p.m. Commissioner Dyer made a motion to approve the minutes of August 3, 2005. Commissioner Tate seconded the motion. All voted in favor; motion passed.
3.0 Public Portion
Discussion with Pat Walker about Pearl Bach Open Space in Pine Rock Park
Ms. Pat Walker was unable to attend the meeting.

4.0 Subdivisions
Addition to Agenda
Property on Buddington Road. Engineer for the proposed will attend the meeting at 7:30 p.m. It will possibly be discussed under Quality of Life.

Brian Robeck – Crescent Village (Pinecrest)
Mr. Al Ziedins of RJR Shelton, developers of Crescent Village, attended the meeting to show the Commission how and why they are modifying the plan. He presented two maps of the subdivision; one that has been approved and a new one he is proposing.

On the newer map the developers thought of ways for contiguous open space, while maintaining the unit count, and providing better river views for the potential residents. The retaining wall on the property will be pushed down in height to improve the visual impact.

On the map of the new plan presented, the interior street has been modified to allow large areas of open space while maintaining the 50 foot setbacks for wetlands which are in the same locations as the approved plan. The three conservation areas have stayed in the same spot. The retaining wall along the property was shifted to accommodate the buildings. In the approved map, the retaining wall is in three sections and the highest location is 19½ to 20 feet and will be taken down 7½ feet off the highest point of the wall. The developers have met with PZC and the fire department to tweak the changes. The development will have a colonial look.

The buildings would not be moved closer to the open space dedicated areas bordering Long Hill Avenue. Mr. Ziedins was asked if there would be more clearing of vegetation that would occur along the ridge line that faces the river on Route 110 because of this. Mr. Ziedins answered no, less was cleared than what was in the original plan and six or seven big trees on the site will be saved. A building was moved away
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from the existing pool in the stream corridor, that runs in the winter, because the Inland Wetlands Commission had a concern about it. Every unit will have a two car garage and parking for two vehicles behind it. Visitor parking has 60 spaces and additional parking for the club house area.

Mr. Ziedins stated the presentation was for an informational purpose. He asked if there were any concerns or comments from the Commission.

Chairman Harbinson stated on what was presented tonight, he applauds the developers for trying to reduce the visual disruption for the people who are enjoying the river and looking up the ridge line, and for making better use of the land for the residents of the development to enjoy.

Mr. Ziedins left the meeting.

Addition to the Agenda
Land Swap on Constitution Boulevard

At 7:22 p.m. Chairperson Wilber moved to add the request for the land swap on Constitution Boulevard, which was enclosed in the Commissioner’s packet, to the agenda. Commissioner Dyer seconded the motion. All in favor; motion passed.

The Conservation Commission discussed the letter sent by PZC regarding a proposed land swap which is needed because when the original mapping was done, a 50 foot entrance that goes through the Ivy Brook greenway was cocked a little and needs to be straighten. It is a 1,100 square feet swap; an exact match, from one side to the other side. The PZC is in the process of having a staff session next week so an 8-24 referral and applications will be in at the same time. The Board of Aldermen had moved to refer the item to PZC for an 8-24 referral and the other commissions.

At 7:25 p.m. Chairperson Wilber moved to approve the land swap at 10 Constitution Boulevard South in Item 10.3 and is in favor of the 8-24 Referral. Commissioner Tate seconded the motion. All voted in favor; motion passed.
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A letter will be sent to Aldermen John Anglace from the Commission regarding the land swap for 10 Constitution Boulevard South.

Reznik Estates, 2-Lot Subdivision – Bona Vista Drive
Mr. Jim Swift attended the meeting and discussed the Reznik Estates.

It was a City regulation that no open space or fee-in-lieu-of needs to be dedicated if the land to be subdivided will be given or sold to a member of the owner’s family. The family members have to own the property for two years before it can be sold.

Mr. Swift said the property was purchased by the Reznik’s as an investment for their daughters. The Reznik’s decided to split it up for the them. Looking at a map of the property, Mr. Swift discussed the lots on the property. The Mayor is asking for a pedestrian easement to get through the Reznik’s property. The Commission discussed the easement location. Commissioner Tate stated the Commission must be diligent to get the linkage through working with the Mayor.

UI Property Along Buddington Road
Looking at a map of the property, Mr. Jim Swift stated the City would like to purchase the UI Property on Buddington Road. The parcel is 10.86 acres. It runs from Huntington Wood open space through some good land to a gas easement. Further down is wetlands, then frontage on Buddington Road. The Blakeman family owns land on both sides of the property. It would include Buddington Road improved and Old Kings Highway, a paper street, near John Dominick.

The proposal is, if the City agrees not to exercise their option to buy the parcel, Mr. Blakeman, a developer, would buy the land and a planned resident district would be proposed. There would be 25,000-30,000 square foot lots off the new roadway proposed to go through the UI property. He would give 11.8 acres as open space, which would be an acre more than if the City bought the land. The hardship would be there are power lines on the property. There would be more frontage on Buddington Street and the ability to
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get around the wetland to connect to Buddington Street and there would be frontage on Old Kings Highway which is an old paper street which would remain protected.

The Commission and Mr. Swift discussed the property.

According to Chairman Harbinson, normally the Commission deals with property purchases in executive session, but as a utility property, the adjacent property owners were all notified about a UI property being sold and Mr. Blakeman being adjacent to it, gets to bid on the land and purchase it, according to the State statutes, if the City does not exercise its right of first refusal.

Since this was not an official application to the Commission, the Commission will schedule a field walk at the site with Mr. Swift. The City’s ability to purchase the piece will expire in November.

Commissioner McCreery recused himself because of a partnership affiliation with Mr. Blakeman.

Mr. Jim Swift left the meeting.

Mas Property
This will be discussed in executive session.

Any Pending
There were no discussions of pending subdivisions.

5.0 Communications
Communications received are as follows:
- An Official registration form for CACIWC’s Environmental Conference and Annual Meeting on Saturday, November 5, 2005 at The Mountainside, Wallingford, CT.
- The Nature Conservancy Magazine
- A request for a response to Board of Aldermen President John Anglace in regard to open space in Turkey Hill Estates (Buddington Road).
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- The Audubon Society Newsletter.
- An Environmental Magazine.
- “Excelling as a First-Time Manager or Supervisor” Workshop Bulletin.
- A Trails Photo Booklet by Teresa Gallagher.

At 7:40 p.m. Chairman Tom Harbinson entertained a motion to write a memorandum to Board of Aldermen President John Anglace that the Conservation Commission accepts the dedication of open space regarding Turkey Hill Estates. Commissioner Tate made the motion. Seconded by Commissioner Dyer. All in favor; motion passed.

The Commission perused a Trails Booklet by Teresa Gallagher which contained photos of members through the years.

6.0 Quality of Life List
   Updating of List – Commissioner Ed McCreery
   Letter to Landowners – Commissioners Joe Welsh, Ed McCreery
   These will be addressed in Quality of Life, executive session.

7.0 Trails Report – Commissioner Dyer
Commissioner Dyer reported that:
- The work completed at the Abbey Wright parking area done by the Parks and Recreation Department was excellent and impressive.
- New names were considered for the Abbey Wright such as the Nells New Trail Head parking area.

At 7:58 p.m. Chairperson Wilber moved to maintain the Abbey Wright name. Commissioner Tate seconded by motion. All in favor; motion passed.

- His committee is making plans for publicity for September 17th regarding dedication of work completed on Abbey Wright parking lot.
- The status on bridge of Silent Waters Dam has not changed at this time.
- Grading and millings/woodchips were used by the Parks and Recreation Department on the path from Pine Lake to Meadow Street. Pipes were put across for drainage.
- A bridge to bridge hike will be held on October 15th. It will not be a fund raiser, just a fun event.
- The Trails Committee is considering applying for a grant from the Iroquois Pipe Line. There is a trail through Land Trust property from Lane Street which the Trails Committee wants to clear. They will need big equipment to clear it.
- He met with Mayor Lauretti regarding the Bark Park. Commissioner Tate would like to have a trail or trails designated for use as horse trails. When mapping of the trails is done, he would like portions noted horse suitable.
- Teresa Gallagher, a member of the Trails Committee, wrote a letter to the Shelton Chief of Police Robert A. Viccolla regarding the ATV disruption in her neighborhood and on open space. Now, the police are taking active steps to stop the ATV’s.

Chairman Harbinson recommended that when Turkey Hill Estates is under construction, the Trails Committee meet with the site manager to make sure barriers are put in place off Grace Lane and other active points so the ATV’s are prevented from going into the open space. It was suggested to put spaced big boulders on the walking trail.

In addition, Chairman Harbinson suggested Agent Pjura work with Dean Cawthra of the Parks and Recreation Department to put big boulders where ever they would be needed on open space to prevent the ATV’s being used.

8.0 Report of Conservation Agent – Agent Pjura

Landkeepers Program
- Agent Pjura met with Mr. Kenneth Bullard, a resident of Shelton who works for the UI Company, who responded to the Shelton Weekly article about the program. Agent Pjura will assign a parcel of open space to him next week.

Violations of Open Space
- Mayflower Lane
  Chairman Harbinson spoke about the meeting that was held with him and the residents whose property borders City open space in order to find a resolution for the encroachment into the open space by the home owners. He spoke with Agent Pjura
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regarding letters that were never sent formally to these residents of Mayflower Lane about their encroachment onto open space, which was planned to accommodate the Paugassett Trail. Chairman Harbinson had given Agent Pjura E-Mails he had with the person who organized the meeting, but Agent Pjura never sent a formal letter.

At 8:20 p.m. Commissioner Tate made a motion the Conservation Commission send a letter to the property owners along the offending Mayflower Lane encroachment problem. Commissioner Dyer seconded the motion. Chairman Harbinson stated one generic map should be sent for the whole neighborhood clearly defining the open space and an explanation of what the open space was intended to accomplish. All in favor; motion passed.

- Soundview Avenue

Mr. Collins, a resident of Shelton, has a fence on the easement of his neighbor’s property, but not on City open space. Mr. Collins and the neighbor have discussed the problem and are O.K. with the situation. Agent Pjura conversed with the Bob Kulacz, City engineer, regarding the problem. Mr. Collins has cleaned up his possessions that were in the open space.

Hanging Open Space Signs

- Old Subdivisions

The Behuniak subdivision off Long Hill Avenue has been signed.

Chairman Harbinson suggested sending a letter to the property owners in the subdivision making them aware that the open space which abuts their property has been signed and if they have any questions about it, to contact Agent Pjura. Maybe they would also sign up for the Landkeepers Program because they benefit from the open space.

The Commission suggested it would be a good practice, as each subdivision is signed, to send the property owners the same type of letter.

New Subdivisions

He met with Barry Mucci today and went over the site map and walked the property. When Mr. Mucci establishes the property lots, he will sign the
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property for open space. October is the target time.

Restoration of Pat May’s Property, Birchbank Rd.
- Agent Pjura advised Pat May that the City will install public access posts to the Housatonic River. When he spoke previously with Chairperson Wilber it was suggested that the Conservation Commission reimburse Pat May up to $200 for plantings and for seeding the bank on her property which is adjacent to the public access. Ms. May will give Chairperson Wilber the receipts for the reimbursement.

At 8:25 p.m. Chairperson Wilber moved that the Conservation Commission reimburse Pat May for plantings that she made on City property that adjoin her property in order to improve the area up to $200. Seconded by Commissioner McCreery. All in favor; motion passed.

America the Beautiful Grant
- Chris Donnelly sent Agent Pjura the final paper work. It was forwarded to Charlene DeFillipo who will take it to the Mayor for his signature. Then it will be sent back to Hartford.

ATV Activity near Sylvan Drive
- Tennessee Gas has installed a post and chain gate on the access of Constitution Boulevard South. He has E-Mailed pictures of this to the Conservation Commissioners. Chairman Harbinson suggested Agent Pjura to contact Regis Dognin who lives nearby and ask him if he has seen ATV’s on Constitution Boulevard from which they were accessing the area. Agent Pjura will also contact the homeowner on Sylvan Drive who originally complained to the Commission about the ATV’s.

Camping on Open Space
- There is nothing to report.

Bench on Howe Avenue. Donated by the Conservation Commission
- The manager of the New Milford Bank called Agent Pjura regarding the bench which had been donated by the Conservation Commission many years ago. It is located in front of the bank. The property owner would like it to be relocated some where else. The bench is in poor condition.
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The Commission discussed if the bench should be moved and be restored.

At 8:30 p.m. Commissioner McCreery made a motion to restore the bench. Seconded by Commissioner Dyer. Commissioner Tate stated that if the bench is cracked, he will try to get it replaced for free and then relocate the bench. All in favor; motion passed.

9.0 Plan Update Advisory Committee – Commissioner Tate, Chairman Harbinson

Chairman Harbinson presented a map of Shelton he wanted all to look at. The Plan Update Advisory Committee is looking at a potential build out scenario by using a GIS map of the City of Shelton produced by Planimetrics. On it the raw land areas are mapped out where potential homes may be constructed.

Chairman Harbinson and Commissioner Tate looked at the map and found mistakes and thought it appropriate to correct them before continuing drafting the plan. Chairman Harbinson marked the mistakes he found. He wanted the Commission to briefly look the map over. The Commission studied the map and discussed some properties as managed open space, purchased development rights land, etc. Chairman Harbinson stated he found 27 things that were incorrect. Since this is just a draft, the Commission will look at it again.

10.0 Zoning Regulation – Family Exception – Commissioner Ed McCreery

In the last meeting, Commissioner McCreery stated the City regulation allows an exception for 2 years in a subdivision split without going through open space requirements. For the next meeting he will have proposed changes in regard to this exemption and the 10% open space requirement for subdivisions. If the Conservation Commission approves them, the Conservation Commission will pass them to PZC to consider.

In other business, Commissioner Tate wanted the Commission to know the activity that was happening at the Farmers’ Market. A Civil Engineering and
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Environmental Mediation firm has been contracted by the City to call that area the Shelton Farmers’ Market and Public Market.

Since there are coal tars in the ground at the site, the State wants that area remediated to be able to turn this into a public open space. The City received a federal grant for the project. In order to remediate the area, the company will dig down to take all the cinders out. The cinders will be put back after they are remediated. A company will come to layover and execute a paver plaza. The Mayor would like to put the clock donated by the Rotary Club at the site. It was suggested to pave the area with grass pave, a cell material that looks like grass so the farm people could drive on it. There will be landscaping on the premises and a need for donated site furniture and possibly picnic tables. Also, the Conservation Commission would like to have the architectural character of the furniture in the Riverwalk be the same as in the Farmers’ Market. The Commission could help in that endeavor, if need be. Commissioner Tate stated everything should be in place by the Turkey Trot Race.

Chairman Harbinson talked about the boundary line of the open space now that the “slab” has been changed from an industrial area to an open space area. He wondered how the management of that area is going to occur. Commissioner Tate said we should discuss this at our next meeting.

In addition, Commissioner Tate stated there are serious maintenance problems at the site that have to be addressed. There are poles sticking up with sharp edges on the top that are dangerous. This occurred when a chain was removed for mowing and the caps were removed and never put back. A list of the maintenance problems will be made and basic guidelines have to be put in place. These should be made by the Conservation Commission.

Chairman Harbinson stated when the UI Buddington field walk is scheduled, it should be combined with a field walk on the Riverwalk. Commission Tate stated there will be more improvements, and the Conservation Commission should be the lead.
Chairman Harbinson asked Agent Pjura to find out from the Town of Milford’s Parks and Recreation Department what procedures, regulations, and/or administration the requires in order allow an event on a public park.

In other business, Agent Pjura met with Ms. Pat Walker who told him the about kids swimming and garbage along Mill River located at Mill Street in Pine Rock Park. The Conservation Commission is concerned about the litter there.

It was suggested to Agent Pjura take Dean Cawthra of the Parks and Recreation Department to the site and ask him if his department would be willing to empty a receptacle weekly at the swimming hole if it were left on the side of the street, also, to ask Mr. Richard Cranson, the Pine Rock Association president, if he could put together a neighborhood work party to clean up the area and police it. Also, suggested was to have a Boy Scout service project to clean up the debris.

In other business, Chairperson Wilber stated in the Shelton Zoning Board of Appeals Agenda in Item #905-8, Michael Salemme of 40 Golden Hill Lane, Shelton, CT wants to put in a single family home at 63 West Street, R-3 zone and needs a variance. The application states in the rear and left of the property is City open space. The area is near the Pine Lake Bridge. He wants to reduce the street line from 30 ft. to 20 ft. The Commission found the lot on the assessor’s map 128B, lot 81, and discussed the application.

Commissioner McCreery stated if the applicant is going to get a variance, the ZBA should keep in mind the City open space in the rear. There should be a prohibition on clear cutting the steep slopes to the north.

At 9:14 p.m. Commissioner Ed McCreery made a motion for the Conservation Commission to send a letter to the ZBA saying that it has reviewed the application #905-8 of Michael Salemme for a variance from 30 ft.
to 20 ft. at 63 West Street. The Conservation Commission would note that City open space is located immediately to the rear of said property and there are very steep slopes abutting the open space and Curtis Brook is associated with the rear of the property as it approaches the open space. The applicant may be granted a concession of variance. The Conservation Commission would request the ZBA impose a condition of a conservation easement on the rear portion of the property to prevent clear cutting of trees of the steep slopes so as to prevent erosion and intrusion upon the City’s open space which has been a recurring problem in that area.

Copy to Planning and Zoning Commission and to Inland Wetlands Commission.

Seconded by Commissioner Tate. All voted in favor; motion passed.

Chairman Harbinson recommended Commissioner Dyer to look at the site of the application.

12.0 Quality of Life – Possible Executive Session –
Chairman Harbinson – Meeting on September 1, 2005 with Mayor Lauretti
At 9:25 p.m. Commissioner Dyer moved to go into executive session for the purpose of Quality of Life land purchases. The motion was seconded by Chairperson Wilber. All voted in favor; motion passed. The machine was turned off.

At 10:50 p.m. Commission Dyer moved to come out of executive session. Seconded by Commissioner Tate. All voted in favor; and the machine was turned on.

Commissioner Dyer made a motion to send a letter to the Board of Aldermen to recommend purchase of the property discussed in executive session. Seconded by Commissioner Tate. All voted in favor; motion passed.

Chairperson Wilber moved to hire an appraisal for that property. Commissioner Tate seconded the motion. All in favor; motion passed.

In other business, a field walk will be set up of the UI property on Buddington Road regarding the proposal presentation made at the Board of Aldermen
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meeting and again tonight by Mr. Jim Swift on behalf of Mr. Blakeman. Chairman Harbinson will contact the Commission members for the best time to have the walk. Mr. Swift will not be invited.

The Conservation Commission will set up a meeting on a Wednesday to discuss Quality of Life open space purchases and the open space plan. Chairman Harbinson will circulate E-Mails to see what is best for the Commission.

11.0 Full Time Natural Resources Manager Position – Possible Executive Session – Chairperson Wilber

At 10:54 p.m. Chairperson Wilber moved to go into executive session for the purpose of discussing applications for employment that the Commission received regarding the Natural Resource Manager position. Commissioner Tate seconded the motion. All voted in favor; motion passed. The machine was turned off.

At 10:57 p.m. Commission Tate made a motion to come out of executive session. Seconded by Commissioner Dyer. All voted in favor; the machine was turned on.

There was no activity in the executive session discussion on the Natural Resource Manager position. The Commission is awaiting the results of the next testing of applicants.

13.0 Comments by Members

There were no comments made by members.

14.0 Adjournment

At 10:59 p.m. Chairman Harbinson entertained a motion to adjourn. Commissioner Tate moved the motion. Seconded by Commissioner Dyer. All voted in favor; meeting adjourned.

Minutes prepared by_______________________

Anita Shortell, Secretary