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Call to Order
Present: Tom Harbinson, Chairman
Bill Dyer, Vice-Chairman
Joe Welsh, Commissioner
Sheri Dutkanicz, Commissioner
Jim Goodman, Commissioner
Ed McCreery, 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
Commissioner McCreery MOVED to approve the minutes from the
September 5, 2012 Regular meeting. SECONDED by Commissioner
Goodman. All were in favor, MOTION PASSED.

C. Public Portion (items not on agenda)
Irving & Nancy Steiner, 23 Partridge Lane

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Mr. Steiner said I have been following the minutes on this meeting. I don’t understand the Mayor vetoing the funding. I was looking at the BOA meeting minutes and didn’t see anything there even though it was mentioned it would come up before the Board of Aldermen. I am curious why you’re funding got vetoed and I also wondering why we are not making a proposal to the Mayor to purchase the 550 River Rd property.

Chairman Harbinson said he would answer the two questions separately. First, what you are referring to the funding to us is actually not to our budget but to our Open Space Trust Account. The Open Space Trust Account ordinance has a defined amount to be appropriated into the restricted account within a certain period after the start of the fiscal year. That ordinance was revised a number of years ago and has been followed to its intent according to the administration. However, this year it was not allocated in the budget and it was not appropriated on time. The Aldermen said we have to do it by this date and they did it and then the Mayor gave a “non-approval” letter and that was presented at the next regular Board of Aldermen meeting, just this past week.

Mr. Steiner said he didn’t see anything in the minutes.

Chairman Harbinson said he did receive a copy of that excerpt of the minutes from the Board of Aldermen clerk, Theresa Adcox, and I was aware of it ahead of time and it was presented as according to the charter at the regular BOA meeting.

Mr. Steiner said it wasn’t online. Chairman Harbinson said he would find the letter on his computer.

Mr. Steiner said it sounded like you didn’t know how much money you had available from your last meeting minutes.

Chairman Harbinson said that we are required to give an annual report on the activities of the Open Space Trust Account to the Aldermen each year. We have done that. Traditionally we would get a monthly report from the Finance Dept. regarding the activity that happened in the Open Space Trust Account. As you know in addition to its budgeted amount it receives fee in lieu of payments from development applications and interest that accrues on the balance. We have not received those reports from the Finance Dept. recently.

Agent Gallagher said she just received the balance of the account. The balance in the account is about $32,000.

Commissioner McCreery said that we have had many months without any report from the Finance Dept.
Chairman Harbinson pointed out that the funds are not available for the Conservation Commission to use. It is available for the City to utilize for open space acquisitions or maintenance of open space.

Mr. Steiner said if you are going to desire to buy a piece of property, what numbers are you looking at?

Commissioner Tate and others said it’s not relevant. There were various comments from others.

Chairman Harbinson read the letter from the Mayor to the Clerk of the Board of Aldermen regarding the veto from the August 9th meeting regarding the appropriation of the open space account.

Chairman Harbinson said to answer the second question relevant to the property on River Rd, generally we don’t comment on acquiring property. It is an Executive Session issue. We have several parcels where we are actively talking to property owners. Those are in various stages of negotiation.

Commissioner McCreery said he thinks the question is why we aren’t offering to buy this property.

Chairman Harbinson said we don’t comment on potential land acquisitions.

Commissioner McCreery said we don’t comment if we are negotiating with someone. Right now there is nothing going on with offers to buy this property, at least what I’m aware of. I’m not sure that it wouldn’t be appropriate to comment historically what happened, which is we were never offered the property the way it is now with the dirty parcel carved off. It was looked at when the dirty parcel was part of it and we recommended the City not pursue it at that time.

Chairman Harbinson said that what Ed is referring to is a public petition that we received a number of years ago asking the City to consider acquiring the property. I believe that was submitted to the BOA. The President of the BOA forwarded it to us for us to review. We did review it and at the time there was a parcel that had some failed remediation or capped contamination. That is a legal parcel and at the time we felt it would be a liability to the City to acquire the parcel, given that contamination.

Mr. Steiner said that situation has now changed. That one piece of property is disconnected.

Chairman Harbinson asked when that occurred.
Mr. Steiner said, I thought you just said it.

Commissioner McCreery said, apparently there is a legal dispute whether it was properly carved off.

Chairman Harbinson said there is a Planning & Zoning issue that needs to be resolved.

Mr. Steiner said it is a beautiful piece of property and I think it’s the last available on the river.

Chairman Harbinson said he would disagree with that. We, as a Commission have walked the property in review of a current application and it is indeed a very valuable environmental parcel, with certain aspects of the parcel that have a great environmental features. It’s not like the last parcel on the river. I think there are a few that still abut the river or face the river.

Mr. Steiner said it’s a nice price on that piece of property. I don’t know what the Mayor paid for it.

The Commissioners said that’s immaterial

Mr. Steiner said the value of the property is within our reach, is what I was saying.

Chairman Harbinson said, I don’t know. I haven’t asked for an appraisal or evaluation of the property.

Vice-Chairman Dyer said the owner has not expressed interest in selling it to the City.

Chairman Harbinson said, to summarize, we have various tools to fund open space purchases, not just the open space trust account, that has been carried through by the current administration, both in times past and times recently. The property that you referenced is in a greenway corridor on our open space plan, and it has some very valuable environmental features. The Conservation Commission has been on the property through permission from the landowner directly in reviewing an application. In terms of acquiring a specific piece of property, we don’t comment on it.

Mr. Steiner said that it seems the Commission does not appear aggressive in making at least, trying to make an effort to purchase this piece of property.

Chairman Harbinson said that we have one parcel now where we have been actively pursuing. We have done appraisals, we have met with the family and we
have finally scheduled a meeting with the family’s attorney. We are active on acquisitions. You might not be aware of it, and that’s a good thing. It’s important for us to act on the City’s interest to protect its negotiating stance. That’s why we don’t comment to the public about a parcel. At times we feel we have to step forward as we did for 3 parcels where we made a presentation to the BOA for the Tall Farm, the Wiacek Farm and the Wabuda Farm. That was a special situation.

Mr. Steiner said the fact that the Mayor does own this 550 piece of property makes it awkward for everyone involved. Commissioner McCreery agreed. Mr. Steiner said he was hoping that it would not affect the actions of this Commission.

Chairman Harbinson commented that if you look at the actions of this Commission over the history of this Commission, and I have been on it since 1998 and some have been here longer, we’re pretty consistent. If we feel a property that’s of value we say so to the proper channels to try and acquire it. Sometimes we’re successful, sometimes we’re not.

Commissioner Tate said I don’t think we’ve made that decision yet, one way or the other.

Chairman Harbinson said I’m not trying to be vague with you, just diligent.

Rich Widomski
Mr. Widomski said he didn’t know if he could speak at the public portion about the money that’s not in your account anymore.

Chairman Harbinson said it was brought up earlier regarding the Open Space Trust Account.

Mr. Widomski responded that he wondered where the money went, not the fact that it was taken. Is it in the general fund? Where is it?

Chairman Harbinson commented that the Open Space Trust Account is a restricted account that receives funds from the budget and fee in lieu of payments from developers. It is a restricted fund account. We are supposed to receive a statement on it monthly from the Finance Dept. That account currently has $32,000. There is an appropriation of $250,000 that is supposed to be made to this account at the start of the fiscal year that was made by the BOA and that appropriation was vetoed by the Mayor.

Mr. Widomski asked where is the money now?
Chairman Harbinson said it simply was not appropriated. The appropriation was supposed to come from excess balance.

Mr. Widomski asked if it is in the General Fund or in another account.

Chairman Harbinson and Commissioner Tate said we wouldn’t know, it’s not our department. You should talk to the Finance Dept.

Mr. Widomski said I’m running into the same problem with the roads. Where is the money for that, and I see this and I wonder where the money is for this and where is it going? It’s sitting somewhere.

Vice-Chairman Dyer said that it’s supposed to be allocated, it was, and then the Mayor vetoed it, so the BOA and Aldermen are going to have to deal with it.

Mr. Widomski said it’s the same type of pattern that I have been watching with other funds. I don’t think anyone is stealing it, at least I hope not. All I am saying is, it’s sitting somewhere.

Chairman Harbinson suggested looking at the BOA motion where they ask to appropriate the $250,000 into our account, it would say in that motion where those funds were to come from.

Mr. Widomski said someone like me from the public usually has a difficult time trying to ask the questions and get an answer. I would think that someone from this Commission would ask where is this money sitting. Why is it not available, and we’d like to know what it’s doing for us?

Commissioner McCreery stated that it’s not a restricted account; it’s actually a book ledger entry. There is no bank account with the $32,000.

Chairman Harbinson responded that it’s not on its own restricted account, but it’s bundled with all the other restricted accounts.

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

1. Old Applications/Monitor/Follow-up
   
i. 550 River Road, “Blue Heron Cove”, PDD. Proposal to construct 36 condominium units along the Housatonic River and Ivy Brook

   Chairman Harbinson commented that the applicant made a presentation to the Commission at the last regular meeting. We did a
field walk on the site with the applicant’s engineer. We focused on the environmental features of the Ivy Brook and the public access that will go down to the Housatonic River and the barrier island along the Housatonic River.

Agent Gallagher put together an overview of the Ivy Brook corridor that parallels Constitution Blvd. It was passed around.

Chairman Harbinson commented that the development that has occurred along the Constitution Blvd/Ivy Brook corridor, we have preserved a corridor of undisturbed open space of varying widths. Some have been labeled.

Agent Gallagher said that it’s not always open space; there is the undisturbed area, which sometimes is not open space.

Chairman Harbinson pointed out that it is somewhat of a ravine, so there is a natural reason why it is undisturbed in some locations. At its tightest point, it’s an undisturbed corridor of 60’. We bring this up because it took a lot of effort to have that accomplished and now we’re at the last parcel on the Ivy Brook before it empties to the Housatonic River. To maintain that corridor of undisturbed vegetation, I think would be of value to try and achieve.

Chairman Harbinson said the first topic to review would be the public access.

Commissioner Tate pointed out that we will only be dealing with topics that concern this commission. We are not going to be dealing with topics that don’t concern our purview except for maybe reasons of information or individual interest or something like that. The Commission should hold to its specific responsibilities and charges as an advisory commission on the open space and public access issues to the river.

Commissioner McCreery responded that everything that we are talking about and everything we looked at is environmental/Conservation related. So, while we’re certainly not appropriate to say hey, rather than 36 units it should be 20 units, I agree with you. It certainly is appropriate for us to say the units you are building are too close to the river if we feel that.

Commissioner Tate said I just want to be clear on our responsibilities. The first question I would ask, which I have asked in the public forum, is why we aren’t asking for an appraisal on this property to purchase it.
I was here when we dealt with the original application. That was a very simple situation for us as a Commission because we had a contaminated parcel and at that time it was very clear to us that we were not going to obligate the City to a parcel that had some contamination on it, or alleged contamination, or some alleged cleanup, or in process of cleanup, or however you wanted to interpret it. Now I understand we don’t have that situation. We have a parcel presented to us, if I’m correct, that is clean of all supposed remediation or contamination or environmental hazard. If that’s the case, the reason that this would be attractive to us to look at for open space is that it is in the Ivy Brook greenway, there is the Butternut Hollow brook outlet to the Housatonic. The Ivy Brook crosses diagonally across the parcel and we have the Housatonic River, which borders the other parcel. We have a lot of confluences of different watercourses. As a proponent of the River Walk and other things that add to our waterfront resources and access, and seeing the planning for the greenway corridors is how important and how well used they are, any way that this might be connected to something like that in the future would make it attractive for purchase for the City. I don’t think this is as accessible as I would like it to be, in its natural state. Unless we have a grand plan, conceivably as how this might fit with some other parcels, it may not be a top choice, if we’re looking at dollar-wise. I would agree with somebody that mentioned that our conversations regarding land purchases should be in executive session. Before we end comment on this parcel as a Commissioner, I need that question answered why would we/would not think this would be a good purchase for the City. How is this project going to preserve, protect, or enhance the Ivy Brook river corridor and how is the Housatonic going to be, either in a state of preservation or made better, or how would the Housatonic be impacted by this development and what steps are being taken to offset that? I think there is some effort in that regard by our site walk that there is some sensitivity toward that, and I know it will come out in our conversations tonight. I think the public access to the river is very difficult. It’s almost a 20% grade in some areas.

Vice-Chairman Dyer said they stated that there would be no more than an 8% grade.

Commissioner McCreery suggested going around the table to see what everyone thinks about whether it should be pursued by the BOA. Commissioner McCreery commented that even as public access, it would be a hike to get down to the river. It’s not the easiest site with
the lagoon there. It may not be the last parcel, but it’s certainly one of the last significant parcels along the river that I am aware of. When we went down there and walked along the river, and struck me as, wow, what a shame the public is not going to be able to use this and do what we’re doing this day. It’s certainly a better parcel than where the boat ramp is, and I think a better parcel than Southbank. I think it’s better than them if you cleaned it up. If you go along the remediation roadway and make it a proper path, it’s a nice gradual pathway right down to the waterfront. You just have to clean it up where it goes between the drainage ditch and the tidal pond. (He discussed that particular area in more detail).

The Commissioners talked more about what would need to be done to get down to the river.

Commissioner Tate said he sees the parcel more of a passive recreation area.

Commissioner McCreery stated that if you are going to spend all that money for waterfront property it should be, in my mind, active recreation.

Chairman Harbinson said that he looks at the parcel less as an active recreation component like that. Even at low tide it was kind of rough. I look at it as a value as an environment perspective with the unique tidal, fresh water, brackish water lagoon and the confluence of the Butternut Hollow and Ivy Brook and the Housatonic River.

Commissioner McCreery said he agrees but he is not sure that would get the public support to buy the land for that reason.

Chairman Harbinson suggested that if those kind of environmental features are protected in the course of the development, would be good. I don’t know that this has the value of public ownership of a more full public utilization as developed recreation. Our Southbank location is a small parcel but it is directly on the river. We have Sunnyside for a more formalized boat launch. I don’t know that this can lend itself to any of that kind of activity.

Vice-Chairman Dyer asked if we are now talking about 9.3 acres or all?

Commissioner Tate said there are really 3 parcels but we are dealing with the 2.

Commissioner Welsh said that in its current state it is fairly wooded along the stream corridor. That canopy helps keep the water cold for
the fish. I think that something to consider. That would be a good feature to have. It doesn’t have to be a Southbank or Sunnyside. It could be more in its natural state where people could go out and hike through the stream corridor and ravine look at the unique rock features there. If it’s low tide then you could hop along the area between the river and the tidal pond. If the City did have it for open space and we were able to get the fragmities under control and introduce more native plant species. We did see the blue heron out there. If it was a passive site where people could go out and enjoy, I think it has some merits.

Commissioner Tate asked, given the other parcels that we have discussed over the past couple of years, is this one that we should put to the top of the list – at the risk of the others?

Commissioner Dutkanicz commented that there is a lot of wildlife down there. I feel that looking at this map the river corridor is going to end up to be so small. It should definitely be bigger. It is a beautiful piece of property. I understand what everyone has been saying in terms of utilizing it for recreational purposes.

Chairman Harbinson said that we are talking about it in its current state. Does it have a value for pursuit for acquisition?

Commissioner Dutkanicz said I saw the value because of all the wildlife we saw there. If there was a way to balance the way humans could use it as well as protect it. We’d have to utilize it somewhat to put in the parking lot and other things we were talking about. There are other properties in the City that could do much more and I know we only have so much funding.

Agent Gallagher commented that whether it was purchased or parts just preserved while it was being developed a couple of potential uses that people haven’t talked about is when people are already on the river canoeing or kayaking they could pull off, and there are a couple of scenic spots underneath the pines where it is kind of sandy. We have that already at Indian Head Rock. People pull off and picnic there. It would be a good spot for fishing. Fishermen don’t mind going through a little bit of muck to get to the river. I’ve walked all along the Ivy Brook and there is a potential for a trail that could continue on to the river. It’s north or upstream and could continue down. You would still have to cross Route 110.

Commissioner Goodman said my biggest thing is protecting the corridor of the brook. To have that impeded on would be a real shame.
Vice-Chairman Dyer said that the parcel would be useful to have as open space based on all of our prior discussions tonight. You could create a picnic area; people could walk down and fish. There are plenty of aspects to owning it. The other major issue would be counter-balancing that versus the other properties. There is no open space next to this other than being part of the Housatonic Greenway.

Commissioner McCreery asked if there could be any consideration for just maybe half of the property; the side where the brook is on. You can’t build on the tidal pond anyway. Leave the upland area where we parked our cars for the development and acquire the stream corridor.

Chairman Harbinson responded that if it were to propose pursuit of it as open space I would want to have the entire parcel. I would want the integrity of all of the environmental aspects to be preserved if an acquisition were pursued.

Commissioner Tate said this would be an academic exercise if we don’t have the landowner on board who has the interest in preserving the land for that reason. All of our agreements that we have gone through we’ve always had a cooperative kind of a feeling that this is the right direction, and the direction everybody wanted to go. For a long time this parcel has been looked at as a development piece, for whatever reason. It’s not that we shouldn’t ignore it as a Conservation Commission, but the intent has been to develop the parcel in one form or another. It comes as no surprise to me that we are looking at a parcel to be developed here.

Commissioner McCreery said he has had a lot of people come to him and ask why the City isn’t buying this.

Commissioner Tate responded that it is our obligation as a Commission to say why shouldn’t there be an attitude to take a look at this piece more as a preservation piece. I can see some pros and cons here. That is why I bring it out. We’ve talked about some of those. It isn’t by any stretch of the imagination an ideal piece.

Commissioner McCreery said that even as open space it presents difficulties. There is significant work to be done to make it a practical open space. They discussed the difficulties of the invasive species and Agent Gallagher pointed out that there are invasive species in all the open space parcels.
Chairman Harbinson concluded that the Commissioners have gone through the exercise of looking at it as a parcel of potential; weighed some pros and cons, but we do have an application in front us to review on its own merits.

Commissioner McCreery said, ok, we’ve thrown the balloon up in the air, what do we do now? My advice is to turn it over to the BOA. It does have pros and cons, but isn’t everything an issue of price?

Chairman Harbinson said I think if you are going to go down the discussion of actual pursuit of acquisition and appraisals, then you enter into executive session.

Commissioner McCreery responded that in light of the entire situation, that’s not practical in this timeframe. Frankly, it’s a political bombshell no one wants to deal with, let’s drop it in the lap of the BOA. You are going to do that if you have a recommendation they pursue it. If you are not suggesting it be pursued as open space then the next step is we go on to talk about the development; which we have to talk about one way or the other. Otherwise we are just ducking the issue.

Chairman Harbinson said normally we deal with these issues in executive session. It is made awkward in that the property owner is also the public official.

Commissioner Tate said he is ignoring that fact.

Chairman Harbinson said I am ignoring it too. The only thing I will say that it causes is it causes me to give extra effort with dotting the i’s and crossing the t’s, with a full a review like any other application.

Tape 1, Side B

Chairman Harbinson continued to say that we should deal with it like we would for any other parcel. If we want to discuss its acquisition and appraisals we would do it in executive session. The last time we dealt with it was when there was a public petition. We dealt with it in executive session and then we wrote a letter. I personally handed it to John Anglace as the President of the BOA and excluded the Mayor, as the property owner, just like we exclude any property owner if we were looking at their property and they weren’t coming to us. It’s different when a farmer comes to us and says they want to preserve the development rights or preserve my farm, and you have that willing
partner. When we are looking at a piece of property and they are not coming to us, we’re not saying to them that we’d like to buy your property and we’re doing an appraisal on it. Commissioner McCreery suggested putting this on the agenda for the executive session.

Chairman Harbinson said the applicant did ask for a 45-day extension to Inland Wetlands.

The Commissioners started review of the public access potential that has been proposed. The public access area shows 2 parking spaces near where the entrance to the cemetery. There is a path going down to the river. The Commissioners reviewed the drawings and discussed all the aspects of the proposal. The drawing reviewed is the site development and grading plan, dated 8/1/12. The plans reviewed are the copies provided by P&Z. The Commissioners spent time reviewing the drawings and developed comments and suggestions to be made to the applicant.

Ivy Brook greenway corridor review:

The Commissioners continued their review and talked about the 75’ setback to the watercourse and some of the points made in the City Engineer’s letter. Chairman Harbinson marked the drawings to note the Conservation Commission reviewed them. He asked why is there not a “Received by Planning & Zoning” stamp, with the time and date, on the drawings.

They spent a lot of time talking about the protection of the watercourse and corridor and want to see a better effort in its protection and the area mitigated.

Tape 2, Side A

There was discussion about pervious surfaces and the maintenance and the consequences of non-maintenance.

The Commissioners reviewed the landscape plan and had some concerns of some of the things shown on that plan but not on other plans. The Commissioners commented that they felt there should be a clear set of plans that show an undisturbed site disturbance line. The line should have a silt fence/construction fence demarcation.
Commissioner McCreery suggested a motion to write a letter to Planning & Zoning, copying the Inland Wetlands Commission, the Wetlands Enforcement Officer and the City Engineer. The letter should include the discussion of the uniqueness of the site, the confluence of the river, the previous protection of the Ivy Brook corridor. The pictures taken by the Conservation Agent should be included in the letter. The positive features would be the use of pervious pavement surfaces and dark sky compliant lighting. In order to allow the best use of the site and to preserve the environmental characteristics of it aren’t necessarily being preserved now, that a PDD might be the appropriate way to handle those issues.

He offered his view of the best use of the site for the development is to get rid of all of the units on the southerly side of the river. Put them all on the flat parking area and make it a 4-story building.

Chairman Harbinson suggested the color of the units should be of a natural nature that would blend with the environment. The purpose is so that it is less obtrusive with seasonal views.

Vice-Chairman Dyer commented that the current plans do seem to preserve the river-scape. He said his view of the best use of the site is to use a small, highly developed area, such as Ed suggested.

Commissioner Welsh said he would like to see more enhancement of the stream corridor with minimal cutting, a greater buffer to protect the stream corridor and stream habitat. Make that corridor attractive for pedestrian access along with a few more parking spaces for the river access.

They discussed extra parking spaces and should there be a need to increase them it would then infringe on what is currently being illustrated as untouched. They see this as an issue.

Commissioner Dutkanicz offered her opinion that she would like to see fewer units and more of the corridor protected. Some of the units are too close to the brook. She said she is not in favor of a tower building.

Commissioner Goodman said his primary concern is to preserve the corridor and brook. I would like to see an exploration into single-family residences, similar to the development like 4 Winds or Well Spring Estates. We also need to preserve the canopy over the stream. He also agreed with the comment in the Engineer’s report about the difference between a walking bridge and a bridge for vehicles and access way.

Tape 2, Side B
They had some discussion of the riverbank erosion.

**Commissioner McCreery MOVED to write a letter to the Planning and Zoning Commission, copying Inland Wetlands Commission, the Wetlands Enforcement Officer and the City Engineer.** The following are the items that should go in the letter to P&Z. It will list the attributes of the site, the off-street parking, the need to build a recreational path spec compliant pathway. It will include access to the barrier island and suggestion that there is really no need to be trimming the trees on it. The attributes of the barrier island will be pointed out. A better effort could be made to minimize building within the regulated area. The proposed landscaping plan is not in our opinion a true mitigation plan. There seems to be inconsistency with the plans in that there is a landscaping plan that shows woodchip walkways and a pavilion. On another plans it talks about armoring the bank and concurring with the two access points. It will talk about the pervious paving and the need to maintain it. It will talk about not having cement patios at the back of the units and the proposed fence along of the back of the retaining wall. There should be mention of the good dark sky compliant lighting plan. Use the PDD process to require color facades that blend in and make less obtrusive use from the river. Inadequate visitor parking within the complex should be mentioned. If P&Z deems more parking is necessary it would intrude upon areas currently indicated as natural or open space character. There needs to be a construction debris management plan to show cleaning up along the river and a plan that will keep the construction debris picked up before, during and after construction. The reason is to keep the river free of debris. There should be an effort to preserve the Ivy Brook corridor. The Conservation Agent and Wetlands Enforcement Office should be contacted regarding the non-disturbance line and any tree cutting. Preservation of the rock formation and the single access bridge. There needs to be a habitat management plan to deal with the invasives. These notes will be passed on to Agent Gallagher to draft the letter. SECONDED by Commissioner Dutkanicz. All were in favor; MOTION PASSED.

**E. Open Space Trust Account – suspension of funding**

Chairman Harbinson said that we covered this in the public portion earlier tonight. He said that he feels it’s a waste of time fighting the Mayor. I think it’s an important tool to buy open space and has been utilized well in the past. It was the Mayor that had John Anglace and I write the ordinance in 2006 and now he has changed his mind.
F. **Request to relocate driveway across open space related to construction of the Rec Path at 67 Oak Valley Rd**

Vice-Chairman Dyer said he feels we should go on record that we are supportive of the effort to do it with the restriction that we have clear say on the exact route. They talked about parking, or the lack of, in that location. Chairman Harbinson concluded that we endorse the concept of orienting the road entrance to the DeSanti/Spooner home at 67 Oak Valley Rd and look forward to working with the P&Z to holistically review the lot lines and easements that are required to accomplish said goal. Agent Gallagher will write the letter stating the Commission’s point of view.

G. **Adjournment**

The meeting adjourned at 9:35 pm.
The next regular meeting is Wednesday, October 3, 2012.

Respectfully submitted,
Marianne Chaya
Clerk, Conservation Commission