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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
         Terry Gallagher, Trails Committee

A. Call to Order/Pledge of Allegiance

Chairman Harbinson called the meeting of the Conservation Commission to
order at 7:05 p.m. All in attendance recited the Pledge of Allegiance.
B. Approval of Minutes

Commissioner Dutkanicz MOVED to approve the minutes from the September 19, 2012 Special meeting. SECONDED Vice-Chairman Dyer. All were in favor, MOTION PASSED.

C. Public Portion (items not on agenda)

Guy Beardsley, Shelton Farmers Market

Mr. Beardsley reported that the Farmers Market is proceeding very nicely. The basket idea isn't working out very well. The winner of the basket is supposed to come the following Saturday to pick it up but they don't always make it. He said that they anticipate they will have two more Wednesday market events. The Saturday markets will go into November, weather permitting.

Chairman Harbinson said that he went to the market last Saturday and that there were a lot of people shopping. Do you see any increase in the people this year? Mr. Beardsley responded that they have increased by 15%. Every week he has noticed new people. For the most part the increase is due to word of mouth.

Vice-Chairman Dyer asked about a winter market.

Mr. Beardsley said that they are going to continue the market as long as we can. We expect the Monahan’s to pick up the slack. The Mayor said for us to work it out.

Vice-Chairman Dyer pointed out that last year, at this time of the year; most people that came to our meeting said they weren’t prepared for a winter market. Has it changed? Mr. Beardsley commented that they have improved their planting schedule this spring so that we do have some winter products. Last year we were able to keep the market open later due to the mild weather.

They talked about the problem with deer eating the crops.

Agent Gallagher said that according to the DEEP we probably have about 1600 deer in Shelton (48 deer per square mile).

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

1. Rec Path Grand Opening, October 6

The event begins at 9:30 AM at the dog park location on Nells Rock Rd. Agent Gallagher has coordinated the event and sent out invitations and prepared a program. Parks & Rec will pick up the tent from the Boys & Girls Club and will set it up. Chairman Harbinson will pick up decorations from Jones Family Farm and will pick up the chairs from Parks & Rec. There is a band planned for the event. Agent Gallagher will pick up donuts & drinks.

The event will start with brief words from Chairman Harbinson, Terry Jones and Alderman Anglace, speaking on behalf of the Mayor, who has a conflict in his...
schedule. Then we will have the ribbon cutting at the granite posts by the zinnia garden, looking towards Route 108. We also are planning a ceremonial hike from that location up to the bluff that looks down at the reservoir (Hope Lake). This is separate from the hike planned at 11AM.

E. Trails Committee Report – Bill Dyer

Vice-Chairman Dyer reported that the contract has been awarded to Orange Fence for the removable/collapsible bollards. We will go out and mark where they will go.

Terry Gallagher, Trails Committee, regarding the UI application to build an electric substation at Old Stratford Rd, stated that because the substation directly abuts the Far Mill River and the fact that the area is popular with fishermen, the Trails Committee recommends that there be a pedestrian conservation easement of whatever is practical (30 or 50’) from the top of the bank, moving the chain link fence in so that public can access the top of the bank. You can walk underneath the Route 8 overpass. There is a cleared-out spot on that side that will ultimately bring you into the other parcel that is on the south side of Beard/Sawmill Rd, which, when that gets developed we will get open space along that, and that buts up to Far Mill Crossing. We’d like to see public parking for at least 2-3 spaces by the shagbark hickory that’s behind the BP gas station. We would also like to see them clear out the invasive species. That would fit in with our overall plan for the Paugusset greenway.

Vice-Chairman Dyer added that according to the map presented it does appear that there is enough room for more of a buffer to the river than what is shown there with the fence.

Commissioner McCreery suggested writing a letter stating that we expended a lot of effort insuring public access along the Far Mill River on both sides of the river over the last couple of years including the Aspen Ridge and Wellington Estates and the Richardson/Vicks commercial building.

Commissioner Welsh stated that the Land Trust volunteered to do a cleanup along with Trout Unlimited last fall. We actually walked this whole stretch of river in waders picking up all the trash. It has a good canopy that helps keep the water cold, and further downstream its stocked by the DEEP with trout. To have the ability to access this for fishing and to keep the tree canopy built up, if not enhanced, by eliminating the invasives and pulling the fence in. The whole corridor along there is a real nice stretch.

Chairman Harbinson commented that the UI has purchased the property.

**Commissioner McCreery MOVED to authorize the Conservation Agent to write a letter to the Siting Council expressing the Conservation Commission’s request that they insure public access, require that the barbed wire fence be kept back. Point out the efforts we’ve pursued in the immediate vicinity to insure public access, the importance of maintaining the tree canopy for the water quality/temperature and note that the DEEP stocks the river with trout. The trout need that canopy. We also request**
the UI remove the invasives that are currently choking off the trees along the riverfront. This application was reviewed by the Trails Committee as well as the Conservation Commission. Other groups that have given input are Trout Unlimited and Far Mill River Association. A copy of the letter will go to these groups as well as the Housatonic Valley Association. SECOND by Vice-Chairman Dyer.

Chairman Harbinson noted that the map shows the facility with any future expansion is set back a bit.

Commissioner McCreery said to mention in the letter about the fishing use. He also said to word the letter regarding the public access to say public access to the waterfront for purposes of fishing.

Terry Gallagher asked to add in the request for 2-3 parking spaces by the hickory tree.

A voice vote was taken, all were in favor; MOTION PASSED.

Vice-Chairman Dyer mentioned that Shelton Day is Sunday, October 07. We will be at the event starting at 10AM.

He also mentioned that the one Boy Scout project at the upper bridge at Birchbank will be constructed this weekend.

We had a Boy Scout come to the Trails meeting that wants to build a kiosk at Birchbank.

The abutments at the bridge at Hope Lake have been installed and the Boy Scout is planning on finishing the bridge this weekend as well.

There is a cleanup at the lower part of Far Mill River (by ASF Sports) planned by the Boy Scouts. The area that has all the trash doesn’t appear to be from anything that has washed down, it looks like people going there and just dumping the trash. They wondered if its people going there and dumping their stuff when the dump is closed.

Vice-Chairman Dyer presented a receipt for reimbursement for Richard Skudlarek for gas in the amount of $16.80 for the Gator and power tools.

Chairman Harbinson MOVED to approve the reimbursement of $16.80 to Richard Skudlarek for the purchase of gas for the Gator and power tools. SECONDED by Commissioner Tate. All were in favor; MOTION PASSED.

F. Open Space Trust Account - Status

No report

G. Budget Status

No report
H. Review of PZC or IWC Applications for Subdivisions and/or Developments

1. Old Applications/Monitor/Follow-up

   i. PZC#12-17, 550 River Road “Blue Heron” (also known as Rivers Edge) – Presentation by Country Club of Connecticut LLC for 36-unit condominium proposal

   Chairman Harbinson reported that a letter was drafted and submitted noting the Commission’s comments. He said he was copied on an email from John Cook to the applicant. The applicant said they were going to submit a revised complete package and they have not done that yet. John was expressing concern that all of the Commissions have a uniform submission given to them. Agent Gallagher stated that there are some minor revisions that have been submitted today. They should not affect the letter that we sent.

2. New Applications

   i. UI application to CT Siting Council to build an electric substation and related facilities on a 6-acre parcel at #14 Old Stratford Rd adjacent to the Far Mill River

   This agenda item was covered under the Trails Committee item. See above.

I. Communications (sent or received)

   • HVA annual appeal for membership.

   Commissioner McCreery MOVED to approve payment of $100 for the membership renewal to HVA. SECONDED by Vice-Chairman Dyer. All were in favor; MOTION PASSED.

   • Letter regarding the Soundview crossing

   • Copy of the letter to P&Z for Oak Valley Rd driveway

J. Quality of Life – Executive Session (land acquisition and security issues)

Commissioner Goodman MOVED to go into Executive Session for the purposes of discussing land acquisition and security issues at 7:40 PM. SECONDED by Vice-Chairman Dyer. All were in favor; MOTION PASSED.

The Commissioners returned to regular session at 7:55 PM.
Chairman Harbinson reported that there was discussion in Executive Session about a particular property and a motion is in order.

Amended*

Commissioner McCreery MOVED to state that the Commission has considered the appropriateness of suggesting the BOA pursue the acquisition of 550 River Road for open space purposes for the City. We continue to stand on our original position that the City not pursue this property for open space for the following reasons: 1) The City does have limited resources for purchasing open space and we are in the process of acquiring additional open space for the Recreational Path, as we speak, which will be closing soon and the City will have to pay for that. Further, we have additional properties already in the pipeline that have been prioritized for acquisition, both in connection with the Recreational Path or other open space purposes. Jumping this property ahead of those would defeat the long-range plans for property acquisitions. 2) There now being a property division line that has purportedly been implemented to segregate the potentially contaminated site that abuts it does not address the concerns the Commission had when it originally recommended that the City not pursue this for open space because a property line does not prevent future potential migration of contamination. Whether the property is currently contaminated or not, we don’t think the City should incur the risk of acquiring the abutting land. 3) The property does not abut any existing open space. 4) We feel the critical need to preserve the river and stream corridors that criss-cross this property and the unique tidal lagoon can be preserved by the land use agencies in town (Planning & Zoning Commission and Inland Wetlands Commission) by implementing appropriate restrictions on any development so as to preserve them. You don’t necessarily have to acquire the property to maintain those critical environmental features. 5) The public access is somewhat restricted by virtue of the co-joining of the two streams and the tidal lagoon, and finally, 6) In the past we’ve always historically had a co-partner in the acquisition being the landowner who has worked with the City to accept less than fair market value payment and or accept payments over time and we don’t perceive at this time that we have a willing seller. We have not been approached by the seller asking to sell the land to the City.

By all the above mentioned reasons this Commission would not recommend pursuing the acquisition of this property. SECONDED by Vice-Chairman Dyer.

Discussion:
Commissioner Welsh said he knows we’re strapped because we’re buying a lot of land, and we’ve always done a good job. But to have that limit our aspirations for what might spring up, I think we might word it differently. The Commissioners agreed to modify the motion.
Commissioner McCreery amended the motion to eliminate the part where we don’t have the resources to buy it. SECONDED by Vice-Chairman Dyer. All were in favor; MOTION PASSED.

Chairman Harbinson said to copy the Board of Aldermen on the motion.

K. Comments By Members
Agent Gallagher showed the Commissioners pamphlets from CFPA on the New England Trail. It’s the first new national scenic trail in 25 years. I started in Guilford last January. I’m not only hiking but I’m letter-boxing the trail and all the connecting trails. When I’m done I will have found close to 500 letter boxes. She talked about the Metacomet Ridge is 100 miles long. It’s one rock formation that goes from Long Island Sound to New Hampshire. She explained the creation of this ridge.

Commissioner Goodman reminded everyone about the event at St. Paul’s Church on the Huntington Green. Come by for chili and a guided historic tour. You can learn all about the beginnings of Huntington as well as a tour of the church and cemetery. There will be detailed history of about 5 or 6 people that are buried in the cemetery.

Commissioner Tate said that the Historic Society is going to have a re-creation of the Civil War soldiers.

Commissioner McCreery reported that he just returned from Charleston SC where the civil war has not ended in their minds. I had a much clearer viewpoint after this trip of why there are blue states and why there are red states. I was referred to as the “Yankee”.

Commissioner Welsh asked if anyone wanted to join him at the conference on invasive plants on October 25th.

L. Adjournment
Meeting adjourned.

The next regularly scheduled meeting is Wednesday, November 7, 2012

Respectfully submitted,
Marianne Chaya
Clerk, Conservation Commission