Conservation Commission Meeting Minutes
October 5, 2005

(These minutes will be approved by the Conservation Commission on November 2, 2005 in the next meeting)

Agenda Page
1.0 Call to Order/Pledge of Allegiance............... 1
2.0 Approval of Minutes of September 7. 2005........... 1
3.0 Public Portion...................................... 1
4.0 Subdivisions........................................ 2
5.0 Communications – Harriet Wilber.................... 7
6.0 Quality of Life List – Ed McCreery, Joe Welsh...... 7
7.0 Trails Committee Report – Bill Dyer.................. 8
8.0 Report of Conservation Agent – Jimmy Pjura.......... 10
9.0 Plan Update Advisory Committee – Jim Tate, Tom Harbinson........................................ 13
10.0 Zoning Regulations – Ed McCreery.................... 13
11.0 Full Time Natural Resource Manager Position – Possible Executive Session – Harriet Wilber........... 13
12.0 Quality of Life – Possible Executive Session – Tom Harbinson........................................... 14
13.0 Comments by Members................................ 14
14.0 Adjournment......................................... 14

1.0 Call to Order/Pledge of Allegiance
Co-Chairman Tom Harbinson called the October meeting of the Conservation Commission to order at 7:04 p.m. in the Shelton City Hall, Room 303. The Pledge of Allegiance was recited.

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

Not Attending: Co-Chairperson Harriet Wilber

Guests: Terry Gallagher, Bill Bures

2.0 Approval of Minutes of September 7, 2005
At 7:05 p.m. Commissioner Lauriat made a motion to approve the minutes of September 7, 2005. Commissioner Dyer seconded the motion. All voted in favor; motion passed.

3.0 Public Portion
Mr. Bill Bures, Division St., Shelton, asked the Commission to purchase some small pieces of woodland,
Conservation Commission Meeting Minutes  
October 5, 2005

if available, in the City in order to preserve wildlife and to keep the little spaces of open space not only for recreation, but for ecological purposes. Chairman Harbinson stated the Commission will keep that in mind when the Open Space Plan is updated.

4.0 Subdivisions
Reznik Estates, 2-Lot Subdivision – Bona Vista Drive
Chairman Harbinson stated he knows of no negotiation regarding the pedestrian easement through the Reznik’s property at this time.

Vistas of White Hills – Open Space
Chairman Harbinson reported he knew of no further movement on negotiations of the subdivision.

UI Property on Buddington Road
According to Chairman Harbinson, the process of offering this surplus UI property for sale, is that, after receiving State approval, the land is put out for bid; when the winning bid is chosen, the municipality has a right to match the winning bid as a first refusal. It became public that the winning bidder was the Blakemans. They proposed their development concept for this property and their adjoining properties to the City at a Board of Aldermen meeting.

The Commission decided to talk about the property in regular meeting and not in executive session because the value of the property has already been set. Most members of the Commission have walked the property, and Agent Pjura presented pictures of the area.

A map of the development concept was presented. Buddington Road, and the UI parcel were pointed out. Also shown with access off Buddington Road is the property of Mr. James Blakeman, the winning bidder, and the property of Mr. Monty Blakeman accessed from Doe Place. Mr. Blakeman would like to purchase the UI property to build a road and link across to the property onto Doe Place.

The property of Mr. James Blakeman also fronts the Old Kings Highway which abuts City of Shelton open space. A piece of open space adjoining the UI...
property is from Huntington Woods and another piece from the Sorentino open space purchase.

Previously, it was stated that the Shelton’s Open Space Plan was to make the UI parcel part of the connection from Shelton Lakes to the Far Mill River Greenway. In the decision process of deciding if the City should continue to pursue the purchase of this UI property, the Commission considered if the trail system would be better served with a link from east to west which property affords. Chairman Harbinson answered walking along the Old Kings Highway right-of-way is a very easy hike and would by-pass the wetlands in the middle of the UI corridor. From a point in the open space, from Huntington Woods which connects into that corridor, he is not sure of the topography for hiking, but there is a nice corridor with a great vista and attractive vegetation.

Mr. Terry Gallagher, Judson Place, Shelton, who is on the Trails Committee, said the UI property was identified in the Open Space Plan of 1993 as the connecting corridor for reestablishment of the Paugassett Trail from Indian Wells down to Stratford via the Shelton Lakes Green Way to the Far Mill River Greenway. The Trails Committee would like this for the long range trail plan.

Mr. Gallagher explained how the UI property could be of benefit to Shelton’s trail system. Looking at the map, Mr. Gallagher said there are portions along the Iroquois gas pipe line that are a little steep for mountain biking, but good for hiking. They could make a larger loop, connecting with Nells Loop Trail and the Recreation Path, for mountain biking, hiking and passive use. The gas pipe line, that is about 80 feet wide which traverses east to west, is on the property, but the actual transmission towers are outside of the land that is being offered, so that strip of land is clear of the towers. Connecting the existing Huntington Woods road with the Recreation Path, the trails committee could have a hiking trail that incorporates the Old Kings Highway Woods Road and connects with Mr. Jim Blakeman’s property on Buddington Road which, if it was subdivided, the City would get the open space. The UI property has wetlands and steep slopes on it and would need a
Conservation Commission Meeting Minutes  
October 5, 2005

variance relief in order to develop four or five lots in there. The amount of development that the land could support is limited. He walked the UI area and some is wet, but the trail could follow along the power lines and crossing could be accomplished by a boardwalk, as was done on Lane Street for the Recreation Path. He said there would be no trouble connecting the hiking, biking mountain trail which would be rougher than the Recreation Path which is handicap accessible. The hiking, biking mountain trail would preserve the land for wildlife habitat in the corridor.

Commissioner Tate stated the Commission’s concern is the value of that piece since the open space is on one end and the other open space connection is on the other end and this affords a nice linear corridor uninterrupted by a roadway and is outside the transmission line corridor. The land is offered at a reasonable price. The Commission can come to a decision here. Mr. Gallagher added there would be no obstacle to get a trail through the property and it is a very reasonable price for 11 acres of land.

At 7:25 p.m. Commissioner Lauriat moved the Conservation Commission write a letter to the Board of Aldermen to encourage them to purchase the UI property on Buddington Road in order to act on their right of first refusal by November.

Chairman Harbinson said listening over the minutes and/or comments that have been said, a letter will be crafted encompassing those points and will be reviewed by E-Mail as stated in the record here tonight.

Seconded by Commissioner Tate. All voted in favor. Motion passed.

Commissioner McCreery abstained from the vote.

Robert’s Place, 5 Lot CRD – Wabuda Place and East Village Road

Robert’s Place is located with the Reznik’s property to the north, Toll Brothers property to the east. The hearing is scheduled for October 11th.
Conservation Commission Meeting Minutes  
October 5, 2005

This is for a CRD process. The map is showing the final plans. The open space goes underneath the CL&P right-of-way. It does abut the pentway and preserves the stone walls. There is a lot of wetlands on the open space. Lot 5 is located where the open space wraps around it.

Conservation Agent Pjura said, according to Rick Schultz, Planning and Zoning Administrator, it is the second phase of the development. The Commission did not have enough information regarding the subdivision to make any comments. Commissioner Tate said the Commission has to be clear why it is looking at a subdivision map and suggested to Agent Pjura to ask questions of Rick Schultz as to why the Conservation Commission is reviewing the subdivision. The Commission needs to know if it is to look at the open space dedication, consider a fee in lieu of open space, or for other reasons.

2 Lot Subdivision, 163 Leavenworth Road  
(Dr. Linden’s property)

On September 27th the Planning and Zoning Commission approved this 2 Lot subdivision.

The open space conveyance is at the rear, and the map attached shows how it will lay out. The back abuts Land Trust property. Chairman Harbinson said the Land Trust has not been aware of the situation. The last sentence in the memo from Mr. Rick Schultz, Planning and Zoning Administrator to Mr. John Anglace, president of the Board of Aldermen, proposed the conveyance of the open space to the City of Shelton. In the event the Board of Aldermen rejects the offer, it would offer the land to the Land Trust. Chairman Harbinson stated the letter noted that as part of this approval the applicant has agreed to convey its interests/rights of the Old Leavenworth Road right-of-way to the City of Shelton.

When Mr. Rick Schultz gave this to Agent Pjura, he did not give Agent Pjura any specifics of the subdivision. The Commission discussed the memorandum and the map attached. There was not enough information given to the Commission to make any comment.
Mountain Laurel Ridge, 4 Lot Subdivision – Independence Drive – Roger Spinelli

This is a subdivision on Independence Drive that was supposed to partly cross through an open space dedication as privately held from the Toll Brothers subdivision. Mr. Roger Spinelli, developer, was supposed to attend the meeting to present this, but he did not. He has an application in the Inland Wetlands Commission. The Conservation Commission discussed the subdivision.

Agent Pjura found a drawing in the office. The PZC received an application on October 4th. The Commission discussed the map presented. The Conservation Commission was pleased because everything it asked for was included in the subdivision.

Terry Gallagher, Trails Committee, referred to the Turkey Trot Trail shown on the map and another trail that follows the wetlands corridor through the property. He also suggested wherever the proposed pedestrian easement will be, if it can be worked out so that it is not impacting any of the lots when the lots are developed and the pedestrian easement. Mr. Gallagher said the PZC does not plan the pedestrian easement very well and asked if the PZC would map the existing trail at the site and overlay it with a pedestrian easement because the neighbors of the subdivision and neighbors of the Independence Drive neighborhood will have good access to the trails.

Commissioner McCreery stated the property lot lines cannot be changed now. This map was done a year ago. If that was an issue, it should have been addressed at that time.

The open space shown is dedicated is 6.32 acres and the conservation easement area is 87,390 square feet.

At 7:40 p.m. Commissioner McCreery made a motion to report favorably to the Planning and Zoning Commission on the proposed dedication of conservation easements, the open space, and open space pedestrian access for Mountain Laurel Ridge on Independence Drive and express appreciation to the developer taking into account the many recommendations of the
Conservation Commission Meeting Minutes  
October 5, 2005

Conservation Commission. The Commission asks that the Planning and Zoning Commission keep in place these recommendations including the dedication of conservation easements adjacent to the Turkey Trot Trail, the dedication of over 6 acres of open space, the preservation of wetlands and very importantly the pedestrian easement to that open space that continues a greenway corridor that the Conservation Commission is attempting to preserve.

Seconded by Commissioner Dyer. All voted in favor. Motion passed.

Any Pending
There were no pending subdivisions for the meeting.

5.0 Communications – Co-Chairman Wilber

Co-Chairman Wilber was unable to attend the meeting. Communication received is as follows:
- American Farmland Trust 2005 Challenge Fund Campaign
  Note: The Conservation Commission does not contribute to any fund raisers because the Commission functions on tax payers’ money.

6.0 Quality of Life List – Commissioner McCreery

Updating of List

Commissioner McCreery did not have the list for the meeting, but has the previous list which was presented at the last meeting on his computer.

Letter to Landowners – Commissioners Welsh, McCreery

Co-Chairperson Wilber, in regard to the letter presented in the last meeting, suggested there should be a mention of the possibility of donating land to the Land Trust to preserve land.

Commissioner McCreery stated he does not disagree, but was uncomfortable preparing a letter from the City that says if you give the land to us, we can give it to someone else.

Commissioner Lauriat read the letter to the Commission as follows:
Dear Landowner:
I am contacting you on behalf of the City of Shelton Conservation Commission to inquire if you are interested in discussing with our Commission options
Conservation Commission Meeting Minutes
October 5, 2005

that are available for preservation for part or all of your land located at (Address) as part of Shelton’s goal to preserve twenty percent of its land mass as open space so that future generations may enjoy the lifestyle that we have struggled to maintain in our fair City.

Land acquisition by a municipality is accomplished in a surprising variety of ways these days. Open space can be added to the City’s inventory by a gift from the landowner, partial purchase, total purchase, acquisition of development rights (the owner retains title to his/her property but is paid not to develop it), and assistance in farm preservation techniques. Many of these programs can have advantageous tax consequences to the property owner, as well.

Your property at (Property Address) has been identified as a parcel the City would be interested in preserving for purposes of (Describe the greenway or scenic area being preserved). We would very much appreciate the opportunity to follow up this letter with a discussion with you about the options available to you and the City in this regard. If you are interested in discussing this further, or for that matter, not discussing it further, would you please contact (Contact Name and Telephone Number). If we do not hear from you, we hope you will not be offended if we follow up this letter with a personal telephone contact.

Very truly yours,

Shelton Conservation Commission

Chairman Harbinson stated the Commission needs that letter to insert the particulars for the properties that will be in the list. Commissioner McCreery will have that at the next meeting.

7.0 Trails Committee Report - Commissioner Dyer

Commissioner Dyer reported that:
- A Bridge to Bridge Hike will be held on October 15th at 10:30 a.m. It will be the same route that was taken in the spring. They did a lot of work to get it better prepared.
- A position was taken on the UI property.
Conservation Commission Meeting Minutes

October 5, 2005

- An article was written in this Friday’s Weekly and the Huntington Herald about the Abbey Wright Parking Area and the work that was done in combination by the Boy Scouts, the Parks and Rec Department, the City Highway Department, and the trails volunteers.

- A proposal for a $10,000 grant from the Iroquois Pipe Line Company was submitted by the Land Trust with the support of the Trails Committee on September 29th. It was submitted for the Lane Street path clearing and the replacement of the narrow boardwalk with a substantial one. The grant award should be received in February.

- A member of Troop 25, Scout John Lebate, will work on the area behind Hope Lake for his Scout project.

- A good job was done by the town grading the area of Pine Lake to Meadow Street, putting in the drainage, and covering the Path with woodchips. Possibly later the area will be paved. Chairman Harbinson asked if the engineering for that segment from the Pine Lake Bridge to Meadow Street has been done. Commissioner Dyer answered it is done because the City has put in the pipes.

- A piece of property is needed for the completion of the Recreation Path.

- A $49,000 grant has been received and now specifications are needed for the bridge over Silent Waters Dam. $73,000 in total grants unspent will be put to build fencing for the railings for the bridge. The Commission discussed the Recreation Path Route 108 crossing.

- A specification has to be obtained for the bridge in order to work with the town’s procurement office to get three or more bids from vendors by January 17th.

- A Boy Scout, Spencer Tate, chose to design boardwalks for his Eagle Scout project.

- Nothing was done about the Bark Park.

- Trail members will be leaf blowing to get ready for the October 15th hike.

- A work party has been scheduled for October 22nd.

In other business, Terry Gallagher, Trails Committee, presented a map of a concept plan of the Huntington Street Sidewalk. The City, timed with the Recreation Path, is proposing to extend the sidewalk from in front of the 90 Huntington Street
Café up to the shopping center for pedestrian safety around the Huntington Green. He said he may propose to extend a sidewalk from the Recreation Path entrance to the real estate office parking lot, so people there would fully be off Lane Street. He pointed out the other proposed sidewalks for Huntington Center. Chairman Harbinson stated the City is bringing the sidewalks from the residential area to the commercial area where people can run and walk during lunch time.

At 8:10 p.m. Commissioner McCreery suggested to write a letter to the Board of Aldermen supporting the proposed Huntington Street Sidewalk Plan as it would tie into many aspects of the cross town Recreational Path and create a secure access route. Seconded by Commissioner Dyer. All voted in favor; motion passed.

8.0 Report of Conservation Agent – Agent Jimmy Pjura

Landkeepers Program

- Agent Pjura met with Kenneth Bullard, a new member of the Landkeepers program and a resident of the White Hills section of Shelton, and he was assigned several open space parcels in the White Hills.

Open Space Violations

- Mayflower Lane
  Agent Pjura presented a letter to be reviewed by the Commission which will be sent to the residents of Mayflower Lane regarding the encroachment into the open space by the homeowners. They will be told that if there continues to be an encroachment, the City will have no choice but to install a split rail fence or another delineation on the boundary line.

- Soundview Avenue
  There was nothing to report.

Hanging of Open Space Signs

- Old Subdivisions
  Agent Pjura finished a form letter to educate residents of the benefits that the open space near them affords to them. It will be mailed next week.

- New Subdivisions
  Agent Pjura and Barry Mucci, developer, will mark Turkey Hill Estates next week.

Grants
Conservation Commission Meeting Minutes
October 5, 2005

America The Beautiful
- There was nothing to report on the America The Beautiful grant. He spoke with Mr. Chris Donnelly who said it is in process of getting approval.

ATV Activity near Sylvan Drive
- He spoke to Mr. Regis Dognin, a resident of Shelton, whose opinion was the ATV activity was on the decline, but Mr. Lee Thomas of Sylvan Drive did not seem to think the noise has lessened. Agent Pjura called the Shelton Police Department which said the DEP and the SPD ATV sting operation has yet to take place. He was told the Shelton police average 2 arrests a month regarding the ATV violations which are not only on open space.

Bench on Howe Avenue
- The bench in front of the New Milford Bank was donated by the Conservation Commission. Now the bench is broken and not safe to sit on. The Conservation Commission has recommended replacing the bench, but will keep the Commission’s donation plaque that was placed the back of the bench. The City Public Works Department has to remove the bench because it is bolted to the sidewalk. The new bench’s design should be in keeping with the concept presently outside the Farmers’ Market. Commissioner McCreery suggested waiting until the month of March, just before the end of the fiscal year in June, to decide how much money will be left in the budget to spend on the bench. The cost will include the initial price, the installation, and the shipping. The Commission suggested Agent Pjura write a letter to the manager of the bank asking if the bank was willing to do a fifty/fifty, public/private donation with the Commission. Agent Pjura said the manager indicated she would be amenable to the suggestion. The proposal will be sent to the New Milford Bank with an explanation of the Commission’s plan for the bench.

“Slab” Use Regulations
- Agent Pjura secured two use regulations, one from the Town of Milford and one from the Town of Fairfield, outlining the guidelines using their open space areas for carnivals, craft shows, etc. He will make copies for the Commission to be discussed in the next meeting.
Conservation Commission Meeting Minutes
October 5, 2005

- New Name for “Slab”
The Commission fully supports a name change, but has “enough on its plate” and decided not to act on it until it is asked to do so, but will probably be involved in the process.

Litter on Pearl Bach Property
- Agent Pjura visited the Pearl Bach property and found it was immaculately clean. He spoke with Richard Cranson, the Pine Rock Association president, who said sometimes a neighborhood will get together and clean up the area.

River Bank Cleanup
- Agent Pjura met a fellow, a resident of Shelton, who manages a women’s rowing crew from Sacred Heart University, Fairfield, whose members want to do community service work in the City of Shelton such as pulling junk off the river banks to clean the river. The Commission suggested using Southbank in Shelton as a starting point.

Farmer’s Market – Commissioner Tate
Commissioner Tate spoke about the remediation of the Farmers’ Market. It will take approximately two weeks, and then a contract will be signed in order to put the finishing site work on to the Farmers’ Market.

He said the clock that was donated to the City will be placed at the site, and a planter will be put at the base to protect it from seasonal demarcation.

The remediation will take place in the parking lot of the Farmer’s Market. The building will stay, but the concrete sidewalks will be demolished, not the perimeter ones, just the interior ones. Thirty inches of the parking lot has been dug out. A fabric will be placed down; then a clean process material will be put on top of this and will be four inches high shy of the finished grade, when it is done in a two week period. After that the favored material will go in. It will not be completed until mid-December. The trees and plantings will not occur until springtime.

9.0 Plan Update Advisory Committee – Chairman Tom Harbinson, Commissioner Tate
Conservation Commission Meeting Minutes
October 5, 2005

Chairman Harbinson stated he and Commissioner Tate have continued attending the meetings. They have a draft document which they are working on now, section by section. The process will include a public hearing and a presentation to the planning and zoning board. In the next meeting, copies will be handed to members of the Conservation Commission to study and to make comments.

10.0 Zoning Regulations – Commissioner McCreery
- Family Exception
  Commissioner McCreery went through some changes the Conservation Commission would like to recommend to the PZC. The following matters will be addressed in the next meeting.
  - The practice that a landowner does not have to donate open space in a new subdivision if it will be going to family members.
  - The issue of open space dedication in connection with the development of commercial space by taking certain zones currently zoned for residential use and converting them to commercial use. The change increases the tax base, but the opportunity to acquire open space is lost.
  - Conservation easements in open space as part of the PDD process, whether they are for walkways or passage ways which butt open space. He said according to a recent court case, the PDD process is not authorized by statute, but as long as we have this development method, maybe we should have provisions in it for open space.
- Residential Height Restriction
  No report at this time.

11.0 Full Time Natural Resources Manager Position – Possible Executive Session – Chairperson Wilber
Chairman Harbinson stated there was nothing to go into executive session. Ms. Linda Hooper, Shelton Human Resource Manager, has contacted Fairfield to get someone to test the applicants, but she is having difficulty finding someone.

12.0 Quality of Life – Possible Executive Session – Chairman Harbinson
At 8:40 p.m. Chairman Harbinson entertained a motion to go into executive session for the purpose of discussing land purchases. Commissioner Dyer moved the motion. Seconded by Commissioner Tate. All voted in favor; motion passed. The machine was turned off.

At 9:00 p.m. Chairman Harbinson entertained a motion to come out of executive session. Commissioner Tate moved the motion. Commissioner Dyer seconded the motion. All voted in favor; the machine was turned on.

No action took place in the executive session.

13.0 **Comments by Members**
There were no comments made by members.

14.0 **Adjournment**
At 9:00 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