Call to Order

Present: Tom Harbinson, Chairman
Bill Dyer, Vice-Chairman
Sherri Dutkanicz, Commissioner
Jim Tate, Commissioner
Jim Goodman, Commissioner
Joe Welsh, Commissioner

Also
Present: Teresa Gallagher, Conservation Agent

A. Call to Order/Pledge of Allegiance

Chairman Harbinson called the meeting of the Conservation Commission to order at 7:08 p.m. All in attendance recited the Pledge of Allegiance.
B. Approval of Minutes

Vice-Chairman Dyer MOVED to approve the minutes from the October 5, 2011 Regular meeting. SECONDED by Commissioner Dutkanicz. All were in favor, MOTION PASSED.

C. Public Portion (items not on agenda)

Guy Beardsley, from the Shelton Farmers Market Association

Mr. Beardsley said that the market closed last Saturday and the Wednesday market’s last day was October 26th. We are trying to get a market going for Saturday, Nov. 19th. We will have a meeting on Nov. 15th to determine if we will be able to do it. We are going to take it a month at a time. The last snow we had really smashed down a lot of plants we had planned to use (kale, collards, brussel sprouts, and broccoli). They probably will recover but they lost a lot of leaves in the process.

We had a market meeting on October 4th. I have some notes to give to the Commission. These reflect comments as a result of the draft that was made. Some of the things refer back to the market rules that we passed out at the last meeting. We have another meeting scheduled on Nov. 15th. I will give Teresa a copy of our agenda.

We think we had a pretty successful market season all the way around.

Chairman Harbinson commented that he attended the Market Association meeting on October 4th. There was some talk about expanding/modifying the rules of the market operation. Mr. Beardsley said that they will be voted on at the next meeting on Nov. 15th. Some of the rules are just an update and there are some that establish requirements for vendors. One change is that you have to be part of the market at the beginning of the season. We are no longer allowed to bring vendors in during the market season. That is an “unofficial” rule that is followed throughout the state.

Mr. Beardsley explained that at the beginning they set the start/end dates and who the vendors are. That gets forwarded to the Dept. of Ag. It gets published to all the districts that put out the WIC programs.

Commissioner Dutkanicz asked if a vendor should stop during the season, are you able to pick up another vendor to fill the slot. Mr. Beardsley answered that is an interesting point and has not been addressed yet. We have market meetings before the season starts so we know who is coming. Over the course of the market we’ve had 28 different people being market members. Right now we have 13 vendors. We don’t charge anything to the vendors. The hidden cost is the insurance the vendors has to have.
Chairman Harbinson commented that City Seed was at our last meeting and we had a lengthy dialog with them. Were you able to take off some good valuable information as to how they operate and obtain their success?
Mr. Beardsley responded that we listened and had most of the Shelton vendors to hear Nicole, who did a very good job, and what we picked up on were some things we do not want to do. We do not want to charge for vendors missing a market day. I was very interested in their decision-making, which is by committee. The committee is made up of professionals like the market master, the assistant market manager and an executive director. Then there are two market vendors as members, with Stacia being one of them. Right now our decisions are pretty much made by me. We will discuss if we want to create a sub-group amongst our vendors.
Chairman Harbinson said that might be a value to you to have a governments board that operates how your association operates. I did see that the person that maintains your Facebook page has been a little more active in promoting events.
Vice-Chairman Dyer said that the idea of operating year-long and selling things like honey and Christmas wreaths, is that kind of thing on or off the table?
Mr. Beardsley said that the Jones’ do a marvelous job at Christmas. My brother’s operation, the orchard and cider mill works right up through Christmas Eve. They have the very same things we would offer. My brother does not want me to sell his cider at the market. He wants people to come to him.
Commissioner Dutkanicz asked if the Nov. 19th event is just a one-day thing?
Mr. Beardsley said at this moment, yes. After that we will see about additional days. Elliott Coleman has an excellent book out called the Winter Harvest. He lists 30 vegetables that you can grow in the winter, but you do have to have them protected with grow cover.
Mr. Beardsley talked about some of the crops he has grown during the winter months.
Chairman Harbinson said that expanding the market into the winter for this year would be problematic due to the planning and preparation needed for the winter crops to be made available for sale.
Mr. Beardsley said yes it would, thank you very much. It’s an excellent observation. If you are going to have potatoes you have to plant them in the spring. We obviously hadn’t done that quantity planning for a winter market.
Chairman Harbinson asked so this Nov. 15th meeting is to discuss not only this season of potentially opening for a day here and there but the potential of expanding the season a little bit for the next growing season.
Mr. Beardsley answered absolutely.
Commissioner Goodman asked if he is willing to continue running it through the winter?
Mr. Beardsley said yes, if there is anyone interested. If Stone Gardens want to come down, it would be ok. I don’t know if they can do it this winter or not. They may have been hit pretty hard with that last storm as well.
Chairman Harbinson said that he would guess if they were interested in doing the winter market they may reach out to other farmers they know either locally or through City Seed. I would think it would be hard to have the winter market with only one vendor.

Mr. Beardsley said that there are some markets in the state where there are just two vendors. Our concern is when there is snow and ice and getting the market area cleared. That would require either an effort by the town or one of the vendors. I'm not in the position to be able to do that. Right now Parks & Rec takes care of it but there hasn't been the need to do the clearing for a winter market.

Chairman Harbinson asked about what they are looking to pursue. Mr. Beardsley said they are looking to pursue a further of the season. Three years ago we went into the first week of December. Then we got so much snow and ice. It was dangerous to get down there and then we cancelled.

Chairman Harbinson said that what we're here for is to help encourage, facilitate agriculture activities in our community. In whatever way you decide as an association you want to expand the activity into the winter months and that requires coordination with the City's resources of Parks & Rec and Maintenance for plowing, we can help in that regard.

Mr. Beardsley said that is very good and we would appreciate that. I expect to be at your scheduled meetings to give you an update and take any questions or comments you have. You are all invited to attend our meeting on Nov. 15th @ 7PM. It's held at the Farmers Market building.

Chairman Harbinson thanked Mr. Beardsley for the feedback on your association.

Mr. Beardsley said it's great that the Commission has so much interest.

D. Request to use approximately 7500 s.f. of transitory open space abutting #937 (Constitution Blvd. North) for lawn. TOS 96.01

Agent Gallagher stated that this is the area up in White Hills by the shopping center. A summary and aerial photo was emailed to the Commissioners. This was in response to a complaint from two neighbors. One asked me to drive out and take a look at the property and stated they have had trouble for many years. I did see a significant lawn area in the transitional open space. The plan is that at some point this area will be paved for the extension of Constitution Blvd. There is a line of ornamental shrubbery (shown to Commissioners) which effectively walls off the area from the rest of the neighborhood. It feels like it's part of their lawn and its private.

Chairman Harbinson asked what was the neighbors actual complaint. Agent Gallagher said one neighbor called about some tree cutting near the Conservation easement. After review it was not in the easement. Apparently years ago there was a shed in the easement. The next complaint was from
another neighbor who saw the tree cutting and said there was someone digging back there. She wanted to make sure it wasn’t in open space. I didn’t see anyone digging. I sent them a letter stating that either they have to cease mowing the area or get permission from this Commission to continue do it. He did send a letter asking permission to continue mowing. Commissioner Dutkanicz said that she has heard that to control Lyme disease they say to keep an area mowed as a buffer from the wooded area. It does look like a large area. What is he mowing it for?
Agent Gallagher said that in the letter he gives the reasons as overgrown weeds being an eyesore, trash from the neighborhood collects in the un-maintained field creating an eyesore and requiring removal 3-4 times a year. Mice congregate in the field and enter my home through the basement. Wild grapes begin to encroach onto my property requiring regular maintenance. Commissioner Dutkanicz said that it’s a rather large area of the open space that’s been mowed.
Agent Gallagher said that it’s not the area around his house, it’s kind of disjointed.
The Commissioners discussed this example of someone mowing open space and should it be allowed. They talked about this being transitional open space and maybe granting revocable permission with conditions. The Commissioners asked Agent Gallagher to draft a letter granting revocable permission with the issues discussed amongst the Commissioners. They would have to notify the neighbors that this area is available for public use and enjoyment. She will email it to the Commissioners for final approval.

**E. 2012 Meeting Schedule**

Commissioner Dutkanicz MOVED to adopt the following dates for the 2012 scheduled meeting dates for the Conservation Commission and Trails Committee:
Jan 4, Feb 1, Mar 7, April 4, May 2, June 6, July 11, August 1, Sept 5, October 3, Nov 7, Dec 5. All are the first Wednesday of each month except July.
SECONDED by Vice-Chairman Dyer. All were in favor; MOTION PASSED.

**F. Shelton Lakes Recreation Path, upgrade to handicapped-accessible standards**

Vice-Chairman Dyer reported that he met with the Mayor and Chairman Harbinson and we walked both the Great Ledge portion and the portion that still needs work. The Mayor is all for it. I also walked the area with George from Public Works. He feels that the type of work that needs to be done can be done by Parks & Rec. I put together a construction document for the Mayor to give to Dean Cawthra. Dean and I will get together to coordinate the efforts. We are submitting a grant application to the Iroquois Pipeline for $14,710.
The application states that volunteers and City workers will do all the base work. We will hire a contractor to put down the filter fabric and 4" of final process material and roll it out. Once we map out the exact route from the gate to the Oak Valley portion, then we will submit an application to Inland Wetlands because we will be crossing a bridge. (The proposed route was detailed for the Commissioners)

Tape 1, Side B
Chairman Harbinson talked about the work Agent Gallagher did on the grant application. The total project expenses we’re looking for reimbursement via the grant is $14,710. The total in-kind services would be $36,200. **Commissioner Goodman MOVED to authorize Chairman Harbinson to sign the letter for the Iroquois Pipeline grant application. SECONDED by Vice-Chairman Dyer. All were in favor; MOTION PASSED.**

G. Trails Committee Report
Chairman Harbinson reported that Agent Gallagher put a blog entry on the Trails website about the costs that have been expended to date on the Rec Path. It comes in at roughly less than $200K per mile for what has been completed since its inception. Compared to other Rec Paths where there is a "rails to trails" that are paved or like Trumbull’s Pepper Street Old Lyme park area, we are way under. She had a logo picture of Scrooge character to show how frugal we were and somehow when it got posted on Facebook my name got drawn into the mix as to someone quite frugal.

Vice-Chairman Dyer said that in that entry it also lists the various grants we’ve received for the Rec path. Chairman Harbinson said he did forward the link to the Board of Aldermen and I did get a reply by from John Anglace who expressed thanks to all the trails volunteers for all their efforts. The promotion of what you do is worthwhile not just to measure what we’re going forward in trying to accomplish but also to illustrate to the decision-makers that are giving us funding that they endorse what we’re doing.

Vice-Chairman Dyer stated that Terry Gallagher prepared a list of entrances to the Rec Path, listing what is there in terms of granite posts, logo and plain, where we need additional posts and removable bollards.

Chairman Harbinson said he is available from now to Thanksgiving to get the bollards he is storing at his business.

Vice-Chairman Dyer said that the City has painted cross-walks going across Wesley Drive. **Chairman Harbinson MOVED to reimburse Richard Skudlarek ($15.04) for gas for equipment used to clear the Rec Path of debris and for Jim Taradine ($37.05) for locks for the Rec Path gate and for a chain saw, SECONDED by Commissioner Welsh. All were in favor; MOTION PASSED.**
Commissioner Dutkanicz asked if the Trails Committee could purchase 12 polo shirts @ $20 each with the Rec path logo. These would be given to trails volunteers who have gone above and beyond efforts. We also want to purchase 48 printed t-shirts @$8 each. Total cost would be $640.

Chairman Harbinson MOVED to approve the expenditure of approximately $600 for the purchase of Rec Path logo apparel to identify Trails volunteers during events and for special recognition for volunteers who have gone above and beyond the call of duty. SECONDED by Vice-Chairman Dyer. All were in favor; MOTION PASSED.

Vice-Chairman Dyer reported that there will be a guided hike on the Turkey Trot Trail on Sunday, November 27th @ 1PM.

H. Open Space Trust Account: Status
Balance as of September 30th is $32,224.88.

I. Budget Status
Agent Gallagher handed out copies of the budget report. The Commissioners discussed the current status of the budget and possible upcoming expenses. Commissioner Tate suggested having the Commissioners analyze the budget and at the next meeting look at programs that we can accomplish. This way we can identify how we can utilize our budget effectively through June. He talked about some probable projects.
There was also talk about budget consideration for things like surveys and appraisals.
Each Commissioner should come up with a project they would like to be involved with and next meeting they could discuss the idea and any costs associated with it for the budget planning.
The Commissioners talked about equipment purchases.

J. Open Space set-aside: Status of increase to 15% in subdivision regulations
No update.

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

1. Old Applications/Monitor/Follow-up
None
2. New Applications (Applications received between agenda creation and our Regular Meeting may be amended to this Agenda at start of regular meetings by a vote from the Commission.)

None

L. Communications

- Letter from Agent Gallagher to the agent at Northeast Utilities regarding the Rec Path co-locating on CL&P access maintenance road. This is giving them some awareness of what we’re trying to accomplish.
- Letter from Agent Gallagher to Ken Bullard from UI requesting moving the guide wire along Constitution Blvd.
- Annual application to HVA. Chairman Harbinson approved the fee.
- Email from Agent Gallagher to Alderman Eric McPherson regarding the Rec Path near Huntington Center and the significant foot and bike traffic and the hazard of not having a delineated sidewalk area at that location. This is follow up for the request for having a sidewalk from the Huntington Depot to Beechwood.

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

None

O. Comments by members

Chairman Harbinson mentioned that several times it has come to us where there is no open space dedication from a subdivision because it’s a free split. I would like to know how many parcels in Shelton meet that definition, and which ones are they. There should be an inventory. For planning purposes it would be good to know what parcels meet that capability.
The Commissioners talked about the free split rule.
Chairman Harbinson asked Agent Gallagher to contact Rick Schultz and ask him what constitutes the quality that allows you to do a free split and what parcels in town meet that definition.
Chairman Harbinson said that Highland Golf Club got a letter from Toll Brothers looking to buy the property. I called the guy from Toll Brothers who said they are reaching out to golf courses to see if they are interested in developing their property.
Commissioner Dutkanicz mentioned she heard that Seymour got a grant to help salmon go up the river.
Chairman Harbinson talked about meeting with someone from the Beacon Falls Conservation Commission and I talked with her about how we were able to achieve what we do in Shelton and gave her some suggestions to bring back to her Commission. Their Commissioners are assigned a parcel and are given the
task of examining it from an environmental prospective and utilization perspective to say that this is what the property could be used for.
The Commissioners had various comments about people they know.

**P. Adjournment**
The meeting adjourned at 9:05 pm.
The next regular meeting is Wednesday, December 7, 2011.

Respectfully submitted,
Marianne Chaya
Clerk, Conservation Commission