Conservation Commission Meeting Minutes  
December 1, 2004  7:00 p.m.  

(These minutes will be formally presented to the Commission on January 5, 2005 for their approval)

1.0 Call to Order/Pledge of Allegiance  
Co-chairman Tom Harbinson called the December meeting of the Conservation Commission to order at 7:10 p.m. in the Shelton City Hall, Room 303. The Pledge of Allegiance was recited.

Attending:  Tom Harbinson, Harriet Wilber, Hank Lauriat, Joe Welsh, Jim Tate, Ed McCreery, Bill Dyer, Trails Committee, Jimmy Pjura, Conservation Agent.

Guests:  Rich Cranson, Dan Allen, Irving and Nancy Steiner, Terry Gallagher

2.0 Approval of Minutes of November 3, 2004  
At 7:11 p.m. Hank Lauriat made a motion to approve the minutes of November 3, 2004 with one question. He asked if the letter to PZC about the Wabuda Farm, signed by the Commission, got mailed to PZC. Anita said, Yes. Tom personally took the letter to PZC and gave it to the PZC secretary. Tom said it was on their agenda for comment. Hank said he will read the letter at PZC’s December 14th meeting. Harriet seconded the motion. All in favor; motion passed.
Conservation Commission Meeting Minutes
December 1, 2004  7:00 p.m.

Harriet said some people on the Commission liked the minutes E-Mailed and some people like them post office mailed. Hank wanted them mailed, Joe, E-Mail, Jim T., E-Mail, Bill, mailed, Jimmy P., mailed, Tom, E-Mail, Harriet, mailed. Anita said she would do both distributions. Tom and Jim said they do not want PZC minutes in their packets; they can read them online.

3.0 Approval of Meeting Schedule for 2005
The meeting schedule for 2005 was distributed to the Commission members. Meetings will be on the first Wednesday of each month. There will be no variation for holidays.

At 7:19 p.m. Jim Tate made a motion to accept the monthly meeting schedules. Hank seconded the motion. All in favor; motion passed.

4.0 Public Portion

Irving Steiner of 23 Partridge Lane, Shelton, said he was not familiar with the exact import of this group in relation to the weight of its minutes on other commissions and committees. Tom said it was purely advisory. The Commission’s minutes are filed in the course of business and if there is a specific development, such as the Wabuda development, a letter is written commenting on the subdivision application to PZC.

Mr. Steiner asked about the routine as to who gets copies of our minutes. Tom stated the administrators and chairmen of the Commissions get the minutes, and it is now on the Shelton Website. Mr. Steiner said they are not accepted as a legal avenue for keeping the public informed; the town clerk’s copy is. Tom said the clerk’s copy would be the copy of record. Jim T. stated we are advisory and not regulatory. Other Commissions have state statues of time limits of when they have to act on applications as a formal submission process. Because the Commission is advisory, it does not have those deadlines or constraints. The clerk’s copy is more indicative of that legal document and those definitive applications guidelines rather than the data that is in the
Conservation Commission Meeting Minutes  
December 1, 2004  7:00 p.m.  
Commission’s minutes. Any of the information the Commission has is a recommendation or a referral to another commission.

Hank stated that sometimes the Commission is not asked to comment. Presentations are made to the Commission as a courtesy, not a mandate. Jim T. stated in the regulatory verb age of PZC, the Wetlands Commission and other agencies say the Conservation Commission has an input. So, it could be construed as a regulatory process. Mr. Irving said the minutes are submitted and they can sway the position of other committees and commissions in their performance because of the Commission’s experience. Jim T. answered the Commission has some type of value, information or response that other commissions should listen to or influence. Mr. Irving said if the Commission looks at a piece of property and has a negative impact or positive impact, the committees that receive the Commission’s minutes would respond to the Commission. Jim stated in that particular matter they would have quite a bit of influence only because of the track record. Mr. Irving said if there was a property that the Commission said should or should not be used for a certain purpose, other commissions would take that factor in their decisions. Jim T. answered in the land evaluation the Commission comes in very early into the process. There are things that happen as they move through different scenarios: if the family wants the City to purchase the land, wants to develop it, share in development rights, or wants to wait for long term.

People knowledgeable on this Commission conduct a site analysis of the situation and valuate items such as wetland resources, soil conditions, drainage, connection to other open spaces, etc. The Commission makes recommendations which sometimes move forward or sometimes do not because of other circumstances.

Mr. Irving asked if the Commission has the budget capability for the analysis to protest, as to get some sample borings, or does it recommend that it gets done because it doesn’t have the budget for it. Jim T. said yes, the Commission has those capabilities in the budget if necessary to make a proper evaluation, particularly for a grant.
Conservation Commission Meeting Minutes  
December 1, 2004  7:00 p.m.

application, if needed. Jim said the Commission does not want to make engineering qualifications on a piece of property. The Commission will use data available to it, and will do appraisals and will discuss the character of the land. The Commission’s budget will pay for those appraisals which are generally done for grant applications.

Mr. Irving asked if there is a piece of property the people would like to purchase, and they would start a fund drive, what is the procedure to have the price of the property locked in, rather than half the price of the property changed every week. Mr. Irving said he is thinking of the Cranberry Hill property and if the City is not recommending the purchase of it, the fund drive could be started, but there would have to be an end dollar in sight. Stratford would be a major contributor because the majority of the bog is in its area. Mr. Irving said he would like to start something like that and see what the process would be and whether the City would help in controlling the actual cost of the purchase of the property. He said if imminent domain is not decided on, then it’s an outright purchase for interested people who want to preserve the tranquility of that area. Jim T. said when Mr. Irving talks about money in terms of sale in the conversation or commitments by the City, he should go to the Board of Aldermen. The process starts with the Mayor of the City. If a query was made to the Conservation Commission on what value the City would have in the purchase of the Cranberry Estates then, the Commission would decide the best method, in an advisory capacity to be able to put that position forward. That letter would be a statement of recommendation for or against the purchase of open space. It would still follow the same process as it always does for each piece of property recommended for purchase.

Mr. Irving mentioned he called the DEP about the Cranberry situation and they informed him that to get an actual picture of what is impacted on in the development area, he should go to the town clerk’s office and get the set of DEP drawings which are overlays for this area. Mr. Irving said no one in the town clerk’s office knew anything about it. Jim
5.0 Report of Jim Ryan – Enterprise and Commerce Park
Jim was unable to attend the meeting.

6.0 Discussion with Daniel Allen and Richard Cranson – Vacant Lots in Pine Rock Park – Tom
Daniel Allen and Richard Cranson are from the Pine Rock Park Association. Tom and John Anglace met with them regarding some properties issues that are happening in Pine Rock Park.

Mr. Allen stated he found in Pine Rock Park, over the years, to be completely overdeveloped in many sections, and they thought they had a respite when the zoning was changed from R5 to R3 in 1987. PZC recently gave permission for three homes to be built on a lot that had one house on the property. The developer was allowed to use the 1930’s map that had “camp lots” on it. PZC is not calling it a subdivision, so there is no public meeting on it. It is a “realignment of property lines”. When the US Army turned the property over to the City, there were 25 foot wide lots, 75 to 100 foot deep.

On the property mentioned above, the lines have been rearranged within the property boundary lines into three conforming building lots. They do not have to meet an R3. They only have to meet a 5,000 square foot minimum and are grandfathered. The owners can sell it and a developer can buy it, and have it grandfathered for him also.

Mr. Allen stated there are two amounts of money available to the Pine Rock Park Association. The first one was obtained when the CRRA 14 years ago was given the permission to transfer from a solid waste dump to a toxic ash dump. The Shelton Citizens Committee was able to get about $225,000 to $230,000 to be spent only in Pine Rock Park for its protection. Then they had the methane gas leak. It was the fault of a company from Ohio that defaulted in their agreement and was charged a fine by the DEP. Pine Rock Park petitioned the Mayor and John Anglace to obtain the money for Pine Rock Park and received $300,000.
The Commission asked are there legal limits to Pine Rock Park boundaries. Mr. Allen said they would go with the 1930 of the Oronoke Estates Manors map which Pine Rock Park was called at that time.

If the Pine Rock Park Association asks to spend money on a certain thing in Pine Rock Park, two aldermen from the area have to present it to the Board of Aldermen who has to vote on it. Then, the Park Rock Park Association will receive the money.

Mr. Allen and Mr. Cranson decided to come to the Commission to ask help in preserving some of the land in the Far Mill River Greenway for open space. They put together two maps showing areas they designated to be purchased. They have started with the town clerk to do research and will petition the Board of Aldermen for the funds for title searches on four particular parcels of land which are now recognized as owner unknown. Those parcels of land are on the Far Mill River and tie into a fifth parcel of 2.6 acres that will be directly accessible once the others are obtained. Some of the Pine Rock Park Fund could be used to purchase some of this property. Because it falls within the Greenway, they would like the approval from the Commission.

The Commission and Mr. Allen and Mr. Cranson looked at the map from 1930 that shows the lots when the Army transferred it over. This is filed in the land records of the City. Jim T. stated there are two issues here. One issue is the purchase of open space that is relevant to the Far Mill River Greenway, and the other is the consolidation of certain lots into building lots. Mr. Allen stated they are trying to buy up some of the open properties that the builders are trying to obtain.

Another map of the current assessor maps was looked at. Tom said some of the slivers on the map were consolidated into one. He said, they are saying the old records show there were three squares there, so, they will align those three squares to get three building lots on one parcel. Mr. Allen pointed out the three lots and has the deed records with him tonight to show it was one undivided lot.
Conservation Commission Meeting Minutes  
December 1, 2004  7:00 p.m.

them the approval to put three houses on it. Jim T. asked if any that have multiple slivers on them could be conceivable built with houses. Mr. Allen said yes, and pointed to another empty lot with a house next to it that the developer wants to knock down. The developer went to PZC for approval to build 4 new houses. Mr. Allen said it can be done because there is not a merger clause in the PZC by-laws in the town of Shelton. He said if the builders come in and get 5,000 square feet they can build a house on it.

Ed McCreery entered the meeting and Tom explained the maps to him. Ed stated if there was a lot with no house on it that a tax was paid on it for several years and it is to be realigned into three lots, it is called a Doctor of Merger. It is not a City doctorate, it is a State doctorate. Ed said it is not considered dedicated as a use if it is just lots. A person does not get nonconforming use merely being blocks on an old map. It is not dedicated not nonconforming use.

Mr. Allen had planned a meeting with the town counsel but the town counsel could not meet with them because of a conflict of interest because he presents builders in Pine Rock Park. If Mr. Allen chose another counsel, PZC said the Pine Rock Park Association would have to pay for it themselves or PZC stated they could have the town counsel’s assistant talk to them.

Ed stated that if there was a conflict, the town counsel would give an opinion to the Planning and Zoning Commission if they asked for it because it is for the town as a whole. If the Commission asked for legal opinion, and the current town attorney can’t give that opinion because of the conflict, it should go to the assistant town attorney for that opinion.

Jimmy P. met with Rick Schultz this morning. Rick said all nonconforming lots in Pine Rick Park are being referred to Tom Welch, Shelton’s town counsel, for clarification.

Mr. Allen stated the reason he and Mr. Cranson are here is they want to try to have the town acquire the lots on the paper trails. He said the Pine Rock Park
Conservation Commission Meeting Minutes  
December 1, 2004   7:00 p.m.

Fund could be utilized to purchase these properties. Mr. Cranson owns about nine acres of property. Mr. Allen and Mr. Cranson pointed out the property lots they would like to purchase on the map. Mr. Allen said he talked to an alderman who told him if the Pine Rock Park fund is used, the alderman and the Mayor would handle the title search.

Tom outlined how the Commission can proceed to help them. They have the Pine Rock Fund, they talked to the alderman of their district and the Mayor to use those funds for researching the property unknown and using the City process to get those acquired, buy some open space potential parcels that are identified in the Far Mill River Greenway and perhaps achieve some combination of funds from the Pine Rock Park Fund and the City. Mr. Allen reiterated that they would like to make this tie from the Commission’s open space along the Greenway into the parcel in Pine Rock Park.

Tom stated the Commission will work on that. Ed said they should use some of the Pine Rock Park Fund and hire an attorney knowledgeable in real estate laws. Mr. Allen and Mr. Cranson left the meeting.

7.0 Subdivisions

Phoenix Housing/Berkshire Commons

The Commission looked at the map of Berkshire Commons on Murphy’s Lane in Shelton that is opposite Murphy’s Boatyard. Construction requires water crossing a stream. There are bridge abutments there now. Tom recalled the owner had acquired this crossing to build a single house, and he is looking to do a PDD with four units in one structure. The developer would be Phoenix Housing, LLC. The property area is 1.6 acres. There is City water on the River Road. The sewer will be pumped up to Murphy’s Lane. This is a special development area. The Commission thinks it is an improper use of a PDD and the zoning should remain R1. The Commission discussed the map.

At 8:15 p.m. Hank Lauriat made a motion to write a letter to PZC.

Ed McCreery stated the Conservation Commission, having reviewed the application of Berkshire Commons by Phoenix Housing, LLC., on Murphy’s Lane feels
compelled to inform the Planning and Zoning Commission that it is opposed to this application for violating the underlying zone that was intended to recognize orderly development in the City of Shelton and that the overly intense development of this site defeats the goal of our Commission which is to try to establish balanced growth in that part of town which is in need of more open space.

Hank Lauriat seconded the motion.

Ed added it is an improper use of a PDD to create intense residential development.

All in favor; motion passed.

**Cranberry Hill – Proposed Affordable Housing Project**
The Commission said it was turned down by the sewer commission. This subdivision has been received by the Wetlands Commission. Ed stated affordable housing applications are incorrectly exempt from open space contributions. He is not in favor of this development, but he is not sure if it comes under the Commission’s jurisdiction. Tom said the Commission should wait for it to be accepted by PZC because the Commission always gives its comment to PZC. Jim T. stated the Inland Wetlands Commission should be on notice that the Commission has interest in the property for purchase by the City, based on our original review of the property on a site walk.

At 8:22 p.m. Jim Tate made a motion that a letter should be sent to the Inland Wetlands Commission to the effect that the Conservation Commission still has interest in the property because of the concerns of the nearby bog and the proposed density of the development. This parcel should have some further investigation for a possible purchase.

Hank Lauriat seconded the motion.

Harriet said the first letter sent should be included in this letter.

No other comment, all in favor; motion passed.
Conservation Commission Meeting Minutes  
December 1, 2004   7:00 p.m.

Wabuda Farm Update – Use of Open Space  
Tom stated the letter that was sent last month from us was delivered to PZC by him. Hank offered to read that into the record at their next meeting on December 14th. The Commission said, regarding the open space, Toll Brothers wanted to construct a gravel road or a construction access through it, rather than complete the whole road infrastructure to bring their contractors, potential home buyers, etc. in that way. They also wanted to build their first home in the cul de sac that butts up against the open space. Now they don’t want to make it a gravel road; they want to make it a paved road. Also, the Commission stated, one of the first things that will happen here is all the topsoil will be skimmed off and the trucks will carry it away to be sold.

When Hank reads the Wabuda letter in the PZC’s next meeting of December 14th, he will add to the commentary that no topsoil should leave the site.

Any Pending  
Turkey Hill Estates on Buddington Road was accepted by PCZ for review in its last meeting and has not commented on it, as yet. The Commission looked at the map of the subdivision. The owner applicant is Barry Mucci. This is a proposed PRD with total area of 11.64 acres for 10 lots. He is giving 4.16 acres of open space that will butt up to Old King’s Highway. The Commission discussed the acreage and open space. Tom said the Commission does not have to write a commentary letter at this time. The Commission will schedule a field walk on the property which will give the Commission the ability to comment more knowledgeably.

8.0 Communications – Harriet  
These communications were received:

- Another communication from Southwest Conservation District to remind the Commission to pay the $1,000 fee. Hank volunteered to write to them to inquire what accomplishments they have achieved in their organization. Hank E-mailed them which stated: We, the Shelton Conservation Commission, received the subject invoice at our November meeting. It would be of assistance to us if you could forward any
Conservation Commission Meeting Minutes
December 1, 2004  7:00 p.m.

data regarding recent South West Conservation District activities. Particular interest to us right now is any successes you have enjoyed in the area of gift/sale or interest with landowners. Please address your reply to the chairpersons of the Shelton Conservation Commission at 54 Hill Street, Shelton.

He said he tried calling them on the phone, but could not get in touch with them. We will wait until we hear from them to consider something.

- Notice of Holiday Tree Lighting on December 12th.
- A Thank You from Terry’s group, Working Lands Alliance for $50. Tom said Terry sends his regards to everyone.
- Copies of Terry’s resignation letter to the Mayor. It is on City of Shelton’s website under Board of Aldermen.
- Notice of Family Fun Night on December 3rd with the Sound Tigers.
- The Environmental Quality of Connecticut newsletter relating to a workshop on November 14th.

Harriet alerted Tom Harbinson, Ed McCreery, and Hank Lauriat that their appointments to the Commission were up in August.

At 8:45 p.m. Jim Tate made a motion to have the Commission write a letter to the Mayor to ask the Mayor to reappoint the three of them for three years more. Everyone else is up next year. Joe Welsh seconded the motion; All in favor; motion passed.

In another matter, Harriet gave Hank a communication from the Southwest Conservation District that was in today’s mail. Hank studied it and said it was the information the Commission had asked for. He will speak to Harriet about it at a later time.

9.0 Request to Sell Lot 87, Map 66 – Corner of Route 110 and Sunnyside Drive – Harriet

Harriet mentioned this parcel is known as a “no count” in the open space inventory because it is less than an acre but has value as open space. Someone wants to buy it from the City to build a house on it. Tom said it is .82 of an acre; it straddles a CA2, R5 Zone and is next to the Pagliaro Funeral Home. Ed stated the lot cannot be sold. He read from the deed, “said premises shall be used by said City and
At 9:05 p.m. Ed McCreery made a motion to state the Conservation Commission thinks it is inappropriate to sell off City owned property abutting schools for private developments and further would point out that said deed contains a restriction on the property that it must be limited to educational and recreational purposes, which reaffirms selling it for private development would be not only improper, but a violation of deed restriction.

Harriett added, to the letter, the two lots contributing to the natural rural character of the streetscape should be preserved including the stone walls and the mature trees. Bill said the particular property does not abut the schools. There are two properties that abut the schools, and this is the north side. Jim T. said for the residents on Sunnyside Avenue those two lots on Sunnyside Avenue provide a buffer to the busy roadway.

At 9:10 p.m. Ed McCreery amended and changed the letter to say the Conservation Commission strongly rejects requests to sell City owned land Lot 87, Map 66, at the corner of Route 110 and Sunnyside Drive, as the two vacant lots are important attributes for the streetscape for the neighborhood, and to preserve the site lines turning into Sunnyside Drive, and provide a buffer of the neighborhood to busy Route 110, and also, a sale would violate the deed restriction that is on the deed restricting the properties used by the City to educational recreational purposes.

Hank Lauriat seconded the motion. All in favor; motion passed.

10.0 Request to Sell Lot 20, Map 97 – Corner of Frank Drive and Wigwam Drive – Tom
Harriet began the discussion by explaining why the City is now contemplating selling City-owned land. She said the City had a request from a private individual about a year ago to buy a City-owned property. The City wrote an ordinance of a procedure to be used upon such a request.
Tom read the occurrences he wrote in an E-Mail that went out to most of the members as follows: August 12th the Commission received the letter asking for commentary on the proposed sale of Lot 20 on Map 97. The Commission reviewed it in September saying the Commission concluded it should be retained and not sold, September 13th a formal response letter was written, and sometime in October the Commission was asked to revisit it because of the wetlands disturbance that could be avoided, on November 3rd Tom talked to John Cook about it regarding the wetlands. Tom’s conclusion is, after visiting the property himself, the Commission’s original conclusion still holds and even if the City relinquished this no count parcel with a conservation easement, it would foreseeably allow facilitating a building square that couldn’t exist without the lot and negating in part the conservation easement. It also has a nice stone wall on the property that would be totally destroyed if it was developed. Tom said the Commission should reiterate what was said in the letter. Ed agreed.

Tom stated he would E-Mail his conclusion to Anita who will put in the form of a letter and send it off. Tom said the original letter can be attached.

At 9:00 p.m. Jim Tate made a motion to send the letter. Hank Lauriat seconded the motion. All in favor; motion passed.

11.0 Trails Committee – Bill $49,000 Grant

Terry Gallagher of the Trails Committee reported the Trails Committee was formally notified by the DEP that the Committee was awarded a 2004 Recreational Trails Grant for $49,025. The money was specifically requested to replace the bridge that was placed in Huntington Center. The new bridge will be put at the dam at Silent Waters with safety railings at the base of the two sides of the dam.

He handed out to the Commission a short summary of all the different grants that the Trails Committee has been getting for the Rec Path since 2001 when the Aldermen and the Mayor agreed to the project. At that time there was a total project for Phase 1, a portion
for Pine Lake to the white house on Nells Rock Road for $460,000, including the two bridges. Subsequent to that, one bridge was put in at Pine Lake and put in about 40% of Section B in Phase 1, 60% of it. This would be less than a third of the 1.2 miles that was put into Phase 1. Terry G. said some of the money was spent toward the weir fitting and the bridge in Huntington Center. He estimated the costs of where the monies have been spent for different improvements.

The Committee had $183,000 so far tasked to the Rec Path but only $140,000 was spent. $25,000 has been spent on design money for Goodkind & O’Dea for structural engineer bridge designs and for the weir. It was money the Conservation Commission took out of its budget and not from the grants. Hank asked who paid for the foundations under the bridge in Huntington. The Commission’s grant money paid for the bridge and the City paid for the rest. Terry G. said the State through Dick Belden gave the Trails Committee $100,000 to build the paved trail near the Intermediate School. Terry G. tallied in the wood in transportation that Tom gave them.

Terry G. said the monies left from the grant plus the $49,000 grant just received, and the $40,000 or $60,000 Monty Blakeman is supposed to have put aside for Huntington Woods for pedestrian improvements, are to be spent. Terry G. thinks it is the intent to use this money for the Rec Path in Phase 3. Monies not used is a total of $109,025. Terry G. explained the expenditures to the Commission.

Terry G. tried to decipher the various generations of allotments he has received. These are his estimates and not from an accountant. He said much time and money has gone into the Rec Path and less than a third built after four years. Bill Dyer and he would like to finish Section 1A, which is from Pine Lake to Meadow Street. He discussed the finished sections and the sections to be started.

The Mayor has authorized the committee to go forward with Section 1A and is waiting for the town crew to finish cleaning up autumn leaves before beginning to
Conservation Commission Meeting Minutes  
December 1, 2004   7:00 p.m.

work on the Path. Terry G. said there was no budget for that, as yet.

Terry G. and the Commission discussed the preparations for Section 1A and what is needed to complete Phase 1. The Commission encouraged Terry G. to have a meeting with the Mayor to discuss the progress.

Jim T. said the Trails Committee should set a deadline date for the trails completion and should say the opening of Section 1A will be at a certain date and let everybody know that in order to meet that date, certain actions will have to come into play. There will be flag days and if the flag deadlines are not met, everything will be not be finished as scheduled. Jim T. said it could be done now because no one has an excuse. They are done with the fields, and there is no reason why they can’t go out there now. The reality is they should be working, giving what the commitment is and if Terry G. is not getting it now, he will not get it. He told Terry G. to get a realistic date, and if he wants the walking path paved, it has to be after April 15th when they begin mowing lawns again. Jim T. told Terry G. to speak to the Mayor regarding a date.

The $49,025 Grant is to be used for Section 1C, a different project.

In other Trail Committee business, Bill bought the chain saw and the leaf blower and Joe Martinka gave him the City discount which is 20% off and no sales tax.

At 9:22 p.m. Ed McCreery made a motion for the acquisition of the chain saw and the leaf blower. Seconded by Hank Lauriat. All in favor; motion passed.

Bill pointed out the Rec Path on the map. The Trails Committee will survey the section from Huntington Woods to Lane Street on Saturday morning at 9:00 a.m. Tom told Bill to contact Jim Swift for a topography map for the survey. Joe Welsh asked Bill to forward him an E-Mail which he will forward to everyone in
Conservation Commission Meeting Minutes
December 1, 2004  7:00 p.m.

the Land Trust to see if they would be interested in the walk.

12.0  Report of Conservation Agent - Jimmy Pjura

- Wellspring Open Space
  Spoke with Ronny Schauwecker and gave him the open space signs to mark the open space. Jimmy P. took some pictures of the barn and corn crib. Tom asked if the historical society is interested in the corn crib on the open space. Silt fencing is on the property and everything appeared to be in good shape.

- Permain Road
  Mr. David Naples is within his property, but has not planted his trees.
  At 9:30 p.m. Ed McCreery made a motion suggesting sending a letter to Mr. Naples saying approximately a year ago you came with this condition and encouraged us not to put up a split rail fence to separate the City-owned land.
  Your representation was you were to plant a line of trees. Having not done that, and if you are not going to do that, advise our Commission by the next meeting, so we can proceed with our original plan.

  Hank Lauriat seconded the motion. All in favor; motion passed.

- Lane Street Rec Path
  Jimmy went to the Lane Street Rec Path with Rick Schultz. Marty Blakeman is supposed to install two sets of gates on either end of the service road. Rick is waiting for that. Jimmy P. asked Rick to let him take a look at these plans when he gets them.

- Jimmy P. spoke with Allen Walton of 5 Waterford Lane, a homeowner, in regard to tree cutting on a conservation easement.

- Portable John at Isinglass Reservoir
  The outhouse was put there for a crew doing structural work on the dam. It is not permanent. He’s been in contact with the company, Joseph E. Kelly, who is working on the project.
- **Sunset Ridge** predates any open space signing so Jimmy will sign it. The other developments that have require the developers to hang the signs are: Deer Run Estates on Hubbell Lane, Jimmy has a call in to the developer; Dimon Hill Sec. 2, Jimmy has a call in to the developer Westley Blakeman, to tell him these are the conditions of the approval; and Golden Heights, he has a call into the developer.

- **Violations of Open Space, Nature’s Way – Remedy**
  After Jimmy had put in the request to proceed with Nature’s Way regarding cutting down the trees on the conservation easement, John Anglace asked him what remedy we sought. Jimmy called Tom Welch who said to give the homeowners a fine and have them replace the trees. Jimmy said about a half dozen trees were cut. Tom said the fine could be $1,000 a tree plus tree replacement.

- **Eagle Scout Project**
  Jimmy was contacted by John Labate, Eagle Scout, looking for a project. Joe Welsh told Jimmy there is Eagle Scout criteria on the Boy Scouts of America website. Terry G. mentioned that on the Shelton Trails website there are lists of wish projects that could be done.

- **Conveyance of Open Space at Huntington Woods**
  The open space has not been conveyed yet. There is stock piling of materials on lizard rock.

- **Oak Valley Road**
  Dean Cawthra thinks someone has a key to the gate because the gate is always open and the lock has been missing. He will put in a new lock.

- **Fish Stocking of Lakes**
  Jimmy was to find out what the DEP did in the past to stock fish. Bob Wilkins has said fish are stocked in the Nells Rock Reservoir. Terry G. told Jimmy to contact Don Mysling and Brian Murphy at the Fishery Division of the DEP about stocking fish.

  Hank mentioned a year ago weed eating carp were put in a pond on Soundview Avenue. He wondered if anyone heard anything from someone living around
Conservation Commission Meeting Minutes  
December 1, 2004  7:00 p.m. 

there as to the success of the carp. Jimmy said it worked. Tom told Jimmy to contact the person involved to inquire how things are now.

13.0  **PUAC (Plan Update Advisory Committee) - Jim, Tom**  
Tom said the committee has been meeting almost weekly. The last meeting on Monday was with Bill Mooney from the Highway and Bridges Department. Every group has been very informative. They are at the stage where they are starting to put together a preliminary vision statement. They are in the middle of working out the traffic consultant component of their plan. Jim T. said things will be coming together at the beginning of the year. Tom said there will be many opportunities for public comment along the way.

14.0  **Water Management Program Report - Joe**  
Joe stated this plan is a very informative if it is implemented and enforced. The Commission will provide a letter of support along with the plan. He read the letter as follows:  
The Conservation Commission supports the Storm Water Management Plan. We support all efforts to keep sediment and erosion control a top priority. The City will benefit from any potential threats that impact the quality and habitat of watercourses and water bodies on its open space, land trust property, water company and state land, as well as private property. We support the protection of watershed and ground water recharge areas. We feel that without proper storm water plans in place water quality and habitat will be harmed. As part of the Housatonic River Watershed we believe this plan will help improve the quality of the river and on a larger scale Long Island Sound.

At 9:50 p.m. Ed McCreery made a motion to accept the letter by Joe Welsh. Hank Lauriat seconded the motion. Harriet said should we commend Rick Schultz of the Planning and Zoning Commission Staff and Robert Kulacz of the Engineering Department. Tom answered, yes. All voted in favor; motion passed.

Tom said to give it to Anita for typing.
Conservation Commission Meeting Minutes
December 1, 2004    7:00 p.m.

15.0 Budget for 2005-2006 – Harriet
Harriet stated the Commission can talk about it in January, but should be thinking about it. The Commission could keep it the same as we have the last two years. She said the Commission might consider a Fixture Capital Improvement section of the budget. If we want to, we could put in a certain amount to purchase open space or the Rec Path. Everyone thought the Rec Path. Tom said to put in $50,000 a year for the Rec Path. There are a lot of projects that need to be done.

16.0 Quality of Life – Possible Executive Session – Tom
At 9:54 p.m. Harriet moved to go into executive session for the purpose of discussing possible land purchases. Seconded by Hank Lauriat. All voted in favor; motion passed. The machine was turned off.

At 10:05 p.m. Tom Harbinson made a motion to come out of executive session; seconded by Hank Lauriat. All voted in favor, and the machine was turned on.

At 10:06 p.m. Hank Lauriat made a motion the Commission employ an appraiser to get an appraisal of “Above the Overlook” property on Route 110. Jim Tate seconded the motion. All voted in favor; motion passed.

At 10:07 p.m. Harriet Wilber moved that we request of the Board of Aldermen that they ask the Planning and Zoning Commission for 8-24 referrals for 3 properties that were discussed in executive session. Hank Lauriat seconded the motion. All voted in favor; motion passed.

17.0 Comments by Members
Anita asked Ed McCreery if he wanted the Commission’s minutes E-Mailed or postal mailed to him. Ed McCreery wanted the minutes E-Mailed. Tom said he spoke with Rudy Skowronski regarding the minutes on line. Rudy said he will keep the minutes on the website for 3 years and then start rotating them off.
18.0 Adjournment
At 10:10 p.m. Hank Lauriat made a motion to adjourn. Seconded by Ed McCreery. All voted in favor; meeting adjourned.

Minutes prepared by _________________________
Anita Shortell, Secretary