Shelton Conservation Commission Minutes
December 14, 2005  7:00 p.m.

(These minutes will be approved by the Conservation Commission at the next meeting, January 4, 2006)

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1.0  Call to order/Pledge of Allegiance
Co-Chairman Tom Harbinson called the December meeting of the Conservation Commission to order at 7:05 p.m. in Room 303, Shelton City Hall. The Pledge of Allegiance was recited.

Attendees: Co-Chair Tom Harbinson, Co-Chair Harriet Wilber
Commissioners: Bill Dyer, Hank Lauriat, Ed McCreery, Jim Tate, Joe Welsh
Conservation Agent: Jimmy Pjura

Guests: Chris Panek, Alderman
         Randy York, Alderman
2.0 Approval of Minutes of November 2, 2005
Commissioner Bill Dyer made a motion to approve the minutes of November 2, 2005; motion seconded by Commissioner Joe Welsh. All in favor; motion passed.

3.0 Public Portion
None

4.0 Subdivisions
None pending.

5.0 Communications – Harriet Wilber
- Invitation to City Hall Christmas Party
- Inland Wetlands Meeting Agenda Item: Wellspring Estates, Old Stratford Road,
  Far Mill Crossing Proposed Commercial Facility - the Commission determined a restaurant is planned.
- Invitation to a Dr. Martin Luther King Celebration of the 10th Year of his Legacy at the Peabody Museum January 16, 2006.
- Advertisement for a Position at the Children’s Library
- Nature Conservancy Magazine
- HVA Current Magazine
- College of Agriculture and Natural Resources Journal, Univ. of Conn.
- Connecticut Urban Forestry Counsel Brochure
- Christmas Card from Tracee Lewis
- Announcement of Additions to Pullman and Comley Law Offices
- Memo from Sandy Nesteriak asking that all requests for information from elected officials come through her office to balance the demands on staff.
- ZBA Meetings of 10/18/05 and 12/20/05: This commission discussed the ZBA review of a proposed subdivision on Judson Street which presently contains one house with two more proposed. Total acreage: 4 acres. Open Space Dedication: Fee in Lieu of.

It was noted that the newly appointed ZBA commissioners have reduced the number of approved variances which resulted in extra building lots throughout the City. We applaud this new direction.

6.0 Request of the City to Sell Lot 137, Map 66
The City received a request to sell a small wooded sliver (.11 acre) of City land near Sunnyside School. It is categorized on our Open Space List as “disposable”; it had been conveyed to the City for back taxes in 2001. This commission discussed this request and concluded it could approve the sale of the parcel if a conservation easement is required which would prevent development of the property. As it presently exists, this land enhances and softens the streetscape. At 7:38 p.m. Commissioner Ed McCreery made a motion to send a letter to the Board of Aldermen that, although this
commission objects to selling land in this densely developed area and every piece of 
green space is important, if for example, the Board of Aldermen agree to have it added 
to the adjacent lot (Parcel 136), this commission requests that the City take back a 
conservation easement on the property to prevent the site from being developed more 
intensely. It is requested that any funds derived from the sale of this property be 
 deposited in the Open Space Trust Account. Motion seconded by Jim Tate. All in 
favor; motion passed.

Frank Drive
Correspondence was received this week proposing a land swap between the City and 
Hugo Provenzano. The City owns .38 acres on Frank Drive and Mr. Provenzano would 
like to swap this parcel with an adjacent .40 acre parcel along assessor lots 23 and 21 
which is comprised of approximately 25 acres of vacant (wetlands) land the City may 
seek to acquire in the future. If the City approves this swap, Mr. Provenzano proposes 
to deed to the City a pedestrian and conservation easement linking Lot No. 73 (owned 
by the City) to assessor’s Lot 23 for a potential hiking trail.

A similar proposal had been rejected previously by this Commission; however, it is now 
being brought back for more discussion. In reality, should the City agree to the swap, 
the developer would be able build an additional house. The City would be giving him a 
dry lot with stone walls and trees and, in return, it would be getting wetlands. This is 
not in the best interest of the City; however, the commission will add this issue on to 
next month’s agenda for consideration.

At 7:56 p.m. Ed McCreery made a **motion** to send a letter to the Board of Aldermen 
stating this item was received too late for us discuss at the December meeting but it 
 will be put on the agenda for the January meeting; however, please note that a similar 
 proposal has been before this commission previously and was rejected.

Tom Harbinson suggested a letter be sent to the clerk of the Board of Aldermen noting 
that we received this item too late and since this month’s Conservation meeting is a 
special meeting due to a change in the calendar, we cannot add it to the agenda. 
Therefore, we will put it on our agenda for the January meeting.

**7.0 Quality of Life List – Possible Executive Session**
- Letters to Landowners – Joe Welsh, Ed McCreery - Moved to the end of the 
   agenda.

**8.0 Trails Committee Report – Bill Dyer**
Due to the cold weather, most of the trail work has been halted although the 
committee was able to work at Riverview Park last Saturday just before we got more 
snow. The City has agreed to finish that section of the trail from Pine Lake to Meadow 
Street but the work will be slow due to the weather.
Commissioner Dyer continued talks with the Board of Education and developed plans to advance the Rec Path from the current location straight through to Constitution Blvd. The plan is to complete the path through the Intermediate School property as was approved by the Wetlands Commission. The Board of Education will review these plans with the school building and grounds people and report back to Commissioner Dyer. Bill Banfe is the contact person.

Included in the packet of information with the agenda was a consolidation of the grants for the Rec Path which has been received. To date $75,000 of grants and $27,000 of matching funds have been received; the amount of money which has been actually spent was not available. Commissioner Dyer will meet with Sandy Nesteriak to obtain this figure.

The Commission discussed some of the items and related costs of the work being done under the terms of the grant. The projects which make up the total $103,000 include work completed or to be completed. For example $57,000 will be allocated for the bridge over the weir and the railings plus engineering fees. The terms of the grant indicate that the commission can make changes to the scope of work, including where the dollars will be spent during the development of the Rec Path, as long as the DEP is notified in advance and approves. The DEP highly prizes projects that focus on: (1) handicap access and (2) access to the water.

Commissioner Tate expressed his concern about “developing our open space” by accepting grants which require structural projects that, in essence, will destroy the natural resources, and will create projects that cannot be done correctly or maintained properly within our manpower constraints. The original charge is to get the path done correctly and get the connections done right, and only then consider other projects. Our goal is not to build a Quassi Amusement Park; it is to preserve open space and develop a limited access for public enjoyment while at the same time protecting its natural state.

It is critical that we now focus on the design work of exactly what we want so that we create for ourselves a map or plan of the finished project. The process will be:

a. Develop a scope of work encompassing items like view points, handicap access for fishing, canoe put- ins, etc.

b. Develop the proposal specifications

c. Send out bids

The Trails Committee meetings in 2006 will be held at 5:30 p.m. on Wednesdays, right before the Conservation Meetings.

9.0 Report of Conservation Agent – Jimmy Pjura

Landkeepers Program: Kenneth Bullard picked up his info packet for the many small parcels he is monitoring along East Village Road area.
Violations of Open Space:
  Mayflower Lane: Jimmy sent out letters to residents on Mayflower Lane informing one home owner that, within a year’s time, the swing sets, etc., have to be removed from the open space. These residents understand they have encroached on city land and will take the appropriate action.

Hanging of Open Space Signs:
  Deanwood Estates - Tracey Lewis has installed some of the open space signs but more work needs to be done.
  Boehm Pond Woods – portions have been signed. It is not clear if the area around the pond has been signed.
  Jim presented a list of subdivisions which still have active bonds and open space dedications specified but these figures need to be verified.

Letter to PZC regarding signing on new subdivisions: A letter was sent to Rick Schultz requesting that, before certain performance bonds are released, the Conservation Agent be permitted the opportunity to confirm that the open space and/or conservation easements in the subdivision have been properly signed and be included in the “pre-sign off notification”.

Riverwalk-Veterans Park Regulations:
  Jimmy distributed park and recreation guidelines from Fairfield and Milford to be discussed at next month’s meeting. In order to maintain the Riverwalk-Veterans Park (the old slab) as a public facility, we want to model our regulations after those developed by nearby communities. There may be public events which could be held at the park that will conflict with our ‘open space’ regulations and we would like to review various ways to handle these specialized events.

Grants
  ‘America the Beautiful’ - Shelton won this grant ($3000 with matching work done by the city) which will be used to clean up a downtown pocket park, resurface the basketball area and replace the existing swing set. Several trees could be taken down and flowers planted. This project could be overseen by a Scout to earn his Eagle Badge.

Jimmy did contact several neighboring cities to determine what regulations they had regarding cutting certain trees within proposed subdivisions. Ed McCreery felt Greenwich might have zoning statutes to prevent clear cutting in conjunction with a site plan approval once the land use approvals have been accepted. Ed will bring in some regulations to be reviewed at next month’s meeting.
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Last week Co-Chairman Tom Harbinson presented the Board of Aldermen with the check facsimile for $33,750 and a letter from the Governor for the grant for the Above the Overlook parcel. This will now be put on display in City Hall.

10.0 Plan Update Advisory Committee – Jim Tate, Tom Harbinson
This document is the brand new, legally defensible Plan of Development, in draft form, which was released to the public at an informational meeting. At that presentation discussions included: bonded indebtedness, our relationship and debt to surrounding towns, protection of individual personal private rights of development, creation of a park similar to Wolf Park, the river walk and its linkage to other areas within Shelton, preservation of one acre zoning, the lack of focus on the downtown restoration particularly brown field items, anti-blight, properties in transition, down zoning, development of lots that really cannot support a house being built in the southern part of Shelton (i.e., garages being turned into houses), “Mac-Mansions” being developed in the city, tear downs, standing mass transit, building heights, and other density issues. Much of the discussion focused on the quality of life after buildout and/or if the commercial tax base drops.

The plan will now be reviewed and approved by the land use commissions and then adopted by the Planning and Zoning Commission and Board of Aldermen. This probably not happen until the middle of next year.

The capital improvement component needs to be added as it identifies what areas of infrastructure have to be worked on.

Comments from this commission are solicited.

Alderman Randy York presented some back up data for specific areas to be considered for the new plan of development that entail more aggressive conservation plans related to air quality, both small and large particulate, and provide more ammunition to acquire parcels of land for buffers, high traffic intersections, acquisition of small pieces of land within neighborhoods, etc.

Most of Shelton’s air pollution comes from traffic. The biggest air polluter in Shelton, as well the biggest air polluter in Connecticut, is Spongex.

Alderman Chris Panek reported that Conservation correspondence recommending the City purchase the UI property on Buddington Road had not been received by the PZC in time for their meeting. Concern was also expressed by the PZC that our correspondence was not available at the time of its decision.

Alderman Panek also expressed his concern for the density of development which is taking place along Rt. 110.
11.0 Quality of Life – Possible Executive Session – Tom Harbinson
Co-Chairman Tom Harbinson made a motion to go into Executive Session at 8:35 p.m. to discuss Quality of Life. Motion seconded by Commissioner Bill Dyer. All in favor and the machine was turned off.

The Aldermen and Debbie Hainsworth departed the meeting.

Tom Harbinson made a motion at 9:08 p.m. to come out of Executive Session; motion seconded by Commissioner Ed McCreery. All in favor and the machine was turned on and the meeting resumed.

No action took place during the Quality of Life discussions.

12.0 Full Time Natural Resource Manager Position – Possible Executive Session
At 9:12 p.m. Commissioner Bill Dyer made a motion to go into Executive Session to discuss the full time Natural Resource Manager position. Motion seconded by Ed McCreery. All in favor and the tape machine was turned off.

Conservation Agent Jimmy Pjura departed the meeting.

At 9:53 p.m. Commissioner Bill Dyer made a motion to come out of Executive Session. Motion seconded by Commissioner Hank Lauriat. All in favor and the tape machine was turned on.

From the Executive Session, Co-Chairman Tom Harbinson entertained a motion that he meet with Mayor Lauretti to discuss our conclusion regarding filling the position for a full time Resource Manager. Motion made by Co-Chairman Harriet Wilber and seconded by Commissioner Bill Dyer. All in favor; motion passed.

13.0 Comments by Members
Co-Chairman Tom Harbinson informed the commission that he met with the Mayor and Alderman John Anglace to discuss the purchase of the UI parcel on Buddington Road. Monty Blakeman is still interested in purchasing this parcel from the City and offered a new, however similar, concept for development. Tom informed the Mayor that this commission remains committed to preserving this parcel as open space.

14.0 Adjournment
At 10:00 p.m. Commissioner Bill Dyer made a motion to adjourn. Motion seconded by Joe Welsh; all in favor. Meeting adjourned.

Minutes prepared by: ________________________

City of Shelton
Shelton Conservation Commission
December 26, 2005

Ms. Brigitte Plucienik, Clerk  
Board of Aldermen  
Shelton City Hall  
54 Hill Street  
Shelton, Conn. 06484

Subject: Request for a Land Swap

The request to swap a parcel of land which belongs to Mr. Hugo Provenzano with city-owned open space was not received in time to be included in the December agenda. Since this Conservation meeting was a special meeting, we could not add it to the agenda. Therefore, it will be put on the agenda for the January meeting.

Please note, a similar request from Mr. Provenzano was previously rejected by this commission. The members of this commission did not believe that proposal was in the best interest of the City.

Sincerely,

Harriet Wilber  
Thomas Harbinson  
Co-Chairmen

meb

City of Shelton  
Shelton Conservation Commission  
54 Hill Street  
Shelton, Connecticut 06484
December 26, 2005

Mr. John Anglace, President
Board of Aldermen
Shelton City Hall
54 Hill Street
Shelton, Connecticut  06484

Subject: Request of the City to Sell Lot 137, Map 66

Dear Mr. Anglace:

The Conservation Commission discussed the subject sale of city land. This commission’s first reaction is that this parcel naturally enhances and softens the streetscape and, therefore, would rather not have any open space in this densely developed area sold as every piece of green space is important. However, if the Board of Aldermen do approve the sale of the parcel, this commission requests that a conservation easement be placed on the deed which prevents any and all development of the city-owned property. If any funds are derived from the sale of this property, this commission asks that they be deposited in the Open Space Trust Account.

If you have any questions, please do not hesitate to contact us.

Sincerely,

Harriet Wilber
Thomas Harbinson
Co-Chairmen

meb

Marybeth Banks