City of Shelton Conservation Commission
Meeting Minutes for
August 1, 2018

Members Present: Tom Harbinson, Sheri Dutkanicz, Jim Tate, Ed McCreery. Absent: Bill Dyer, Allison Menendez. Also present: Teresa Gallagher, Natural Resource Manager; Terry Gallagher, Trails Committee

The meeting was called to order at 7:07 pm by Chairman Tom Harbinson.

- Meeting Minutes: Sheri Dutkanicz made a motion to approve the July 11, 2018 meeting minutes. Seconded by Ed McCreery. All were in favor.

- Trails Committee Report. Terry Gallagher summarized the Trails Committee meeting held immediately before the Conservation Commission meeting. See the Trails Committee meeting minutes for further detail.

Developments and Proposals:

- 722 River Road, Great River Water Club, PZC #18-15, PDD for 98 residential units, restaurant, marina and maintenance facility. Presentation by applicant.

  Attorney Dominick Thomas gave an overview of the history of the proposal. The previous proposal was denied by Planning and Zoning over an issue with sewage discharge. This is a reapplication now that they have confirmation from the Town of Stratford that they will accept the sewage.

  Rick Kral presented the current plans. Tom Harbinson asked about public access and the old Murphy’s Lane that went down to the river. Mr. Kral responded that the 2010 PDD approval was for 34 Condos and a clubhouse, and the paper road was abandoned under that approval. The road was not really driveable.

  Jim Tate if the new plan has public access. Rick Kral said it did. There is a public walkway, restaurant and clubhouse. There is also a slip for the Fire Department. For the latest iteration, there are 98-100 apartment units, more parking (including parking
under each building), a public restaurant, and a public rowing facility (membership based). The left (south) side of the project is public and the right side is the residential.

Ed McCreery said it seems like there is too much impervious surface for parking over on the public side. Rick Kral responded that this was based on public comments about neighbors not wanting buildings in that area blocking the view. Jim Tate said that from a natural resource perspective, that’s a lot of parking area. Attorney Thomas said that at the final stages, Shelton will look at the potential for reserved parking. Reserved parking areas are prepped to expand the parking area if needed. In his experience, these reserved areas are rarely converted to parking.

Jim Tate asked about what practices would be in place to protect the river from the runoff from impervious surfaces. Rick Kral said they would have infiltrators. Jim Tate stressed that the stormwater discharge to the river would be important to Conservation. We’d like to see how that will be done. Dominick Thomas noted that the CT DEEP would be reviewing the stormwater plan and the project is also regulated under the CAM act. Jim Tate said Conservation is all for reserved parking areas.

Jim Tate asked if the path shown on the plans was a public walking path. Rick Kral said it was.

Tom Harbinson asked if there is still a trend towards smaller boats to be trailered rather than larger boats that need a slip. Rick Kral said that their average size is about 26 feet. People now prefer to avoid the slip fees. Tom Harbinson asked if there were any aspects of maintenance or cleaning of trailered boats, like powerwashing, that might be affected by this trend. Rick Kral said they follow the clean marina protocol for power washing boats.

Tom Harbinson asked if there would be fuel at the docks: Rick Kral said there would not.

Ed McCreery asked about the kayak launch. Would the public have access? Rick Kral said that members would be allowed to launch for free. The general public would be able to obtain a day permit for a nominal fee like $5.

Jim Tate stressed that Conservation would like to see as much concern about the view from the river as the view from the road. We’re finding the scenic view from the river is eroding rapidly. Rick Kral said that with this latest plan there is less grading along the river, no parking along the river, as with the previous plan.

Jim Tate asked about non members who want to launch a boat. Rick Kral said that transient dockage is not something they pursue because it’s very seasonal. The tenants
don’t appreciate strangers coming in.

Tom Harbinson noted that Shelton has been having problems with trash containers in some areas. Rick Kral said that with the apartments, everything is internal, and the restaurant trash containers are on the road side of the building, not the side facing the river. There will be fencing around the containers.

Sheri Dutkanicz asked about light pollution. When you’re coming down River Road and night, will you still see the river? Rick Krall responded that there will be a green buffer along the River Road. You’ll be able to see the river at night.

- **Booth Hill Estates application IWC #18-2 and PZC #18-05.** DRD Subdivision with 23 lots on 22.7 acres at the corner of Waverly and Booth Hill Roads with 6.1 acres of open space. Tom Harbinson said he spoke with John Anglace regarding a potential purchase of the property and was told that Mr. Anglace and the Mayor were interested in what contribution Aquarion would bring to the table. Why should Shelton residents be expected to pay the full cost to protect Aquarion’s regional reservoir? Jim Tate made a motion to send a memo to the Mayor thanking him for his support of open space acquisition, and in light of the recent DRD denial by the Planning and Zoning Commission, and Aquarion’s interest in preserving the property and the potential for cost sharing, Conservation continues to supports efforts to permanently protect this property. Seconded by Ed McCreery. All were in favor.

- **Huntington Village PZC #18-12,** PDD Zone Change for twenty single-family dwellings on 6.1 acres. 16 Ripton Road (Map 73, Lot 80). Tom Harbinson said he disagrees with this PDD being in an entirely residential zone. They are using the adjacent church as being “non residential” and if you do that for every property next to a fire house, church, school, golf course, cemetery, etc, then many residential neighborhoods in Shelton can be subject to a PDD.

- **89 Okenuck Way, ZBA application for variance to create a new rear lot abutting Birchbank Mountain Open Space and Birchbank Trail.** Tom Harbinson said that Conservation had submitted a letter to ZBA opposing the variance. Bill Dyer went to the ZBA meeting and apparently the drawings presented were different than what Conservation reviewed. No one has had a chance to ask Mr. Dyer about it. ZBA approved the variance.

- **Highland Golf Club PZC #18-20.** Three-lot subdivision. Tom Harbinson said the club is asking for a waiver of the open space requirement because they are not-for-profit. Planning and Zoning has the right to waive that request. Ed McCreery countered that there was a recent court case which determined that Planning and Zoning Commissions cannot make exceptions to their own regulations. Jim Tate said that we don’t want to make a precedent. We need to make that argument. There needs
to be an open space set-aside or fee in lieu of open space as required by the regulations. Otherwise we could have the requirement waived every time someone expresses a hardship or is not-for-profit, like church properties.

- **301 Old Bridgeport Ave, PZC #18-22, 30-unit apartment building** (near Hunan Pan). Currently a single-family private residence. Teresa Gallagher said that Conservation discussed it at the previous meeting, but never made a motion to send comments. Jim Tate said that his complaint is that it looks like a commercial facility. There is no outdoor aspect. No walkway system, no outdoor space. Ed McCreery said it should be attractive and have amenities. [Jim Tate made a motion to send a letter to the Planning and Zoning Commission with the concerns previously stated. Ed McCreery seconded. All were in favor.]

The meeting was adjourned at 8:45 pm.

*Meeting minutes were prepared by Teresa Gallagher and should be considered in draft form until adopted at the next meeting. Audio tapes of the meeting are on file in the Town Clerk’s office.*