City of Shelton Conservation Commission

Meeting Minutes for
November 7, 2018

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

The meeting was called to order at 7:09 pm by Chairman Tom Harbinson.

Meeting Minutes: Sheri Dutkanicz made a motion to approve the October 3, 2018 meeting minutes. Seconded by Bill Dyer. All were in favor.

2019 Meeting Dates: Sheri Dutkanicz made a motion to approve the following 2019 meeting dates: Jan. 9, Feb. 6, March 6, April 3, May 1, June 5, July 10, August 7, Sept. 4, Oct. 2, Nov. 6, Dec. 4. Seconded by Bill Dyer. All were in favor. All meeting dates are the first Wednesday of the month except for the January and July meetings, which were shifted one week due to holidays.

Trails Committee Report. Bill Dyer summarized the Trails Committee meeting held immediately before the Conservation Commission meeting. See the Trails Committee meeting minutes for further detail.

Developments and Proposals:

1. 89 Okenuck Way, 2-lot resubdivision overlooking Birchbank Mountain Open Space and Birchbank Trail. The Conservation Commission previously sent a letter to the Zoning Board of Appeals in opposition to a proposed variance that would allow the resubdivision on the grounds that the new house and yard will be visible from Birchbank Trail. ZBA granted the variance.

   Tom Harbinson asked they had found a hardship. Bill Dyer, who had attended the ZBA hearing, said that yes, applicant Ken Schaible presented an alternative plan that showed Okenuck Way being extended with considerable blasting for rock removal. The hardship was the rock to be blasted.
Jim Tate said the proposed lot looks pretty rugged. The new house would be on a promontory overlooking the brook. Teresa Gallagher distributed copies of the site plan overlaid onto the City’s GIS mapping system, with the new house and property line then highlighted for clarity (see below).

Ken Schaible, 89 Okenuck Way (the applicant), said that he already has his wetland permit. He placed a balloon at the height of the house roof and went down to the pedestrian bridge, and you could see the balloon, but not by much. He could cut all the trees down right now and have his kids put in a quad track.

Terry Gallagher, Trails Committee, said he had drafted up an alternate subdivision map to demonstrate that the new lot could be larger and the house pulled back away from the hilltop overlooking the trail. Ken Schaible responded that he was in the process of building a garage at his residence, and he did not want to lose his side yard, and therefore the new property line location needed to be further south, with the house towards the rear.

Jim Tate asked Ken Schaible: How would you solve the problem we have? We’ve invested a lot of time and money on the open space and trails here.
Ken Schaible offered to expand the conservation easement area. Currently there is a 30-foot conservation easement along the south and east boundaries; this would expand that along the eastern boundary. A line representing the new conservation easement location was drawn on the site plan during the meeting (see photo below).

**Photo of site plan with new conservation easement line.**

**Ed McCreery made a motion to send a letter to the Planning and Zoning Commission stating that Conservation would like to see a new conservation easement placed on the rear of the new lot, with the new line being perpendicular to the side property lines and of a distance 95 feet from the easternmost point of the applicant’s property. Seconded by Jim Tate. All were in favor.**

**The meeting was adjourned at 7:48 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.