City of Shelton Conservation Commission
Meeting Minutes for December 4, 2019

Members Present: Tom Harbinson, Bill Dyer, Sheri Dutkanicz, Jim Tate, Ed McCreery (arrived 7:20 pm).

Also present: Teresa Gallagher, Natural Resource Manager

The meeting was called to order at 7:10 pm by Tom Harbinson.

Meeting Minutes: Sheri Dutkanicz made a motion to approve the November 6, 2019 meeting minutes. Seconded by Bill Dyer. All were in favor.

(Ed McCreery arrived)

Trails Committee Report. Bill Dyer summarized the Trails Committee meeting that preceded the Conservation Commission meeting. For details, see the Trails Committee meeting minutes.

Stockmal Shooting Range: Bill Dyer said that the Trails Committee passed a motion to express its concern to the Conservation Commission about potential target shooting on the Stockmal Woods property near Stockmal Trail. The current owner submitted an application to Planning and Zoning for a private shooting range. Teresa Gallagher said she reviewed the application with respect to the conservation/recreation easement the City holds over the entire property, and gave the opinion that the proposed range was not allowed. A shooting range would be “active recreation” that is detrimental to the public recreational use of the property due to both noise and safety concerns. She also forwarded the application to the CT DEEP for review and they concurred that it is not allowed under the easement. The City received state funding for the easement and is therefore bound under a state contract to enforce the easement.

Teresa Gallagher submitted a letter to Jill Bennett, the current owner, stating those findings, and subsequently met with her and Planning and Zoning staff. At that time, Ms. Bennett said she intended to revise the application in an attempt to address any concerns...
and said there was a misunderstanding about what the shooting range entailed. Her opinion was that target shooting was her right as a property owner. Teresa Gallagher responded that any target shooting would need to satisfy DEEP’s grant compliance unit at a minimum. Ms. Gallagher then reached out to DEEP for their opinion and is waiting for that response. In the meantime, she was looking for feedback from the Trails Committee and Conservation Commission.

*(Ed McCreery recused himself from the topic.)*

Jim Tate said that with respect to target shooting, property owners have rights. However, they sold those rights in this case. People would not want to hike or bring their kids to this trail if they knew there was shooting nearby. Tom Harbinson and Sheri Dutkanicz agreed. Teresa Gallagher was directed to send a letter to Jill Bennett and Ken Nappi clarifying that the Trails Committee and Conservation Commission oppose target shooting on the property because of its negative impact to the public hiking trail and believe that such shooting would be a violation of the conservation/recreation easement due to that impact.

**Shelton Lakes Greenway Brochure:** Tom Harbinson made a motion to purchase 1000 Shelton Lakes Greenway brochures for $495. Seconded by Sheri Dutkanicz. All were in favor.

**Old Applications:**

- **IWC#17-14 Town Center at Shelter Ridge - Bridgeport Ave./Mill Street/Buddington Road. Review of LandTech Report.** *(Ed McCreery recused himself)*. Tom Harbinson said that the Inland Wetlands Commission reconvened their public hearing in order to receive the LandTech report. This report describes the findings of a third party review of documents received by the Wetlands Commission both for and against the project. The Commission will accept public comments that are limited to the LandTech report. Tom Harbinson asked Teresa Gallagher if there was anything she noted about the report. Teresa Gallagher responded that LandTech lists Conservation’s March 2018 submission as something they reviewed, but there is no reference to that submission, which was substantial, anywhere in their report. For example, the LandTech report discusses the vernal pools and the amphibians that may breed in them at length, but there is no mention of the Spotted Turtle, a CT listed “Species of Special Concern” that is documented in nearby vernal pool complexes and which travels overland between such pools and therefore would be expected onsite. This was in Conservation’s report that LandTech listed as having been reviewed. Conservation’s report also discussed the importance of ‘Prudent and Feasible Alternatives’ at length, such as scaling back the project. There is no discussion of this in the LandTech report, even though the concept is a cornerstone...
Jim Tate agreed and said the report was mostly a technical review of the drainage. Deficiencies and omissions were described by LandTech, and Conservation should note each of these. In addition, Conservation should stress the importance of preserving the ridgeline and scaling back the development so it stays east of the ridgeline, which would reduce the impacts of the project. Teresa Gallagher said this goes back to the concept of “Prudent and Feasible Alternatives.” Jim Tate said the ‘no disturbance’ boundary is critical. **Tom Harbinson made a motion for Teresa Gallagher to draft a letter to the Inland Wetlands Commission regarding Shelter Ridge that discusses deficiencies noted by LandTech as well as items from Conservation’s report that were omitted from the LandTech report, with emphasis on preserving the ridgeline. The draft letter will be reviewed by Conservation Commission members prior to submittal. Seconded by Bill Dyer. All were in favor.**

New Applications:

**PZC #19-25, 3-lot subdivision at 103 Meadow Street.** Subdivision received ZBA approval for reduced lot size. Teresa Gallagher noted that there is no open space nearby. Tom Harbinson made a motion to recommend that the applicant be required to contribute a fee in lieu of open space. Seconded by Bill Dyer. All were in favor.

**The meeting was adjourned at 8:15 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.*