

City of Shelton, Conservation Commission
 Minutes for Regular Meeting of Wednesday September 6, 2006 at 7:00 P.M.
 Minutes should be considered a draft version until approved by CC at their next meeting.

Call to Order	2
Pledge of Allegiance	2
Approval of Minutes of August 2, 2006	2
Public Portion.....	2
Conservation Agent Report.....	3
<i>Girl Scouts 7th & 8th grade River keepers at Far Mill River, Pine Rock Park....</i>	<i>4</i>
<i>Ecklund Garden (possible native species garden on Oak Valley Road).....</i>	<i>4</i>
<i>Camping Areas (address long term requests from Girl Scouts, Boy Scout</i>	
<i>Jamboree)</i>	<i>5</i>
Review of P&Z Applications for Subdivisions and/or Development	5
<i>Upper Canal Street Master Plan.....</i>	<i>5</i>
<i>Ianucci Property, Pawtucket Ave. IWC #06-16.....</i>	<i>5</i>
<i>Jeffrey Estates, Mohegan Road PZC #06-40.....</i>	<i>5</i>
<i>Vistas at White Hills, Maple Ave/East Village</i>	<i>6</i>
<i>Any Pending.....</i>	<i>7</i>
Trails Committee Report.....	8
<i>Bridge at Silent Waters Dam</i>	<i>8</i>
<i>Fence at Silent Waters Dam</i>	<i>8</i>
<i>Boardwalk at Lane Street - Leaf Grant.....</i>	<i>8</i>
<i>Huntington Woods Rec Path section.....</i>	<i>9</i>
<i>Miscellaneous.....</i>	<i>9</i>
Communications	9
Conservation Agent Report (cont'd).....	10
<i>Project Safe Trails - Mapping (update on City GIS system efforts)</i>	<i>10</i>
Communications (cont'd)	11
<i>Conservation Commissioner Status</i>	<i>11</i>
<i>Email policy.....</i>	<i>11</i>
<i>Open Space Committee Report</i>	<i>13</i>
Conservation Agent Report (cont'd).....	14
<i>Gates.....</i>	<i>14</i>
<i>Signs</i>	<i>14</i>
<i>Open Space Marking.....</i>	<i>14</i>
<i>City Composting System.....</i>	<i>15</i>
Plan Update Advisory Committee	15
<i>Implementation Schedule.....</i>	<i>15</i>
Open Space Plan Update	16
<i>Statement of Purpose, General Outline.....</i>	<i>16</i>
<i>Labels to parcels</i>	<i>17</i>
<i>Greenways</i>	<i>17</i>
<i>Schedule a Special Meeting date for work on Open Space Plan</i>	<i>17</i>
Clear-cutting of parcels	17
Comments by Members.....	18
Quality of Life – Executive Session.....	19
Adjournment	21

Call to Order

Present: Tom Harbinson, Co-Chairman
Bill Dyer, Commissioner
Hank Lauriat, Commissioner
Jim Tate, Commissioner
Joe Welsh, Commissioner
Ed McCreery, Commissioner (arrived at 8:50 P.M)
Absent: Harriet, Wilber, Co-Chairman
Also Present: Teresa Gallagher, Conservation Agent
Marianne Chaya, Clerk

Pledge of Allegiance

Co-Chairman Harbinson called the meeting of the Conservation Commission to order at 7:00 p.m. All in attendance recited the Pledge of Allegiance

Approval of Minutes of August 2, 2006

Commissioner Lauriat MOVED to approve the minutes from the August 2, 2006 regular meeting. SECONDED by Commissioner Dyer. A voice vote was taken; all were in favor, MOTION PASSED.

Public Portion

Mrs. Nancy Steiner, 23 Partridge Lane, Shelton

Mrs. Steiner stated I wasn't going to speak tonight but since the Girl Scouts are here I will. I am a daily reader of the CT POST. On August 22nd there was an article titled "Restoring Open Space Will Help the Planet". I wanted to point out a few things that were in here because all of us, you and I, help keep our planet healthy, each in our own way, in our own yards, etc. However, this Commission here is the next step in this town for conserving open space which is very important and not cutting down trees, etc., to keep the planet healthy. So these people are doing a very important job. This article kind of explains it. I am going to quote from here. The summers in our state, especially this year have been extremely hot and it's getting hotter. Because our air is losing oxygen at an ever increasing rate, which makes the heat that much more unbearable. We just recently broke another high heat record. I grew up in the same house where I now live. This is written by Shirley Backus who lives in Stratford. The winters were much longer and colder than they are now. Back then Labor Day was really the end of summer. September was the month that leaves turned and there were no leaves on the trees long before Halloween. I see a lot about limiting fossil fuel emissions. Scientists agree that this only delays the inevitable.

Remember that plants, especially mature trees are out opposites. While we're inhaling oxygen and exhaling carbon dioxide, the trees are inhaling carbon dioxide and exhaling oxygen. There simply isn't enough plant life left in the world to support the oxygen levels we need. We are already running out of breathable air. The rising levels of carbon dioxide both from pollution and the daily breathing of all mammalian life, including us, without plant life as a counter-balance, our worsening global warming at a rate faster than scientists have ever predicted. Nicole Spence, another reader, had the right idea when she said cutting down trees in the Amazon isn't helping either, but the problem isn't limited to the Amazon. It happens right here in Shelton. As I drive around Stratford I see at least four areas being cleared of trees and vegetation. If I were to magically transform my own house and yard into a wooded lot it would not replace what has just been destroyed in these four relatively small areas. That's just this year, and that's just in Stratford. I might say it's happening in our town as well. The more trees and brush that we clear out, the faster our oxygen levels will be depleted and the faster the carbon dioxide will worsen global warming. What's really scary is it's happening simultaneously in every town, every city, in every state, and in every country. That adds up to a lot of areas that are no longer able to function as oxygen making pollution filters. No wonder we're running out of oxygen. Why is so hard to understand that we need to restore some of the natural areas we've already destroyed and not destroy any more? How can we do this if the land is being cleared faster than it can be replanted? In a recent documentary on the Discovery Channel it was alarmingly stated that we will be unable to stop the end of the world as we know it in as little as 10 years. I think Al Gore was behind that. Does that mean that the children of today won't live to have children of their own? It takes at least 50 years to grow a fully mature tree. Do we wait any longer? Few people worry much about preserving open space. I do, and these people do. Most wouldn't consider tearing down a building to build a wooded lot. It seems almost everyone is worried about the economy and the expense of emission controls. But what can be more important than saving the world? Each of us has their own ways. I know in my property if we think a tree is sick or we don't like where it's planted we have a major conference whether we should cut it down or not and we almost always leave it as it is. On the next level up these people are concerned about the same things we all are. I wanted to point out that this is a very important Commission and I hope you enjoy tonight. I come quite often and you learn an awful lot by coming. Thank you.

Co-Chairman Harbinson said he would jump to the agenda items related to the Girl Scouts if there were no objections.

Conservation Agent Report

Conservation Agent Gallagher stated that items **iii**, **iv**, and **v** on the agenda relate to the Girl Scouts:

Girl Scouts 7th & 8th grade River keepers at Far Mill River, Pine Rock Park

Agent Gallagher reported that she was copied in on some correspondence between John Anglace and Gil Pastore regarding the continuing problems they have with the swimming hole and Far Mill River. Since I became a Girl Scout leader this year I will be more involved. I contacted some of the Girl Scout leaders and troop 512; the 7th & 8th graders will start on Tuesday cleaning up the swimming hole. Agent Gallagher suggested setting up a River Keeper idea to keep this as an on-going process.

Commissioner Lauriat said that a few months ago they got a visit from Gil Pastore with a sack of trash and an interesting video. He did some detective work in identifying where the trash originated. He found that some start from the Huntington Center area and lunchtime trash from Bridgeport Ave. It might be fun to find out where the trash is coming from and maybe come up with some type of sign saying something appropriate about the trash.

Co-Chairman Harbinson gave the Girl Scouts a brief description of the Commission; the appointments, the tasks, and discussion of the “greenways” in Shelton. Beautification of the open space helps protect the quality of the Far Mill River, in this case. We thank you for taking on this project.

Ecklund Garden (possible native species garden on Oak Valley Road)

Agent Gallagher stated I emailed everyone some pictures of Ecklund property. The idea there is that there used to be a building there and there are some old stone walls and walks right on the edge of Dominick Trail, near Hope Lake/Knells Rock Reservoir. I think it would be a great place to have a native species garden to showcase. We could maybe have plaques or signs for each one. There are similar botanical gardens, such as Arcadia National Park.

Commissioner Lauriat mentioned some botanical gardens that he knows of.

The Commissioners and Agent Gallagher discussed the area and what may be needed to get this started. Agent Gallagher said that she walked the area with the Girl Scouts and what they need to know is if the Commission is interested in this and what is the next step? Do we need permission from the Board of Aldermen and do we need more definitive plans?

Co-Chairman Harbinson said I think a definitive proposal would be needed to evaluate whether we would need the Aldermen approval or not; perhaps even just talking to the Mayor.

The Commissioners said that they felt this is a good project and that Agent Gallagher should include in the proposal some of the types of species.

Agent Gallagher mentioned that it is a pretty long area and that they could start small and then work on gradually expanding.

Commissioner Dyer said it would be a good idea to have an area where you could park cars.

Camping Areas (address long term requests from Girl Scouts, Boy Scout Jamboree)

Agent Gallagher said that this is a long-term project for camping areas. This camp would be small and open to organizations such as Girl Scouts, Boy Scouts, Jaycee's, etc. This would be very similar to what they have for Webb Mountain Park (Town of Monroe).

Co-Chairman Harbinson asked if this was the best location (the Ecklund property off of Oak Valley Road) for such use of open space in town? Agent Gallagher said it was the coolest location and where she prefers to camp. The only downside is that there are neighbors just 400' away.

Jim Tate suggested that Agent Gallagher talk with the Mayor and the Commissioners agreed that they were in support of this endeavor.

The Commissioners thanked the Girl Scouts for coming and they wished them luck with their projects. They said that they are very excited about it and thanked the Commissioners.

Review of P&Z Applications for Subdivisions and/or Development

Upper Canal Street Master Plan

Co-Chairman Harbinson stated the Commission had a field walk before their meeting last month. He said I understand through Rick Schultz and Jason Perillo that they are going to set an alternate date where they can have a number of organizations meet in one site walk-through.

Ianucci Property, Pawtucket Ave. IWC #06-16

Co-Chairman Harbinson reported that the applicant withdrew their application to the Inland Wetlands Commission. Commissioner Dyer stated that it would probably come back with one less lot.

Jeffrey Estates, Mohegan Road PZC #06-40

Co-Chairman Harbinson reported that Planning & Zoning has received our letter but I don't that they have taken any action.

Agent Gallagher stated that they did. It is now at the Board of Aldermen.

Vistas at White Hills, Maple Ave/East Village

Agent Gallagher reported that Rick Schultz set up an appointment with someone from Toll Brothers (Chris Bennett). Mr. Bennett told Agent Gallagher that it was the first he heard of the Conservation Commission's concerns.

Commissioner Lauriat stated that he went to the P&Z meeting (at the development's approval time) and handed out photos (passed around to Commissioners). The photos were taken before Toll Brothers started the project that shows the old New England stone wall as it was plus the trees. The only tree left there is the big Shagbark Maple (on the left in the photo). The stone wall is all but gone.

The Commissioners discussed the location of the photo.

Commissioner Lauriat said that he wanted to take pictures of it now but the camera died.

Agent Gallagher said that Mr. Bennett reported that they are quite a bit ahead of schedule for their sales. Sales are still going good and they are doing some creative financing to keep things going. Some of the buyers are complaining that they are not going to be able to sell their existing houses. Toll is working with them to pay their existing mortgage until they sell their existing home.

There was discussion about the whereabouts of the stones from the stonewall and Co-Chairman Harbinson said he understood they were to stockpiled on the property.

Agent Gallagher said that Mr. Bennett told her that they could grade and re-seed most of the open space this fall. The trailer would stay for now and there is a little pull-off area for parking. The access road would stay for the fall.

Co-Chairman Harbinson asked Agent Gallagher to find out where the wall stone is. Check the minutes from the Planning & Zoning approval to make sure that the stone wall was a condition of approval.

After discussion of what should be done with the stonewall and the open space area, Commissioner Tate said that we should think about it plus find out what the conditions of approval were from P&Z.

Agent Gallagher asked if Lot 37 was the one where the City was interested in buying. She said that there is a prospective buyer for the lot for about \$350,000.

City of Shelton, Conservation Commission
Minutes for Regular Meeting of Wednesday September 6, 2006 at 7:00 P.M.
Minutes should be considered a draft version until approved by CC at their next meeting.

Co-Chairman Harbinson pointed out the proximity of the Reznick's property and as the open space would be dedicated according to indications from P&Z, they were looking for creating something continuous. But the way they approved Toll Brothers development, there is really no access through without that lot.

Commissioner Tate asked how did it all end up with our latest go-around?

Co-Chairman Harbinson said that there was some discussion that the City might buy one of the lots, most likely lot 37.

Agent Gallagher asked about the concern over the pent-way.

Co-Chairman Harbinson replied that our interpretation was that you would be able to access this pent way as open space but the problem is that you can't go anywhere.

Agent Gallagher said that it is not even shown as part of the development.

Commissioner Tate answered that it's not. The boundary wall is to the back of the rear lots (pointed out).

Co-Chairman also pointed out that when they looked at the plans we looked at the pent-way (we do own the open space from the center of that pent way to the property line of those lots).

Commissioner Lauriat recalled that we recommended that be held as City Open Space, but didn't think it happened.

Co-Chairman Harbinson said I do recall that we wanted the lot lines to be on the other side of the stone walls and the stone walls of the pent way to be City owned. It is not shown that way on this map.

Commissioner Lauriat also mentioned that we squawked about where they had their water runoff down the hill. They were directing it all to run off onto Land Trust property. We at least got them to move the detention pond.

Commissioner Dyer pointed out that we did lose the trail from French's Farm down to the Land Trust property.

The Commissioners told Agent Gallagher to go ahead and tell Toll Brothers to grade and seed the slopes and to show the pictures to them.

Any Pending

None

Trails Committee Report

Commissioner Dyer reported as follows:

Bridge at Silent Waters Dam

The bridge over Silent Waters Dam is due to arrive here on October 13. We need the foundations. Commissioner Dyer will set up a meeting with the Mayor regarding the work that needs to be done for the foundation – such as clearing the area, which should be done by Parks & Recreation. The foundation designs were done. We also have to have the hole dug, the foundations poured, and then the bridge can be placed. We need to hire a crane service such as quick-pick. Commissioner Tate suggested to book the date now.

Commissioner Tate MOVED to authorize payment for the for 75% completion of the scope of work for engineering services for the bridge project. The expenditure comes from the Consolidated DEP Grant. SECONDED by Commissioner Lauriat. A voice vote was taken; MOTION PASSED.

Fence at Silent Waters Dam

P&C Fence, Stratford. I met with a new project foreman (Dave Bell) on Sunday and walked the property. There will probably be a new design and Commissioner Tate and I can come down to review the design and approve if ok. I told him we are not wed to the approach; but we are wed to the price and the quality. He would get back to me this week.

Boardwalk at Lane Street - Leaf Grant

They have gone in removed the invasive species. Now is the task of how to keep them from coming back. I suggested coming in with a bobcat, scrape the Rec Path; put down the weed block and put gravel on top. Commissioner Dyer asked Commissioner Welsh if he should just buy the materials for the boardwalk and just get reimbursed.

Commissioner Welsh said he would check with the Land Trust Treasurer and will get back to you.

Commissioner Dyer said he wants to get started this month. We did get approval from I/W Commission and the condition of approval was that they not use pressure treated wood but the new type of plastic lumber such as Trex. This is more expensive than the regular pressure treated wood. The cost of pressure treated wood for this project would be about \$2500 and if we used the new type, such as Trex, it is about \$3300. Commissioners Dyer and Welsh said they would further discuss the details.

Tape 1, Side B

Huntington Woods Rec Path section

Regarding the Inland Wetland permit for entire Huntington Woods section from Wesley/Lane St. to the power lines, Jim Swift is preparing the permit. Regarding the trail work in Huntington Woods – I talked to Rick Schultz and he has the \$60,000 in funds resulting from Huntington Woods development approval. I suggested using that money to hire an architectural firm to do a cross-section drawing and engineering for the entire Rec Path. I want this to start at Lane St. and go all the way to Constitution Blvd, with an obvious gap in the middle. I need to know how to get it started.

Co-Chairman Harbinson said to give P&Z staff the direction that the \$60,000 would be best spent for design of the Recreation path from point A to point B, and filling in the details and ask them to carry forward with it. Commissioner Tate offered to help with some of the details for the RFP. There was discussion regarding the use of the \$60,000.

Miscellaneous

Eagle Scout projects are on going. Regarding any results of ATV enforcement after meetings with Police and EMS, Commissioner Dyer said that all he knew was that they all the ATV users get together as a party. Commissioner Welsh stated I can't enforce it and can't be out there every minute to watch what's going on. Eventually an accident or a fire will happen and then people will pay attention. People are looking into it but it's not going to produce the results we were looking for.

Communications

Co-Chairman Harbinson reported on the following communications:

- Letter from the DEP reminding us about the America The Beautiful Grant.
- Article from the CT Post regarding the Locks.
- CT Farmland Trust. Celebration of CT farms. It is being held this year at a farm in Sharon, CT. It is Sunday, September 10th, \$150 a ticket.
- Various Farmland Trust brochures. Agent Gallagher has a huge box if anyone wants to drop of the brochures at any location.
- CT Council on Environmental Quality annual report and brochure.
- American Farmland Trust magazine
- Nature Conservancy 2007 calendar
- Memo regarding Willow Estates Subdivision stating that they have forwarded documents to Corporation Counsel for review.
- Notification that was in the CT Post forwarded from Irving Steiner that there is some activity on River Rd. at the old Emhart property. They are

doing the remediation work. Inland Wetlands is supposed to get a copy of the remediation permits near wetlands and title areas.

- Copied on notice of violation at Split Rock from Inland Wetlands. There is a dry laid stone boulder wall that collapsed in close proximity to regulated areas resulting in excessive sediments.
- Letter from Irving Steiner that we were copied on that is addressed to P&Z. It is give P&Z the concern that before they give their approval or disapproval of an application that they receive commentary from Commissions such as ourselves or Inland Wetlands so that it would place them at less risk for a legal challenge of their decision.
- Various water diversion activity permits. If you want to find out about them the DEP has a web site in which to do that. This primarily has to do with hydro-electric plants and flood management issues. In our end of town that would be the Ousatonic Dam. I don't think there is any activity going on that would affect us.
- Letter from Alderman John Anglace to a Ron Pickowitz, a resident on Mill Street. We were courtesy copied. It talks about some rubbish and garbage along Mill Street and we have open space along there. His concern was how to best undertake getting that cleaned up by the City or a volunteer force. Agent Gallagher stated that she called him up and offered her help as she lives nearby.
- An article regarding Invasive species such as Russian Olives are bad here but apparently they are good windbreaks in the farms in North Dakota.
- Memo from Charlene DeFilippo regarding the LOCIP program. This is regarding documentation of monies expended from grants.
- In looking at the ZBA meeting, there doesn't seem to be anything involving us except an item regarding White Hills homes getting a certificate of approval regarding a lot on Meadow St.

Co-Chairman Harbinson said that since Regis Dognin has come for the presentation of the mapping that this would be taken next.

Conservation Agent Report (cont'd)

Project Safe Trails - Mapping (update on City GIS system efforts)

Regis Dognin presented copies of the latest GIS map that he has been working on for many months. He detailed the legend and the layout of the map. Regis and the Commission reviewed and discussed the map and noted a few errors. Regis asked if everyone would take some time to review it and get back to him on any areas that are incorrect. Regis also asked the Commissioners to help with the open space numbering designations.

Communications (cont'd)

Conservation Commissioner Status

Co-Chairman Harbinson reported that, as you know Harriet sent the Mayor a letter of resignation and the Mayor has written her back and is not accepting. She is too valuable to the Conservation efforts. I think we can recognize Harriet for her many years of work. I will work with Teresa in doing something next meeting to recognize her and her efforts.

Co-Chairman Harbinson said that Agent Gallagher will be working with Rudy (City webmaster) to update the City's webpage related to our Commission.

Email policy

The following is the draft of the Notice of Special "Meetings" that will be posted on the web site:

+++++

Note: If you have questions regarding this subject, contact Conservation Agent Teresa Gallagher @ 203.924.1555 x315

TO: Clerk, City of Shelton – please post publicly
September 6, 2006

Adopted:

The Conservation Commission requires email communication to function efficiently. One example is to exchange timely note of open space or similar issue violations witnessed in the field by Commissioners or our Natural Resource Agent. Such communication may contain pictures, video, audio and text as attachments to such email communication.

Email among commissioners does not use any public facilities, rather it travels over the internet and is retrieved via service providers each commissioner chooses to use personally. The Freedom of Information Commission considers email communication to or among a quorum of members to be a "meeting". FOI rules state that meetings must be noted in advance, accessible to the public, recorded and available for public review.

Our Commission has received no FOI complaints; however it is taking a proactive approach in support of open government. It has tested a system that will in our opinion satisfy the requirements of the FOI Commission, and allow the necessary use of email as a communication medium for the Conservation Commission to function efficiently on behalf of the public.

This system is provided freely by the search engine company Google. It is their "groups" service and the Conservation Commission has created a group within

City of Shelton, Conservation Commission
Minutes for Regular Meeting of Wednesday September 6, 2006 at 7:00 P.M.
Minutes should be considered a draft version until approved by CC at their next meeting.

which will be published, all emails containing Commission related business transmitted to a quorum of members.

Only the Commissioners as members of the group can cause publishing of messages which are sent from email addresses that they have registered with the service.

Only discussion among or notification to Commissioners can take place using this "meeting" methodology, thus there is no "public portion" at these "meetings" via replies or commentary from the public at large. No decision or motion to take action can take place during such electronic "meetings".

The "groups" service represents that it publishes email communications within 10 seconds of having been received from the sender. Some communications are archived within 10 minutes on an index for digital search purposes. These have been tested as accurate representations, but are subject to the internet's communication speeds.

There is no registration requirement to view email "meetings". They can be viewed on any device that connects to the internet and uses a browser. This includes computers, personal digital assistants and phones. Internet access is available privately from various providers via telephone lines, cable television lines, and wireless radio signals. If one does not have private access to the internet, it is available freely at all public libraries.

It naturally can not be predicted when messages may be created by Commissioners and thus published by the service. Public wanting timely notice of messages being published can do so using an "alerts" service which has capability of sending notice to numerous device types that an update has taken place in our group's publishing area. This does create the possibility of public viewing a "meeting" before a Commissioner receives the message that created the "meeting". Given this virtual nature of time-shifting, there is no definition or possibility to "attend" a meeting.

The virtual location for the Shelton Conservation Commission's email "meetings" is at: <http://groups.google.com/group/sheltoncc>

Real-time notification of messages that create an email "meeting" can be done through an "alerts" service which is more fully explained among the "group" service's web-pages.

Notice of our internet location for possible email "meetings" will appear in every agenda.

+++++

Co-Chairman Harbinson explained that if this is a workable way around being able to communicate by email and still satisfy the FOI rules so we should do it this way.

Commissioner Tate asked for an explanation of what this means.

Co-Chairman Harbinson explained that any time you send an email related to a Conservation item which would be a quorum for discussing; we would send it to the email address set up for the Commissioners. When you send this email out to that address it will automatically broadcast it out to every Commissioner and be posted on that group service website.

Tape 2, Side A

Members of the public will “attend” if you will by reading the emails but will not be able to participate into the discussion. Because this is a special meeting according to the FOI rules this is going to get posted on the City Clerk’s bulletin board.

Commissioner Lauriat MOVED to adopt this policy for the Conservation Commission’s email communications. SECONDED by Commissioner Dyer. A voice vote was taken; MOTION PASSED.

Open Space Committee Report

- Open Space Ordinance – The Aldermen passed the ordinance at August 10th meeting and then the Mayor gave a non-approval letter to the BOA Clerk on August 17th. The Aldermen will meet again on September 14th and have the option of re-passing it or not doing anything, in which case they would have to go through the whole process again with public hearings.
- Open Space Trust Account – We did not get an updated balance of the account from Finance. Part of the Open Space Ordinance is that the Open Space Committee’s tasks be folded into the Conservation Commission. Since they didn’t pass the Ordinance, we can’t officially report on the account. The Open Space Committee has disbanded and Dave Zamba, the Chairman, has notified the Community Center that the room is no longer needed. As of the last update from the Finance Committee, there was a balance of \$172,148.41.
- The Open Space Ordinance does clearly state what the account could be used for. It can be used for open space needs such as identification, determination of suitability, purchase of land, title searches, appraisals, title insurance, etc., in conjunction with the Open Space program. Funds may also be used for the development of plans regarding the desirability

and use of lands designated as open space. For example, if you wanted to use the Open Space Trust Account to develop a plan for the use of open space for a recreation path, you could do that. But you couldn't use the money to pave the path, buying kiosk materials or signs.

Conservation Agent Report (cont'd)

Gates

Agent Gallagher reported that this item went over to the Trails Committee. Commissioner Dyer said that he was looking into buying gates.

Signs

Agent Gallagher asked the Commissioners to review the map attached to her report and had been emailed to each Commissioner.

Commissioner Dyer MOVED to authorize Conservation Agent Gallagher to work on her own or with volunteers to put all the signs we acquired outlining the Open Space Regulations at the locations noted on the map of the Trails of the Shelton Lakes Greenway. SECONDED by Commissioner Lauriat. A voice vote was taken; MOTION PASSED.

Open Space Marking

Agent Gallagher reported that she spoke with Tracey Lewis about how other towns mark their open space in terms with either pins or monuments. It cost about \$100 a corner to put in an iron pin. It cost about \$200 for a concrete monument. Most towns put in the pins and may put in a monument if it is an important property line. One town turns the concrete monuments upside down and paints them green. I would recommend in general pinning the corner and if it is a particularly important corner to put in a monument. The important thing is if that gets communicated to Planning & Zoning, ideally that would be written into the regulations.

Commissioner Lauriat said that whenever he had to try and find out where corners were on the Land Trust property there were always pins to be found with a metal detector. We have had good luck with it.

Co-Chairman Harbinson said one thing I thought about is, while we have a lot of open space parcels we should think about areas where an open space parcel is probably going to have another piece next to it amalgamate to create a bigger space. For instance, Shelton Lakes; If we had pinned some of those parcels that were in the center of those areas it would be kind of useless after you get a Pagliaro piece next to it.

Agent Gallagher pointed out that the most important lines are when you've got houses next to open space.

Co-Chairman Harbinson instructed Agent Gallagher to identify locations like that which would be appropriate so that we can get a sense of the scale of the task.

Commissioner Tate said there are ones that are needed to protect against violations and if we can get P&Z to back us up. We should write down exactly what size bar we are going to use for consistency sake. There are also plastic caps that are made for the bars. If we leave the bars up too high you could potentially trip over it. The plastic cap is coated and could be numbered or written on to indicate "Shelton Conservation" or Shelton Open Space" and can be in various colors. It would be flush to the ground and be readable plus you could still use the metal detector to find it.

There was discussion of the use for the future and maybe some existing locations where there is a possibility of encroachment, such as the Mayflower Lane open space area.

City Composting System

Agent Gallagher stated I have not looked at that issue yet.

Agent Gallagher said that we have a person here tonight, Carol Poland, who is interested in becoming involved with the Conservation Commission. When we have an opening we can advise the Mayor that she is interested in joining.

Plan Update Advisory Committee

Implementation Schedule

1. Open Space set-aside of 15%. This is one of the recommendations in the 2006 Plan of Conservation and Development. I think we should send a letter to P&Z to move forward in trying to implement this task item.

Commissioner Tate MOVED to have Agent Gallagher write a letter to Planning & Zoning stating that the Conservation Commission would like them to consider moving forward to implement the task item stated in the 2006 Plan of Conservation and Development of requiring a set-aside of 15% open space for future subdivision developments. SECONDED Commissioner Dyer. All were in favor, MOTION PASSED.

2. Ensure public access to the Housatonic River. This was a policy listed in the plan. CRRA has a closure plan that Co-Chairman Harbinson said he saw at an information meeting at Long Hill School for the residents after the last gas leak. Agent Gallagher was instructed to touch base with Rick Schultz to find out if this

closure plan going to be implemented in the near future. As part of the closure plan they showed a very nice landscaping at the landfill entrance with stone walls. There was a parking area set aside for people who may want to take a hike around the lagoon or launch a canoe. There still will be some areas of the landfill that will always be off-limits to the public.

3. Scenic Resource Inventory. There is a task in the plan titled Scenic Resources and the task was to do an inventory of them. Think over the next month of how we would go about putting together an inventory of all the scenic resources in town.

Open Space Plan Update

Statement of Purpose, General Outline

Commissioner Tate said that what we want to tell someone is why we are doing the plan update and how we intend it to be used. It follows that we can do that through the plan. I would highlight the changes in the first paragraph to say something like, "given our history of open space acquisitions we've found additional greenways that need to be protected noted as". In the front of the update you would have what is successful in our plan update. For instance, the Executive Update we used for the Plan of Conservation and Development was probably one of the most successful elements of the plan. I think we ought to borrow that approach and put it right up in the front.

Agent Gallagher said I had started an outline and what I did from the last time was to add elements from the farmland and forest preservation because that was not formally adopted.

Commissioner Tate suggested to put the applications for farmland preservation in the back of the plan as exhibits and at the next meeting do a mock up of what you have come up with.

Agent Gallagher said she would email it to give the Commissioners time to look at before the next meeting.

Commissioner Tate pointed out that when Agent Gallagher is outlining this that there are some differences between farmland preservation and open space. One requires a certain dialog that usually involves grants, contributions by a private party and other interface situations that can become complex and usually needs consultant advice on it. The farmland preservation needs to be separate from the general open space preservation work. There needs to be a distinction or clarification of the Land Trust. Another item that needs to be addressed is the farm buffer protection. This becomes important if you are dealing with subdivision intrusion or where you have a use of properties where there is a

commercial agricultural use abutted to a residential use. This is a big element in farm preservation.

Labels to parcels

Co-Chairman Harbinson said that we talked with Regis Dognin about labeling parcels and the no-count parcels and disposable parcels. We should eliminate such labels and just call them all open space, continuing the numbering as it is now.

Agent Gallagher asked about classifying the properties. When classifying it you don't want to include the parcels that, for instance, would later become a road.

Co-Chairman Harbinson said that first you have to determine which properties designated as open space are going to be permanently or deed restricted open space.

The Commissioners had a detailed discussion regarding the open space designations.

Greenways

Co-Chairman Harbinson reported that we talked last month about the corridors where Agent Gallagher had some ideas about formally recognizing them as areas that had developed as greenways, such as Ivy Brook, Trap Falls and Long Hill area. I think that they are worthy areas of being formally recognized as greenways, because we have targeted and accumulated open space there as we've been trying to do over the years, due to them being beneficial areas of being greenways. So we will add these to the greenway corridors along with the existing greenways of Far Mill River, Housatonic River, Shelton Lakes and Means Brook.

Schedule a Special Meeting date for work on Open Space Plan

The Commissioners decided they would just continue as they have and not schedule a special meeting.

Clear-cutting of parcels

Commissioner McCreery stated that he never heard anything further back from Tom Welch so I suggest we send it on to the Board of Aldermen.

Commissioner McCreery MOVED to send the proposed tree-cutting ordinance to the Board of Aldermen. SECONDED by Commissioner Lauriat. A voice vote was taken; MOTION PASSED.

Co-Chairman Harbinson stated, as you may be aware, that the Board of Aldermen approved putting on the referendum \$4.3M for the acquisition of the development rights to the Jones Farm. What you might not be aware of is that regarding the USDA grant we were awarded; there were 27 applications to that grant program from the State of CT. Shelton's application got 1/3 of the money allocated to the state of CT. As you all are aware, but the public may not be, the USDA carefully evaluates all the applications and they obviously thought this was a very worthy application for them to contribute to. I hope all the residents overwhelmingly vote in favor to show their support of this direction.

Comments by Members

Commissioner Lauriat asked if anyone has heard about the little strip of land by Murphy's Lane boatyard. It was noted that it never came to this Commission. There was discussion of the details of the property.

Commissioner McCreery asked about the potential of developing that little area given what's been happening along there recently? It was suggested that perhaps they just want that excess property to better develop their lot. Another suggestion was that the City take it and deed restrict it so that you can't do certain things. First you would have to look at it to see if there would be value in that.

Commissioner McCreery said he wouldn't want to see another River Edge type condo development just as there is down the street.

Commissioner Lauriat asked what about letting whoever it is buy it, not the City, and when they produce their plan of development take the 10% for open space.

Co-Chairman Harbinson pointed out that only if they subdivide it would the 10% come into play.

Commissioner Lauriat said he thought they were building condos there.

It was mentioned that there are all kinds of rumors going on about this parcel. Anytime you do any development by the river you would have to have a Coastal Area Management plan.

Commissioner McCreery said that you can't count on the CAM plan being the protection if the local planning group doesn't care.

Co-Chairman Harbinson said he did walk the area and it does have invasive type vines and if removed it wouldn't really impact the view from either side (meaning the view of the river from the road, or the view of the river hillsides from the river). I am not sure it really has an open space value to it.

Commissioner Tate informed the Commissioners that at some time the Historical Society would be building a carriage shed to house an old school "carriage". It will be historically accurate, as best as possible, and Phil Jones is donating most of the wood. If you are interested in donating some time this fall the first step will be to have a low stone foundation built around the perimeter. It will be 22'x36' structure that will be in the back corner. We are going to try to get blacksmiths to make the hinges and things like that, and we will have people working different segments. If you are interested in helping, let me or the History Center know. The center just acquired a book-cutting machine that was manufactured in Shelton-by-Shelton Manufacturing Co. in downtown. It has been in use in Cheshire since up until last week. It was originally powered manually but now it's electrified. It will be put in the barn. It was a huge piece of cast iron made to shear paper off the books.

Quality of Life – Executive Session

Commissioner Lauriat MOVED at 9:35 P.M. to go into Executive Session to discuss possible land acquisitions, inviting the clerk, Marianne Chaya, to stay for the session. SECONDED by Commissioner Dyer. All were in favor, MOTION PASSED.

Commissioner Lauriat MOVED at 10:15 P.M. to come out of Executive Session. SECONDED by Commissioner Dyer. All were in favor, MOTION PASSED.

The action items resulting in the Executive Session are:

- Agent Gallagher to investigate the ownership of the parcel discussed in Huntington.
- Commissioner Tate and Commissioner McCreery will discuss with the property owners the two applications to the Farm and Forest Preservation Program.
- Commissioner Welsh and Commissioner Dyer will discuss with various property owners the several properties for possible acquisition as open space.

Commissioner Lauriat MOVED to authorize Agent Gallagher to write a letter either Monty Blakeman or Huntington Woods Homes regarding his proposition for use of the soon-to-be City Open Space, formerly UI property on Buddington Road, that the Conservation Commission feels that it should remain as open space in its entirety as previously stated at numerous meetings. SECONDED by Commissioner Tate.

Discussion:

City of Shelton, Conservation Commission
Minutes for Regular Meeting of Wednesday September 6, 2006 at 7:00 P.M.
Minutes should be considered a draft version until approved by CC at their next meeting.

Commissioner Dyer said I am opposed. I think we have the right as a Commission to look at the City as a whole and not look at any one specific piece of property. I think there may well be a significant benefit to the City of Shelton as a whole to take a look at a proposal, not to blindly accept it. If a concept can be done such that the corridor is certainly preserved; there is no issue there. If the only property that actually gets developed is the property on Doe Place, but more houses than a single one obviously or he wouldn't do it, I think it's in our best interest not to write letters, not to do anything until something comes before us.

Commissioner Tate said we already looked at it.

Commissioner Dyer said we strongly recommended buying the property, and as a result of that instead of the "no-brainer we'll go ahead with Monty's proposal"; they voted to buy it. That is going to happen. Now we have to make sure that it does get bought – that the money gets transferred from the City to the UI so that the City then owns it. At that point if any person wants to come into the Commission and present a plan to show how he feels the City can benefit from this concept, we should at least listen to it. I don't think we should be writing letters to say no matter what you are going to present to us, we are not interested.

Commissioner Welsh asked, didn't they send us the letter proposing that they would be improving the road?

Co-Chairman Harbinson responded no, we never got it in a letter form.

Commissioner Tate said that he thought that our letter wouldn't say - no matter what, we wouldn't look at it. I think what we are reiterating is our original comments. We are writing a letter reinstating what we already know.

Commissioner Dyer asked to whom?

Commissioner Tate said that he understood it has not been purchased yet. Why would you have a meeting with them?

Commissioner Dyer responded that they are trying to convince this Commission.

Co-Chairman Harbinson stated that if they are trying to convince this Commission then perhaps they should meet with the entire Commission.

Commissioner Dyer agreed.

Discussion continued whether it was necessary to send a letter.

Commissioner Lauriat withdrew his motion and Commissioner Tate withdrew his second to send the letter as stated above.

Co-Chairman Harbinson directed Agent Gallagher to send a memo to the Board of Aldermen to remind them of the deadline by which they have to send in the final payment for the purchase of the UI property.

Adjournment

Commissioner McCreery MOVED to adjourn. SECONDED by Commissioner Welsh. All were in favor, MEETING ADJOURNED at 10:25 P.M.

Next Regular Scheduled Meeting: October 4, 2006

Respectfully submitted,

Marianne Chaya
Clerk, Conservation Commission
2 tapes are on file in the City/Clerk's office