

Conservation Commission Meeting Minutes

March 2, 2005 7:00 p.m.

(These minutes will be approved in the Conservation Commission's next meeting on April 6, 2005.)

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1.0 Call to Order/Pledge of Allegiance

Co-chairperson Harriet Wilber called the March meeting of the Conservation Commission to order at 7:11 p.m. in Shelton City Hall, Room 303. The Pledge of Allegiance was recited.

Attending: Chairperson Harriet Wilber, Commissioner Jim Tate, Commissioner Joe Welsh, Commissioner Ed McCreery, Commissioner Bill Dyer, Conservation Agent Jimmy Pjura.

Not Attending: Co-chairman Tom Harbinson, Commissioner Hank Lauriat

Guests: Attorney Thomas Welch, Mr. George Sender

5.0 Discussion with Attorney Thomas Welch regarding Conservation Easement Ordinance

Atty. Welch began with an update that he will expect an injunction hearing on the violation on Nature's Lane to be held the end of March or the first week of April.

Regarding a proposed conservation easement ordinance, Atty. Welch established the following:

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1. The City has an open space ordinance, but needs a conservation easement ordinance with enforceable penalties to be used when a violation occurs.
2. The content of a conservation easement may vary. Some activities may be allowed on a case-by-case basis, such as a trail, agriculture purposes, timber cutting, etc. Easements may be for public use or for private use. They remain in one homeowner's domain.
3. A standardize form is needed for each conservation easement. Restrictions will be outlined and exceptions will be so noted. The Conservation Commission and the PZC can approve the easement without it having to go before the Board of Aldermen.
4. Penalties can be monetary and/or restoration to the original state of the property.
5. Written in the form can be that the City has the right to inspect the easements every six months.
6. Notice to the homeowners of the easements on their properties is important. This should be done when the home is bought. Perhaps notification could be sent along with the tax bill.

Atty. Welch stated he will prepare a new ordinance and will send it back to the Commission in preparation for next month's meeting. He will talk to Board of Aldermen President John Anglace indicating the Commission has a proposal and once the Commission approves it, Atty. Welch will send it to the Board of Aldermen and then the aldermen will have a public hearing on it. He stated he will prepare the conservation easement form as part of the ordinance. Atty. Welch left the meeting.

6.0 Subdivisions

Extension of Tuxedo Avenue - George Sender

George Sender of 112 Perry Hill Road, Shelton, attended the Commission's meeting in regard to his

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request to purchase two City-owned lots on Tuxedo Avenue which were discussed in last month's meeting.

He recently brought a new set of plans to Mr. Kulacz, city engineer. Mr. Kulacz and Mr. Sender's engineer will evaluate the new set of plans.

Looking at his map, Mr. Sender stated the road extension has been shortened. He pointed to the lot he now has, and lot 29 and lot 31 on the easterly side of Map 93B which are the lots he would like to purchase from the City to merge all three lots together as one lot to build a house for himself. He will also be building on the westerly side of Map 93B lot 56 and the rear of lot 79.

Comm. Tate asked according to the city engineer's letter of December 29, 2004, it stated Mr. Sender would be constructing 1:1 riprap slope on both parcels. He asked if Mr. Sender will still be doing that. Mr. Sender said no, that was done to accommodate a third lot that was on the westerly side that is no longer included in the plan.

Also, Comm. Tate stated from the engineer's letter Mr. Sender was proposing three unaesthetic 15 foot tall retaining walls in order to construct three homes with a 1:1 slope and asked him if he had any 1:1 slopes proposed. Mr. Sender answered no. Comm. Tate asked Mr. Sender if he had any 15 foot high retaining walls on his property. Mr. Sender answered no, he like to do terracing instead.

Mr. Sender stated the new set of plans is a revision. The third lot on the westerly side is being dropped, the cul-de-sac is shortened, and the riprap is done away with. The Commission and Mr. Sender discussed the property and where he would place his building.

Looking at Map 93B, Chairperson Wilber stated the City now owns lot 53, not shown on the map, as the result of a foreclosure.

Chairperson Wilber stated to Mr. Sender the swap of of lot 29 and lot 30 makes sense, if the Board of Aldermen agrees to it. Their ordinance does not cover swapping land. The Board of Aldermen would have

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to be convinced it would be a good deal to do. Chairperson Wilber said she would not want to give up lot 31 because the City of Shelton has a good block of all wooded open space there now, and if more land could be obtained there, it would be an even better block for this densely developed neighborhood.

Mr. Sender said he doesn't need lot 31, but he would be willing to buy it if the City was willing to sell it.

Comm. Tate stated it is City of Shelton land with a nice wooded buffer on a steeper slope. He said it is in the City of Shelton's best interest to give up any buffered land to a road way that is now wooded and mentioned there is no problem with the swap because that property is negated anyway by the development on both sides of it, and the adjacent land adds to that which would be good for the City. Comm. Tate would not devalue the neighborhood by trying to create more development there. In addition, if the City of Shelton were to sell that property, he would be concerned if severe walls, stabilization or an engineered solution needed there that might put the City in jeopardy. Comm. Tate stated there would be no sense to go to that risk. He stated O.K. for the land swap and the existing City land including lot 30 which becomes City of Shelton land, 31, 32, 33, 54 and 53 all remain City of Shelton land with no disturbance with cutting of trees, no drainage structures, or anything else.

At 7:50 p.m. Comm. Tate made a motion to send a letter of the Board of Aldermen to agree to recommendations of the Commission to approve the swap of lot 29 with lot 30 and oppose, any sale of City of Shelton land other than the swap on Tuxedo Avenue. Comm. Ed McCreery seconded the motion. All voted in favor. Motion passed.

Mr. George Sender will be sent a copy of the letter.

Woods at Lake Road - Phase II

Looking at a map of the property, Chairperson Wilber stated this is the second section of the Woods at Lake Road which was not discussed when the first section was looked at. She said it is a CRD. Comm.

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Tate said it looks like more open space than in the original site plan. Chairperson Wilber stated she is concerned if the PZC is scrutinizing the conventional subdivision when they establish how many lots will be able to go in the CRD. Comm. McCreery looked up the CRD regulations in PZC's subdivision regulations. The number of lots is the same as in a traditional subdivision. The lot size can be reduced to a minimum of 20,000 square feet. The land remaining from the smaller lots size becomes open space. Comm. Dyer looked at the map of the property and said the total open space is five acres and the total subdivision is 10 acres. Comm. McCreery said it would be 50% open space so this subdivision meets the requirement.

Comm. McCreery said our letter to PZC should request that we be given both the conventional map and the CRD map at the same time as has been done in the past.

Also, Chairperson Wilber stated the letter should read the Commission assumes the PZC has looked at the conventional subdivision and has established the number of lots are allowed and that being so, the Commission approves the open space.

At 7:58 p.m. Comm. Ed McCreery moved that as a motion to write a letter to PZC regarding the Woods of Lake Road - Phase II conventional subdivision.

Comm. Tate seconded the motion. All voted in favor; motion passed.

As a reminder to the PZC, a preconstruction meeting should take place with Mr. Schultz, PZC administrator, and Agent Pjura to establish what trees are to be saved.

At 8:00 p.m. Comm. McCreery made an amendment that the Conservation Commission would request that in accordance with our policies, Conservation Agent Jim Pjura should meet with Rick Schultz, PZC administrator, and the developer on site before construction to layout the tree preservation plan to meet the requirements of the CRD.

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The members of the Commission agreed to the amendment. All in favor; amendment passed.

CRD 5 Lot Subdivision - Robert's Place - Wabuda Place

Chairperson Wilber mentioned Mr. Schultz said this map is in an elementary stage and may be revised in the future. It is located on the north side of East Village and on Wabuda Place.

Looking at the map, the members of the Commission stated there are five lots. Open space is under the CL&P high tension line. As a CRD, the developer has to give the Commission 25% open space. The open space surrounding lot 5 is wetlands and given as open space. The Commission said it doesn't like open space under the power lines. It is nonsense to qualify as open space.

Comm. McCreery questioned the size of the lots and the quality of the open space. At this time he would vote to not give a favorable recommendation to the proposed subdivision on the grounds that by maximizing the size of the lots, the developer has controverted the purpose of a CRD which is to minimize the size of the lots in order to maximize the amount of open space, and these lots could be made much smaller.

Secondly, Comm. McCreery stated, half of the open space is all wet, and the open space could be better located with the adjoining Wabuda subdivision.

Comm. McCreery stated this does not comply with the spirit of a CRD and there is no map to show what a conventional subdivision layout would be like which regulations require.

Comm. Tate suggested a site walk to view the property because there might be a pentway and other key features the Commission might want to look at on the property. In the Commission's planning efforts it wants to preserve its natural features such as, stone walls, special trees, and the surrounding open space.

The members of the Commission recommended a site walk and will request a conventional layout of the property.

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Chairperson Wilber recommended sending a letter to PZC that the Commission is now reviewing Robert's Place, on Wabuda Place, and is planning a site walk for it. In the meantime, we request to see the conventional subdivision plans for that same piece of property.

At 8:10 p.m. Comm. Dyer made a motion to send the letter to PZC mentioning the plan to have a site walk for Robert's Place and request to see the conventional subdivision plans for that property.

Comm. Welsh seconded the motion. All voted in favor; motion passed.

Any Pending

Agent Pjura mentioned Mr. Schultz said there were some pending, but they won't be filed until next week.

2.0 Approval of Minutes of February 2, 2005

At 8:11 p.m. Comm. McCreery made a motion to approve the minutes of February 2, 2005.

Comm. Tate seconded the motion. All in favor; motion passed.

4.0 Report of Jim Ryan - Enterprise and Commerce Park

Mr. Jim Ryan was unable to attend the meeting.

3.0 Public Portion

There was no one at the meeting for the Public Portion.

Before the Conservation Commission's meeting began, a letter Mrs. Nancy Steiner was given to the Commission to be read in its meeting. She was supposed to attend the meeting, but attended the Inland Wetlands meeting instead. It is as follows:

Conservation Commission, Inland Wetlands Commission, Shelton City Hall, 54 Hill Street.

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Regarding: At Split Rock Blackman's request be allowed to pipe the watercourse along Bridgeport Avenue, cut down the existing trees, put in six feet of fill and reshrub his area, so as to make it easier to pick up future litter.

My plea to the Commission and to Mr. Blakeman: Hasn't enough been done to brutalize this site? What is supposed to end up as a retail center with some office space is currently a mammoth mining operation. Cannot Mr. Blakeman leave us with a modicum of natural growth? He has expressed his opinion that he doesn't think too much of these trees, and is more concerned with his future obligations to keep this area litter free.

Those trees represent part of the rural character of Shelton, and such areas all along Bridgeport Avenue have been protected as development has occurred up and down the street. Take a ride here and you will see natural trees that were left there on purpose in nearby locations in both directions. As it is, this Split Rock is such a monumental project that you would think Mr. Blakeman would take the high road and make every measure to protect his natural buffer and very willingly go along with the watercourse remaining open and planning a series of waterfalls, as has been discussed earlier. This also seems to me that the open pond that he has in place looks really a lot smaller than the concept drawings. If this pond is not going to be enlarged, it is even more important than ever to keep the feature of the watercourse/waterfalls and natural trees a necessary design feature.

But Mr. Blakeman by his request to remove the natural buffer because he wants to expend the least possible effort to keep litter free has shown that he really doesn't care about the long range look of one of Shelton's most important corners. Split Rock has been described as the "Gateway to Shelton" from Route 8. We must realize the importance of keeping Shelton's rural character by keeping the natural buffers.

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Mr. Blakeman's responsibility to keep these areas clean and litter free are a small price for him to pay for the privilege he has of developing this most important corner.

Sincerely,

Nancy Steiner
23 Partridge Lane, Shelton, CT 06484

Chairperson Wilber stated she would like to take a few minutes to discuss Split Rock and didn't put it on the agenda because she did not know the Commission was going to get this letter. She spoke to Mr. John Anglace about it, so she would like a motion to put it on the agenda.

- 6.1 At 8:15 p.m. Comm. Tate made a motion to put Split Rock on the Agenda. Comm. McCreery seconded the motion. All in favor; motion passed.**

Comm. McCreery recused himself from this discussion.

There are two issues, Mrs. Steiner's letter regarding the wetlands issue and the other is the property the City has been requested to sell on Old Stratford Road. Chairperson Wilber said Mr. Anglace informed her that the Mayor is planning to hold a joint meeting of all the land use boards, including Mr. Blakeman, to discuss Split Rock, in particular the piece of City property on Old Stratford Road. Mr. Anglace wants what is best for the City, and he is going to weight heavily on what our Commission thinks about the property on Old Stratford Road. Comm. Wilber said the Commission could leave it natural as it is now or it could be landscaped to be a buffer similar to Tetley Tea's landscaping. Mr. Anglace answered that would be fine and money could be expended to make those plans. She mentioned it seemed like the City would pay for it, but our Commission has enough money in its budget to do so. Mr. Anglace would like the Commission to do that. Also, he said the Board of Aldermen would rely heavily on what the Commission recommends. Mr. Anglace said the developer

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has the right to put the road through part of the City land because it was needed for access into his property.

Chairperson Wilber asked the Commission to ask questions or give suggestions about the property. A discussion followed.

Chairperson Wilber stated the opinion of the Commission is to restore and stabilize the property. One way is to hire someone to do it. The Commission doesn't have the capability to do that.

If a professional is to be hired, it would cost more than one thousand dollars and would require the Commission to get three quotes. The Commission is looking for a natural, native restoration plan, more than an ornamental restoration, which would be a self sustainable landscape treatment that keeps with the rural character and natural wooded buffers along Bridgeport Avenue.

Comm. Tate stated that along the corporate corridor there are wooded areas in which he doesn't see any problem with litter.

Chairperson Wilber asked how about the wetland issue. She asked does the Commission want to write Inland Wetlands to encourage them to not allow Mr. Blakeman to fill in anymore of the brook corridor. Comm. Tate responded saying there should be a restoration plan developed that is beyond anybody's expectations and it is important to the community that it be done professionally, properly, and of the right conceptual basis. It should look natural, native with the look it was always there. The plan should be sequenced, require low maintenance and be buildable.

Given that the City-owned property has been disturbed by Mr. Blakeman, the Commission recommends that the following action should occur.

1. The property should not be sold at this time.
2. There should be a plan for restoration that is in keeping with the neighboring corporate and commercial

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properties along Bridgeport Avenue which would have a natural, native appearance.

3. A noted professional in the field of this type of work should be engaged to prepare these plans.

The letter will be sent to Board of Aldermen and the Inland Wetlands Commission about what the Commission thinks should be done. Comm. Tate will E-Mail the letter to Mr. John Anglace.

The letter should also address the payment for the plan. Comm. Tate feels the Commission should not pay for it. It can be paid out of bond money or an excise fee based on the disturbance. The Commission should administrate and make recommendations so that the Commission gets a quality restoration plan.

At 8:35 p.m. Comm. Bill Dyer made a motion that the Commission will write a letter to the Board of Aldermen and the Inland Wetlands Commission telling them our opinion as so stated by Comm. Jim Tate on what the Commission thinks should be done in regard to Split Rock.

Comm. Joe Welsh seconded the motion. All voted in favor; motion passed.

Chairperson Wilber stated she will call Mr. Anglace tomorrow.

In other news, Chairperson Wilber stated Mr. Bill Dyer is now a Commissioner on the Shelton Conservation Commission.

7.0 Trails Committee - Comm. Bill Dyer

Comm. Bill Dyer stated because of the recent snowstorms activity this month was limited.

- There was a good job done at a work party at the Abbey Wright area.
- For National Trails Day, the Trails Committee is going to try to organize a 4 mile walk from the Pine Lake Bridge along the Recreation Path through Lane Street into Huntington Center. From now until

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the first Saturday in June there will be work parties to clear out a walking path.

- Chairperson Wilber asked Comm. Dyer if a reporter will be invited to attend the National Trails Day. Comm. Dyer answered absolutely, and the Mayor will give his proclamation. Comm. Dyer will contact the American Hiking Association to attend, and the Trails Committee will try to get a big banner to be put on the Huntington Green.
- Chairperson Wilber mentioned there is \$600 for signs and plaques in the budget from which the banner can be paid.
- There are a few Boy Scout projects on going as well as the Turkey Trot Trail and the Abbey Wright projects. A new Scout, John Lebate, will be working on some projects on the Oak Valley Trail.

Comm. Dyer spoke with Ms. Sandy Nesteriak today in regard to the \$49,000 grant. She said these things take a long while to process. He said the town spends the money for the project and gets reimbursed by the State. It has to go to the bonding commission before the money can be spent? The Shelton Appropriation and Tax Board do not get involved in grand expenditures unless the bid process is required. Comm. Tate recommended to Comm. Dyer that in the use of grant money, that he should do the work and he will get reimbursed for it as long as he follows the grant process. Comm. Dyer stated the Trails Committee wants to build the bridge over the Silent Waters Dam. Comm. Tate and Comm. Dyer discussed the process of hiring an engineer and ordering the type of bridge to be installed.

In other business, Comm. Tate stated he didn't know what the Commission's role was in Avalon, the 403 units of affordable housing with a 3-bedroom unit construction to be built in this community. Why isn't the Commission commenting on the project? Comm. McCreery answered technically the Commission is not part of the legal process because they are not dividing into lots where there is a dedication of open space on which the Commission would comment. Yes, the Commission can comment, but it is not part

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of the legal process for the Commission to comment on. It is not a subdivision; the whole site is considered one site development.

The Commission wrote a letter on Split Rock because the Commission was asked to do so. The Board of Aldermen asked for the Commission's opinion; the Inland Wetlands Commission and the PZC never asked for the Commission's opinion about the Avalon Bog project. Whenever the Commission has given an opinion, it was the Commission's own initiative to comment. The Commission has written its concerns about the bog in Cranberry Hill before and there would be no reason to be on the record in regard to Avalon.

Comm. Tate commented that if the Commission feels it's a good use of the Commission's funds and if it feels that our natural resources are being affected, the Commission should engage someone to make an evaluation of the project. If there is an issue about the bog or a natural resource on this property, the Commission should make a professional effort to make an evaluation of the impact of this proposal and advise the PZC and the Board of Aldermen of those findings. If it means to go to the DEP or State representatives, the Commission should do that or hire a private consultant to do it. The professional would present the findings at the hearings on the Commission's behalf to protect the City's interests.

Comm. McCreery suggested that since the City has not hired professionals to challenge applications which are not appropriate, the Commission should contact the town attorney to ask if the Commission were to expend those funds and if a report were issued, could it be of any use in any of the proceedings. Comm. McCreery asked if the Commission has the resources to hire someone for this task. Chairperson Wilber nodded, yes, there are resources available. He asked if the Commission could delegate to the Chairs the hiring of the right type of person if the town attorney feels it would be of assistance to the municipality to receive such a report. The Commission agreed the Chairmen could do that.

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In other business, Comm. Tate stated he would like to make a special commendation to Conservation Agent, Mr. Jim Pjura, on the terrific job as reported in Letters to the Editor in the Scouting Magazine.

Comm. Tate read a portion of the letter in the article as follows: Our town's Conservation Agent, James Pjura, helps us choose projects needed by the town. He joins in working on the project and talks to Webelos Scouts about pollution and how it can help the environment. The project the boys liked the best was picking up trash in a local park and along its riverbank. Afterwards we took a picture of the boys and the boys with the collected trash and had a celebratory conservation pizza party. Signed, H.M., Shelton, CT.

Comm. Tate said it was credos to Agent Pjura and the City of Shelton. He told Agent Pjura to publish it in the newspaper.

8.0 Report of Conservation Agent - Agent Jim Pjura

On Saturday, Comm. Tate, while driving on Route 110, he noticed there was a big gapping hole on State property along the river across from a new condominium project. At an earlier time he and Chairman Tom Harbinson had stated that area should not be cut, but it been has been almost clear cut. Agent Pjura took pictures of the area.

Comm. Tate discovered the developer called District 3 State's Agent and got a permit to do the cutting. He said there were regulatory requirements that respond to the river embankment above or below the high water marks. Those are not in the jurisdiction of the Department of Transportation. There has to be permits to go down that low. Now all the agencies that have any type of jurisdiction along that area have been notified.

Comm. McCreery stated a premature letter should be sent to the Department of Transportation saying how disappointed the Commission is in how it is circumventing the effort of the green space, and ask how it could issue this permit without first looking at the location and without consulting with town officials, and ask how it could issue this permit

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when the State has given the City of Shelton thousands upon thousands of grant money to preserve the Housatonic River Greenway after which it let someone come in and cut many trees down so that there can be a better view for the new condos across the highway?

Cc: The Letters to the Editor.

Comm. McCreery stated he was angry after seeing the pictures of the tree cut area. Comm. Tate said the Commission needs to see the permit that was granted, which the Commission cannot do because the gentleman who issued it is on vacation this week. Comm. Tate said he will be meeting with a DOT official tomorrow. Comm. McCreery asked if the Commission tonight can authorize the chair people to issue the appropriate letter of outrage, and copy the affected individuals with the information obtained, before next month's meeting. Comm. Tate answered it would be valid.

Comm. Tate said the Commission should put the State on notice that the Commission wants to preserve that corridor. Comm. McCreery added to the letter, that because permits were obtained from the DOT and not obtained from the DEP, DEP should order the DOT to replace the trees.

Agent Pjura said the DEP coastal area management mailed DOT indicating it has no jurisdiction over the DOT permits. Comm. McCreery said this letter of outrage, with letters to the editor, and a copy to the Governor noted on the letter, should result in the reprimand of the person who issued the permit, without coming to look at it. Comm. McCreery stated he would write the letter.

Comm. Tate looked at a listing of State departments to find the person who issued the permit.

Continuation of Agent Pjura's Report

Landkeepers Program

- Ed Harris, who has replaced Christian Meagher in the Huntington Herald, was faxed a copy of an announcement of the Landkeepers Program. This should be appearing in next week's edition of the newspaper.

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Violations of Open Space

Nature's Way

- This was addressed in tonight's meeting by Atty. Welch.

Pearmain Road

- Agent Pjura met with Mayor Lauretti and Mr. David Naples on February 10th. The solution was that the City will purchase 4 trees and Mr. Naples will purchase 2 trees to plant along the established boundary. The Mayor inquired what kind of trees should be planted.

The Discussion of the Trees Being Cut on Route 110 continued:

Comm. Tate stated he was still angry that the cutting of the trees continued this morning. He said it should have been stopped and then evaluated as what the situation was. This is clearly a case of a developer attempting to improve the value of his property. The public has the right to enjoy its solitude on the river and not to have a view of condominiums. Embankment eroding on this steep slope is a potential problem. There are no provisions to prevent it.

Comm. Tate stated the developer could have had the tree warden go there to mark the trees to be removed, if they needed to remove trees. There was no reason to cut the trees down to the river. Chairman Tom Harbinson notified the head of the departments of the City of Shelton about the situation on Monday. The work should have been stopped then.

Comm. Tate phoned Mayor Mark Lauretti and explained to him the situation on Route 110 along the river.

After listening to Comm. Tate's phone call, Mayor Lauretti told Comm. Tate he would look into it. Comm. Tate told Agent Pjura to follow up with Mr. John Cook, Inland Wetlands Administrator, tomorrow morning to ask him if there was any way his Commission could put a stop work order on Route 110 because the cutting has not stopped.

Mayor Lauretti phoned Comm. Tate back and said he told Dean Cawthra to put a stop work order on it and to get copies of the permit

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Agent Pjura's report continues:

Hanging Open Space Signs

- New Subdivisions
- Old Subdivisions
- Agent Pjura compiled a list of the subdivisions which have active bonds. He will find out which subdivisions are not signed. The subdivisions which aren't signed the developers will have to take care of that PZC requirement.
- Agent Pjura will also list the subdivisions which do not have active bonds, and are not signed. On these he will hang the open space or conservation easement signs himself.

Fish Stocking of Pine Lake and Silent Waters

- Agent Pjura contacted Mr. Bob Orciari, DEP Fisheries Biologist. He and Bob were originally going to go this Monday to observe Silent Water and Pine Lake, but due to the snowfalls, Bob called Agent Pjura and rescheduled it for March 30th. Mr. Orciari is very interested because there has been an improvement to both sites and Mr. Orciari will re-evaluate them for potential stocking.

Sign on Open Space near Turkey Hill Estates

- Agent Pjura met with Mr. William R. Heil with regard to a no trespassing sign posted on the paper road that borders his property. Agent Pjura told him the Commission was concerned about where the sign was posted. He said it was posted there due to the ATV and dirt bike activity. When the snow melts, he will be happy to move the sign back to its property line. He said his property line is marked with a pin and voiced his appreciation of the Conservation Commission's work for the community.

Pine Rock Park

- No action.

Grants for Open Space

- Ms. Charlene DeFilippo gave Agent Pjura information on grants for open space purchases. The Commission will discuss this at the next meeting.

Boundaries

- Agent Pjura received a call from Mr. Rich Dennis of Eastern State Engineers in regard to marking off the Wabuda property using pins, concrete monuments,

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or something else. He would like the Commission's opinion on what it would prefer.

The members of the Commission were asked what happened to the road on the Wabuda property. Comm. Tate answered Comm. Lauriat was involved with the project.

- 11.0 **At 9:25 p.m. Comm. Welsh made a motion to go into executive session to discuss possible land purchases. Seconded by Comm. Dyer. All voted in favor; motion passed.**

At 9:50 p.m. Comm. Dyer made a motion to come out of executive session. Seconded by Comm. Joe Welsh. All voted in favor; motion passed.

- 9.0 **PUAC (Plan Update Advisor Committee) - Comm. Jim Tate**

Comm. Tate is a little disappointed with the progress of that committee right now. There were some contractual issues with the Planometrics group which has delayed the committee. There was nothing done in the month of February. The committee's next meeting is scheduled for this Monday. He said January's meeting dealt with land use regulations and how the mapping relates to the actual written regulations. There were presentations by Mr. Richard Schultz, Planning and Zoning Administrator, about where there are weaknesses in relation to the mapping. Comm. Tate thinks the committee will be active in April and May working on projects to the end of the summer. The goal is to have the plan adopted in the fall.

- 10.0 **Update of Open Space Plan - Comm. Jim Tate**

Comm. Tate said the plan of development is trying to balance how to afford to pay improvements through tax revenues and afford to pay the quality of life issues. The simple aspect of this plan is what the City can do to preserve the tax base or increase it. The object is to buy, without any increase of tax dollars, those quality of life benefits everyone wants. According to the public who have attended the PUAC meetings, the foremost quality of life priority is the conservation of open space.

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Comm. Tate said our grand list continues to grow and taxes tend to increase because services are becoming more expensive, but our infrastructure and capital expenditure plans are probably not where they should be. Several reasons are because the City doesn't make an effort to plan for that and there is no long range plan.

The open space plan goal is to preserve the quality of life and not have an inflated tax dollar to do it. Chairperson Wilber said in regard to the conservation open space plan, three people from this Commission could do it without having a quorum or should the Commission extend the invitation to some people, such as Mr. Frank Osak, to help with it, or should someone be hired, not to do the actual updating, but to do the writing of it.

She suggested going through the old plan first to decide what to eliminate or change. The Commission suggested the people who should be on the Committee. Comm. Tate suggested a draft of the open space plan be presented by June.

12.0 Comments by Members

Chairperson Wilber stated the Mayor suggested that the Conservation Commission receive the same amount in our budget as the last few years. There is no money put into the open space fund. The rationale used to not fund it was because the City would be paying 2.5 million dollars for the Wiacek property. The Commission discussed the question of how a piece of property can be used when it is purchased with money from the General Fund, or from the Open Space Fund, or by a referendum. It was asked if there are certain restrictions on the land depending on how it was purchased.

Chairperson Wilber said she would be going to the Appropriation and Taxation Board Meeting for the Commission's budget hearing tomorrow night and would tell the aldermen the Commission is concerned that there is no open space trust fund money allocated. There is a formula for that money to be put into that fund. The Commission discussed monies in the open space trust fund. Chairperson Wilber said she would

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mention the capital expenditure for the Recreation Path in the meeting informing the Board how that allocation of money would be used.

13.0 Adjournment

At 10:26 p.m. Comm. Tate made a motion to adjourn. Seconded by Comm. Welsh. All voted in favor; meeting adjourned.

Minutes prepared by _____
Anita Shortell, Secretary