

Conservation Commission Meeting Minutes

June 2, 2004 7:00 p.m.

(These minutes will be formally presented to the Commission for their approval on July 7, 2004.)

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1.0 Call to Order/Pledge of Allegiance

Co-chairman Terry Jones called the June meeting of the Conservation Commission to order at 7:12 p.m. in the Shelton City Hall, Room 303. The Pledge of Allegiance was recited.

Attending: Harriet Wilber, Terry Jones, Joe Welsh, Jim Tate, Ed McCreery, Tom Harbinson, Jimmy Pjura, Conservation Agent, Bill Dyer, Trails Committee

Not Attending: Hank Lauriat

Guests: Joan Donofrio, Ronald Skurat, Mayor Mark Lauretti

2.0 Approval of Minutes of May 5, 2004

Harriet W. had a correction on Jimmy Pjura's report, Page 10, regarding the reporter of the Huntington Herald, the name should be Christian Meagher, and on Page 4, under Subdivisions, Bob Kulacz's name was misspelled and needed to be corrected.

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At 7:14 p.m. Jim T. made a motion to accept the minutes as corrected. Tom H. seconded the motion. All in favor; motion passed.

Harriet asked if everyone noticed the new format. Tom thought it would be helpful to have a table of contents preceding the minutes to help anyone who wants to look things up on the website.

Terry asked the conservation members if they preferred to get the minutes E-mailed or to get them mailed via post office. After a discussion it was decided to send everyone's minutes through the mail as had been done in the past.

3.0 Public Portion

Joan Donofrio, put together a letter and a packet regarding the 10-acre parcel adjoining Indian Well Overlook. She owns property a little shy of 10 acres south of the area, part of which is the location of her home. She said she would like to sell the bottom portion of 7 or 8 acres of the property which would be in with the open space that's adjacent with the Owl Hill and the open space that is the Overlook. She said since this property is up above, the City could do a trail to one of the higher elevation points. It could be cleared out with benches and could be a beautiful spot for people to go and sit. It would tie in with all the other open space that is in that general area.

She presented a map of the property pointing out the Overlook area, the open space from Owl Hill, and Route 110. She divided a line on the map between her home and the other portion added to the open space area. She also presented recent pictures of the property describing different sections. Jim T. asked is there a water course in there. Ms. Donofrio answered there is a run off adjacent to a neighboring property. She said the total acreage is 9.8234 acres, and it is half acre zoning.

Harriet asked if she was willing to give an easement so people could go through her house lot to get to the land under discussion or if there is another access. Ms. Donofrio said there is no other access,

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but maybe a walking path could be made where the run off is located. It is quite steep.

Terry J. said a portion could be paid by a grant. Ms. Donofrio named the property, Above the Overlook. Everyone thought the offering of the property was a fantastic gesture.

The Commission discussed points of her map. Terry asked if the Trails Committee could get together and walk the property. Ms. Donofrio said it was O.K. She will make a copy of her map and will give it to the Trails Committee when they do their walk. The Commission recommended to have it appraised after the Trails Committee walk if it is determined it would be a beneficial open space parcel.

Ms. Donofrio gave the Commission her phone number and left the meeting.

Another guest, Ronald Skurat, president of the Seymour Land Trust, stated the Housatonic Valley Association contacted him to conduct a program relating to the Housatonic River to benefit Shelton, Derby and surrounding areas. They will recruit and train business and community volunteers in shoreline exploration, river front conservation, and greenway expansion. They will collect field information, access riverfront conditions and find opportunities to improve fisheries, wildlife habitat and public access. These teams will be organized and well trained. The final report will be available to Shelton with prioritized recommendations. This information will, without question, be of benefit, especially considering what the Commission is doing along the Housatonic River now.

He handed out the "Shoreline Survey Report and Action Plan", Housatonic River, Lake Lillinonah and Lake Zoar Stream Team, Summer 2002, as an example of what has been accomplished in the past. The report explained what existed in the areas that were studied and recommended the improvements or changes that could be made. Housatonic Valley Association has no power, but has grant power. Terry asked if he is limited to properties that physically front on the

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river or also include properties within the water shed. Mr. Skurat answered that now the study is of the properties fronting on the river.

When the project begins, Mr. Skurat stated he will need volunteers, such as Boy Scouts, Land Trust members, and environmental enthusiasts to walk along the river to inventory what there now. If necessary, someone will be hired to test the water. Tom H. mentioned John Toth is very active in cleaning up the river and will give Mr. Skurat Mr. Toth's phone number and address. The association has received a grant for \$28,000 from the Community Foundation to do the study.

Terry asked if he will focus on open properties because there are many cottages along the river. Mr. Skurat answered the association will never go on a piece of property unless they get the owner's permission.

Mr. Skurat said the association is looking at the entire riverfront, and the Housatonic River, eventually, will be a clean, well kept, beautiful, recreation area. This will be accomplished by conducting this study which will be handed to the Mayors of the Valley stating what should be changed. Wrongful disposal of items and potential pollution can be spotted. The Association will make the recommendations and will be responsible for the evaluation. Mr. Skurat has, also, visited the Planning and Zoning and the Inland Wetlands Commissions.

Mr. Skurat gave the Commission his phone number and business card for any information useful on the project. He then left the meeting.

4.0 Report of Jim Ryan- Enterprise and Commerce Park

Jim Ryan was unable to attend the meeting.

5.0 Subdivisions The Woods at Lake Road, Hewitt Property

The Commission had previously evaluated this subdivision in regard to its open space dedication with the developer, Ken Schiabile. At that time, the

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Commission agreed that some of the open space was to become City-owned, while some was to be part of the development, or community open space. This was an informal discussion and a formal application had not been filed with PZC.

After tonight's meeting it was unclear as to what map the Commission should refer to in order to write their recommendation letter to PZC. On the one map the Commission looked at, dated February 23, 2004, the City-owned open space had become community open space, to which the Commission was in strong disagreement to let happen, and of which the Commission would write a letter so stating to PZC.

Later in the meeting a map, dated in May, was noticed. This had the open space labeled as we thought it should be. If this is the map accepted by PZC, then the Commission concurs with it. Tom will talk to Rick to get all of this matter straightened out.

Ed McCreery did not take part in the above discussion because he is on the Hewitt Board.

- Riverview Farms, Tall Farm

This is a PDD application and it is an R-1 zone. Tom H. stated it is inappropriate to use a PDD in an R-1. He encourages the Commission to reject this application. Jim T. said it is inconsistent with the current Plan of Development and therefore, should be rejected because there are no benefits of the plan to the community. It is a costly use of a natural resource that is currently farmland and open space.

The Commission understands that this property is being considered by the City for purchase. The Commission supports the recommendation.

At 8:07 p.m. Jim Tate made a motion to send a letter to the Planning and Zoning Commission recommending that it reject this application because it is inconsistent with the Plan of Development.

Tom Harbinson seconded the motion. All in favor; motion passed.

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- The Vistas at White Hills, Toll Brothers

No one in the Commission's meeting could remember if a letter was previously written regarding the Wabuda property. Tom stated PZC should have a process to send the Commission a letter because the Commission has proposals, concepts, applications, and different dated drawings. He said there should be some sort of checklist with a letter of transmittal to Jimmy Pjura, a city employee, as our agent, to give the Commission these documents to tell the Commission if this is a revision that was already commented on. He stated there is no process in PZC to do this. Jim Tate stated this should be put in a letter and forwarded to Mr. Schultz. Harriet W. said the Commission doesn't get maps any more.

Terry J. asked Jimmy P. if he meets with Rick Schultz once a month. Jimmy P. answered, yes, twice a week. Tom H. said there needs to be a process. Terry J. suggested the Jimmy P. should interact with Rick within a week of the Commission's meeting to perambulate the Commission through what is happening. Ed. M. said it used to be more formal. The Commission received a request and reviewed it. It has become on our own because now we have to find the maps. Tom stated it would make the Commission's life more efficient.

Jim T. said a letter should be written, and he also recommended the chair people sit down with Mr. Schultz to reestablish a procedure in which the Commission to get PZC's referrals in an orderly and timely fashion. Everyone agreed the latter would be much more fruitful.

Harriet W. said the Commission does not want to comment on Wabuda. If the Commission is in agreement with the open space and if the PZC does not get the Commission's letter, it won't matter. Everyone agreed to let it go. The Commission still hopes the Wabuda property will be proposed for purchase as open space in a referendum.

In addition, Terry J. and Harriet W. talked about drafting a letter to the Board of Aldermen and the

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Mayor expressing the Commission's concern about the progress of the Tall Farm, Wiacek Farm and Wabuda Farm. Terry J. talked with the Mayor this morning and hopefully he will come to speak to the Commission. In addition to those, the Mayor is into the downtown issues, such as, progress with the asphalt plant, and the slab becoming open space in exchange for trying to wade through the State's bureaucracy. There are five big issues of which any one of those would be a big thing for any community. Terry J. said to draft a letter reiterating the Commission's support of all five of these areas and reminding the Board and the Mayor that this Commission is here pursuing these priority projects. We will offer our help to move these Conservation priorities forward.

- Constitution Commons, Mas Property

Jim T. stated the letter is almost done and is on his computer. It will be finished very soon.

Mayor Mark Lauretti entered the room and sat with the members of the Commission.

Terry J. asked Mayor Lauretti if the Constitution Commons proposal is working through the Boards now. The Mayor answered no one has responded. Every one and every board that has to deal with this is busy. It is a huge project and will have to take some time.

The Mayor stated he will be submitting an 824 referral to Planning and Zoning for a tentative master plan for the Old Intermediate School because that building needs some help and if it doesn't get it soon, it will be beyond us which will be unfortunate.

It could become an elementary school. Terry J. said the City has a wonderful asset on Perry Hill Road only one mile away from the center of the City.

Harriet said the Mayor did a good negotiating that redistricting with the Board of Education. He said it wasn't what he wanted, but at least it got them to make a decision. He said it should have been done earlier. The problems in the Elizabeth Shelton

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School are self inflicted because they wouldn't redistrict. He added, in order to restrict, they have to have Booth Hill School, but that project was delayed a year and a half. He mentioned it is all past now. The Mayor said some of Lafayette School students could be moved into the Intermediate School. He stated Layfayette School could be a smaller elementary school or a magnet school.

13.0 Quality of Life - Possible Executive Session - Terry

At 8:29 p.m. Tom Harbinson made a motion to go into Executive Session for the purposes of discussing land purchases inviting Mayor Lauretti. Seconded by Ed McCreery. All in favor; the machine was turned off.

At 9:06 p.m. Tom Harbinson made a motion to come out of Executive Session; Seconded by Ed McCreery. All in favor and the machine was turned on.

6.0 Communications - Harriet

The following communications were received:

1. Hank L. gave Harriet W. an item from the Land Trust. On June 19th there will be a workshop on Baseline Documentation Reporting on Easement Monitoring. This workshop is for people to learn how to document a property and monitor easements. Harriet W. will ask Hank L. if would like to attend.
2. The Iroquois Report. Harriet W. said the Commission has not applied for a grant from Iroquois for a long time and the Commission should keep it in mind for these smaller pieces.
3. A letter from Applied Geographics, Inc. It is working on open space mapping for the whole state. At one time Jim T. sent them something to help them. Harriet W. asked Jim T. to check the website of Heidi Krueger to get a password to see if what they have done is O.K. with the Commission.
4. Harriet said she got the paperwork for the City of Shelton for The Shelton Family Farm development rights. It will close in July.

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5. Terry J. reported yesterday he had a meeting with the former Education Commissioner for the State who is now the CEO of the Connecticut Science Exploration Center which is going to be a 160,000 sq. foot facility at Adrian's Landing for students who pursue the sciences. People who are involved in Conservation, Natural Resource Preservation and Food Production were invited to the meeting.
6. Harriet W. and Marybeth Banks decided not to do their Garden Spot again this year. They've done it for five years. It is the garden spot by the post office. She said most of it is doing well, but the weeds are coming through. Harriet W. is asking the Commission, if she can get some nursery to go in to replace the scrubby shrubs so it will look nice this year. Maybe Marilyn Gannon can get someone next year to do it.

At 9:15 p.m. Ed McCreery moved on the suggestion. Seconded by Jim Tate. All voted in favor.

Harriet asked the Commission if it knows of any nursery she and Marybeth can use because Nancy's Nursery has been not come through for her. Jim T. said he would recommend someone.

7.0 Trails Committee - Bill, Tom, Jim

Bill stated the Trails Committee has two grants which had money in them the last time he met with Sandy. One is for \$13,240.34 which was given to the Mayor for bridge abutments at Means Brook. The other is \$5,829 which he said the Commission could use. Jim T. said there is an allotment of money about that amount that could be used to replace the fencing at the bridge by M&M contractor. The Commission was waiting for the Eagle Scout to get through with his project. Bill D. said it has been finished. Jim T. said now the fence can be replaced. He added he was hoping to get that done this week, but it will not happen at this time because the job will have to go out to bid. Jim T. said the fence will be a black vinyl chain link and will only be 4 or 5 feet high.

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Bill D. asked how he would get a charge number for the hydraulic lift for the gator. Jim explained to Bill D. how to get the grant number and how the grant process works.

Jim T. recommended he and Bill D. have a meeting with Sandy stating he applied for a grant on that lift and that money is allocated and go over these items with the Mayor in order to get the grant issue resolved. Tom H. mentioned it was a good idea. Bill D. said O.K., he would work with Jim.

Bill D. stated the kiosk has been erected at the Recreation Path trail head at Pine Lake Bridge. Bill D. got the Parks and Recreation Department to get rid of the weeds.

Dave Zamba is still working on a Trails Brochure. Bill D. did make up a half page leaflet, **Shelton Trails**, stating the trails provide for activities such as walking, jogging, running, hiking, biking, horseriding, bird watching, cross-country skiing, baby strolling, wild flowers viewing, fishing, and rollerblading. It encourages visitors to take pictures, arrive at dawn and leave at dusk, and to come often. There are little maps on the back.

He said the leaflet will be distributed on National Trails Day, Saturday, June 5 and be in the kiosks along the trail, in the community center, and local hotels. He mentioned Bruce Nichols helped with the scanning.

Bill D. and Joe W. met with the Huntington Herald editor, who wrote an editorial about Trails Day. Bill and Joe submitted notices were sent to the Connecticut Post and the New Haven Register. Mayor Lauretti will give a proclamation on National Trails Day at 11 a.m. at the bridge at Pine Lake.

There was nothing to report on the status of the \$49,000 grant submitted in February, but the Commission will likely know something by August.

Bill D. and Terry G. had a work party replacing some of the stone dust and cutting the brush from the

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bridge to Meadow Street. He met with Ron Harrick and asked him to cut the brush on the trails around the power lines with brush irons once or twice a month. There will be a bridge replacement on the John Dominick Bridge on June 19th.

Bill D. wanted to know how to permanently mark the open space from personal property. Ed M. said the open space should be marked with regular placed signs. Jim T. said the permanent marker, that is accepted, is done by a survey with a 4 foot iron rod in the ground and is found with a metal detector. Caps are purchased for these rods which would say, for instance, Shelton Open Space, is read by the meter. Jim T. added signs are accepted, but the permanent markings procedure with the iron pins can be enforced.

Terry J. and Harriet W. will meet with Rick Schultz and discuss the matter. Jim T. stated Tracy Lewis should be asked for the best way to mark the open space with pins. Jim described the procedure used by other towns and will give Harriet W. a picture taken at a town who uses pins to mark open space which she will take to Rick.

Harriet W. mentioned to Bill D. she encumbered two gates that he can place anywhere he would want through the Flat Iron Welding Company. She could only do two because over that amount Bill D. would have to get a bid. She had to do that before the end of the year and if Bill D. wants more, she will have to pay it out of the July 1st budget.

Harriet W. asked if anyone had any ordinary expenditures though the month of June, give them to her. Bill D. will give her a bill for \$65.00 for the leaflets.

8.0 Open Space Inventory - Jim

While on the subject, Jim T. presented the open space inventory booklet he put together for the Commission. Terry J. suggested the Commission present it to the Mayor and the Board of Aldermen at their regular meeting on Thursday, June 10th at 7 p.m. in its Public

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Portion and for Jim to inform Sandy so she will put it on the agenda.

In addition, now the open space inventory is complete, Ed M. suggested Jim T. send a full report to PZC correcting the amount of open space PZC has stated the City has.

9.0 Report of Conservation Agent - Jimmy Pjura

1. Violations of Open Space

a. Permain Road

He talked to Tracy Lewis and had two meetings with him to go to Permain Road and survey the Naples property, but Tracy had some previous engagements and had to cancel.

b. Natures Way

The invitation was open to the residents of Nature's Way to attend the Commission's meeting in regard to cutting trees on the conservation easement, but no one has come. Terry stated, according to Atty. Tom Welch, Jimmy P. should document the violations and submit a letter with pictures to the Board of Aldermen and the Mayor. The City will take action. Terry would like Jimmy P. to bring to the Commission's meeting what he will send out.

2. Contacting Homeowners at Huntington Woods

a. Jimmy P. is in the process of flagging that area with Jim Swift. Jimmy P. put a letter in the homeowners' mailboxes. The letter is as follows:

Dear Homeowner:

On behalf of the Conservation Commission of Shelton, I would like to extend my sincerest congratulations and best wishes with your new home.

Your development area is unique in that all the homes border Shelton Open Space, and/or conservation easements. The genesis for this letter is to make aware for each homeowner the rights and responsibilities of property bordering open space. Encroachment is a growing concern of the Conservation Commission and Shelton residents alike. The prudent

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homeowner will refer to his or her deed, or as-built map before going ahead with any improvements to their property. Going beyond property lines is an encroachment violation and result in removal of any structure or landscaping activity that occurred beyond your property line. This can be very time consuming, stressful, and costly. It can also be avoided with time and attention to detail. I am in the process of marking the open space boundaries in the Huntington Woods development. If you have any questions with respect to open space issues, please feel free to contact me in the field or at my office. I would be more than happy to help with any issues or questions you may have.
Sincerely,

3. Letter to PZC re: Huntington Woods
 - a. In other business, Jimmy P. spoke to PZC today regarding the \$50,000 from Huntington Woods that was supposed to go to improvements. If the Commission wants to use that money, the Commission has to put in a formal written request, such as a letter, specifying the reason for the funds, according to Rick Schultz. Terry J. suggested the Trails Committee would be interested in the funds. Harriet told Jimmy P. to draft the letter, show it to Tom H. and then to Rick. Ed M. mentioned the money was supposed to be used to build that Trail, but Tom said that was not the way it got approved.
4. Letter to Andrew Lautenschlager
 - a. Jimmy P. mailed a letter to Andrew Lautenschlager thanking him for his work on the kiosk signs.
5. Hanging of Open Space and Conservation Easement Signs
 - a. Huntington Pointe
Jimmy P. is working on Huntington Woods with Jim Swift to finish that.
 - b. Other subdivisions
He got a list of subdivisions from Rick.

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6. Grass Compost Site/Compost Site at Elizabeth Shelton School
Jimmy P. gave everything in his file from Grillo Green Cycle to Sandy.
7. Fran's Way
The flagging has been finished.
8. Boehm Pond Woods
Jimmy P. took a ride there today. The silt fencing looks good and everything looks to be in much better condition than a couple of weeks ago when everything was knocked down.
9. Installation of the Gates
Jimmy P. has a call into Flat Iron Welding. Tom H. said the dimensions of the gates were 16 feet wide by 4 feet and will be on both sides of Route 108. Harriet told Jimmy P. to let her know if they are built before the end of June because she could probably pay for that.
10. Old Dairy Conservation Easement
There was a sink hole off Pasture Lane. He wrote a file on it with some pictures and gave it to Sandy informing her there was a liability issue on it, but called Dean Cawthra first. Jimmy P. got a note back from her saying it was taken care of.

(At that point in the meeting, Tom H. found the map of the Woods at Lake Road. The discussion that followed can be found on pages 4 and 5.)

In other business, Terry J. said the Commission will collectively assist Joe W. with the grant for the UI property on Buddington Road. Joe W. said this land will allow more trails to connect to the future Recreation Path and Harriet W. said this will allow for a segment of the Blue Dot Trail when it is reconstructed through Shelton. Joe W. said he met with Charlene who ordered a title search with Joe Horn. The Commission discussed specific points of the grant. Terry J. said he will get Joe W. an update on the appraisal.

10.0 Ordinance for Conservation Easement Violations - Ed

No report at this time.

11.0 Modification of PZC Subdivision Regulations - Ed

No report at this time.

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12.0 PUAC: Plan Update Advisory Committee - Tom, Jim

It was suggested to this Commission that we pursue raising the goal of 15% of Shelton being preserved as open space to 20%. Jim and Tom can consider bringing this to their committee.

Tom H. said the Plan Updated Advisory Committee is going to have its first public meeting on Thursday, June 24th, 7:30 p.m. at the new Intermediate School in the cafeteria. Jim T. commented on the Update Plan of Development and said there is a revenue side. It's being considered a very important element of the plan of conservation and development. It is trying to preserve the tax base in the City as it's presently zoned so that the City is not degraded by either rezoning or areas of high revenue income. He said it is a high priority in the development. Tom H. said it is a very good group.

14.0 Comments by Members

There were no comments by members in the meeting.

15.0 Adjournment

At 10:06 p.m. Tom Harbinson made a motion to adjourn. Seconded by Ed McCreery. All in favor; meeting adjourned.

Minutes prepared by _____
Anita Shortell, Secretary