TOWN OF WESTBROOK
CONSERVATION COMMISSION
Mulvey Municipal Center
866 Boston Post Rd.
Westbrook, CT 06498
Tel. 399-3046 – FAX 399-2084

Westbrook Conservation Commission Special Meeting Minutes
Tuesday, January 28, 2014 7:00 p.m.
Mulvey Municipal Center - North Meeting Room
(Unapproved)

Members Present
Tom ODell, Bob Peterson, Marty Marx, Mike Oryl, Don Harger

Excused Absences
Randy Bell
John Rie

Call to Order
Chairman Tom ODell called the regular meeting to order at 7:00 p.m.

MOTION: to amend the agenda to move the Inland Wetland Referral **IWL App. 263: Carole Ketlesen, East Pond Meadow Road**, to the top of the agenda. **MADE:** by B. Peterson; **SECONDED:** by D. Harger; **VOTED IN FAVOR:** B. Peterson, M. Marx, M. Oryl, D. Harger; **OPPOSED:** none; **ABSTAINED:** none: **APPROVED:** 4-0-0.

>>IWL App. 263: Carole Ketelson, East Pond Meadow Road

Professional Engineer Robert Doane presented for the applicant Carole Ketlesen. The application is for a 20.99 acre parcel on East Pond Meadow Road. The applicant is proposing to subdivide the land creating six lots; one of which will be for C. Ketlesen, and one will be for her daughter.

This proposed open space subdivision will be accessed off of Green Meadow Drive by a short cul de sac, and it has been approved by the Planning Commission. The plan has more than 50% open space. The open space involves an 8.83 acre portion on the south side of the property. Of that 2.54 acres on the north side of the property, there would be a conservation easement. The property to the south abuts the property of the Westbrook Land Conservation Trust which was preserved as open space as part of the Ted Zito subdivision.

R. Doane had a conversation with Tom Elliot from the Westbrook Land Conservation Trust. The plan reflects his comments. The Westbrook Land Conservation Trust has requested to have a fee owned access strip. Because access coming into the property is on a town roadway, a 25 foot

strip was taken to connect to the town roadway. This would be conveyed as part of town open space.

R. Doane noted that they have requested a waiver from the Planning Commission for the length of a dead end street.

R. Doane said this application is scheduled to go before the Inland Wetlands & Watercourses Commission for a Public Hearing on March 4, 2014.

T. ODell said the Conservation Commissioners would act on this application and send their comments to both the Planning and Inland Wetlands & Watercourses Commissions.

MOTION: to send a favorable recommendation to the Planning and Inland Wetlands and Watercourses Commissions for **IWL App. 263 Carole Ketlesen, East Pond Meadow Road**. **MADE:** by M. Marx; **SECONDED:** by D. Harger; **VOTED IN FAVOR:** M. Marx, M. Oryl, B. Peterson, D. Harger; **OPPOSED:** none; **ABSTAINED:** none: **APPROVED:** 4-0-0.

Minutes- November 19, 2013

MOTION: to approve the minutes of November 19, 2013 as presented. **MADE:** by M. Marx; **SECONDED:** by D. Harger; **VOTED IN FAVOR:** B. Peterson, M. Marx, M. Oryl, D. Harger; **OPPOSED:** none; **ABSTAINED:** none: **APPROVED:** 4-0-0.

Bills

MOTION: to pay $145.15 to Kathleen Noyes, Conservation Commission Recording Clerk. ;**MADE:** by M. Oryl; **SECONDED:** by D. Harger; **VOTED IN FAVOR:** B. Peterson, M. Marx, M. Oryl, D. Harger; **OPPOSED:** none; **ABSTAINED:** none: **APPROVED:** 4-0-0.

MOTION: to pay $33.50 to Kathleen Noyes, Conservation Commission Recording Clerk. ;**MADE:** by M. Oryl; **SECONDED:** by B. Peterson; **VOTED IN FAVOR:** B. Peterson, M. Marx, M. Oryl, D. Harger; **OPPOSED:** none; **ABSTAINED:** none: **APPROVED:** 4-0-0.

Correspondence

The following correspondence was received: The Inland Wetland Agent's reports for November & December 2013, Inland Wetlands & Watercourses Commission Meeting Minutes for December 3, 2013 and Commission Corrected Meeting Minutes for October 22, 2013 and Zoning Commission Regular Meeting Minutes for November 22, 2013.

Chairman's Report

T. ODell reported the Project Steering Committee for the Chapman Mill Pond fish ladder, T. ODell, representing Westbrook Conservation Commission, Jane Brawerman, CRCCD (Project Manager), Steve Gephart CT DEEP, and Tom Cleveland, Project Coordinator, met Tuesday Jan.

21, 2014 to discuss logistics and develop schedule for design and consruction of the fish way. The CT River Coastal Conservation District (CRCCD) sent out PDF for soliciting design bids on January 28, 2014. Plan is to finalize design by September 30, 2014 then go out for construction bids, with construction during the summer of 2015.

T. ODell has received contract for treatment of aquatic plants in Chapman Mill Pond which shared with the Chapman Mill Pond Homeowners' Association. He said the Conservation Commission and the Homeowners' Association will notify adjacent property owners regarding the treatment of Chapman Mill Pond.

T. ODell reported that the Trails' Day for CT Forests and Parks will be on Saturday, June 7, 2014. He wrote a letter for Westbrook Events Magazine announcing the date for Trails' Day. In the letter he thanked town residents for voting in favor of purchasing the Russo property, and asked residents to join the Commission hike on June 7th to explore the Russo property.

Open Space Program

Russo and Miele: Revised P&S Agreement; Status

T. ODell reported that $10,000.00 has been appropriated to hold the purchase price of the Miele property to $250,000.00 through October 31, 2014. This is a non refundable deposit. The next step is to write application for a DEEP grant for the purchase.

Russo Property: Closed on Friday, December 6, 2013-Request Management Authority as per Ordinance

T. ODell asked Conservation Commissioners to think about how they would like to thank the anonymous donor for his donation towards this property purchase.

T. ODell would like to recommend to the Board of Selectmen that the 143 acre Russo property be designated as Open Space for the purposes described in two ordinances.

MOTION: to recommend to the Board of Selectmen that the 143 acre Russo property be designated as Open Space for the purposes described in the Code of Ordinance Article Division 8 Section 2-261, regarding the responsibilities of the Conservation Commission and Article XII, Motorized Vehicle Regulations for Open Space and Conservation Restrictions. ;**MADE:** by M. Marx; **SECONDED:** by M. Oryl; **VOTED IN FAVOR:** B. Peterson, M. Marx, M. Oryl, D. Harger; **OPPOSED:** none; **ABSTAINED:** none: **APPROVED:** 4-0-0.

Russo, Miele; Open Space Grant

T. ODell will work with Meg Parulis on application for DEEP Open Space Grant for both Russo and Miele. He will write letter to Michelle St. John who owns the 7 acre parcel connecting the Russo property with Breakneck Hill. that connects to Chapman Mill Pond. He will inquire on the availability for purchase.

Chapman Mill Pond
>> Road Repair for Vernal Pool Management: Final Report
Work funded by USFWL Coop. Grant has been completed and final report submitted to Rick Potvin, Manager, McKinney National Fish and Wildlife Refuge. Grant funds of $7,000 has been received from the US Fish & Wildlife Service.

>>Eagle Scout project – proposed bridge; Update
There is nothing new to report.

Salt Island
>>Wayside Signs Project-proposed bridge; Update

The location for the signs has to be determined. One will be placed in the parking lot at Middle Beach and the other will be located in the parking area at West Beach. T. ODell will check with John Riggio to be sure the signs won't be in the way of plows, etc. There is $500.00 available for a brochure as well.

>>**Management Guidelines: USFWL Draft – March 31, 2014**

R. Potvin from the USFWLS said the first draft of the Management Guidelines for the island should be completed by March 31, 2014.

NFWF Hurricane Sandy Coastal Resiliency Grant: Due January 31, 2014; Discuss

Friends of Westbrook's Barrier Islands had a meeting in November at which R. Potvin from the USFWLS talked about submitting a grant for from the Town of Westbrook. This grant application is due January 31, 2014. T. ODell volunteered to organize a grant team. After meeting several times a "holistic" project was identified which included eight projects under one grant. The Board of Selectmen and the Board of Finance appropriated $9,500.00 to fund Woodward and Curran to write grant. $68,000.00 is being requested for Salt Island Overlook The total requested is $618,000.00. The grant writer has written a second draft of the grant to be reviewed for comments and corrections. The grant application will be sent out on January 29, 2014.

The grant money will not be going into the Town General Fund. It will go into a special fund which will be administered specifically for these projects.

T. ODell drafted a letter supporting the grant which he asked Commissioners to read and review. The letter speaks of the Westbrook Conservation Commission's support of the Town of Westbrook's proposal "Westbrook, CT Ecosystem Enhancements for Coastal Resilience" for the funding under the NFWF's Hurricane Sandy Coastal Resiliency Competitive Grants Program.

Friends of Westbrook's Barrier Islands: Update – John Rie

J. Rie was not in attendance at tonight's meeting to give his report. D. Harger said the group is making headway.

Old Business

Budget 2014-2015 Draft – Review, discuss, vote on attached

Commissioners received a copy of the proposed budget. T. ODell reviewed the budget with Commissioners and explained that he reduced the open space budget by $1,000.00 from last year.

MOTION: to approve the Draft 2014-2015 budget (revised). **MADE:** by D. Harger; **SECONDED:** by M. Marx; **VOTED IN FAVOR:** M. Marx, M. Oryl, B. Peterson, D. Harger; **OPPOSED:** none; **ABSTAINED:** none: **APPROVED:** 4-0-0.

T. ODell reviewed a resolution for annually appropriating funds for the Open Space Preservation Fund which was discussed with Andrew Urban, Finance Director. This money could be used for appraisals and attorney closing fees and acquisition. Commissioners discussed the amount they would like to request; decided to request $50,000 (Resolution is attached).

MOTION: to approve the Open Space Preservation Appropriations Resolution as amended and submit to the Board of Selectmen, with a copy to the Finance Director, as part of the Conservation Commission's 2014 Budget Request. **MADE:** by M. Marx; **SECONDED:** by M. Oryl; **VOTED IN FAVOR:** M. Marx, M. Oryl, B. Peterson, D. Harger; **OPPOSED:** none; **ABSTAINED:** none: **APPROVED:** 4-0-0.

Mulvey small boat & dock - update

$10,000.00 was approved by the Board of Selectmen and Board of Finance for Docko Engineering Company to do preliminary work on the dock and kayak launch behind the Mulvey School. A committee was formed to oversee this. T. ODell was asked to serve on this committee. There is an Eagle Scout who might be working on this project as well.

New Business:

Referrals: Zoning Commission

>>ZC2013-021 – 433 Boston Post Road; Special Permit for change of use

T. ODell said it wasn't necessary for Commissioners to discuss this. This referral is regarding the former Ventucci's building. The applicant is proposing to use this building for a SARAH adult teaching facility. The Zoning Commission is planning to ask for a detailed engineering plan with more parking spaces.

>>ZC2013-018, 019, 020, 020, 020 and 023:Town of Westbrook proposed Zoning Regulation amendments

There are a few proposed changes to the Zoning Regulations. Some will be tabled until the next meeting. The proposed Zoning Regulation amendments that directly impacts the Conservation Commission are being withdrawn. There was concern that Noise regulations were being deleted.

Referrals: Inland Wetland Commission
>>IWL Application 260: Westbrook Holdings, LLC, 2000 Boston Post Road

The applicant would like to build an extension of his facility in the upland review area. Everything proposed is within 100' of the wetland upland review area. No wetlands are proposed to be filled or disturbed as part of this application.

The applicant would like the vehicles stored behind his facility to be moved into storage units instead of leaving them out in the open. This proposal will allow the applicant to reduce the amount of impervious surface by reducing the amount of gravel. Also, the application states that by doing the proposed work, drainage will be improved because the drainage will be redirected away from the wetland.

Commissioners were concerned about how the drainage system would handle incipient (2 or more storms in 2-3 days) storms and had difficulty understanding how drainage could be redirected. Will recommend IWL Commission pay close attention to storm water runoff resulting from consecutive storms and proposed direction of drainage.

MOTION: to request that the engineer make a presentation to the Conservation Commission to discuss the proposed plan in further detail. **MADE:** by M. Marx; **SECONDED:** by M. Oryl; **VOTED IN FAVOR:** M. Marx, M. Oryl, B. Peterson, D. Harger; **OPPOSED:** none; **ABSTAINED:** none: **APPROVED:** 4-0-0.

>>IWL App. 261: Mr. & Mrs. Capano, West Pond Meadow Road

This proposal is for an inground salt water pool with a gazebo and patio within the 100' upland review area. No wetlands will be filled or disturbed as part of this application.

Commissioners noted that there's no mitigation for runoff from the patio or the pool. They were concerned about the pool backwash.

MOTION: to recommend that because the pool, gazebo and patio are within the 100' upland review area, the applicant mitigate the runoff from the impervious surface of the patio and submit a plan showing where pool backwash will go. **MADE:** by M. Marx; **SECONDED:** by M. Oryl; **VOTED IN FAVOR:** M. Marx, M. Oryl, B. Peterson, D. Harger; **OPPOSED:** none; **ABSTAINED:** none: **APPROVED:** 4-0-0.

>>IWL App. 262: Mr. & Mrs. Porter, 66 Brookwood Drive

The applicant is proposing to build a 5 bedroom house, pool and barn. T. ODell's concern is the proposed barn; if animals will be housed in barn how will NPS from waste be mitigated to protect adjacent wetlands.

Commissioners recommend that the Inland Wetlands & Watercourses Commissioners ask the applicant to reposition the house and barn so it is out of the 100' upland review area.

MOTION: to recommend that the applicant consider repositioning the house and barn so they are out of the 100' upland review area. **MADE:** by M. Marx; **SECONDED:** by B. Peterson; **VOTED IN FAVOR:** M. Marx, M. Oryl, B. Peterson, D. Harger; **OPPOSED:** none; **ABSTAINED:** none: **APPROVED:** 4-0-0.

Reports No discussion

Planning Commission
Zoning Commission
Inland Wetlands Commission
Harbor Commission
Town Center Committee
Adopt –A- Spot

MOTION: to adjourn the meeting at 9:38 p.m. until the next Regularly Scheduled Meeting of the Westbrook Conservation Commission which will be on Tuesday, February 18, 2014 at 7:00 P.M. in the South Meeting Room of the Mulvey Municipal Center, 866 Boston Post Road. **MADE:** by M. Marx; **SECONDED:** by D. Harger; **VOTED IN FAVOR:** M. Marx, B. Peterson, M. Oryl, D. Harger; **OPPOSED:** none; **ABSTAINED:** none.; **APPROVED:** 4-0-0.

Respectfully Submitted,

Kathleen Noyes
Recording Clerk

cc: Planning Commission
Zoning Commission
Inland Wetlands & Watercourses Commission