



**TOWN OF WESTBROOK
CONSERVATION COMMISSION**

Mulvey Municipal Center
866 Boston Post Rd.
Westbrook, CT 06498
Tel. 399-3046 – FAX 399-2084

**Westbrook Conservation Commission Regular Meeting Minutes
Tuesday, May 21, 2013 7:00 p.m.
Mulvey Municipal Center - South Meeting Room
(Approved)**

Members Present

Tom ODell, Don Harger, Bob Peterson, Mike Oryl, John Rie, Randy Bell, Marty Marx

Call to Order

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

Minutes- April 16, 2013

MOTION: to approve the minutes of April 16, 2013 as presented.;**MADE:** by D. Harger;
SECONDED: by J. Rie; **VOTED IN FAVOR:** B. Peterson, D. Harger, J. Rie, R. Bell, M. Marx,
M. Oryl; **OPPOSED:** none; **ABSTAINED:** none; **APPROVED:** 6-0-0.

Bills

MOTION: to pay \$143.00 to Kathleen Noyes, Conservation Commission Recording Clerk. ;**MADE:** by M. Oryl; **SECONDED:** by D. Harger; **VOTED IN FAVOR:** B. Peterson, D. Harger, J. Rie, R. Bell, M. Marx, M. Oryl; **OPPOSED:** none; **ABSTAINED:** none; **APPROVED:** 6-0-0.

MOTION: to pay \$327.24 to New England Power Equipment, Inc. for a chainsaw, a gas can and gas. ;**MADE:** by M. Oryl; **SECONDED:** by J. Rie; **VOTED IN FAVOR:** B. Peterson, D. Harger, J. Rie, R. Bell, M. Marx, M. Oryl; **OPPOSED:** none; **ABSTAINED:** none; **APPROVED:** 6-0-0.

Correspondence

The following correspondence was received: Zoning Commission Minutes from 4/23/13, Inland Wetland Commission Minutes from 5/7/13 and the Inland Wetland Agent's Report for April.

Chairman's Report

MOTION: to add under **Old Business, Reconsider Redwood Common.**; **MADE:** by B. Peterson; **SECONDED:** by J. Rie; **VOTED IN FAVOR:** B. Peterson, D. Harger, J. Rie, R. Bell, M. Marx, M. Oryl; **OPPOSED:** none; **ABSTAINED:** none; **APPROVED:** 6-0-0.

MOTION: to add **Hiring Temporaries** under **Chapman Mill Pond Open Space.**; **MADE:** by M. Marx; **SECONDED:** by M. Oryl; **VOTED IN FAVOR:** B. Peterson, D. Harger, J. Rie, R. Bell, M. Marx, M. Oryl; **OPPOSED:** none; **ABSTAINED:** none; **APPROVED:** 6-0-0.

Town Planner Meg Parulis and Rick Potvin from the US Fish and Wildlife Service, presented more in depth information about the Redwood Common conservation restriction, and they asked the CC to reconsider the conservation restriction.

At the 4/16/13 CC meeting, Commissioners denied the conservation restriction because it was close to the houses making it difficult to enforce, and there were storm water galleries underneath.

M. Parulis explained that the applicant could have applied under the affordable housing 8-30g, but instead opted to file the application under the IHZ (Incentive Housing Zone) because the applicant chose to preserve an old house that was potentially eligible for historic registry. The historic fabric of the second house on the property is no longer there, therefore, that house is being taken down.

The developer had a soil scientist review the plans. Also they are addressing concerns about trespass, increase of invasive species and cats coming on the refuge and killing the birds.

R. Potvin said they also had concerns about storm water management and septic management. They wanted to delineate between the wetlands and the natural buffer, and they want to mitigate potential adverse effects. They plan to grow and maintain a 30' scrub shrub buffer habitat. To keep invasive plants out of the buffer area, they will request that residents only plant native, non-invasive species in the development.

M. Parulis talked about the Geomatrix system for septic. She said it's a great technology, and it should not pose any problems to the conservation area.

J. Rie asked about how the USFWLS would keep people from walking out on the conservation easement since it would essentially be their backyard. R. Potvin explained that once the shrub scrub buffer filled in, people wouldn't really be able to walk there. Also, there will be 4 witness posts along the boundary from which the USFWLS will be regularly checking the area. At some point in the future, perhaps a trail can be created there.

T. ODell expressed concerns about enforcement. He asked that the conservation easement language be easy to interpret and that it stay with the Conservation Commission. He said he wanted it to be clear who is enforcing the ordinance and for what purpose the ordinance is specifically there. M. Parulis said that enforcement for this area would be handled by the Town's Zoning Enforcement Officer, and that she, as Town Planner, would assist with enforcement.

R. Potvin explained that the USFWL would be entering into a 10 year landowner's agreement which both USFWLS and the Town of Westbrook would sign. The USFWLS will renew the agreement after 10 years if all parties are agreeable. R. Potvin offered to send T. ODell a template of the agreement for the CC's review.

M. Parulis said she will draft the agreement, and conditions of approval will be that the CC can approve the final language for the conservation restriction, The developer had a soil scientist review the plans. Also they are addressing concerns about trespass, increase of invasive species and cats coming on the refuge and killing the birds.
and that the USFWLS would develop and maintain the shrub scrub buffer.

<p>MOTION: that the CC will agree to issue the conservation restriction. Included in this motion is the understanding that the USFWL will provide and maintain a 30' shrub scrub buffer between their property and the housing development.; MADE: by J. Rie; SECONDED: by M. Oryl; VOTED IN FAVOR: B. Peterson, D. Harger, R. Bell, M. Marx, J. Rie, M. Oryl; OPPOSED: none; ABSTAINED: none; APPROVED: 6-0-0.</p>
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Open Space Program

Chapman Mill Pond Open Space

>> Proposed State purchase of land with dam; important update

The Sciongay's lawyer contacted T. ODell to notify him that a letter of intent to buy the Sciongay property has been signed by the state.

>>USFWL COOP: Update, action as needed

T. ODell noted that the USFWL Coop does not reference vernal pools. Control of invasive plants is discussed. The CC has \$4,000.00 in the budget for this, and John Riggio is trying to make time to come out to see if his trucks can use the material that the CC buys.

>>Trail work for CT Trails Day Hike June 1

Brendan started working on the trail at Chapman Mill Pond on 5/19/13. T. ODell will be working with him this week. Work should be completed by 6/1/13.

Marty Marx's son, Marty P. Marx, is going to be co-host for CT Trails Day.

>>Hiring Temporary Workers

T. ODell advertised at the Shoreline Summer Job Fair for the position of Student Temporary to work on trail maintenance and invasive plant control on the town's Open Space sites. He has interviewed 2 potential candidates. Marty P. Marx is interested in the job, and there is a young man from Guilford that T. ODell has spoken with as well. T. ODell said he'd like to hire both young men for the job.

>> Temporary Parking Signs

B. Peterson has completed the temporary parking signs.

Salt Island:

>>Barrier Islands Steering Group Meeting –review

There was a meeting on 5/6/13 meeting. T. ODell said if anyone would like to join the steering committee or be on the e-mail list for this group, he can contact bresline@comcast.net.

>> Barrier Island Coop: enforcement

The constable's salaries won't be completed until 7/1/13, so the number of patrols can't be scheduled yet. T. ODell is going to follow up on this.

>>Educational signs: Audubon grant update

The first draft will be available soon. Because of the sequester, they won't be able to hire as many people.

Salt Island Overlook:

>> Invasive Plant Workshop:Update

T. ODell has not made any progress. R. Potvin has been too busy to schedule anything with Oxford Academy. They may try to schedule something for the summer session.

T. ODell would like to be able to find money in the budget for a weed whacker with a brush cutter.

Old Business:

>>As needed

There was no other Old Business other than Redwood Common which was discussed at the beginning of the meeting.

New Business

>>As needed

There was no new business.

Reports

Planning Commission

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

There were no new commission reports.

MOTION: to adjourn the meeting at 8:30 p.m. until the next Regularly Scheduled Meeting of the Westbrook Conservation Commission which will be on Tuesday, June 18, 2013 at 7:00 P.M. in the South Meeting Room of the Mulvey Municipal Center, 866 Boston Post Road.; **MADE:** by D. Harger; **SECONDED:** by M. Marx; **VOTED IN FAVOR:** D. Harger, J. Rie, B. Peterson, M. Marx, R. Bell, M. Oryl; **OPPOSED:** none; **ABSTAINED:** none.; **APPROVED:** 6-0-0.

Respectfully Submitted,

Kathleen Noyes

Recording Clerk

cc: Planning Commission

Zoning Commission

Inland Wetlands & Watercourses Commission