



**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, July 16, 2013 7:00 p.m.  
Mulvey Municipal Center - South Meeting Room  
(Unapproved)**

**Members Present**

Tom ODell, Bob Peterson, Randy Bell, John Rie, Marty Marx, *arrived at 7:40 p.m.*

**Members Excused Absence**

Mike Oryl, Don Harger

**Call to Order**

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

**Minutes- June 18, 2013**

**MOTION:** to approve the minutes of June 18, 2013 as presented. **MADE:** by J. Rie; **SECONDED:** by B. Peterson; **VOTED IN FAVOR:** B. Peterson, R. Bell, J. Rie; **OPPOSED:** s

**Bills**

**MOTION:** to pay \$154.00 to Kathleen Noyes, Conservation Commission Recording Clerk. ;**MADE:** by J. Rie; **SECONDED:** by R. Bell; **VOTED IN FAVOR:** B. Peterson, J. Rie, R. Bell; **OPPOSED:** none; **ABSTAINED:** none; **APPROVED:** 3-0-0.

**Correspondence**

The following correspondence was received: the Inland Wetland Agent's report for June 2013, Zoning Commission minutes from 6/25/13 and 5/28/2013 and Inland Wetlands and Watercourses Commission minutes from 7/2/2013 and 6/4/2013.

**Chairman's Report**

T. ODell explained that he had computer problems and thus was unable to create a July meeting agenda. He asked the recording clerk to update June's agenda for the July meeting, but because there were many amendments he wanted to make, he requested that Commissioners vote to approve the substitute agenda he brought to tonight's meeting.

**MOTION:** to approve a substitute agenda for tonight's meeting.; **MADE:** by R. Bell; **SECONDED:** by J. Rie; **VOTED IN FAVOR:** B. Peterson, J. Rie, R. Bell; **OPPOSED:** none; **ABSTAINED:** none; **APPROVED:** 3-0-0.

## **Open Space Program**

### **Chapman Mill Pond**

#### **>> Proposed State purchase of land with dam - Update**

The Sciongay's and the Town of Westbrook received a Notice of Tentative Determination to Approve an Application for Dam Safety Permit and Intent to Waive Public Hearing Applicant(s): Harriet Sciongay, Application Number: DS-201302533 for Clinton and Westbrook for Chapman Mill Pond Dam #2709 which includes a description of the proposed activity and information about requests/public comments. This document outlines one of the Sciongay's requirements for the purchase of land by the State of CT.

#### **>>USFWL COOP: Use of Commission Temps.**

T. ODell reported that the Coop is still in place. He spoke to Rick Potvin yesterday. They are hoping to get people out to work on the island soon. R. Potvin would like to ask one of the marinas if the USFWLS can use one of the marina boat slips so they can keep their boat there instead of having to launch in Old Lyme.

#### **>>Trail Maps: Contract with Conservation District**

T. ODell is working on getting photographic GPS mapping of Chapman Mill Pond trails.

### **Horse Hill Woods**

#### **>>Trail work: Contract with Conservation District**

T. ODell is working with Conservation District on contract for photographic GPS mapping of Horse Hill Woods trails.

### **Salt Island**

#### **>>Friends of Barrier Islands Meeting: Wednesday, July 17, 2013**

T. ODell and J. Rie will be attending the next meeting of Friends of the Barrier Islands on Wednesday July 17, 2013.

#### **>> Barrier Island Coop: enforcement during fireworks**

Members of the Audobon went out and talked with people to educate them about the birds. They wanted to try to deter members of the public from using fireworks which would disturb the birds.

#### **>>Educational signs: Audubon added \$500.00; Draft sign – needs review**

T. ODell reported that The Audubon has given an additional \$500.00 to pay for educational signage in addition to the \$500.00 they had previously given for the brochure. This money makes up for the \$1,000.00 USFWLS didn't have to give.

### **Salt Island Overlook**

**>> Invasive Plant Control: staff will concentrate this week on trail and cutting vines. Sign to be erected next week.**

It's been very difficult working on the trail due to the extreme heatwave we've been experiencing. T. ODell hopes the sign will be put up next week.

### **Open Space Policy: Hunting Allowed or Not – discuss and vote(s)**

The Conservation Restriction specifies that hunting is not allowed on Horse Hill Gorge. Hunting is not allowed on Chapman Mill Pond Open Space as per the Deed Restriction. Hunting is not allowed on Horse Hill Woods either. There is not a policy for banning hunting here, but signage restricts hunting. The sign says, "NO HUNTING: NO MOTORIZED VEHICLES."

A hunting restriction on all open space may conflict with the purpose of State of CT funding using wildlife funds. This has been conveyed during discussion with the DEEP on the Miele-Russo proposal.

B. Peterson asked who would enforce a no hunting policy.

There was discussion about whether or not Commissioners would consider allowing bow and arrow hunting. R. Bell said there are different types of hunting, bow and arrow hunting, rifle hunting, shot gun hunting and black powder hunting. Commissioners are concerned about public safety.

<p><b><u>MOTION:</u></b> to write a letter to the State of CT saying the Conservation Commission would like to consider hunting on Open Space parcels managed by the Westbrook Conservation Commission on a site by site basis, and they would like to ask for the State's recommendation regarding what kinds of weapons could be used in various locations.; <b><u>MADE:</u></b> by R. Bell; <b><u>SECONDED:</u></b> by J. Rie; <b><u>VOTED IN FAVOR:</u></b> B. Peterson, J. Rie, R. Bell; <b><u>OPPOSED:</u></b> none; <b><u>ABSTAINED:</u></b> none; <b><u>APPROVED:</u></b> 3-0-0.</p>
--

### **Russo and Miele:**

**>>Proposed purchase and sales agreement update**

An agreement was signed by the Board of Selectman and by Joe Russo. Agreement with the Miele's is pending completion by Town Attorney.

**>>Appraisal(s); discuss, vote on funds**

T. ODell distributed a copy of a letter dated 7/15/20 13 from Silverstein Appraisal Services, LLC describing the two appraisal options available.

October 15, 2013 will be the date of termination of this purchase and sales agreement. Both parties have discussed a possible extension of the agreement. Previously in August 2011, Silverstein Appraisal Services, LLC performed the appraisals for both Russo and Miele properties. No lots were included in the Miele 2011 appraisal. In the Russo appraisal, 12 lots are involved.

T. ODell explained that the initial thinking was that if both properties were appraised together, their value would be higher than it would be with separate appraisals. There's a possibility that DEEP will require a yellow book appraisal. T. ODell would like to follow up on this.

An important point to note is that there cannot be a loop road through the Russo property because of wetlands that are present.

T. ODell recommended, and Commissioners agreed, to ask for 2 separate values and 2 separate reports not to exceed \$4,500.00 for the appraisal.

<p><b>MOTION:</b> to approve the appraisal by Silverstein Appraisal Services, LLC not to exceed \$4,500.00. The funds are to be drawn from the Open Space Preservation Fund.; <b>MADE:</b> by J. Rie; <b>SECONDED:</b> by R. Bell; <b>VOTED IN FAVOR:</b> B. Peterson, J. Rie, R. Bell, M. Marx; <b>OPPOSED:</b> none; <b>ABSTAINED:</b> none; <b>APPROVED:</b> 4-0-0.</p>
--

#### >>Criteria for evaluating Miele-Russo

T. ODell discussed the ecological values for the properties and why are they should be protected.He noted criteria from The State of CT's Green Plan 2007 – 2012. T. ODell reviewed the plan and he sent a letter to DEEP today. The DEEP is finalizing a report to be used in evaluating funding for the Mieli-Russo properties and asked if T. ODell could review by 4PM on 7/17/2013. It was reviewed.

#### >>Brose letter

T. ODell distributed a copy of a letter dated 7/15/2013 to Eric Brose, Executor of the Brose Estate, from T. ODell and Town Planner Meg Parulis. They are requesting support for the Conservation Commission of the portion of forest land linking the Miele Russo property to the Cockaponsett State Forest and Horse Hill Woods by providing a letter confirming the Brose family's intent to preserve the land for conservation purposes.

#### Staff Report

#### >>Mulvey Environmental Education and Native Plant Trail

T. ODell said the student workers recently weeded and trimmed over-grown native shrubs on the Patchoug River bank behind the Mulvey Municipal Center. They also distributed 20 yards of hemlock mulch throughout the native shrubs. This will help control invasive species from growing there, and visitors now have a much better view of the Patchoug River estuary and the shore birds there.

>>**Events article**

T. ODell distributed a copy of an article he submitted for Westbrook Events Magazine describing the work of the Westbrook Student Conservation Crew.

**Old Business**

As Needed.

**New Business**

As Needed

**Reports**

**Planning Commission**

**Zoning Commission**

**Inland Wetlands Commission**

**Harbor Commission** - The Harbor Management Plan is in the review process.

**Town Center Committee**

**Adopt –A- Spot**

**MOTION:** to adjourn the meeting at 8:05 p.m. until the next Regularly Scheduled Meeting of the Westbrook Conservation Commission which will be on Tuesday, August 20, 2013 at 7:00 P.M. in the South Meeting Room of the Mulvey Municipal Center, 866 Boston Post Road. **MADE:** by J. Rie; **SECONDED:** by R. Bell; **VOTED IN FAVOR:** J. Rie, B. Peterson, M. Marx, R. Bell; **OPPOSED:** none; **ABSTAINED:** none.; **APPROVED:** 4-0-0.

Respectfully Submitted,

Kathleen Noyes

Recording Clerk

cc: Planning Commission  
Zoning Commission  
Inland Wetlands & Watercourses Commission