

WESTBROOK CONSERVATION COMMISSION
Regular Meeting Corrected Minutes – July 20, 2010

Members present: Chairman Tom ODell, Marty Marx, Bob Peterson, Mike Oryl, Don Harger and John Rie.

Call to Order: The meeting was called to order at 7:02 p.m. by Chairman Tom ODell.

Minutes – June 15, 2010: Upon a motion by John Rie, seconded by Don Harger, it was:
VOTED: Unanimously to approve the minutes of June 15, 2010, as corrected.

Bills: Upon a motion by Mike Oryl, seconded by John Rie, it was:
VOTED: Unanimously to approve the payment of the following bills:
\$31.90 to Kathleen Kelemen for Secretarial duties.

Correspondence:

1. Copy of Letter from Doane Collins Engineering stating that the Russo's have withdrawn their IWWC application.
2. Notice from First Selectman Noel Bishop stating that the new Finance Director that was hired changed her mind and declined the position.
3. Copy of 6/22 Zoning Commission minutes.
4. Copy of June 2010 IWWC Agent Report.
5. Copy of CCM Town and Country.
6. Copy of summer 2010 "The Habitat".

Chairman's Report:

1. Chairman ODell stated that he attended a coastal site plan review workshop on 6/30/10 in Clinton.

Open Space Program:

- **Horse Hill Gorge:** A proposal was received from the Ross family. Upon a motion by John Rie, seconded by Don Harger, it was:
VOTED: Unanimously to move forward with the purchase price of \$150,000.00 for 7.5 acres from the Ross Family.
The Commission discussed the stipulations for the Ross proposal.
Upon a motion by Marty Marx, seconded by Mike Oryl, it was:
VOTED: Unanimously to deny the Ross Family request for reimbursement of \$325.00 appraisal incurred by the seller.
Upon a motion by John Rie, seconded by Mike Oryl, it was:
VOTED: Unanimously to not include proposal #4 in the deed.
Upon a motion by John Rie, seconded by Mike Oryl, it was:
VOTED: Unanimously to add the following to the proposal: Add the entire process for the town for the purchase of the property from beginning to end.
Upon a motion by John Rie, seconded by Marty Marx, it was:
VOTED: Unanimously to accept the Ross Family proposal as submitted, with amendments made by this Commission.

Chairman ODell will contact the Ross Family with the proposed amendments. If they are in agreement, the proposal will go to the Town Attorney to finalize the wording for a final agreement.

- **Horse Hill Gorge - Parking:** The area for the proposed parking has been staked out, but the Ross family has changed their minds as to the proposed location. Chairman ODell will try to arrange a time so that the Commission Members can go look at the area.
- **Salt Island Overlook Update:** The Board of Finance has approved the Grant application for \$8,000.00 and will be transferred to the Salt Island Overlook Special Account. The herbicide treatment has been completed for some of the tree's and the invasive ground vegetation. Brendan will start work clearing certain areas on Friday or Monday, depending on the weather.
- **Chapman Mill Pond – Update/Discussion:** Bob Peterson, Don Harger and Chairman ODell met with the Sciongay's on 6/24 to discuss the dam maintenance. The first step is to update the emergency plan because it has not been done since 2001. The Sciongay's have a sales agreement that states the town is responsible for 62.5% of the cost for the management of the lake and dam and the town has a warranty deed that states "equal shares". Town Attorney Wells has stated that the deed would take precedence over the sales agreement. The problem is that up until now, the town has paid the 62.5%, so it would be hard to change at this point. Chairman ODell is waiting to hear back from Attorney Wells to see how to proceed.

Plan of Conservation and Development

Chairman ODell stated that they have finished all the primary issues that needed to be addressed and will start working on the design of the document questionnaire to go out to the Town's people via the Westbrook Event and the Library and Town Hall. Different designs of the layout were distributed by Chairman ODell. All members were asked to review and provide comments and/or suggestions.

Old Business:

- **Russo Conservation Subdivision: Update:**
This application has been withdrawn.
- **Zoning Appeal No. 10-06: Lot 17 Pointina Road: to allow 10' set back where 50' is required:**
Commission Member Bob Peterson recused himself from this application. The property owner has reapplied for a 10' set back instead of 6.1'. The application has been sent to DEP for review. The next ZBA meeting will be July 28th. Chairman ODell read the letter that the Commission sent for the previous application that was sent to the DEP.
Upon a motion by John Rie, seconded by Don Harger, it was:
VOTED: Unanimously to submit a letter to ZBA, with a copy to Mary Beth Hart of CT DEP, stating that the issues of concern raised during the last application have not changed with the proposed change of 6.1' to 10' set back.

- **IWWC Referral Z0814 – Applicant David Scranton: South side of Boston Post Road, Assessors Map #28, Lot #S116, Update:**
This application was approved by IWWC and this Commission's concerns were addressed through stipulations of approval.

New Business:

- **IWWC Referral: Applicant Michael Dattilo (Water's Edge): Construction of 2 Tennis Courts, north parking lot, Boston Post Road:**
Water's Edge has submitted an application for 2 tennis courts and a detention basin behind the existing employee parking lot on the north side of Route 1. Each tennis court is proposed to be 102'W x 116'L.
Upon a motion by John Rie, seconded by Don Harger, it was:
VOTED: Unanimously to send a letter to the IWWC stating the following concerns: The closeness and impact to the wetlands and the impact during installation of the detention basin which is right next to the wetland. This commission will rely on the Town Engineer to address these issues.

Reports:

- a. **Planning Commission:** Nothing to report.
- b. **Zoning Commission:** The Zoning Commission voted to approve the General Store Application with stipulations. They also extended the Water's Edge special permit for the demolition of the beach house for 6 months.
- c. **Inland Wetlands:** Previously discussed.
- d. **Harbor Commission:** John Rie stated that the final survey for the dredging is complete and there is still one area of concern to be addressed. They are trying to change the "Harbor Commission" to the "Harbor Management Commission" and trying to get a management plan in place.
- e. **Town Center Committee:** John Rie stated that 5 spots have been adopted so far for the "Adopt A Spot" program.

Upon a motion by Marty Marx, seconded by Don Harger, it was:
VOTED: Unanimously to adjourn at 9:15 p.m.

Respectfully submitted:

Kathleen H. Kelemen, Secretary

Note: Corrections are indicated in bold, italicized and underlined print.