



TOWN OF WESTBROOK

CONSERVATION COMMISSION

866 BOSTON POST ROAD
WESTBROOK, CONNECTICUT 06498

(860) 399-3046 • Fax (860) 399-2084

APPROVED MINUTES SPECIAL MEETING

August 4, 2015

7:00 PM

Mulvey Community Center, South Meeting Room

Members Present

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

Excused Absence

John Rie

Members of the Public Present: Meg Parulis, Town Planner, Kathy Kurt, Mindy Gordon

Call to Order

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

MOTION: to move Planning Referral PC2015-003 – 1062 Boston Post Road- Christman: Proposed 2-lot Conservation Subdivision with proposed Conservation Restriction under Old Business to the top of the agenda.

MADE: by B. Peterson; **SECONDED:** by M. Marx; **VOTED IN FAVOR:** J. Rie, M. Marx, B. Peterson, R. Bell; **OPPOSED:** none; **ABSTAINED:** none; **APPROVED:** 4-0-0.

MOTION: to approve the minutes June 16, 2015 as presented. **MADE:** by M. Oryl; **SECONDED:** by R. Bell; **VOTED IN FAVOR:** M. Marx, B. Peterson, R. Bell, D. Harger, M. Oryl; **OPPOSED:** none; **ABSTAINED:** none; **APPROVED:** 5-0-0.

MOTION: to pay Kathleen Noyes, Recording Clerk \$83.12, \$23.75, \$160.31 **MADE:** by M. Oryl. **SECONDED:** by D. Harger; **VOTED IN FAVOR:** R. Bell, D. Harger, M. Marx, B. Peterson, M. Oryl.; **OPPOSED:** none; **ABSTAINED:** none; **APPROVED:** 4-0-0.

Correspondence

Habitat Summer 2015

Inland wetland agent report June 2015

Zoning Commission Special Meeting Minutes 6/23/2015

Minutes of Regular IWC Meeting 7/7/2015

Correct Minutes of Regular IWC Meeting 6/2/2015

Dam Fishway Installation - approved

Chairman's Report: No Report

Open Space Program

Preservation/Acquisition

- St. John: Town Meeting August 24th to vote on acquisition
- Sciongay: Chris Hallahan inspected residence for demolition, Waiting for demolition estimate

Management

- Chapman Mill Pond
 - >>Parking area construction: Zoning permit required-Zoning Public Hearing August 25, 2015
 - >>Signs—Bob Peterson has repurposed signs used for CT Trail days.
- Horse Hill Woods
 - >>Forest Bird Habitat Assessment --take place 8/10
- Salt Island Overlook:
 - >>Main and trail signs --Marty P Marx and Morgan clearing trails and working on trail marking. Sign moved to front of property by the road. Not enough trees so thinking of using stakes with numbered placard.
 - >>Bob Peterson constructed trail map holder to attach to main sign.
- Salt Island: Management Plan: Morgan working with Rick Potvin on plan.

Intern Work

- Invasive Control; on-going
- Trail maintenance
- Trail marking: All trails have been or will be remarked.
- Mulch native planting—Educational walkway--Completed

Friends of Westbrook's Barrier Islands

- Funding educational programs: Funds (\$1,500) received from Board of Selectmen used to buy pins, hats, banners, and tattoos with Friends logo.
- Use of "enforcement" grant (Audubon):\$1,800 grant to be used for Constable overtime
- Hero's Awards: Awards ceremony Sept. 24th put on by the first selectman

Old Business

- **Planning Referral: PC-2015-003 – 1062 Boston Post Road –Christman; Proposed 2 lot Conservation Subdivision with proposed Conservation Restriction: (Review enclosed materials)**
 - T. ODell distributed recent reports from Dean Gustafson, Soil Scientist, from CT Dept. Bureau of Energy and Wildlife. Both referencing 1062 Boston post road. Also distributed Soils map of property.

T. ODell distributed Draft Motions (see attached) that required consideration, discussion, revision and and vote

Public comment: Mindy Gordon, property owner across river from proposed subdivision asked, if sold who is the grantor. T. ODell: Grantor goes with the property.

M. Gordon Produced map with ½ broken off for "Free Lot". Entire area is called the hill. Steep grades and many tree. Documented many birds that use trees; Great Egret, etc. Also concerned with the Patchogue River itself. M. Gordon concerned about erosion and produced documents on Planning Commission responsibilities regarding Conservation Subdivisions. Regulations call for protecting wetlands from clearing. Thinks that there should be a larger conservation restriction than 50' up to 100'.

Meg Parulis. Town Planner: Guidelines for conservation restriction for wetland buffers is 100' for open space area (section 9.12.05). Zoning Regs require 50' setback for building. No restriction on cutting up to the wetlands.

MOTION by M. Marx, Seconded by D. Harger The Conservation Commission, as Agent for The Town of Westbrook (Grantee), has determined that the maintenance and conservation of property of Pamela M. Christman (Grantor), which contains significant natural resources or aesthetic value in its present state, can best be accomplished by the securing by Grantee of a conservation restriction over, across, and upon the property of Grantor, and further, the Agent accepts the proposed conservation restriction described in

“The Hill” Subdivision of Land Map of property of Pamela M. Christman dated 6-29-15 and further described in a Restriction Documentation Report prepared by the Grantor, along with reports, maps, photographs, and other documentation. VOTED IN FAVOR: D. Harger, M. Marx, B. Peterson, R. Bell; M. Oryl; OPPOSED: none; ABSTAINED: none; APPROVED: 5-0-0.

MOTION by Randy Bell, Seconded by D. Harger: The Conservation Commission recommends that the width of the Conservation Restriction on Lot 1 be increased by approximately 60 feet be in line with the 100 year flood boundary as depicted on the plan. VOTED IN FAVOR: D. Harger, M. Marx, B. Peterson, R. Bell; M. Oryl; OPPOSED: none; ABSTAINED: none; APPROVED: 5-0-0.

MOTION by M. Marx, Seconded by D. Harger: The Conservation Commission recommends that land between house and the Conservation Restriction (CR) be maintained as much as possible as a vegetated buffer to ensure the Purpose and Prohibited Uses as described in the Deed of Conservation Restriction are not compromised, and that the conservation values of the CR and adjacent water resources are further protected as per the CT Department of Energy and Environmental Protection recommendation that a 100’ wide vegetated buffer is optimal for coastal water resources. Further, we recommend that the use of pesticides and herbicides use on lots 1 and 2 be restricted, that all drainage from the house roof on Lot 1 be directed to the proposed bio retention basin, and that all trees on Lot 1 of 6” DBH and greater be preserved between the Conservation Restriction and within 25’ of the house. VOTED IN FAVOR: D. Harger, M. Marx, B. Peterson, R. Bell; M. Oryl; OPPOSED: none; ABSTAINED: none; APPROVED: 5-0-0.

- **Inland Wetland Referral: Milano Development Corp. “Westbrook Small Business Park” 7 Pequot Park Road.**

Wetlands Commission meeting tonight. Will extend the public hearing. Do not have the Town Engineers report.

- Zoning Referral: ZC2014-022 1961 Boston Post Road: Site Plan Application for a proposed Multi-Family residential Development pursuant to State Statute 8-30g (affordable housing), with 24 units (new) on property with existing structure: **No further information**

New Business: None

Reports: Planning, Zoning, Inland Wetlands, Harbor, Town Center, Adopt-A-Spot, The Preserve: No reports

MOTION: to adjourn the meeting at 9:03p.m. until the next Regularly Scheduled Meeting of the Westbrook Conservation Commission which will be on Tuesday, August 18, 2015 at 7:00 P.M. in the South Meeting Room of the Mulvey Municipal Center, 866 Boston Post Road. MADE: D, by D. Harger; SECONDED: by M. Oryl. ; VOTED IN FAVOR: B. Peterson, M. Oryl, R. Bell, M. Marx, D. Harger ; OPPOSED: none; ABSTAINED: none.; APPROVED: 5-0-0.

Respectively submitted,

Martin E. Marx
Acting Clerk