

WESTBROOK CONSERVATION COMMISSION
Regular Meeting Corrected Minutes – October 19, 2010

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

Call to Order: The meeting was called to order at 7:04 p.m. by Chairman Tom ODell.

Minutes – August 17, 2010 and September 21, 2010

Upon a motion by Randy Bell, seconded by Marty Marx, it was:

VOTED: Unanimously to approve the minutes of August 17, 2010, as distributed.

Upon a motion by John Rie, seconded by Marty Marx, it was:

VOTED: Unanimously to approve the minutes of September 21, 2010, as distributed.

Bills: Upon a motion by Mike Oryl, seconded by Randy Bell, it was:

VOTED: Unanimously to approve the payment of the following bills:

\$57.65 and \$32.94 to Kathleen Kelemen for Secretarial duties.

Correspondence:

1. Copy of letters to Randy Bell and Tom ODell regarding their reappointment to the Commission.
2. Copy of letter from Town Attorney regarding protocols for e-mails and filing minutes. From now on the minutes will not be posted on the Town Web Site until they are approved.
3. Copy of notification regarding having to save e-mails that have to do with Commission Business. There was discussion regarding what would and would not have to be saved.
4. Copy of letter to Town Planner Meg Parulis regarding the Vumbaco Property located on Toby Hill.
5. Copy of IWWC 10/5/10 meeting minutes.
6. September IWWC Agent Report.
7. Copy of Zoning 8/24/10 and 9/28/10 meeting minutes.
8. 2 notifications of signed permits from DEP for the Widlitz property and the Lee property.
9. Volume of CCM Town & City pamphlet.

Chairman's Report:

- Chairman ODell asked that “Zoning Referral – Lee Company – Pettipaug Road, request to change zone from LDR to LI” to the agenda under New Business.
- Chairman ODell attended a meeting on 9/22/10 with ZEO Nancy Rudek and Town Planner Meg Parulis regarding the Coastal Reliance Program.
- On 10/14 there was a staff meeting held to review Woodard & Curran as the Town Engineers. It was decided to keep the firm as the Town Engineers.
- Chairman ODell is looking for approval of payment for the membership to CACIWC. Upon a motion by Randy Bell, seconded by Bob Peterson, it was:
VOTED: Unanimously to approve the payment of \$75.00 for the yearly CACIWC Membership.
- Chairman ODell is looking for approval to attend the CACIWC Meeting on 11/13/10 at the cost of \$40.00.
Upon a motion by Rand Bell, seconded by Mike Oryl, it was:

VOTED: Unanimously to approve the payment of \$40.00 to CACIWC for Chairman Tom ODell to attend the 11/13/10 Meeting.

Open Space Program:

- **Horse Hill Gorge: 7.5 acres – draft sales agreement:** A draft Sales Agreement has been received from Town Attorney Mike Wells. The agreement is pretty straight forward and includes the request for the parking area ***in the proposed 7 acre purchase.*** John Rie and Marty Marx have also reviewed the document. Chairman ODell forwarded the draft to Steve Ross and he replied stating that they absolutely do not want to approve the parking area ***in the proposed 7 acre purchase.*** Chairman ODell stated that back on July 10th, he and Steve Ross staked out the area for the parking area and it was agreed upon by all parties. They have since withdrawn their request for the restoration of the field. It was decided that all Commission Members, as well as the Ross family should go look at the property again and come to an agreement for the parking area.
Upon a motion by Marty Marx, seconded by John Rie, it was:
VOTED: Unanimously that the Commission has to have an agreement for permanent parking for a minimum of 6 cars and to determine the location and size of a sign with the sellers of the property.
- **Salt Island Overlook Update:** Chairman ODell stated that the we did not receive any of the 3 grants that were applied for. He has requested information on the rational of the decision process of why we did not receive them. All work is completed from the grant that we did receive from the US Wildlife. The trees have been removed and the lot has been fairly well cleared. \$1,450.00 was used towards mowing and cutting the multi-flora rose in the wetland area. There is \$550 left and Chairman ODell is seeking permission to use the remainder to move large branches that could not be chipped, to the front of the property so the wood can be utilized by residents of town. Chairman ODell has requested an appointment with Oxford Academy to discuss the material that they have placed on the town's property. Chairman ODell stated that he is trying to form a focus group with DEP and UConn. A educational plan will be established and then we can try to reapply for some grants. We also have funds left in the budget in payroll because ***Brendan Gooley*** is done for the year. Chairman ODell will try to put together a site walk of the property for all members.
- **Chapman Mill Pond – Legal responsibility, Stabilize Fence, Dam Improvements, parking update:** Chairman ODell and Don Harger will hopefully be fixing the fence this weekend. People have been trespassing on the Sciongay property even though it is clearly posted. They are very upset about this, but the Commission cannot do anything about this, they need to call the Police every time it happens. A letter has been received from Town Attorney Mike Wells regarding the Management Agreement regarding who pays what percent of maintenance costs. This still needs to be straightened out.

- **Russo Property:** Chairman ODell stated that Mr. Russo has contacted The Trust for Public Land and stated that he wants to reopen negotiations. They will start negotiations, Mr. Brose will be contacted and Chairman ODell will look into what Land Acquisition Funds are available. The first step is to obtain another appraisal of the property which will be paid for by The Trust for Public Land.
- **Open Space Plan: Green Infrastructure: Review enclosed draft:** Chairman ODell asked all Commission Members to review the draft and get back to him with comments, suggested changes, etc. Town Planner Meg Parulis would like this document available for when the Plan of Conservation and Development is approved.

Plan of Conservation and Development

Town Planner Meg Parulis and the Consultant are working to finalize and start writing the Plan for Conservation and Development. Chairman ODell went over the Plan's outline.

Old Business:

- **Zoning Appeal No. 10-06: Lot 17 Pointina Road: to allow 10' set back where 50' is required: Update.**
There is no new information available on this application
- **IWWC Referral Z0814 – Applicant David Scranton: South side of Boston Post Road, Assessors Map #28, Lot #S116, Update:**
This application went before the Planning Commission last night and now has to go before the Zoning Commission.
- **IWWC Referral: Applicant Michael Dattilo (Water's Edge): Construction of 2 Tennis Courts, north parking lot, Boston Post Road: Update:**
The Public Hearing for this application has been postponed again at the request of the applicant.

New Business: None.

- **Zoning Referral: Lee Company – Pettipaug Road – request for LDR zone change to LI:** The Public Hearing for Zoning is scheduled for October 26, 2010. The request for the zone change is for possible future expansion of the Lee Company. After review of the plans, this Commission has no objection to the request. Chairman ODell will write a letter to the Zoning Commission.

Reports:

- a. **Planning Commission:** Nothing to report.
- b. **Zoning Commission:** Previously discussed.
- c. **Inland Wetlands:** Previously discussed.
- d. **Harbor Commission:** John Rie stated that they have met with Lieberman's staff and they are in line to receive a grant to do the remaining dredging. They are applying to the ACOE to get the equipment back to dredge the entrance of the channel at Pilot's Point. They are still working towards a Harbor Management Plan,

but this will take time. The Selectmen have set up a Shellfish Ad-hoc Committee to review the status of the shellfish grants and to initiate the testing of rivers and other areas to see if shell fishing can be reinstated in the area. Again, this will be a very long process. John Rie stated that in the future, he is hoping to combine this commission with the regular Shell Fish Commission.

- e. **Town Center Committee:** Nothing to report.

Upon a motion by Marty Marx, seconded by John Rie, it was:
VOTED: Unanimously to adjourn at 8:49 p.m.

Respectfully submitted:

Kathleen H. Kelemen, Secretary

NOTE: Changes indicated in bold, underlined and italicized print.