



**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 20, 2014 7:00 p.m.  
Mulvey Municipal Center - South Meeting Room  
(Approved)**

**Members Present**

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

**Excused Absences**

Don Harger

There was one member of the public present, Jacquie Lebel.

**Call to Order**

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

**MOTION:** to approve the revised agenda. **MADE:** by J. Rie; **SECONDED:** by M. Marx; **VOTED IN FAVOR:** R. Bell, B. Peterson, M. Marx, M. Oryl, J. Rie; **OPPOSED:** none; **ABSTAINED:** none: **APPROVED:** 5-0-0.

**Eagle Scout Project – Chapman Mill Pond Open Space Bridge  
Project Leader – Michael Schneider, Consultant – Tom Elliot**

M. Schneider discussed the process by which he selected the Chapman Mill Pond Open Space Bridge for his Eagle Scout project. He said he consulted with T. Elliot, also present at the meeting, about bridge location and design. The location for the bridge has a deeper channel which is ideal for bridge crossing.

M. Schneider brought photos of the area and diagrams of the proposed bridge. He hopes to have the bridge built by the end of July at the latest.

The Bridal Path Conservancy has matched M. Schneider's grant for materials. The total cost for materials is roughly \$900.00. Rings End Lumber has offered to donate \$320.00.

Carrying the materials in from Route 145 is going to be the biggest challenge. T. Elliot and T. ODell have discussed some possibilities to make this easier.

M. Schneider will be applying for Building and Inland Wetlands and Watercourses Permits from Westbrook Town Hall before building the bridge.

M. Schneider asked about liability once the bridge is completed. T. ODell read a letter he received through First Selectman Noel Bishop from the Town's insurance carrier addressing this matter.

### **Minutes- April 15, 2014**

**MOTION:** to approve the minutes of April 15, 2014 as presented. **MADE:** by M. Marx; **SECONDED:** by J. Rie; **VOTED IN FAVOR:** R. Bell, B. Peterson, M. Marx, M. Oryl, J. Rie; **OPPOSED:** none; **ABSTAINED:** none; **APPROVED:** 5-0-0.

### **Bills**

**MOTION:** to pay \$137.34 to Kathleen Noyes, Conservation Commission Recording Clerk. ;**MADE:** by R. Bell; **SECONDED:** by M. Oryl; **VOTED IN FAVOR:** B. Peterson, R. Bell, J. Rie, M. Marx, M. Oryl; **OPPOSED:** none; **ABSTAINED:** none; **APPROVED:** 5-0-0.

**MOTION:** to move Zoning Referrals for 1961 Boston Post Road to the beginning of the agenda. **MADE:** by M. Marx; **SECONDED:** by J. Rie; **VOTED IN FAVOR:** J. Rie, R. Bell, B. Peterson, M. Marx, M. Oryl; **OPPOSED:** none; **ABSTAINED:** none; **APPROVED:** 5-0-0.

### **Old Business**

#### **Zoning Referrals:>>>>**

T. ODell gave Commissioners revised plans for the 1961 development which he received today and then recused himself from the discussion of the Zoning Referrals. Marty Marx, Commission Vice Chair, replaced him. Scott Desmond and Attorney Tom McLaughlin from Cloutier and Cassella, represented the applicant,

**ZC2014-003- 1961 Boston Post Road; Proposed Zone Map change on parcel #113 from Neighborhood Commercial to Planned Residential Development – Review/possible vote**

**ZC2014-004- 1961 Boston Post Road: Special permit application for proposed Multi-Family Residential Building with 24 units**

**ZC2014-005- 1961 Boston Post Road; Coastal Area Management (CAM) application**

Attorney McLaughlin said there is 25% Open Space for the proposal, and the required percentage of Open Space is 20%.

The VISTA proposal is for 24 units which are composed of 16 single-bedroom units and 8 2-bedroom units. Only recipients of VISTA services can purchase these units.

Richard Snarsky, Soil Scientist, wrote a report dated 4/30/14 in which he states that the proposal will not have a significant impact on the function and value of the wetlands. The Stormwater Management Plan is for a 100 year storm, no runoff.

M. Marx asked what would happen if VISTA leaves at some point, and another developer requests more parking for the facility. T. McLaughlin said there is a Conservation Restriction to be sure everything stays in compliance in perpetuity.

M. Marx expressed concerns about the percentage of impervious surface. The percentage of impervious surface is 50%.

J. Rie asked about the buffer zone along Chapman Beach Road. S. Desmond said a row of Linden trees was added to the Landscaping Plan.

**MOTION:** to approve **ZC-2014-003-** 1961 Boston Post Road; Proposed Zone Map change on parcel #113 from Neighborhood Commercial to Planned Residential Development; **ZC-2014-004-** 1961 Boston Post Road; Special permit application for proposed Multi-Family Residential Building with 24 units, and **ZC-2014-005** – 1961 Boston Post Road; Coastal Area Management (CAM) application with the proviso that the comments made by Woodard and Curran in their report dated 5/16/2014 be addressed to the satisfaction of the Town of Westbrook. **MADE:** by J. Rie; **SECONDED:** by B. Peterson; **VOTED IN FAVOR:** J. Rie, R. Bell, B. Peterson, M. Marx, M. Oryl; **OPPOSED:** none; **ABSTAINED:** none; **APPROVED:** 5-0-0.

**MOTION:** to amend the previous motion to add that the Conservation Restriction presented at tonight's meeting be included in the Zoning Approval process for **ZC-2014-003-** 1961 Boston Post Road; Proposed Zone Map change on parcel #113 from Neighborhood Commercial to Planned Residential Development; **ZC-2014-004-** 1961 Boston Post Road; Special permit application for proposed Multi-Family Residential Building with 24 units, and **ZC-2014-005** – 1961 Boston Post Road; Coastal Area Management (CAM) application. **MADE:** by J. Rie; **SECONDED:** by M. Marx; **VOTED IN FAVOR:** J. Rie, R. Bell, B. Peterson, M. Marx, M. Oryl; **OPPOSED:** none; **ABSTAINED:** none; **APPROVED:** 5-0-0.

At this time T. ODell returned to the meeting and resumed chairing the meeting.

### **Correspondence**

The following correspondence was received: The Spring 2014 edition of The Habitat, 5/6/2014 Inland Wetlands and Watercourses Commission regular meeting minutes, 4/22/14 Zoning Commission regular meeting minutes and the April Inland Wetland Agent's report.

### **Chairman's Report**

#### **Kirtland Landing; Intern David Carney work schedule**

T. ODell announced that the Conservation Commission did not receive the grant for Kirtland Landing.

D. Carney is trying to work 20 hours a week using flexible days and hours when rain is predicted.

### **Open Space Program**

**Signage:** Consistent Roadside signs: Check link to trail signs:  
<http://www.campgroundsigns.com/hiking-trail-signs>

T. ODell said there is money in the Conservation Commission's budget for the 3 signs. He asked that Commissioners look at the signs on the camp ground signs web site and give him feedback as soon as possible so they can make a decision.

**Chapman Mill Pond:** Revised invoice with vote

**MOTION:** to pay \$837.00 from the FY 2014-2015 budget for Phase II of the working agreement for Horse Hill Woods. **MADE:** by J. Rie; **SECONDED:** by M. Marx; **VOTED IN FAVOR:** J. Rie, R. Bell, B. Peterson, M. Marx, M. Oryl; **OPPOSED:** none; **ABSTAINED:** none; **APPROVED:** 5-0-0.

**Trail Maps:** Review and discuss

T. ODell and Town Planner Meg Parulis flagged a section of trail on the Rosso that connects with Horse Hill Woods. They are going to have the Conservation District come out and GPS the trail. The working agreement with the District has been revised to include GPS of trails on the Russo property.

The revised map will be completed by 6/7/14.

**Salt Island:**

**>>Regulations discussion possible vote**

These regulations were taken from the regulations used for Duck Island. Commissioners agreed this was a good model. Prohibiting dogs is the only existing regulation.

Commissioners discussed regulations pertaining to fishing.

Once the Conservation Commission votes to establish a regulation(s), they can be issued and promoted; a Town Ordinance gives the Conservation Commission the authority to enact and enforce these regulations.

The regulations will be enforced by constables on patrol boats and trained island keepers, and promoted by education events.

**MOTION:** to issue the regulations adding the words “not applicable” next to “fire breaks.”  
**MADE:** by J. Rie; **SECONDED:** by M. Marx; **VOTED IN FAVOR:** R. Bell, B. Peterson, J. Rie, M. Marx, M. Oryl; **OPPOSED:** none; **ABSTAINED:** none; **APPROVED:** 5-0-0.

>>**Wayside Sign Project:** sign establishment

T. ODeIl reported that the signs were put together. He’s hoping they will be erected in the ground very soon at the two beaches.

>>**Flyer-handout:** Review; possible vote (Audobon Grant)

The flyer is going to be re-designed. Sean Roche from the US Fish and Wildlife Service has not yet had the opportunity to revise it. He’s hoping it will be done within the next two weeks.

T. ODeIl handed out information from the Department of Energy and Environmental Protection website identifying Common Shorebirds of CT.

>>**Management Guidelines:** update

Rick Potvin from the US Fish and Wildlife Service has been working on the management guidelines. They have not been completed yet.

>>**Audubon’s “Be a Good Egg Program”:** update

Things are proceeding well. A training session was held Thursday, May 15,2014.

>>**Increased surveillance patrols:** review schedule: (Audubon Grant)

T. ODeIl met with Dave Russell from Harbor Master today. He handed out the detailed schedule about the Audubon Grant: Enforcement of Public Activity Restrictions, and Public Outreach, to Conserve and Protect Shorebirds nesting IBA Barrier Islands and adjacent islands with implementation in 2014.

**Friends of Westbrook’s Barrier Islands:** update – John Rie

J. Rie had nothing new to report.

**Eagle Scout Project –Chapman Mill Pond Open Space Bridge - Motion**

**MOTION:** to approve M. Schneider’s proposal to build the bridge in Chapman Mill Pond.  
**MADE:** by M. Marx; **SECONDED:** by M. Oryl; **VOTED IN FAVOR:** R. Bell, B. Peterson, J. Rie, M. Marx, M. Oryl; **OPPOSED:** none; **ABSTAINED:** none; **APPROVED:** 5-0-0.

**MOTION:** Once the bridge is completed and accepted by the Conservation Commission, Commissioners will request that that the Town Attorney absolve M. Schneider of all liability. **MADE:** by M. Marx; **SECONDED:** by M. Oryl; **VOTED IN FAVOR:** R. Bell, B. Peterson, J. Rie, M. Marx, M. Oryl; **OPPOSED:** none; **ABSTAINED:** none; **APPROVED:** 5-0-0.

**Eagle Scout Project: Natural Heritage Map:** review progress

The Westbrook Foundation grant the commission submitted to support this project being conducted by Harry Ruppenicker, III, was approved. Mr. Ruppenicker submitted the ten sites for the Natural Heritage Map as follows: Barrier Islands, Town Beach (Seaside Avenue and Salt Island Road), McKinney Wildlife Preserve, Messerschmidt Pond, Town Forest, Salt Island Overlook, Salt Meadows, Breakwater at the mouth of the two rivers and Horse Hill Woods.

Commissioners suggested Chapman Mill Pond, Kirtland Landing, Patchoug and Menunketesuck Rivers be added. They also suggested Breakwater at the mouth be deleted from the list.

T. ODell will talk with H. Ruppenicker, III about the suggested changes.

**New Business:**

**Eagle Scout Project:** Request from Matthew Cyr for project that included trail development. M. Cyr asked if he could complete the trails on Horse Hill Woods and create a Boy Scout camp in that area. T. ODell told him at the moment, there are no trails there to complete, and presently management plans do not include camping sites. At one time, scouts camped in the Town Forest, but the Commission has no management responsibility for that site.

T. ODell briefly discussed a potential change in the Chapman Mill Pond entrance/exit trail that would flatten slope, reduce potential for erosion and might be an appropriate Eagle Scout Project. Commission agreed Mr. Cyr should be contacted for this project.

**Eagle Scout Projects:** Potential long term cooperation for trail management

T. ODell suggested the commission discuss with the Boy Scout leader/Council a cooperative agreement, so the boy scouts can jointly work on trails with the Conservation Commission.

**Reports**

**Planning Commission**

**Zoning Commission**

**Inland Wetlands Commission**

**Harbor Commission** – J. Rie reported that The Harbor Management Plan has been approved by the state. It's going to Town Meeting in June.

**Town Center Committee**

**Adopt –A- Spot**

**MOTION:** to adjourn the meeting at 9:30 p.m. until the next Regularly Scheduled Meeting of the Westbrook Conservation Commission which will be on Tuesday, June 17, 2014 at 7:00 P.M. in the South Meeting Room of the Mulvey Municipal Center, 866 Boston Post Road. **MADE:** by M. Marx; **SECONDED:** by J. Rie; **VOTED IN FAVOR:** B. Peterson, M. Marx, M. Oryl, J. Rie, R. Bell; **OPPOSED:** none; **ABSTAINED:** none.; **APPROVED:** 5-0-0.

Respectfully Submitted,

Kathleen Noyes  
Recording Clerk

cc: Planning Commission  
Zoning Commission  
Inland Wetlands & Watercourses Commission