



**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, June 19, 2012 7:00 p.m.  
Mulvey Municipal Center - South Meeting Room  
(Approved)**

**Members Present**

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

**Call to Order**

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

**Minutes- May 15, 2012**

**MOTION:** to approve the minutes of May 15, 2012 as amended.;**MADE:**  
by M. Marx ; **SECONDED:** by D. Harger;**VOTED IN FAVOR:** T. ODell, B.  
Peterson, M. Oryl, J. Rie, R. Bell, M. Marx, D. Harger; **OPPOSED:** none;  
**ABSTAINED:** none; **APPROVED:** 7-0-0:

**Bills**

**MOTION:** to approve the time sheet submitted by Kathleen Noyes,  
Conservation Commission Recording Clerk, for \$187.00.; **MADE:** by M. Oryl;  
**SECONDED:** by M. Marx; **VOTED IN FAVOR:** T. ODell, B. Peterson, M.  
Marx, J. Rie, D. Harger, R. Bell, M. Oryl; **OPPOSED:** none; **ABSTAINED:**  
none; **APPROVED:** 7-0-0:

**MOTION:** to pay bill for \$65.28 submitted by T. ODell for 8 purchases,  
most of which are for planting areas; this would include photos of tree  
damage, graphics, copies, and paint and brushes for trail marking.;  
**MADE:** by M. Oryl; **SECONDED:** by R. Bell; **VOTED IN FAVOR:** T. ODell, B.  
Peterson, M. Marx, J. Rie, D. Harger, R. Bell, M. Oryl; **OPPOSED:** none;  
**ABSTAINED:** none; **APPROVED:** 7-0-0:

**Correspondence**

T. ODell shared the following correspondence with Commissioners: IWWC Minutes from 6-5-12, ZC Minutes from 5-22-12, an IWWC Agent's Report from May, DEEP approval of the Weinberg permit which was for the deck around their house, an Environmental Review Team questionnaire, and a thank you letter from Rita, the maintenance person for the Mulvey Municipal Center, and pre-school instructor for Parks & Recreation, for the outdoor signs which have been cleaned and waxed.

### **Chairman's Report**

T. ODell noted that there was an article about the Clinton Conservation Commission in the 5-24-12 edition of "The Harbor News" in which the chairman talked about the grant for open space that Clinton is applying for. The article mentions the properties that Clinton and Westbrook are interested in purchasing which are high recharge areas.

### **Open Space Program**

#### **Proposed "Town Use Ordinance"**

T. ODell talked with First Selectman Noel Bishop today, and N. Bishop said he would like to put this ordinance into action as soon as possible, but it has to go to Town Meeting first, which won't happen until sometime in the summer. N. Bishop asked if the CC would like to provide any comment.

Commissioners discussed this matter at length, clarifying who is responsible for open space under Article 1 of the Code of Ordinances new Section 2-4 Use of Town Properties.

**MOTION:** to send the following recommendation to the Board of Selectmen: The second paragraph under section (a) Definitions should read, "Open Space, so designated by the Board of Selectmen pursuant to Ordinance Section 9-204 is under the responsibility of the Conservation Commission and will be exempt from items b. through h. of this ordinance."; **MADE:** by M. Marx ; **SECONDED:** by J. Rie; **VOTED IN FAVOR:** T. ODell, B. Peterson, M. Marx, J. Rie, D. Harger, R. Bell, M. Oryl; **OPPOSED:** none; **ABSTAINED:** none; **APPROVED:** 7-0-0.

### **Chapman Mill Pond:**

#### **COOP funding from USFWLS**

T. ODell said the application for Coop funding went to the regional office last week. They are waiting for approval for \$7,000.00 which would be used to clear emergency roads and protect vernal pools. Once the money is approved, they can go out for bid.

#### **State Management of Chapman Mill Pond Dam**

Commissioners then discussed Chapman Mill Pond Dam Management. T. ODell gave Commissioners information about background, considerations and benefits for Chapman Mill Pond Dam Management.

T. ODell said that if the DEEP were to manage the property, the landscaping and brush would probably be taken up, and the area would be maintained as a grassy lawn which the DEEP would mow. There would be a right of way for maintenance purposes only.

The Sciongay's are willing to take the dam down to sell the land. Town Planner, Meg Parulis, suggested a conservation easement for trail access. The DEEP wants that too.

M. Marx recommended asking what the DEEP would require for adequate dam management. Commissioners asked if the town were to sign up for dam maintenance, who would do it. T. ODell said if the town takes on the maintenance, the town will do it, or the CC could contract for it.

B. Peterson asked why Westbrook is involved in dam maintenance if the dam is in Clinton. T. ODell said Westbrook is involved because Lake Laconia is in both Westbrook and Clinton.

J. Rie asked exactly what "dam management assistance" is. T. ODell said the DEEP is looking for a partner to work with them in maintaining the dam, and then he reviewed the list of dam management tasks and responsibilities specifying who is responsible for each task.

T. ODell asked Commissioners whether they would like him to contact the DEEP and tell them they would like to pursue this, or whether they do not want to support this at this time. Commissioners agreed that they would like to get an estimate from the DEEP for what the maintenance would cost, and they also would like to have a "not to exceed" figure submitted with the understanding that part of the deal of the sale would be that the dam be brought up to spec. The Sciongay's would be responsible for that cost. Commissioners would like to know if Clinton will commit to maintaining their side of the dam.

**MOTION:** to recommend that the State of CT buy the 148 acres for open space.;**MADE:** by J. Rie; **SECONDED:** by D. Harger; **VOTED IN FAVOR:** T. ODell, B. Peterson, M. Marx, J. Rie, D. Harger, R. Bell, M. Oryl; **OPPOSED:** none; **ABSTAINED:** none; **APPROVED:** 7-0-0.

**MOTION:** The Westbrook Conservation Commission should look into the question of supporting the CMP Dam Assistance in conjunction with the CT DEEP and possibly Clinton's Conservation Commission and look at all costs, tasks and responsibilities before making the decision of whether or not the Westbrook Conservation can support CT DEEP's request for assistance on dam maintenance.;**MADE:** by J. Rie; **SECONDED:** by M. Oryl; **VOTED IN FAVOR:** T. ODell, B. Peterson, M. Marx, J. Rie, D. Harger, R. Bell, M. Oryl; **OPPOSED:** none; **ABSTAINED:** none; **APPROVED:** 7-0-0.

T. ODell received an e-mail from Aquatic Technologies regarding water treatment for invasive plants in Chapman Mill Pond. Variable Water-milfoil was treated with Reward.

This is the earliest in 5 years that Aquatic Technologies has treated invasives. Because the water was warmer this year, and there was little ice, the plants had more light, and they grew more rapidly.

T. ODell communicated with the Lake Lakonia Homeowners' Association about the payment agreement for herbicide treatment.

**Horse Hill Woods; trail work, motorized vehicle sign posting**

T. ODell thanked everyone who joined him on May 20, 2012: D. Harger, M. Marx and his son, and R. Bell. They marked trees and cleared brush. There was a lot of poison ivy. Brendan and Tom worked on the blue trail. It was rerouted so it doesn't go up near the power line at all. T. ODell passed around a map to show Commissioners how the trail is now marked. They also redid parts of the white trail. As of July 1, money will be available for trailmaps.

**Salt Island Overlook- Grass seeding contract; invasive plant work (Brendan)**

The grass seeding has been done. The rest of the work will be done after the beginning of the next fiscal year which begins on 7-1-12.

Matt Lasada, Dean of Students at Oxford Academy, is interested in a Coop agreement with the CC for invasive plants. Today T. ODell received an e-mail from Matt about a student who was looking to work 19 community services hours. T. ODell said he would talk with Matt, and he'll also send him a draft of the cooperative agreement. He also noted that Brendan has agreed to supervise any volunteers.

T. ODell asked Commissioners to read the agreement so he could make any changes or additions before he passed it on to Matt Lasada. Commissioners read the agreement and said it was fine.

M. Marx asked if there should be something included about liability insurance. T. ODell said he would into that further.

**Standard Woods Open Space; sign posting**

T. ODell said that signs will be put up.

**Mieli Open Space: Update**

Glen Mieli sent T. ODell an e-mail about the Mieli open space. T. ODell told him that there needs to be parking and access to the property in order for the town to consider purchasing it. The piece of property to be sold has a section below the road that has wetlands on it. T. ODell met with G. Mieli this afternoon at the property. He said G. Mieli knows the CC is interested in the property, and he realizes what the town needs in order to purchase it.

**ATV Damage to Open Space: Update**

T. ODell mentioned that Becky Coffey, reporter for "The Harbor News" wrote 2 recent articles on ATVs.

M. Oryl spoke to Trooper Rob Hart about acquiring an ATV for police use in monitoring open space. M. Oryl said Trooper Hart was very supportive. However, M. Oryl did mention that lack of manpower could be a potential problem as could length of time between when a complaint is filed and when the police could pick up the ATV and follow up on the complaint. The ATV would most likely be kept at the Town Garage. The police would have to drive to the Town Garage, hook the ATV up to a trailer on the police car, drive to the open space area, and then follow up on the complaint. This could take a bit of time especially if the State Trooper or Town Constable was out on another call. By that time, it is very possible that the person on the ATV causing damage to the open space would be gone.

Commissioners also discussed training and licensing for police ATV and/or motorcycle usage.

### **Mulvey Environmental Walkway**

Thank you letter: Intern: scope of work

### **Old Business**

#### **Nutrient and Sediment Mitigation in the Coastal Menunketesuck and Patchogue Rivers. Stakeholders Meeting**

Commissioners received copies of a letter written by T. ODell addressed to Town of Westbrook Officials, Staff and Commissions in which he requested their presence at a initial stakeholder meeting on 6-7-12 where the CT River Coastal Conservation District in cooperation with the Westbrook Conservation Commission, funded by the CT Council on Soil and Water Conservation in partnership with the CT Office of the U.S.D.A. Natural Resource Conservation Service, would discuss “Nutrient and Sediment Nonpoint Source Pollution Mitigation in the Coastal Menunketesuck and Patchogue Rivers.”

#### **Inland Wetlands Referrals:**

##### **1950 Boston Post Road, (Pudder’s) restaurant, miniature golf, 10 room- inn, recreational center: Dentention basins and grading in regulated area**

No action taken.

##### **250 Flat Rock Place, Middlesex Hospital, clearing, grading and construction of portions of the parking access, septic system, helipad and stormwater management system**

No action taken.

#### **Zoning Referral**

##### **Z2012-11 250 Flat Rock Place – Special Permit Application proposed Emergency/ ambulatory out patient medical care facility (Middlesex Hospital) – Public Hearing June 13, 2012**

No action taken.

**New Business - As needed**

There was no new business.

**Reports**

**Planning Commission**

**Zoning Commission**

**Inland Wetlands Commission**

**Harbor Commission**

**Town Center Committee**

**Adopt –A- Spot**

J. Rie reported that this program is going very well. Many spots have been adopted.

**MOTION:** to adjourn the meeting at 8:57 p.m. until the next Regularly Scheduled Meeting of the Westbrook Conservation Commission which will be on Tuesday, July 16, 2012 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 R. Bell; **VOTED IN FAVOR:** M. Marx, D. Harger, R. Bell, M. Oryl, B. Peterson, M. Oryl, T. ODell; **OPPOSED:** none; **ABSTAINED:** none.; **APPROVED:** 7-0-0.

**Respectfully Submitted,**

**Kathleen Noyes**

**Recording Clerk**

cc: Planning Commission  
Zoning Commission  
Inland Wetlands & Watercourses Commission