

**Westbrook Conservation Commission Regular Meeting Minutes**  
**Tuesday, June 21, 2016 7:00 p.m.**  
**Mulvey Municipal Center - South Meeting Room**  
**(Unapproved)**

**Members Present**

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

Ralph DePonte, Inland Wetlands and Watercourses Representative

**Call to Order**

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

**Minutes- May 17, 2016**

**MOTION:** to approve the Conservation Commission's Meeting Minutes of May 17, 2016 as presented. **MADE:** by J. Rie; **SECONDED:** by R. Bell; **VOTED IN FAVOR:** D. Harger, B. Peterson, M. Oryl, J. Rie, M. Marx, R. Bell; **OPPOSED:** None; **ABSTAINED:** None; **APPROVED:** 6-0-0.

**MOTION:** to approve the April 2016 time sheet from Recording Clerk Kathleen King in the amount of \$48.80. **MADE:** by M. Oryl; **SECONDED:** by D. Harger; **VOTED IN FAVOR:** D. Harger, B. Peterson, M. Oryl, J. Rie, M. Marx, R. Bell; **OPPOSED:** None; **ABSTAINED:** None; **APPROVED:** 6-0-0.

**Correspondence**

The following were received: The spring 2016 edition of The Habitat, the 5/24/16 Zoning Commission Regular Meeting Minutes, a letter from Essex Printing from May 2016 announcing that Essex Printing is an award winner in the Association's Awards of Excellence Competition. Enclosed with the letter was a celebration coupon for \$100 off our next order of \$500 or more.

**Chairman's Report**

The Chairman's Report will be covered under the agenda items.

**Open Space Program**  
**Preservation/Acquisition**

- **Sciongay:** Update-There is nothing new to report.

**Management**

- **Chapman Mill Pond:**  
>>**Parking area:** Discuss Open/Close Schedule  
Signs have been posted with Open 8 a.m. and Closed 6 p.m. every weekday. Interns can open/close through August. T. ODell requested help with the opening and closing on the weekends. He would like to establish a schedule for the weekends. R. Bell offered to help close on weekends, and D. Harger offered to open on the weekends. R. DePonte also offered to help open. T. ODell will talk with them and create a schedule.

**>>Parking Area Signage: Pole Status:**

The sign is finished. The cost was \$360.00. R. Bell offered to make the sign post. The overall sign cannot be more than 7 feet tall. He will meet with T. ODell to further discuss the sign post details.

**>> Parking Area Planting: Mulch, Watering**

T. ODell has watered all new plants every three days. In the new budget year, he will arrange to have all plants mulched. An abundant amount of poison ivy in front of the rock walls has been sprayed.

- **Toby Hill Woods on Halls Road:** Parking Area Recommendations-  
There is no new activity to report.
- **Horse Hill Woods III:** Parking Area on Breakneck Hill; Update Forest Bird Survey  
There is no new activity to report.
- **Salt Island:** T. ODell updated Commissioners on a meeting he had with Water's Edge Summer Staff and the Island Keeper's Schedule. They met with Tina Datillo, Vice President of Water's Edge, and summer beach staff at Water's Edge. They talked about Salt Island birds, vegetation and the former wharf artifacts and important bird areas.

T. ODell distributed the handout he brought to that meeting entitled, "Menunketesuck, Duck and Salt Islands Important Bird Area-Westbrook, Middlesex County." This included a status, site description, a section on birds, the Duck Island Natural Area Preserve, Salt Island, Non-avian Resources, Threats, Existing Conservation Measures and rules for visitors to keep in mind.

There were short presentations by T. ODell, Rick Potvin and Beth Ammadola from Audubon. Interns Marty Marx, Jr. and David Murray attended. There was discussion about attending Saturday morning coffee time to give 10-15 minute introductions to Salt Island, the Barrier Islands, IBA and history. They will take turns with the Stewart B. McKinney Refuge, Audobon and Friends of Barrier Islands. They have been given permission to wade to Salt Island from Water's Edge beach. This is a good way to engage with visitors. Interns will begin Island Keeper work on Salt Island this weekend during 3-4 hour low tide periods.

- **Trail Management:** Update  
There have been complaints about dogs being off leash at Horse Hill Woods. Commissioners discussed purchasing signs that say "Please keep your dogs on leash. Clean up after your pet."

## **Friends of Westbrook Barrier Islands**

The Refuge staff is continuing the West Beach shore bird program for kids. There are a few volunteers to work as Island Keepers on Salt Island with M. Marx, D. Potvin and T. Potvin. Refuge volunteers will work on Menunketesuck Island.

T. ODell reported that the Town Police Patrol Boat needs to be continued. There is still \$1,800.00 dedicated to: Description of Project (2015) “Funds are to be used to pay for the Town of Westbrook to provide water based patrol law enforcement services to enforce Town and State laws on the US Fish and Wildlife’s Menunketesuck Island if funds are required beyond those budgeted by the Town of Westbrook for regular 3-day per week patrols which include Saturdays and Sundays. The Patrol Boat will be manned by the Assistant Harbor Master and the Town Marine Constable.

When the Town of Westbrook budgeted funds for marine patrols are completely expended, the Finance Department will use the Audubon Grant “enforcement” account which is \$1,800.00 to fund, as needed, water-based Law Enforcement Services. The use of funds will be documented.

## **Old Business**

- **Christman Conservation Restriction: Possible Violation**

T. ODell prepared a hand out for Commissioners listing the prohibited uses for the Christman Conservation Restriction. Commissioners also received a copy of the Conservation Commission’s actions and recommendations regarding the Planning Commission’s Referral PC-2015-003 for 1062 Boston Post Road-Christman; Proposed 2-lot Conservation Subdivision with proposed Conservation Restriction for the Public Hearing 8/10/2016. Commissioners reviewed “The Hill” Site Plan.

T. ODell recommended that the Commission invite the property owner to their July meeting to explain the activities on Lot 1 as per items #1, #2 and #3 in the hand out. Some trees have been cut, most vegetation has been removed, and leaves/litter has been raked on to edge on Conservation Restriction in violation of the Conservation Restriction. Grass will likely be planted. An arborist should be consulted.

J. Rie recommended that Town Attorney Michael Wells be consulted about the interpretation of the Conservation Restriction.

T. ODell said the Conservation Restriction is a Planning Document, and the Conservation Commission must make a referral to the Planning Commission.

Commissioners suggested the property owner should mediate the violation by replanting the trees they have cut. Commissioners are also concerned about the placement of the leaves. Commissioners would like to know the types and location of vegetation the property owner intends to plant.

**MOTION:** to write a letter to the Planning Commission notifying them of the violations of the Conservation Restriction at the Christman property located at 1062 Boston Post Road, and ask them to seek a Cease and Desist order of current activities and to request that the property owner correct the violations they've already committed. Please note that the activities that have been conducted on the adjacent property owned by Grantor, which could alter natural water level and/or flow in or over the Protected Property. Based on inspection of Lot #1, with Town Planner Meg Parulis, 1:15 p.m. on Monday, June 13, 2016. 1. Tree cutting: four trees greater than 6" in diameter (see note #14 in the Site Development Plan). 2. All leaves/litter in stippled, vegetation maintenance only area raked on to edge of the Protected Area. 3. No storm water management silt fencing has been installed on Lot #1 where the bare ground has been exposed by removing all litter. See note #11 in the Site Development Plans. 4. Conservation Restriction/Protected Area not marked with signs installed on 4' high posts. See Note #12 in the Site Development Plan. **MADE:** by R. Bell; **SECONDED:** by M. Oryl; **VOTED IN FAVOR:** D. Harger, B. Peterson, M. Oryl, J. Rie, M. Marx, R. Bell; **OPPOSED:** None; **ABSTAINED:** None; **APPROVED:** 6-0-0.

**MOTION:** to consult Town Attorney Michael Wells and request a written process for handling violations of Conservation Restrictions. **MADE:** by B. Peterson; **SECONDED:** by J. Rie; **VOTED IN FAVOR:** D. Harger, B. Peterson, M. Oryl, J. Rie, M. Marx, R. Bell; **OPPOSED:** None; **ABSTAINED:** None; **APPROVED:** 6-0-0.

- **National Trails' Day:** June 4<sup>th</sup> Excellent Turn Out

There were 14 cars, 20 adults, 4 dogs and no children. Rick Potvin gave a presentation on vernal pools, and he talked about Terri Potvin's monitoring project. T. ODell gave a brief description on the demise of the Hemlock on the ridge by the Hemlock Wooley Adelgid.

### **New Business**

- **Planning Referral:** 2 Westbrook Place & 1224 Boston Post Road-Proposed Municipal Parking Lot (27 Spaces)

B. Peterson reviewed the parking plan, and he shared his findings with Commissioners. He said he's been to the area to see how the existing parking system works. He also talked about how the proposed piping will work to divert water drainage. All of the details about pipe connections and plumbing are not shown on the plan. This plan was approved by the Inland Wetlands and Watercourses Commission.

B. Peterson talked with M. Parulis today. There is a revised plan being created, and B. Peterson will report back to Commissioners after he reviews that plan.

**Reports:** Planning, Zoning, Inland Wetlands, Harbor, Town Center, Adopt-A-Spot, The Preserve

MOTION: to adjourn the meeting at 8:30 p.m. until the next Regularly Scheduled Meeting of the Westbrook Conservation Commission which will be on Tuesday, July 19, 2016 at 7:00 P.M. in the South Meeting Room of the Mulvey Municipal Center, 866 Boston Post Road. MADE by D. Harger; SECONDED: by M. Marx; VOTED IN FAVOR: D. Harger, J. Rie, R. Bell, M Marx, B. Peterson, M. Oryl. OPPOSED: None; ABSTAINED: None; APPROVED: 6-0-0.

Respectfully Submitted,

Kathleen King, Recording Clerk

cc: Planning Commission, Zoning Commission, Inland Wetlands & Watercourses Commission