

# January 4, 2012

5:00 p.m. Land Use Mtg. Room

**Members Present:** Susan Payne, Linda Frank, Phil Markert, Phil Dutton, Randy Bernard, Alt.

**Absent:** Diane Dupuis, Betsy Corrigan, Alt

**Staff Present:** Shelley White

**Others:** Ann Quachenbos, Chris Charles

Chairman Susie Payne called the meeting to order at 5:07 p.m.

Seated: Susie Payne, Linda Frank, Phil Markert, Phil Dutton, Randy Bernard

## **Election of Officers**

Mr. Markert nominated Susan Payne for Chairperson and Linda Frank for Co-Chairperson, Mr. Dutton seconded and the vote was unanimous.

## **Consideration of the Minutes**

The Minutes of the December 7, 2011 Conservation Commission Meeting were considered.

Motion:

to accept the December 7, 2011 Regular Meeting Minutes of the Conservation Commission as submitted,  
by Mr. Dutton, seconded by Ms. Frank, passed by 5-0 vote.

## **Criteria for Conservation Easement**

Ms. Frank distributed an updated draft of a list of criteria for Conservation Easements. The Commissioners reviewed the list and discussed possible adjustments in the language. They discussed stewardship fees and land trusts that require a fee as part of the conservation easement acceptance process. There was a lengthy discussion regarding the liability a conservation easement can be to the Town and what funds would be used to defend the Town in a lawsuit. Ms. Payne stated that the Land Trust Alliance is working on developing a conservation defense fund. Ms. Frank stated that she would take the suggestions into consideration and email a revised version to the Commissioners.

Mr. Charles asked if he could have a copy of the draft. Ms. Frank stated that she would send him the next draft and he could put his suggestions in writing for the Commission.

Mr. Markert stated that when the Conservation Commission has a definitive document then they would welcome public comment.

## **Conservation Commission Budget**

Ms. Payne stated that the Conservation Commission has around \$3,500.00 in its budget, Greenway has around \$3400.00 and the Open Space Fund has a balance of \$332,279.77.

Ms. Payne stated that every year the Conservation Commission lobbies for more money and will do so this year when the time comes.

## **Referrals and New Projects**

### Gunn Hill Road Easement:

Ms. Payne stated that there is a Zoning Application to build a single-family dwelling at 65 Gunn Hill and the Conservation Commission must write a letter of approval since the Town holds a Conservation Easement on the property.

The Commission looked at the map titled Subsurface Sewage Disposal System, for Proposed House, 73 Gunn Hill Road, sheet 1, dated 11-21-11, by Brian Neff. Ms. Payne recommended that the letter states that the Conservation Commission monitored the property was in December 2011 and that they are concerned about what happens to the easement during construction and would like the easement and the driveway marked. Ms. Payne read sections 2 and 3 of the Conservation Easement for 65 Gunn Hill Road. She stated that the letter should say that they believe the width of the driveway in the language of the easement is a typo and she will reference the width that is indicated on the Sewage Disposal map (approx 10ft. wide). The Commission agreed that Ms. Payne should write the letter of approval with these considerations and submit it to the Zoning Officer.

### The Gunnery Playing Fields- South Street

Ms. Payne stated that she forwarded the email to the Commissioners from Sean Hayden, which stated that he went through the revised hydraulic calculations and that the engineers are doing a good job of managing the increased runoff that these fields will create. Mr. Hayden did say that many acres of contiguous valuable mature forest habitat would be fragmented. The Commission read the report from Land Tech, addressed to Mr. Bedini, Inland Wetlands Commission Chairman, dated January 4, 2012. The Commission looked at the Map titled Site Plan, South Street Athletic Fields, for The Gunnery, sheet 3 of 7 with a revised date of 12-9-11 by Smith & Company. The Commissioners looked at the site plans, discussed the location of the level spreaders and discussed the length and height of the proposed chain link fence. Ms. Payne stated that the Inland Wetlands hearing would continue on 1-11-12 at 5 pm at Bryan Memorial Town Hall in the Land Use Meeting Room. The Conservation Commission submitted a letter to the IWC stating their concerns on 12-13-11. Mr. Dutton stated that he went to the Gunnery and occasionally does work for them and feels that the athletics fields are needed. He said that he did have concerns regarding the buffering and that the clear cutting for the level spreaders could impact the view from Route 47. The Commission discussed how much clear cutting would be needed and asking for a perspective drawing since a 3D model is not available. Cell Tower Update

Mr. Markert stated that AT & T has submitted a proposed lease for the Town Garage site and once a contract is drawn up First Selectman Lyon will bring it to the Town to be voted on.

The Commission briefly discussed cell service coverage in the Depot.

### Decommissioning of Streetlights

Mr. Dutton stated that he is waiting for a response from the State Troopers office.

### New Preston Open Space

Ms. Payne stated that she, Mr. Markert and Mr. Bernard walked the New Preston Open Space property. Mr. Bernard submitted a aerial map of the property which roughly indicated the boundary lines, a mowed path, drainage swale and parking pad. He stated that permits and an engineering

estimate would be needed. Mr. Markert stated that he knows someone that could brush hog the trail at no cost to the Town. The Commission agreed that the property perimeter needs to be flagged, the boundary needs to be marked with permanent tree markers, the loop trail needs to be marked, invasive plants along the wetland boundary need to be eliminated and species of conservation concern should be identified.

### TPOCD

Ms. Payne stated she invited Ms. Braverman from the Planning Commission to come to this meeting but she was unable to attend and that the Planning Commission is appreciative of the communication between the two commissions. Ms. White stated that the Planning Commission would like to finish their review of the current POCD and talk to a consultant and then ask for input from the Conservation Commission. The Commission briefly discussed consultants, soil based zoning and other towns that have revised their regulations.

### Planning Commission Minutes

Mr. Bernard stated that in the December 6, 2011 Planning Commission Regular Meeting Minutes stated that the Town does not perform water quality monitoring. He stated that private ad hoc groups currently do the monitoring and the POCD states that the Town, through its Conservation Commission, should develop a regular water quality testing program. Mr. Bernard stated that he feels the Town should not be burdened with monitoring water quality but the Conservation Commission should take the initiative to maintain a record of the monitoring.

### **Other Business**

Ms. Payne stated that she spoke with Mr. Fitzherbert from the Zoning Commission and asked him to attend a Conservation Commission meeting to discuss the zoning issues that the CC would like to move forward on such as ridgeline protection, conservation cluster development, and regulations regarding telecommunications.

### Bryan Memorial Tree Moratorium

Ms. Payne stated that she received an email from the First Selectman in response to the Conservation Commission's request to put a moratorium on removing the Norway Maples in Bryan Memorial Plaza until the gas station property is sold. In his email he stated that the issue was discussed at the last Board of Selectmen's Meeting and that they will revisit the removal/planting plan in March. The First Selectman stated in his email that "the ad hoc committee assembled by Tree Warden Tom Osborne put a lot of time and effort into their plan, secured a grant and raised funds through donations, and are addressing the declining health of the Norway Maples in a proactive manner" and that if the gas station is sold the Board of Selectman are willing to incorporate any changes that would improve the Town as well as the former gas station property.

Mr. Dutton stated that he was unhappy with this process and does not agree with replacing the Norway Maples with shrubs. The Commission agreed that suggestions/alternatives should be submitted to the Shade Committee and that pruning and cabling the trees should be considered.

Ms. Payne stated that Ms. Quachenbos is interested in possibly joining the Conservation Commission.

The Commissioners agreed to discuss short, mid and long-term goals for the next Regular

Conservation Commission Meeting on February 1, 2012 at 5:00pm in the Land Use Meeting Room at Bryan Memorial Town Hall.

Motion:

to adjourn at 7:30 pm

by Ms. Frank, seconded by Ms. Payne.

Ms. Payne adjourned the meeting at 7:30 pm.

Submitted subject to approval,  
Shelley White, Land Use Clerk