

# November 9, 2011

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

**Members Present:** Susan Payne, Linda Frank, Phil Markert, Phil Dutton, Betsy Corrigan, Alt,

**Absent:** Diane Dupuis, Randy Bernard, Alt.

**Staff Present:** Shelley White

**Others:** Rocky Tomlinson, Atty. Mary Jo Andrews

Chairman Susie Payne called the meeting to order at 5:30 p.m.

Seated: Susie Payne, Linda Frank, Phil Markert, Phil Dutton, Betsy Corrigan, Alt

## **Consideration of the Minutes**

The Minutes of the October 5, 2011 Conservation Commission Meeting were considered.

Correction: 2nd page, under Other Business, 1st sentence should read: The Conservation Commission would be co-sponsoring a program with the Garden Club and WEC presenting Douglas Tallamy, author of Bringing Nature Home, on October 13 at 5pm at Bryan Memorial Town Hall.

Motion:

to accept the October 5, 2011 Regular Meeting Minutes of the Conservation Commission as corrected, by Mr. Markert, seconded by Ms. Frank, passed by 5-0 vote.

## **Referrals and New Projects**

Ms. Payne stated that the Calhoun Realty LLC-Nussbaum, 152 Calhoun Street Conservation Easement has been signed and recorded.

The Conservation Commission looked at the plans titled South Street Athletic Fields prepared for The Gunnery, dated 10-3-11, by Smith and Company. The Commissioners discussed parking at the site.

Mr. Dutton stated that he does occasionally work for The Gunnery and he is an alumnus.

The Commission discussed a 3D rendering of the site plan. Atty. Andrews stated that she would ask if one exists or if they plan to have one done.

Atty. Andrews stated that there would not be outdoor lighting at the proposed fields.

The Commission discussed whether the fields would be visible from Route 47 and if The Gunnery is considering screening. Atty. Andrews stated that she believed that would be discussed with Zoning. The Commission discussed visibility from South Street.

Ms. Payne stated that the Conservation Commission is concerned about the impact that the proposed fields would have on the environment regarding wetlands, water supply, habitat, etc.

The Commission discussed the topography of the property.

Atty. Andrews asked the Conservation Commission if they hired their own consultant to look at the plan. Ms. Payne stated that she asked Mr. Hayden from the Northwest Conservation District to look at the plan. Atty. Andrews stated that there is a letter from Dr. Bellantoni, State Archaeologist, in the file.

Ms. Payne stated that she would look into a site visit.

### **Criteria for Conservation Easement**

Ms. Frank distributed a basic draft of the Washington Conservation Commission Easement Guidelines and suggested that the Commission look at this and discuss it at the next CC meeting. Ms. Payne stated that Roxbury Land Trust has a small group called SALT (Small Area Land Trust). She stated that this group had a meeting and Mr. McGowan spoke about his 20 years of experience with conservation easements and the issue of risk management. She stated that Mr. McGowan listed guidelines for conservation easements. He stressed the importance of making sure the easement has public benefit and conservation value that supports the mission of the group/town/commission and that the language of the easement should be kept as simple and clear as possible. Ms. Payne stated that Mr. McGowan talked about working land-easements that embrace agriculture and how it could be used.

The Commission had a brief discussion regarding how land that is protected by a Conservation Easement could change over the years and how the easement language could be amended.

Ms. Payne stated that the Scenic Hudson and the Dutchess Land Conservancy are two groups that have successfully defined easement criteria.

The Commission discussed the cost of enforcement, monitoring, legal fees and stewardship of easements.

The Commission decided that they would consider a moratorium on Conservation Easements until the criteria are adopted, which should be by January 2012.

Monitoring tags were discussed briefly.

### **Cell Tower Update**

Mr. Markert stated that the First Selectman has heard from Mr. Comi and that no one from Verizon was expected to get back to them by today. Ms. Payne stated that the situation with the proposed cell tower lease is the same as it has been for the past couple of months and the Town needs to move forward. She stated that cell towers throughout the State were impacted by the October snowstorm but a few operated on generators. She stated that people should consider keeping a landline for public safety reasons.

Mr. Tomlinson stated that he would like to know when the proposed cell tower at the Town Garage site would come before the residents of the Town for a vote and that this process has taken too long.

### **New Preston Open Space**

Ms. Payne stated that the Conservation Commission needs to obtain a survey map of the property and that markers are needed for the property.

### **Watercourses and Waterways**

Mr. Bernard wrote an article for the Town's Newsletter regarding underground storage tanks. Ms. Frank stated that she would circulate the article via email.

### **Conservation Commission Website**

Mr. Dutton volunteered to be the Conservation Commission's Web Coordinator.

### **Decommissioning of Streetlights**

Mr. Dutton stated that he would email a copy of the map that indicates the streetlights to Officer Flayton, who has offered to look at them and draw up a report of his recommendations based on public safety.

### **Other Business**

Mr. Dutton stated that the Norway Maples in the Bryan Memorial Plaza did not suffer much, if any, damage from Snowstorm Alfred and that the removal of these trees should be reconsidered. The Commission agreed that other measures to preserve the trees should be considered before taking them down.

Ms. Payne stated that she agreed that the removal should be put off and that there are groups that are interested in the gas station property. She stated that maybe the trees could be cabled and pruned to keep them another five to ten years.

Motion:

to recommend to the BOS a moratorium on removing the Norway Maples in Bryan Memorial Plaza until the gas station property is sold and its development is known,  
by Mr. Dutton, seconded by Ms. Payne, passed by 5-0 vote.

Ms. Payne asked that the Commissioners to look at the Planning Commission Meeting Minutes that are on line.

Ms. Payne discussed an article regarding the possible sale of Candlewood Lake in the Spectrum.

There was a brief discussion regarding property that was being eased to Steep Rock by Ms. Doran. The Commissioners looked at a survey map of the property.

Motion:

to adjourn at 7:05pm  
by Ms. Frank, seconded by Ms. Payne.

Ms. Payne adjourned the meeting at 7:05 pm.

Submitted subject to approval,  
Shelley White, Land Use Clerk