

September 7, 2011

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

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

Absent: Diane Dupuis, Phil Dutton, Betsy Corrigan, Alt

Staff Present: Shelley White

Others: Tom Osborne, Tree Warden, Chris Charles, Atty. Robert Fisher

Chairman Susan Payne called the meeting to order at 5:05 p.m.

Seated: Susan Payne, Linda Frank, Phil Markert, Randy Bernard, Alt.

Consideration of the Minutes

The Minutes of the July 6, 2011 Conservation Commission Meeting were considered.

Motion:

to accept the July 6, 2011 Regular Meeting Minutes of the Conservation Commission as submitted, by Ms. Frank, seconded by Mr. Bernard, passed by 4-0 vote.

Tree Replacement in Bryan Memorial Plaza

Mr. Osborne, Tree Warden, was present to discuss the proposed plan to remove the elm trees at the entrance of Bryan Memorial Plaza that are at the end of their lifespan. He submitted a hand drawn planting plan that depicted replacement trees and additional plantings for the area. Mr. Osborne stated that the Town plans to apply for an America The Beautiful Grant and hopes to generate support from the local businesses. There was a brief discussion regarding the proposed native to Connecticut plantings and how there will be identification plaques as part of the Grant requirements.

Referral-Nussbaum - Calhoun St. Conservation Easement Proposal

Ms. Payne stated that Mr. Charles has submitted a great deal of information regarding this proposed conservation easement and that she did not feel that it was appropriate for Atty. Fisher to contact her at home regarding the Conservation Commission's feelings on this proposed C.E because the Commission always discusses and votes at their public meetings.

Atty. Fisher and Mr. Charles were present to discuss the proposed conservation easement. Mr. Charles discussed the concerns that the Conservation Commission expressed at the July meeting and stated that he addressed these concerns in the language of the proposed Deed of Conservation Restriction. Mr. Charles, Atty. Fisher and the Conservation Commission went over all of the changes that were made to the Deed of Conservation Restriction.

Ms. Payne questioned the right to remove the forsythia along the road. Atty. Fisher stated that the deed restriction states that the forsythia screening should be trimmed to maintain the viewshed and that the grantor would remove the forsythia entirely which would enhance the view.

The Conservation Commission looked at the map titled Conservation Easement Plan – Property

Boundary Survey, prepared for Calhoun Realty, LLC, by T. Michael Alex, Surveyor, dated September 2011. The map shows the proposed 2.64-acre Conservation Easement. The Commission and Atty. Fisher discussed the existing deed restriction. Atty. Fisher stated that he spoke with Atty. Miles and that the Conservation Restriction and the Deed Restriction would act as two layers of protection to the neighbors across the street. After a brief discussion the Conservation Commission, Mr. Charles and Atty. Fisher agreed to adjust the language in the Deed of Conservation Restriction to maintain existing stone walls, and add the right to construct a new stonewall that would not exceed thirty-two inches in height above ground level.

Mr. Charles distributed copies of the Stewardship Plan for 132 Calhoun Street (on file in the Land Use Office). There was a brief discussion regarding the stewardship plan.

The Commission agreed that they were ready to act on this proposed Conservation Easement.

Motion:

to approve the Deed of Conservation Restriction for 132 Calhoun Street with revisions discussed and contingent upon receipt of final Conservation Easement Plan- Property Boundary Survey, by Ms. Frank, seconded by Mr. Markert, passed by 4-0 vote.

Knotweed Project/New Preston

Ms. Payne stated that Mr. Gambino treated the knotweed at the New Preston Open Space and he will be treating the New Preston Falls area as soon as the water level improves. She stated that he has been asked to submit a proposal for the walking trail around the primary school as well.

CC Website

Ms. Payne stated that the improved Conservation Commission website is almost finished and will be available within the next week or two. She stated that if any of the members have any other suggestions of things that they think should be included on the website that they should forward them to Mr. Dutton.

POCD

Mr. Markert stated that he would not be able to attend the scheduled POCD Subcommittee Meeting on 9/27/11 but that he would supply a report to the subcommittee on behalf of the Conservation Commission. Ms. Payne stated that she would try to attend the meeting in place of Mr. Markert.

Cell Tower Update

Ms. Payne stated that docket 409 was defeated and the cell tower was not approved for the Falls Village location due to environmental incompatibility.

Ms. Payne stated that the lease negotiations for the Town Garage site have been stalled due to Hurricane Irene.

Watercourses and Waterways

Mr. Bernard stated that he has been monitoring some sites because he was concerned how the fish were traveling upstream in the Shepaug River after the hurricane and rainstorms. The Commission briefly discussed the influence that Hurricane Irene has had on the waterways.

Other Business

Greenway Committee Meeting scheduled for Monday September 12, 2011

Mr. Bernard suggested that the Commission consider a trail in the New Preston Open Space.

Ms. Payne announced that 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 15 at 5 pm at Bryan Memorial Town Hall.

Motion:

to adjourn at 6:55 pm by Ms. Payne.

Ms. Payne adjourned the meeting at 6:55 pm.

Submitted subject to approval,
Shelley White, Land Use Clerk