

**CONSERVATION COMMISSION
MINUTES**

Regular Meeting of December 14, 2015 at 7:00 pm

Meeting Room #3, Municipal Center, 3 Primrose Street, Newtown, CT

These Minutes are Subject to Approval by the Conversation Commission

In Attendance: Bill Darrin, Jim Ryan, Mark Boland, Karlyn Sturmer, Thomas Philbrick
Staff: Dawn Fried, Clerk

Mr. Darrin opened the meeting at 7:02 pm.

Mr. Darrin stated that Mr. Boland is sharing time with the Board of Finance and will have to depart the CC meeting by 7:45 pm. That being said any matter requiring a vote or will likely need a vote should be voted on before Mr. Boland leaves.

Mr. Philbrick stated that nominating a chair of the Conservation Commission should be acted on. Mr. Darrin stated for the record that he will be leaving the Conservation Commission and this meeting would be his last.

Mr. Darrin requested a motion to nominate a new Chairman. Mr. Philbrick nominated Mr. Ryan. Ms. Sturmer questioned if Mr. Ryan, with his busy schedule, would have time for the Chair position. Mr. Ryan responded that he has opened up his schedule to allow for the necessary time to make it fruitful and to live up to the high standards set by previous Chairs. Mr. Boland seconded. All in favor.

ACTION ITEMS

Permanent Sandy Hook Memorial

Mr. Ryan made a motion to approve the High Meadow as the proposed site for the Permanent Sandy Hook Memorial.

Since "Public Participation" was skipped to due Mr. Boland's early departure, Mr. Darrin allowed the public to participate at this time.

PUBLIC PARTICIPATION

Ann Astarita, Lyrical Lane, Newtown, CT, read a letter for the record referencing "Sandy Hook Permanent Memorial Commission ("SHPMC") Plan to Develop Portion of High Meadow" asking the Commission to "please consider the following before making your precedent-setting decision:". The letter dated December 14, 2014, is available in the Land Use office at the Newtown Town Hall.

Joseph Hovious, Leopard Dr, Newtown CT, stated there are 35 years of commissioner experience in the signatures on the “SHPMC” letter read by Ms. Astarita. Mr. Hovious commented that the High Meadow property is “the best piece of Open Space (O.S.) owned by the Town of Newtown”. Mr. Hovious is hopeful the Conservation Commission and other commissions can be respectful of this piece of O.S. property.

Holly Kocet, Karen Blvd, Newtown, CT, respectfully requested that the Commission oppose the Sandy Hook memorial at the High Meadow. Ms. Kocet is concerned with the nesting and migration of birds, protection of wildlife and shrinking wildlife habitat.

Permanent Sandy Hook Memorial Continued

Mr. Ryan made a motion which Mr. Philbrick read for the record. “The Town of Newtown Conservation Commission, acting in its capacity as stewards of open space resources, supports in principle, the Memorial Commission’s use of lands adjacent to and within an area referred to as the “High Meadow”, providing appropriate sensitivity to the important ecological value of this area be taken into consideration during design and development of a permanent memorial”. Seconded by Mr. Philbrick.

The Commission had a lengthy discussion regarding the use of High Meadow as the Sandy Hook permanent memorial site.

Mr. Ryan believes the SHPMC will invite the CC to participate in the process. By cooperatively working together this would ensure that the appropriate sensitivity and necessary respect will be given to this ecological location. Mr. Ryan stated that moving forward with this motion will allow the CC a “seat at the table” for further discussion.

Ms. Sturmer is concerned with the intrusion of a road, parking spaces, light and security cameras. Ms. Sturmer feels strongly that this memorial will be intruding upon a natural habitat. Ms. Sturmer pointed out the mandated roles of the CC some of which are the acquisition and preservation of Open Space. Ms. Sturmer feels this process is moving along and the SHPMC has not been above board. Ms. Sturmer would like to establish “some sense of resistance”.

Mr. Philbrick agreed that the process has moved along without the influence of the CC but believes going forward that supporting this motion is a way of getting the CC involved. Mr. Philbrick is hoping for a “seat at the table” which would enable the CC to have input, influence and mitigate impacts in regards to the decision making process.

Vote:	Mr. Darrin	Abstained
	Mr. Philbrick	Yes
	Mr. Boland	Yes
	Mr. Ryan	Yes
	Ms. Sturmer	No

Motion passes by a vote of 3 to 1 with one abstention.

Ms. Sturmer read a letter for the record referenced, "It is the role of the Conservation Commission to increase and protect Open Space in Newtown". The letter dated December 14, 2014 is available in the Land Use office at the Newtown Town Hall.

Mr. Ryan will be drafting a letter with the assistance of the Conservation Commission to the SHPMC to effectively involve the CC with the permanent memorial design process.

ACTION ITEMS

Stone Bridge

Mr. Jeremy Clark, Clark Forestry Services, Middletown, CT, gave a general overview of his business and explained his past experience with forest management planning. Mr. Clark will prepare a forest management plan for the Stone Bridge Open Space property for the CC to review. Mr. Clark's plan will focus on forest health and a young forest habitat which will protect and create a habitat for the New England Cottontail as well as other native species and wildlife. Mr. Clark will use the Yale Study as a broad informational tool. Mr. Clark passed out a "General Format for Management Plans" which outlines a format for a management plan. A site walk is tentatively scheduled for January with Mr. Clark and the Commissioners.

COMMISSION APPOINTMENT

The Commissioners discussed the process of appointing a new Commissioner. Mr. Ryan will contact the new Commissioner.

APPROVAL OF MINUTES OF NOV 9, 2015

Under Public Participation add "Ann Astarita in attendance". Mr. Darrin requested a motion to approve minutes of November 9, 2015 with suggested revision. Mr. Philbrick so moved. Ms. Sturmer seconded. All in favor.

NEW BUSINESS

Ms. Sturmer questioned the status of the Deep Brook information that was removed from the kiosks last January. Mr. Zakur of Candlewood Valley Trout Unlimited had approval from the CC to allow for the Deep Brook information to be posted. That information was removed and has not been replaced. Mr. Ryan will contact Mr. Sibley to find out the status of that information and will invite Mr. Zakur to come to the next CC meeting.

ADMINISTRATIVE ITEMS

Set CC Meeting Calendar for 2016

The Commission discussed having one meeting on the 4th Tuesday of every month in 2016 unless deemed necessary to add the second meeting on the 2nd Monday. Mr. Ryan made a motion to adopt the provided schedule for 2016. Ms. Sturmer seconded. All in favor.

For the record, the Commissioners thanked Mr. Darrin for Chairing the Board for the past three years and for his contributions and commitment to the Newtown community. Mr. Darrin thanked the Commission.

Adjournment

The meeting adjourned at 8:55 pm.

HAND DELIVERY 12-14-15

Re: Sandy Hook Permanent Memorial Commission ("SHPMC") Plan to Develop Portion of High Meadow

Dear Chairman Darrin and Conservation Commissioners,

We understand that you will be reviewing the SHPMC proposal to develop a portion of the High Meadow for the permanent memorial. This will be a difficult and emotional discussion. We ask that you please consider the following before making your precedent-setting decision:

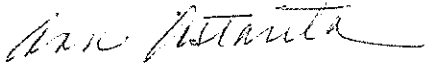
- 1) The SHPMC has no project plan for your review. The merits or weaknesses of the project cannot be evaluated without a plan for development. Based on articles published during the past few weeks in the Newtown Bee, the scope of the project is still in flux. Approval or denial at this point is premature.
- 2) The High Meadow property legally is protected Open Space.
 - a. Newtown Land Records Map (No. 8194, filed 3/11/14) indicates the area is "Dedicated Open Space".
 - b. The Declaration Document Concerning the High and East Meadows dated 7-28-15 states: "The Town of Newtown agrees to perpetually preserve, protect, limit, conserve and maintain the land hereinafter described [High Meadow] in its natural condition." The Document also states: "It is the purpose of this Declaration to ensure that the Meadows remain in their present, natural and open condition, and to prevent any activity or use of the area that is inconsistent with that condition or that will significantly impair or interfere with the ecological, conservation or open space values of the area, notwithstanding normal passive recreational purposes." Creation of a driveway and parking lot and yet-to-be-defined structure is inconsistent with the Declaration.
- 3) Connecticut General Statutes indicate that comparable land of equivalent size and value (financial and ecological) must be provided when open space is converted to development. The Town has not provided a comparable property to be converted to open space for discussion.
- 4) Precedent by Newtown Conservation Commission, Planning & Zoning Commission, Fairfield Hills Authority and others. The High Meadow OS is arguably the highest rated, most used, most visible, and most valuable open space owned by the Town of Newtown. The High Meadow has faced several development threats in the past including a location for schools, military facility and other inappropriate uses. After public support, hundreds of hours of work, meetings, surveys, and discussions including Fairfield Hills Ad Hoc Committees (see e.g., Fairfield Hills Master Plan, pp. 8, 29; Figure 7), Planning and

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CC AF.

Zoning Commissions (note overlapped Aquifer Protection District location), the Conservation Commission and others, the High Meadow was declared "Dedicated Open Space" (see Map 8194 on Land Records, Declaration dated 7/28/15 of CC minutes) and should be preserved.

Thank you for your careful review of this project. No one disputes that the SHPMC has a valid and important mandate. However once developed, open space is lost forever.

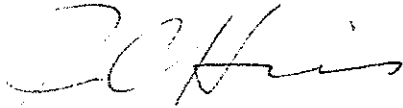
Respectfully,



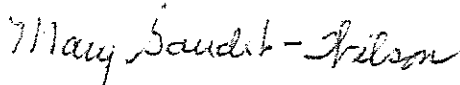
Ann Astarita, M.S.
Former Chairman, Newtown Conservation Commission 2014
Former Wetlands Enforcement Officer & Conservation Official, Town of Newtown, 2007-2011



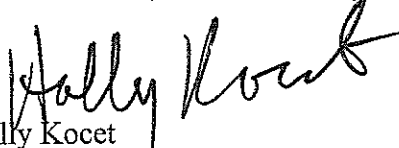
Marjorie Cramer, M.D.
Commissioner, Newtown Conservation Commission, 2005-2014
Fairfield Hills Master Plan Amendment Work Group, 2012



Joseph Hovious, P.E.
Environmental Engineer (Retired), M.S., Environmental Engineering
Former Chairman, Newtown Conservation Commission



Mary Gaudet-Wilson
Former member of Conservation Commission, 7 years, Chairman 3 years
B.S. Education, B.A. Chemistry, MBA



Holly Kocet
Master Gardener
Former President, Garden Club of Newtown

It is the role of the Conservation Commission to increase and protect Open Space in Newtown.

The Conservation Commission is mandated under State Statute to advise and regulate the natural resources for the Town of Newtown. A portion of the duties assigned to the Conservation Commission in Town Ordinance 65 are:

"A Conservation Commission for the development and conservation of natural resources, including water resources, within the territorial limits of the Town of Newtown is hereby established under the name Conservation Commission. Among the natural resources with which the Commission is concerned are so-called "open space" or "open area" which shall be deemed to include any space or area the preservation or restriction of the use of which would (1) maintain or enhance the conservation of natural or scenic resources, (2) protect natural streams or water supply ..."

While the present Conservation Commission has a much broader mandate than the old Open Space Task Force, acquisition and preservation of open space remains an important role. [The above is found at newtown-ct.gov.]

The Conservation Commission is responsible to all the citizens/residents/taxpayers of Newtown.

It is the needs and future of all Newtowners that are considered with every decision made about adding new open space or managing existing open space.

The High Meadow (which also includes the East Meadow) is considered by many to be the crown jewel of Newtown's open spaces.

The High Meadow has a number of attributes that have made its preservation and ensuing management an important goal for the Conservation Commission. Foremost are the scenic vistas, the meadow habitat and the access. Mature forests with dense canopies dominate much of our town's open space, while the High Meadow provides greatly needed diversity, both in habitat and wildlife. It is a critical goal of the Commission to study, protect, and rehabilitate that habitat for the many nesting and migratory birds that prosper within it, as well as for the enjoyment of Newtown residents.

Thus

Based on the mandate of the Conservation Commission to protect open space for all residents as well as the ecological importance of the High Meadow, I have a responsibility to oppose the placement of a memorial – with its accompanying road, parking area, lights, security cameras, benches, and as-yet-unknown memorial structures – on the High Meadow.

Karlyn Sturmer

Newtown Conservation Commissioner

December 14, 2015

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General Format for Forest Management Plans

The following format/template has been developed by Clark Forestry Services based in part upon various Forest Management Plan formats and templates, along with the National Forest Management Plan Template which fulfills the requirements of the Natural Resource Conservation Service, American Tree Farm System, and the USDA Forest Stewardship Program. The following template format can be customized to fit the needs of the Newtown Conservation Commission.

Executive Summary

Property Maps

1. Property Description

Legal Ownership
General Property Description
History
Existing Practices
Summary of Resource Concerns
Landowner's Management Goals

1. B. Access & Acreage

Access
Acreage/Land Use
Landscape Context

1. C. Social Considerations

Special Sites (Cultural/Natural)
Recreation/Trails
Wildlife Viewing & Hunting
Adjacent Stand or Ownership Concerns

2. Management of Natural Resources

2. A. Air, Water, and Soil Protection

Soils & Topography
Soil Protection
Hydrology
Streams & Wetlands
Best Management Practices (BMPs)
Effects of Natural Disasters

2. B. Fish, Wildlife and Biodiversity

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Habitats

Wildlife

Forest Birds

Cavity/Snag Trees

State and Federal Threatened or Endangered Species - Plants or Animals

2. C. Management of Forest Resources

Forest Stand Improvement

Invasive, Non-native Plants

Forest Insects & Diseases

Pre-Harvest Planning / Inland Wetlands & Watercourses Agency Permitting

Harvesting

Post-harvest Activities

Monitoring

Future Management

3. Forest Stand Level Information

Summary of Management Recommendations

Landowners Goals & Objectives

Forest Inventory

Stand Delineation

3. A. Stand 1: Forest Type - Acreage

Objectives - Stand 1

Current Conditions - Stand 1

General Description - Stand 1

Location, size, topography, soils, aspect, forest type, tree species, stocking (basal area, tree/ac, relative density), size class, age class, volume per acre, understory species, invasive plant presence, notable features

Desired Future Conditions - Stand 1

Management Recommendations - Stand 1

4. Management Recommendations

4. A. Landowner's Management Goals

4. B. Resource Concerns & Objectives

4. C. Recommendations

4. D. Forest Management Work Plan

5. Appendix

References & Resources for Landowner

Glossary

EXAMPLE OF FOREST STAND DESCRIPTION SECTION

3. A. Stand 1: Maple/Aspen/Oak poletimber (8.2 acres)

Objectives

- Improve/maintain forest access from Greystone Road
- Protect and enhance the health and vigor of the Forest
- Promote age and species diversity within the forest
- Manage non-native, invasive plant populations
- Encourage native tree seedling and shrub establishment through harvest activities
- Improve growing conditions for desirable crop/mast trees
- Release / prune apple trees, white pines, and desirable hardwood crop trees
- Maintain openings of herbaceous plant communities which provide beneficial pollinator habitat
- Install waterbars and/or stone to divert water from roadway on steep slopes
- Create additional trails to improve access for management activities
-

Current Conditions

Forest Type:	Mixedwood Oak / Aspen/ Maple / Pine Poletimber
Acres:	8.2 acres
Age class:	~ 54 years
Basal area per acre:	102 ft ² /acre
Trees per acre:	607 stems/acre
Volume per acre:	512 BF/acre
Dominant Size Class:	Poletimber
Stocking:	Overstocked
Percent Relative Density:	83%
Percent AGS / Percent UGS:	58% AGS / 42% UGS
Invasive Species:	Japanese barberry, multiflora rose, Oriental bittersweet, Japanese Knotweed, Phragmites
Forest Pests & Diseases	Gypsy moth, nectria canker, white pine weevil,
Dominant Understory and/or Regeneration:	Red maple, bigtooth aspen, eastern red cedar, white ash, scarlet oak, white oak, eastern white pine, apple, and black cherry

General Description

Stand 1 is found in the northern portion of the Property. The topography is slight to the east, and increases to moderate slopes, upwards of 16%, progressing westerly. The forest type can be best described as a mixed hardwood and pine stand, characterized by red maple, aspen, oaks, and white pine. Generally the soils here are classified as urthodents, otherwise disturbed or influenced by man and may include filled areas. This was the area where fill was excavated during the building of the Hancock Brook Dam. Stand 1 was also formerly cleared for orchards as identified by 1934 aerial imagery. Site quality is relatively poor in comparison to other areas on the Property, but is suitable for moderate aspen and white pine growth rates.

The stand contains trees predominantly within the poletimber size class. There are roughly 607 trees per acre in total, with 338 of these being in the sapling size class. Regeneration in this stand is limited due to

the dominating invasive plant species, primarily Japanese barberry and multiflora rose. Regeneration is also likely limited due to moderate browsing by high deer densities. The stand is irregularly stocked as a result of past land-use activities and former orchard fields reverting back to forest. There are patchy distributions of white pines and bigtooth aspen on slight upland knolls, interspersed with areas of staghorn sumac, apples, spicebush, winterberry, highbush blueberry, and more open areas containing goldenrod and other herbaceous plants. There are also two major locations of heavy distributions of invasive multiflora rose, Japanese barberry, and oriental bittersweet.

There are approximately 14 sawtimber-sized trees per acre and roughly 204 poletimber-sized trees per acre. The total basal area in the midstory and overstory is estimated to be roughly 102 square feet per acre. Stand 1 contains an estimated 512 board feet of sawtimber and only about 9 cords per acre.

Stand 1 is considered slightly overstocked with a relative density of 83%, as the majority of trees are hardwoods (80%) with intermingled white pines only found on the upland areas. Red maple, bigtooth aspen, Eastern red cedar, scarlet oak, white oak, and white pine are the primary species found in the overstory, with associates of hickory, eastern hemlock, sweet birch, grey birch, and apple trees.

Desired Future Conditions - Stand 1

The main access trail entering the Property within Stand 1 will be improved. Present natural resource concerns related to soil erosion and sedimentation will be addressed and combated through the use of water diversion methods. Access to the Property will be improved to more effectively manage invasive plant population levels, perform forest stand improvement activities. Access for forest fire control to the Property, and surrounding Mattatuck State Forest will be greatly improved.

The future stand will have increased proportions of native plant communities and decreased abundance of non-native invasive plants.

Individual tree crowns of desirable crop trees will have space to grow and expand their crowns on 3-4 sides; tree growth rates will increase.

Tree and shrub species diversity will be enhanced by promoting Eastern red cedar, eastern white pine, apples, oaks, aspen, maple, birch, white ash, and black cherry.

Following invasive plant management activities and the natural re-establishment of native vegetation, portions of the stand may have small open areas of herbaceous plants and woody-stemmed shrubs, intermingled with surrounding forest canopy. This will greatly enhance wildlife habitat and cover throughout Stand 1.

Management Recommendations - Stand 1

1. Improve the forest access trails to address present natural resource concerns. Water bar and/or broad-based dip installation is recommended to improve Property access for management activities while mitigating soil erosion concerns.

Practice: 655 – Forest Trails & Landings (+/- 1,000 feet) - Year: Summer 2016

Suggested Scenario: #2 – Trail and Landing Installation

This treatment will improve portions of the existing main forest trail which provides the only access to the Property for management activities and fire control. This will likely involve the use of a small excavator

to roughly grade portions and install several waterbars and/or broad based dips to divert water from running down the trail.

2. Promote native vegetative communities and manage invasive plant populations. Maintain and improve forest access trail.

Practice: Brush Management (8.20 acres) – Year: Summer/Fall 2016

Suggested Scenario:

Prior to implementing Forest Stand Improvement thinning practices, non-native invasive plants in the understory should be initially managed through mechanical cutting, hand-pulling, and/or propane flame burning. Depending upon the success rate of plant kill, herbicides may, or may not be needed to effectively remove large seed-producing plants from the understory. Invasives management will focus on removing the largest invasive plant clumps and individuals to limit future seed dissemination. A second, follow-up treatment is recommended the following summer to cut and spray any remaining plants. There are two large patches (each roughly 0.5 acres in size) of heavy density multiflora rose and barberry.

Mechanical cutting may take place with small power equipment such as brush saws (similar to weed-wacker, with cutting blade head), chainsaws, and/or small, self-propelled walk-behind brush hogs. Limited herbicide treatments may be used in combination with mechanical cutting to increase the desired invasive plant kill rate. Any herbicide will be used in accordance to the specific Product Label, as stated by the law.

3. Release desirable hardwoods, white pines, apple trees from competing hardwoods through forest stand improvement treatment.

Practice: 666 - Forest Stand Improvement (8.0 acres) – Year: Winter 2016-17

Suggested Scenario: #11 – Crop/Mast Tree Release

This treatment will focus on removing relatively low-value poletimber trees that are directly competing or crowding out desirable white pine, apple, and hardwood stems. Removals will focus on felling low-quality, poor vigor, and otherwise unhealthy individuals. This type of FSI is irregular in that desirable crop trees are not evenly spaced throughout the stand. Therefore, post-treatment, certain areas will have higher basal areas than other areas that may have been thinned slightly heavier to release desirable stems and/or advanced regeneration.

Target Residual BA: 75 feet²/acre

Target Residual Trees/Acre: 165-175 trees/acre

BA to be Removed: 43-51 feet²/acre