

CONSERVATION COMMISSION MINUTES
Regular Meeting of October 25, 2016 at 7:00 pm
Meeting Room #3, Municipal Center, 3 Primrose Street, Newtown, CT

These Minutes are Subject to Approval by the Conservation Commission

Present: Karlyn Sturmer, Cindy Joyce, Mark Boland, Chris Smith (arrived at 7:51 pm),

Absent: Jim Ryan, Tom Philbrick

Staff: Robert Sibley, Deputy Director of Planning & Land Use (departed at 7:30),
Dawn Fried, Clerk

Also Present: Attorney Peter Scalzo, Gager, Emerson, Rickart, Bower & Scalzo, LLP,
2 Stony Hill Road, Bethel, CT, Barbara Miller, representative for Julia B. Wasserman's estate,
Janet Ohradan and Dave Kardos, Meadow Brook Road, Newtown, Jeremy Clark, Clark Forestry
Services, Middletown, CT.

Ms. Sturmer served as acting Chair in Mr. Ryan's absence.

Ms. Sturmer opened the meeting at 7:05 pm.

NEW BUSINESS

Atty. Scalzo spoke on behalf of the Julie B. Wasserman estate regarding the Declaration of Conservation Restrictions on the property located at 113 Walnut Tree Hill Road and Valley Field Road South. The entire parcel is for sale and the current owner has requested a determination from the CC regarding the suggested permissible uses on the conservation easement. Mr. Scalzo referred to a document titled "Declaration of Conservation Restrictions from Julia B. Wasserman, dated September 23, 2016". Mr. Scalzo feels the four items noted are within the spirit and intent of the document. Mr. Scalzo addressed the Conservation Commission in regards to the scope and interpretation of the Conservation restrictions granted by the late Julia Wasserman. Mr. Scalzo, Mr. Sibley and Ms. Miller gave a brief history of the property and explained the importance of clarifying the conservation restrictions. The CC tabled the vote to the next CC meeting to further discuss and become better educated on this matter.

ADMINISTRATIVE ITEMS

Fairfield Hills Authority – Mr. Boland stated that Parks and Rec is finishing their Fruit Trail project.

Parks and Rec - Ms. Sturmer reiterated the importance of the CC being involved with Parks and Rec and that both groups should work together. She stated that Mr. Ryan has agreed to meet with Parks and Rec. Mr. Sturmer stated that Parks and Rec needs to understand there should be an approval process for activities on High Meadow especially now since the High Meadow Study Group has been formed.

ACTION ITEMS

Stone Bridge – Jeremy Clark, Clark Forestry Services, updated the Commission on the upcoming Stone Bridge project. He spoke about moving forward with marking the trees and determining the board feet of each tree.

Mr. Clark also followed-up on Ms. Joyce's concerns regarding the deed restrictions on the property. He acquired the deed and determined there are no restrictions that will conflict with the Stone Bridge forestry project.

Mr. Clark and the members of the Commission met with the Stone Bridge abutters prior to the CC meeting. Mr. Clark stated that he would like to keep the abutters involved in the project.

Mr. Clark had questions regarding the bidding process for the timber harvest. Mr. Boland will reach out to Mr. Tait, the town's Finance Director to answer the bidding questions. Mr. Clark also had questions regarding the legal language for the liability insurance on the property. Ms. Fried will ask Mr. Sibley about the liability insurance. Mr. Clark will mark the trees, tally the trees and write up an invitation to bid. Mr. Clark estimated the timber harvest would take three to four weeks to complete. He also explained the process of the timber harvest, the types of trees on the property, the value of the trees and how the trees are measured.

Mr. Clark submitted a Natural Diversity Database Review to the state. The State received it and called back Mr. Clark to ask a couple of questions. Mr. Clark is now waiting on the State's report to attach to his management plan. Mr. Clark stated that he added a Box Turtle protection recommendation to the management plan during the timber harvest.

Mr. Clark informed the Commission that he will be moving to Maine in December but will continue to monitor the project on a bi-weekly basis. The Commission agreed they would like Mr. Clark to continue the management of the project in spite of the move.

Mr. Boland made a motion to approve the Stone Bridge Forestry Management Plan by Jeremy Clark, Clark Forestry Services for property located at Stone Bridge Trail Property for 34.4 acres. Ms. Joyce seconded. All in favor.

Open Space Vote for Platts Hill Road Subdivision - After reviewing the application and maps for the subdivision at 60 Platts Hill Road, the Commission agreed to accept a fee in lieu of open space.

Ms. Sturmer requested a motion. Mr. Smith moved to accept the recommendation from the Land Use Agency to accept a fee in lieu of open space for the 6-lot subdivision at 60 Platts Hill Road. Mr. Boland seconded. All in favor.

The Commission had a discussion on the fees from the "fees in lieu of". How much are the fees? Disbursement allocation? Does the Conservation Commission have access to the fees for other O.S. needs? There will be a follow-up discussion at a future CC meeting.

DISCUSSION ITEMS

Web page – Ms. Joyce and Mr. Smith met with Joe Hovious, a previous Commission member, to discuss files that were passed down from Joe Hovious to Bill Darrin and now back to the present Commission. They discussed the O.S. spreadsheets and conservation easements. They would like the website to concentrate on the GIS Open Space parcels, Pole Bridge Trail information as well as the Stone Bridge project as it progresses.

High Meadow – Ms. Sturmer stated that the High Meadow Study Group recently walked the 5-acre parcel and is moving along with generating a budget and submitting reports.

Kiosks – The Commission reiterated that the information in the kiosks should be consistent with each other and should have the name of preserve, one general map, map with trails and other pertinent information about the area. The Stone Bridge kiosk is complete.

APPROVAL OF MINUTES FOR September 27, 2016

Ms. Sturmer motioned to approve the minutes from September 27, 2016. Ms. Joyce seconded. Ms. Sturmer, Mr. Smith and Ms. Joyce were all in favor. Mr. Boland abstained. The minutes from September 27, 2016 were approved.

ADJOURNMENT

Mr. Smith motioned to adjourn the CC meeting. Mr. Boland seconded. All in favor. Meeting adjourned at 8:48 pm.

Respectfully Submitted,
Dawn Fried, Clerk