

Town of Stonington Conservation Commission
Minutes of a Regular Meeting held on April 23, 2007
Stonington Police Station Meeting Room, 173 South Broad Street, Pawcatuck, CT

1. Call to order: Called to order by Vice Chairman Cole at 6:00 PM. Commission members also in attendance were Herbst, Bell, and Lyons. Chairman Simm and Baldwin arrived at 6:05 PM. Swenarton and Dewire were absent. Town planner Brynes, applicants and members of the public were present.

2. Review of Town Developments and Proposals.

2b. PZ0719SD Aborn D. Smith – *Application for a 5-lot subdivision of an approximate 2acre parcel. Property located at 1 Johnson Street, Pawcatuck. Assessor's Map 14Block 8 Lot 7. Zone RA-15.* Engineer Gary Winalski presented the application for the proposed subdivision on Burdick Lane and Johnson Street. MOTION: Arrange to walk with a plan of the proposed development, a house plus 4 lots (Bell, Herbst). Passed unanimously. Site walk set for Thursday April 26th at 6 PM. MOTION: Move to item 2c (Cole, Herbst). Passed unanimously.

2c. PZ0360SD SUP & GPP Meehan Group, LLC - *Consideration of conceptual alternate layout for approved forty-eight lot cluster subdivision. Property located on Whitehall Ave., Jerry Browne Rd., & Pequot Trail, Old Mystic. Maps 165 & 148, Blocks 5 & 3, Lots 9&14, 1&3. Zones RA-40 & RR-80.* Paul Meehan, managing member of the Meehan Group presented an alternate plan for permit modification that showed a paved bike path or fire lane and two cul-de-sacs instead of the loop road. A playground has also been required by the Planning & Zoning Commission. MOTION: It seems preferable to have a narrower road. As per our previous comments on November 24, 2003, we prefer this plan with cul-de-sacs rather than a through road (Cole, Bell). Passed unanimously.

2a. PZ0707ZC Town of Stonington – *Zoning Map Amendment from Residential RR-80 to Residential RA-20 for properties located on the eastern side of Greenhaven Rd., approximately 242 feet south of Renie Drive, then heading southeast 1137'± to a point; then heading in a northeasterly direction 381'± to a point; then heading in a north*

direction 478'± to a point; then heading in a northwesterly direction 782'± to a point; then heading in a northerly direction 333'± to a point; then heading in a westerly direction 374'± to a point; then heading in a southerly direction 512'± to the point of beginning. Said area being approximately 15.65 acres and the subject of this application. Involving Map 11, Block 2, Lots 1-4; Map 12, Block 16, Lots 2-5. After discussion: MOTION: The Conservation Commission recommends against this zone change, as it would enable increased density in a non-sewered, non-municipal water area. We understand this has been a contentious area of the town for zoning, with lawsuits from residents complicating the issue. It is the Conservation Commission's view that the negative impact of various zone changes in this area, and the greater town, is the result of the Poirier court decision of 2003 and then Public Act 4-210 at the state level. Before this act, property owners with existing improvements, could use set backs and F.A.R.s of their original zone. Since passage of the Act 4-210, property owners in areas where zoning has been changed are required to use the set backs and F.A.R.s of the new zone. The Commission believes the answer is to reverse or modify the Act 4-210 to allow the property owner to continue using the original set backs and F.A.R.s he or she built under. To this end the Commission is working with our state representatives to change 4-210 and would much appreciate the support of Planning and Zoning and the Department of Planning. We recommend ceasing anymore zone changes in the Greenhaven area as this will inevitably lead to more, and perhaps never ending zone change requests, along with the acrimony that accompanies these processes (Cole, Bell). Passed 4 to 1 (Lyons against).

2d. Any pending applications and new preliminary proposals. None.

3. Open Space Committee

3a. Open space plan update – *discussion on parcels for preservation.* Brynes reported that the Board of Selectmen had not commented of the Open Space Plan after 65 days so it will head back to PZC for

editing as they approved it. Alicia Betty of TPL is in contact with members of a family which owns a large Mystic-area farm. There are now many more participants as the main owner has passed away. The Walshes are still interested in preserving their land (Anguilla Brook Road) and will survey land and meet with Town Planner Brynes to help plan a separatable homestead. The state grant application round is coming up in June.

3b. *Discussion on parcels for preservation in Pawcatuck* – Ben. Baldwin, Alicia Betty and Dora Hill to meet with Mr. Verzillo and regarding his Burdick Lane property. Mr. Mularksi of Skirig replied to Herbst and Baldwin's letter on March 29, 2007 renewing his offer for the property at the end of Johnson Street and east end of his new Shea Drive at \$240,000. He had purchased the 23± acre Johnson Street property for \$200,000 (called Parcel B) and then the small area at the corner of Shea Drive and Johnson Street, both paper streets at this point, for \$40,000.

3c. *Discussion on possible referendum for open space bonding.* Herbst asked who will hold open space.

4. Old Business

4a. *Discussion on Open Space Plan.* Completed above.

4b. *Mystic River Dam Committee.* Cole reported the dam is deteriorating as of last Saturday

4e. *Discussion on DEP's Coastal Land Assessment Methodology (CLAM) Project.* No report.

4c. *Discussion on grant and matching funds for trails program.* Proposed town budget does not include matching funds. \$45,000 match is included in the budget for \$2 Million trails plan for Mystic.

Conservation Commission needs to meet with Jason Vincent. Requested a copy of the grant application from Brynes. Fee in lieu of open space liens have paid about \$168,000 and \$368,000 is potentially due.

4d. *Discussion on procedure for Town's acceptance of conservation easements and open space.* To be worked on with Brynes.

4e. *Discussion on utility providers' use of herbicides on Town roads.* Chairman Simm to contact tree warden.

5. New Business

5a. *Discussion on Stonington's 200 Greatest Roadside Trees.* Commission members to bring list of significant street tree nominees to the May meeting.

5b. "Landowners' guide to conservation" distributed by Simm & Bell.

5c. Herbst reminded the commission about the joint meeting: *Discussion of areas of joint interest with Westerly Conservation Commission.* It will be held May 8th at 7 PM in the Westerly Town Hall.

5d. Stonington Land Trust will be having its annual meeting at Stonington Vineyards on June 14th.

6. *Review of March 26, 2007 meeting minutes.* MOTION: Approve as distributed (Cole, Herbst). Passed unanimously.

7. Adjournment

7a. Motion to Adjourn (Baldwin). Meeting adjourned at 9:55 PM.

Submitted by Ben Baldwin, Acting Secretary

Approved on May 21, 2007 at a regular meeting of the Conservation Commission.