

Town of Stonington Conservation Commission
Minutes of a Regular Meeting held on May 24, 2010
Police Station Community Meeting Room, 173 South Broad Street, Pawcatuck, CT

1. Call to order: Called to order by Chairman Stanton Simm at 7:10 p.m. Commission members also in attendance were Ben Baldwin, Tim Bell, Sheila Lyons, Stuart Cole and Walter Grant. Members Jennifer Herbst and Bob Dewire were absent. Town Planner Keith Brynes was present. Applicants Salvatore E. Cherenzia, III and Thomas J. Liguori, Jr. of Cherenzia Companies were present. Members of the public were present.

2. Review of Town Developments and Proposals

2a. Review of proposed municipal conservation easement for PZ0928SD Richard C. Panciera

Charitable Remainder Trust II – *Approved 5-lot subdivision of a 58.36± acre parcel. Property located on Mary Hall & Greenhaven Rds., Pawcatuck. Assessor's Map 7 Block 1 Lot 44. Zones RA-20, RM-20 & RR-80.* Mr. Liguori distributed copies of the draft "Conservation Easement and Open Space Agreement." The subdivision of Phase I's 5 lots was approved and the owner is looking for an entity to hold the 9.2-acre open space. The Stonington Land Trust (SLT) declined to hold the land as it felt that it would be perceived as enabling the developer's proposed Phase II townhouse development with loop road. Avalonia Land Conservancy and Denison Pequotsepos Nature Center were also asked, but declined. Since the land of the open space area will now be going to the town in fee, there is no need for a separate conservation easement. A depression in the northwest corner of the property will have drainage easement to the town for runoff from Greenhaven Road and the approvals also require a conservation easement over this area. Stuart Cole said that he would like the SLT board to reconsider. It was noted that a land trust would probably require the Grantor to provide an existing conditions report.

MOTION: The Conservation Commission accepts the wording, with changes, for the conservation easement for the benefit of the town over the area also to be subject to a drainage easement to the town, shown on survey sheet 3 of 8. Furthermore, the Conservation Commission feels that a conservation easement is not necessary on the open space area if the town accepts the open space area in fee. The conservation easement language should substitute "conservation area" for "open space area." The warranty deed for the open space should not that the land being transferred as "open space in perpetuity." Modifications of the submitted draft document are to be reviewed by the town attorney, members of the Conservation Commission and staff (Cole, Grant). Passed unanimously.

2b. PZ1003RA Town of Stonington (PZC) - Zoning Regulations Text Amendments. A letter from Director of Planning Bill Haase was read by Chairman Simm regarding Conservation Commission's comments on the application. The definition of the "comprehensive plan" as described by Fuller as including the existing pattern of development - seems to refer to the actions the Zoning Board should take when it is creating the initial zoning map. Fuller goes on, a few paragraphs later to state that the "comprehensive plan" is the zoning map (assuming that the Board allowed for preexisting developments and did not create nonconforming uses) and the zoning regulations. The PZC will take up the application on 6/1/2010.

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

3. Open Space Parcels

3a. Discussion of parcels for preservation. Not discussed.

4. Old Business

4a. Mystic River Dam Committee. Tim Bell said that he had cleared the fish ladder which showed signs of the March 30th flood and that the dam was holding. He will distribute photos of the fish ladder. It was noted that whoever owns the pond owns the dam. It is believed that the town now owns the pond. Baldwin noted the CT DOT will hold their public meeting about rebuilding the Rte 184 Bridge just

downstream. Sheila Lyons noted that CT DOT is planning to rebuild the box culvert bridge at Quanaaduck Cove as well as Stony Brook east of Harbor View Terrace. Both may be very disruptive.

4b. Discussion of Stonington's 200 Greatest Roadside Trees. Tim Bell said that he had inventoried a number of trees and that he would send Baldwin photographs and data. Chairman Simm spoke with Tree Warden Paul Rohacik and reported that the Meskwaka Tree Project program at Connecticut College is full. Baldwin said he was waiting to hear back from the coordinator for registration information.

4c. Discussion of surface and drinking water quality issues. Ben Baldwin spoke about the CUSH water quality studies posted on their website and distributed a table of 2009 water quality readings for Stonington hosted by URI. It was noted that Aquarion is proposing a rate increase; a public meeting will be held at Mystic Middle School on June 10th at 7 PM. Stuart Cole said that there should be some sort of mechanism where large residential users of public water pay more so as to encourage conservation. Sheila Lyons said that she thought the minimum connection fees were perhaps too high.

MOTION: That Sheila Lyons speak on behalf of the Conservation Commission at the Aquarion meeting (Cole, Bell). Passed unanimously.

Approval of the Tractor Supply on Liberty Street was discussed; there was concern about possible runoff to the river and aquifer should a spill or fire occur as the business will be selling pesticides.

4d. Discussion of alternative energy regulations. Stuart Cole said that Jennifer Herbst had finished rewriting the wind regulations, more to the style of Charlestown, RI.

5. New Business

5a. Discussion of potential regulation amendment to GBR-130 and RC-120 Zoning districts. Chairman Simm described how the noninfringement area means that no changes can be made to preexisting buildings in the GBR-130 zone and also suggested that side setbacks be changed to 25 feet and 75 feet in both zones. **MOTION:** To make this recommendation (Bell, Cole). Passed unanimously.

5b. Correspondence:

- Poster announcing the Mystic Mobility Study public meeting to be held from 7-9 PM June 9th at the Hoxie Fire House (www.mysticmobility.org)
- OLISP Notice of Tentative Determination Application #201001242-MG for 18 Stafford Street (Mystic Shipyard East)
- OLISP Coastal Permit #200802176-MG Gwenmore Marina, Inc. at 12 Roseleah Dr
- Invitation to Stonington Land Trust's annual meeting to be held at 5 PM on June 14 at The Road Church, 903 Pequot Trail. DEP's Martha Fraenkel is speaker.
- The Nature Conservancy membership solicitation

5c. Encumbering budgeted funds. Chairman Simm listed expected bills and grants to be made by the end of the fiscal year. These were:

\$100	Connecticut Land Conservation Council
\$100	The Nature Conservancy, Connecticut Chapter
\$200	Wood-Pawcatuck Watershed Association
\$200	Denison Pequotsepos Nature Center, for programs
\$100	Avalonia Land Conservancy
\$500	Stonington Land Trust
\$75	CT Association of Conservation and Inland Wetland Commissions
\$1,900	Naturescapes, student educational fieldtrips
\$800	Buses, student educational fieldtrips
<u>\$3,975</u>	Total

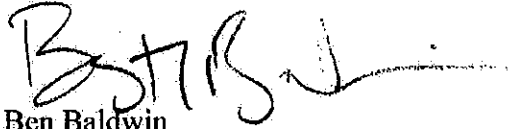
MOTION: Approve spending as read (Cole, Lyons). Passed unanimously.

6. Review of April 26, 2010 draft minutes.

MOTION: Approve with changes (Bell, Lyons). Passed unanimously.

7. Adjournment - Motion to adjourn (Bell). Approved at 10:10 p.m.

Minutes submitted by

A handwritten signature in black ink, appearing to read 'Ben Baldwin', with a long horizontal flourish extending to the right.

Ben Baldwin
Secretary, Town of Stonington Conservation Commission

Approved at a regular meeting on 6/28/2010.