



## **City of Shelton Conservation Commission**

Meeting Minutes for September 1, 2021

This meeting was held virtually. Video recording is posted on the Conservation Commission's YouTube channel: <https://www.youtube.com/watch?v=zPNuhDaNjeA>

**Members Present:** Tom Harbinson (Chair), Tom Wilson, Ed McCreery

**Absent:** Sheri Dutkanicz, Bill Dyer, Jim Tate

**Also present:** Teresa Gallagher, Natural Resource Manager

**The meeting was called to order** at 7:12 pm by Tom Harbinson.

**Meeting Minutes:** Due to a lack of a quorum, no motions were made during this meeting.

**Trails Report:** Tom Harbinson relayed a few updates from Bill Dyer. The Trails Committee meeting was cancelled. The new Trails Barn exterior is fully painted and stained. The interior staining is not yet complete. They are waiting for the City to install electricity. There have been some dead trees falling across the trails recently, and these have been getting cut. They are often reported by trail users, which is very helpful.

**Birchbank tree cutting update:** Teresa Gallagher reported that the homeowner at 72 Little Fox Run was having trouble finding oak or hickory trees for replanting the open space area where he had cut trees. He was being told that these species were more available in the spring and there were also Covid-related inventory issues. Teresa Gallagher recommended planting white pine, which has ecological benefits such as winter shelter for wildlife, and would help screen the house from the trail. Committee members were agreeable.

**Shelton Canal Locks Restoration Update:** Ed McCreery reported that Request for Proposals had been sent to engineering firms and four companies have submitted proposals.

**Applications for Developments:** No new applications.

**Sale of open space along Wesley Drive.** Tom Harbinson said this was a complicated item and asked if members wished to wait until the next meeting when there is a quorum to discuss. Tom Harbinson briefly described the recent proposal to sell open space to the resident at 56 Wesley Drive. The Planning and Zoning Commission received an 8-24 referral for the sale of property and discussed it at a recent meeting. Tom Harbinson attended via Zoom, as did the Mayor's assistant Jack Bashar. The homeowner at 56 Wesley Drive wished to enlarge his backyard, and Jack Bashar argued that the Planning and Zoning Commission had already approved the sale of open space land across the street to homeowners who were encroaching on the city property, so they should do so for a property owner who had not encroached. Planning and Zoning Commissioners did not remember having approved the sale of open space and seemed perturbed at times. They gave a negative referral.

This earlier 8-24 request was from the Mayor's assistant Jack Bashar. We could not remember it at the time, but Teresa Gallagher located the 8-24 referral from back in 2017. It references "license, lease or sell" of open space and Conservation gave a negative letter for the licensing of the property at that time. Minutes from the Planning and Zoning Commission's 2017 meeting where they approved the 8-24 referral seemed to show they were voting to approve the license of the property rather than the sale of the property. However, their motion did technically approve the "sell, license, or lease" of the properties.

The Board of Aldermen did not discuss or vote to authorize the sale of open space to 49 Wesley Drive until well after the sale was completed. There was no public hearing as required by state law. Technically, the 8-24 referral is required to come from the Board of Aldermen, not the Mayor's office, so was there really a valid referral?

Tom Wilson said he was in favor of waiting for the next meeting to discuss. Ed McCreery agreed and added he wanted to know where the money was going. Tom Wilson said he watched the YouTube clip of the Planning and Zoning meeting and wondered who Jack Bashar was representing at the meeting, the homeowner or the City. Tom Harbinson said that Jack Bashar did mention at the meeting that he formerly lived next door to the applicant. Commissioners decided to discuss at the next meeting and then perhaps meet with the Board of Aldermen.

The meeting ended at 7:40 pm.

*Meeting minutes were prepared by Teresa Gallagher and should be considered in draft form until adopted at the next meeting.*