

**RECV'D: Office of the Town Clerk
March 16, 2010 at 9:57am**

**TOWN OF DURHAM
Conservation Commission
Regular Meeting Minutes
Tuesday, March 9, 2010**

Ralph Chase at the Durham Public Library called the meeting to order at 7:30 PM.

Members Present: Ralph Chase, Joe Dattilo, Rick Huntley, Bill LaFlamme, Bob Melvin,
Rick Terrill (7:40 PM), Casey Cordes (8:02 PM)

Absent: Brian Ameche, Michael Doyle

Call to Order/Roll Call: Recording Secretary called the roll.

Amendments to Agenda/Approval of March Agenda: Addition to the agenda as item 6G – Request from Black Sheep Squadron to renew annual use permit for White's Farm. Rick Huntley, seconded by Bill LaFlamme to approve agenda as amended, made a motion. Motion passed unanimously.

Approval of Minutes from January Regular Meeting: Rick Huntley, seconded by Bill LaFlamme, to approve the January 12, 2010 meeting minutes as distributed, made a motion. Motion passed unanimously.

Public Session: John Mitchell, Durham Fair, reported that they would re-seed White's Farm areas as soon as the area dries up. The area around the nursery will also be cleaned up (stumping and seeding) as soon as the weather permits.

Payment of Bills: T.W. Henry, Real Estate Appraisals, LLC for the appraisal of the Scott farm for purposes of donating a permanent conservation easement - \$4,500.00, Linda P. François of Cooper, Whitney, Cochran & François Attorneys for legal services in connection with the Scott conservation easement - \$5,420.25 and Pam Huntley for secretarial service for the February meeting - \$15.00. Joe Dattilo, seconded by Rick Terrill, to pay the bills as presented, made a motion. Rick Huntley recused himself from the vote. Motion passed.

New Business

Election of Conservation Commission Officers for 2010: There was discussion about who could step up as chair and recent problems with getting a quorum at meetings. Laura Francis, who was present, has sent letters about attendance to address the quorum issues. The Conservation Commission is not the only commission having attendance issues. There was discussion about delegating caring of some of the properties if it complies with the charter. Laura will get an opinion from the Town Counsel to see if delegating some of the Commission's responsibilities is possible without changing the charter. Other meeting days were also discussed. This would require 30-day notice to change the posted meeting schedule. Rick Huntley, seconded by Bob Melvin, to table this discussion further until the end of new business, made a motion. Motion passed unanimously.

Colton Gray – Eagle Scout Project Discussion: Not present.

Lucy Meigs – CVEF & Pisgah Mtn. Mapping Proposal: Not present. Casey reported that Lucy and Colton would walk the Mt. Pisgah property to get a better idea of what he wishes to propose as his Eagle Scout Project.

Request to Use White's Farm – Rick Comshaw: Rick Comshaw, teacher/ National Association of Rocketry (NAR) advisor for the rocket club at the Morrow-Sheraton inter-district magnet school was present. This club is an official school function. Rick distributed a copy of the NAR Model Rocket Safety Code, which all participants must follow. He supplied a copy of the NAR insurance certificate. Jan Muraca needs to check with the town insurance carrier about this activity. He is requesting the use of White's Farm on March 27 and April 10, weather permitting. Rick Terrill, seconded by Bob Melvin, to approve the use of White's Farm on the dates requested contingent upon satisfying insurance requirements. Motion passed unanimously.

Site Plan Review & Comment – Johnson Appl. 398 Guilford Road: Ralph Chase, seconded by Bill LaFlamme, to submit "No Comment" to the Planning & Zoning Commission on this site plan, made a motion. Motion passed unanimously.

Code of Ethics – Acknowledgement Forms: Each member will receive a copy of the Code of Ethics and need to sign the acknowledgment form. Casey forgot the forms.

Request to Use White's Farm – Black Sheep Squadron annual permit: Rick Huntley, seconded by Rick Terrill, to renew the annual permit for use of White's Farm for the Black Sheep Squadron contingent upon appropriate insurance submittal, made a motion. Motion passed unanimously.

Rick Huntley, seconded by Rick Terrill to resume discussions of Election of Officers for 2010, made a motion. Motion passed unanimously. After more discussion, the following slate of officers was nominated: Joe Dattilo and Bob Melvin, Co-chairs; Ralph Chase, Vice Chair; Bill LaFlamme, Secretary. There were no further nominations from the floor. Bill LaFlamme, seconded by Casey Cordes, to close nominations, made a motion. Motion passed unanimously. Rick Huntley, seconded by Rick Terrill to approve the slate of officers as nominated, made a motion. Motion passed unanimously. The Commission thanked Casey Cordes for all the work done while he was Chair. He has done an outstanding job.

Old Business

Status of Easement Review for Smith and Sawmill Tracts: Casey distributed Geoff Colegrove's report on easements related to the Town owned open space off David Road and New Haven Road for access for maintenance. Casey has sent a letter to Kathryn and Frederick Smith to request temporary access over their undeveloped parcel to the open space property for maintenance purposes.

Rick Huntley checked on DEP's position on beaver management. Trapping and lethal control could be used. Relocation of beavers is no longer recommended. DEP's Wildlife Division can be contacted to assess the beaver activity and recommend a course of action. Discussion ensued. Rick Huntley will contact the Wildlife Division to review the beaver activity.

Status of Parking Development & Lease Proposal for May 68, Lot 8: The owners of Time Out Tavern can proceed at their own cost with gravel. The Commission defers to Public Safety Committee for the layout. Town Engineer and Town Planner will also be involved. There will be no cash outlay by the Town.

Deerfield Farm Lease & Back Payment Update: Payments on the new lease are up-to-date. Back payments on the previous lease are in arrears. Laura Francis stated that some language in the current lease is still being worked. There are two outstanding issues. One is insurance coverage; the other issue is clarity on in-kind work in lieu of rent. Laura emphasized that in-kind services cannot be applied against maintenance that has not been previously scheduled and budgeted for. There is no benefit for the Town otherwise. The Town Facilities Manager is in the process of reviewing the barn and putting maintenance items on the schedule.

FY 2010 & 2011 Budget Cycle: Laura Francis stated that \$5,000.00 has been approved for consultant work with White's Farm. Rick Huntley stated that help with Allyn Brook might be available from Connecticut DEP. A letter is required from the Board of Selectman's office requesting a review of the area to the Wetlands Restoration section of the DEP Wildlife Division. Rick Huntley will supply Laura with the contact information for the letter.

Land Acquisition Evaluation Criteria Discussion: Casey Cordes distributed the evaluation criteria that Middletown, CT uses. This criterion is closely aligned with State of CT criteria. Discussion ensued. Joe Dattilo, seconded by Casey Cordes to use the Middletown criteria as Durham's criteria for land acquisition evaluation, made a motion. Motion passed unanimously.

Howd Road Property – Communications & Projects: A letter was sent to the Cella Bros. about changes/activities on the Howd Road property. The activities include the tree plantings, gate installation, possible fitness trail and a rental increase for the use of the property.

Vanishing Geese Farm - Communications: The Scott Farm is the Vanishing Geese Farm. There will be a Town Times article and possible event with Connecticut Farmland Trust.

Open forum with Property Stewards – Whites Farm – Jack Stahl; Pent Road (Deerfield Farm) – Melynda Naples; Howd Road – Matt Reed; Pisgah Mountain and Creampot Valley - Christina Costas, George & Irene Roberts, Jim Smigal with BSA Troop 27 and Andy Golschneider with Venture Crew 169; Curtis Woodlands – Rob Williams & Mark Smolley; Portion of Wimler Property with Public Access – Dick Porter; and Sawmill Road – Ray Koba: None.

Laura Francis reported that DMIAAB was fined \$35,000. The Town will perform a supplementary environmental project in lieu of the fine. Once the proposal is approved, she will come back to the Commission. It has to be a project surrounding the Coginchaug Watershed Base Plan. The project includes establishing pet waste stations in three locations, pet waste education and a program to distribute rain barrels.

Rough-sawn lumber for bluebird houses needs to be picked up from Sessions Woods Wildlife Management Area in Burlington, CT before April 1, 2010. Someone from Public Works will pick it up and arrange with Bob Thody for temporary storage of the lumber. Joe Dattilo will contact the Boy Scouts about building the bluebird houses. Once the houses are installed, they need to be monitored and results posted on the web.

Adjournment: The meeting adjourned at 9:30 PM.

Respectfully submitted,

Pam Huntley
Recording Secretary