

**CONSERVATION COMMISSION
FAIRFIELD, CONNECTICUT
MINUTES OF CONSERVATION MEETING
SEPTEMBER 16, 2010**

The Conservation Commission of the Town of Fairfield held a Meeting on September 16, 2010, in Meeting Room II of the Honorable John J. Sullivan Independence Hall, 725 Old Post Road, Fairfield, CT.

MEMBERS PRESENT: Stanton Lesser, Chairman; Frank Rice, Secretary; Joan Neiley; J. Paul DeMarrais and Kathleen Maxham. **ALTERNATES:** Douglas Jones and Elizabeth Jones **ABSENT:** Milan Bull, Vice Chairman; Philip DiGennaro, Jr.; and Landon Storrs. Also Present: Thomas Steinke, Conservation Director; Edward Jones, Open Space Manager; Annette Jacobson, Conservation Administrator; First Selectman Kenneth Flatto; Town Attorney Richard Saxl, and members of the public and press.

The meeting was called to order at 7:30 p.m. by Chairman Lesser.

APPOINTMENT OF ALTERNATES: Elizabeth Jones was appointed to sit as a full member. Following his arrival at 7:33 p.m., Douglas Jones was also appointed to sit as a full member.

I. CONSERVATION

A. Bills and Communications:

1. Approval of Minutes of the Conservation Commission Meeting of August 19, 2010: Kathleen Maxham *moved* and Elizabeth Jones *seconded* to approve the meeting minutes of August 19, 2010. *Motion passed unanimously.*
2. Approval of Secretary's Bill for August 19, 2010: Kathleen Maxham *moved* and Elizabeth Jones *seconded* to approve the Secretary's Bill for August 19, 2010. *Motion passed unanimously.*

II. OLD BUSINESS

- A. TP & Z Referral For Recommendation on Open Space Subdivision For 1610, 1638, and 1654 North Benson Road: Thomas Steinke advised the Commission that a new concept plan had been received from TP&Z with a different configuration. Mr. Steinke indicated that the new configuration was not an improvement from the initial plan, that the property offered was a land-locked parcel, and recommended that the Commission request that TP&Z accept an offer of funds in lieu of land. Following inquiry by Stanton Lesser, Mr. Steinke advised the Commission that the funds received would go towards the town's land acquisition fund which is administered by the Land Acquisition Commission. Frank Rice *moved*, and Kathleen Maxham *seconded* to request that the Town Planning and Zoning Commission accept the funds in lieu of land. *Motion passed unanimously.*

**DRAFT MINUTES SUBJECT TO REVIEW, CORRECTION AND APPROVAL BY
THE CONSERVATION COMMISSION OF THE TOWN OF FAIRFIELD**

- B. Request of William Wargo to Increase Tidal Flushing of Riverside Marsh: Thomas Steinke noted that the request of William Wargo to continue to restore the marsh by increasing tidal flow to kill the phragmites was straightforward; he provided the Commission with background information on the Commission's marsh restoration efforts in the past, noting that the request of Mr. Wargo was basically to continue the marsh restoration efforts that the Commission had started in the 70's. Mr. Steinke indicated that the back-floats on the self-regulating tidegates can be adjusted for two additional holes of 1/10th of a foot, resulting in an increase of the elevation in the amount of 2.4". Such an increase in elevation is not anticipated to have any adverse impacts on flooding, and the marsh and properties would be monitored for a year after each of the two 1/10th of a foot increments. Following discussion, Kathleen Maxham *moved*, and Elizabeth Jones *seconded* to adopt the recommendations as set forth on page three of Thomas Steinke's August 24, 2010 memo to the Conservation Commission, to continue the incremental approach for marsh restoration by incrementally raising the back floats on the SRT two holes on the float tubes, but doing so on the basis of one hole (equal to 1-tenth foot) per year and then monitoring results from that adjustment. *Motion passed unanimously.*
- C. Fairfield Organic Teaching Farm: This matter was discussed later in the evening – see below.
- D. Connecticut Streamflow Standards And Regulations: Thomas Steinke noted that this matter is now before the State Legislative Regulations Review Committee. Mr. Steinke further indicated that these proposed regulations are an improvement from the initial document reviewed by the Commission and will probably be up for adoption within a year or so.

III. NEW BUSINESS

- A. Request of Ms. Kelly Renna of Tomlinson Middle School to Hold A Cross Country Meet At Lake Mohegan Open Space Area: Thomas Steinke advised the Commission that they had approved past request(s) for such an event. Douglas Jones *moved*, and Frank Rice *seconded* to approve the request of Kelly Renna of Tomlinson Middle School to hold a cross-country meet at Lake Mohegan open space area on October 15, 2010. *Motion passed unanimously.*

At 7:45 p.m., Joan Neiley *moved*, and Douglas Jones *seconded* to suspend the Conservation Commission meeting so that the Inland Wetland Agency may conduct its Special Inland Wetlands Agency Meeting. *Motion passed unanimously.*

At 7:55 p.m. Chairman Lesser reconvened the Conservation Commission meeting.

II. OLD BUSINESS

- C. Fairfield Organic Teaching Farm (FOTF): Thomas Steinke provided the Commission with a description of the Hoyden's Hill Open Space area for consideration of use as an organic teaching farm. Mr. Steinke described the barn located on the site, noting that the larger barn wing, the former dairy barn is in need of structural repairs and its current unsafe condition would not be appropriate for use by the FOTF. If approved by the Commission, a three year lease would be entered into between the First Selectman and the FOTF; there is the need for water and electric utilities, outside and inside storage, and sanitary facilities. Commissioner Elizabeth Jones inquired of the First Selectman whether he would offer the FOTF other property in the future, since Hoyden's Hill Open Space was not their first choice and they may elect to pull up stakes and move to another location (Greenfield Farm Open Space) should that become available in the future. First Selectman Flatto noted that both properties are under the Commission's jurisdiction, and if the concept is approved by the Commission, then a short-term lease – up to three years, would be drafted. The Commission discussed this matter at length, noting potential adverse impact on the open space area. Following inquiry by Douglas Jones concerning utilities, access and related site disturbance, Thomas Steinke advised the Commission that there is currently a very low pressure water line in that area – which would be insufficient for farming irrigation or any commercial use; any and all utilities should follow existing utility corridors so as to avoid disturbing additional habitat. Following inquiry by Elizabeth Jones, Kenneth Flatto indicated that although he believes that the Fairfield Organic Teaching Farm has applied for its 501(3)(c), he is not in receipt of a copy; efforts concerning the lease can go forward regardless. The Commission reviewed an e-mail message from Milan Bull with regard to the state-listed bird species and other birds of conservation concern that had been reported breeding on the site during the Field Space Committee's 2005 bird survey by ornithologist, Buzz Divine, as well as Mr. Bull's recommendation that a similar bird study be conducted during the next breeding season (June-July) prior to any site disturbance. The Commission discussed various concerns, including emergency access, installation of utilities, maintenance of the trails and barns. Pamela Jones addressed the Commission noting that the Hoyden's Hill Open Space is the best available site for the organic teaching farm, and that the intent is not to become a "notable attraction", but to establish a micro environment – micro farming, and four-season cultivation of two acres. The hours of operation would be in the daylight hours. Solar power is being considered. Chairman Lesser noted that a bird study should be done, and that the potential tenant should be required to pay for the same. Following considerable discussion, Douglas Jones *moved*, and Elizabeth Jones *seconded* to endorse the concept(s) of leasing two-acres at Hoyden's Hill open space for the Fairfield organic teaching farm, including use of the barn, and to authorize the First Selectman's office to negotiate the terms of the lease agreement with the provision that the draft lease come back to the Conservation Commission for its review and endorsement prior to it being finalized, and that the tenant be required to pay for the cost of a bird study by a professional ornithologist. J. Paul DeMarrais noted his concern that this was premature; Chairman Lesser indicated that he shared Mr. DeMarrais' concerns. Kenneth Flatto noted that the three-year lease may not kick in until certain events occurred; Pamela Jones noted that they currently do not have the finances – and that there will be fund raising to pay for the expenses.
- VOTE ON THE MOTION:** *Motion passed unanimously.*

IV. OTHER

- A. Conservation Department Web-Site Statistics: Informational.
- B. Conservation Department Maintenance Crew Report: Informational.

There being no further business to come before the Commission, Douglas Jones *moved* and Joan Neiley *seconded* to adjourn at 8:57 p.m. *Motion passed unanimously.*

Respectfully submitted,

Betty Gabriel