

**CONSERVATION COMMISSION  
FAIRFIELD, CONNECTICUT  
MINUTES OF CONSERVATION MEETING  
NOVEMBER 18, 2010**

The Conservation Commission of the Town of Fairfield held a Meeting on November 18, 2010, in Meeting Room II of the Honorable John J. Sullivan Independence Hall, 725 Old Post Road, Fairfield, CT.

**MEMBERS PRESENT:** Stanton Lesser, Chairman; Milan Bull, Vice Chairman; Frank Rice, Secretary; Landon Storrs; and Kathleen Maxham. **ALTERNATES:** Philip DiGennaro, Jr.; Douglas Jones and Elizabeth Jones. **ABSENT:** Joan Neiley and J. Paul DeMarrais. Also Present: Thomas Steinke, Conservation Director; Edward Jones, Open Space Manager; Annette Jacobson, Conservation Administrator; Eileen Kennelly, Assist Town Attorney, 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.

**I. CONSERVATION**

**A. Bills and Communications:**

1. Approval of Minutes of the Conservation Commission September 16, 2010: Kathleen Maxham *moved* and Elizabeth Jones *seconded* to approve the meeting minutes of September 16, 2010. *Motion passed unanimously.*
2. Approval of Secretary's Bill for September 16, 2010: Kathleen Maxham *moved* and Elizabeth Jones *seconded* to approve the Secretary's Bill for September 16, 2010. *Motion passed unanimously.*

**II. OLD BUSINESS**

- A. Fairfield Organic Teaching Farm: Thomas Steinke advised the Commission that although a copy of the Certificate of Incorporation for the Fairfield Organic Teaching Farm and By-Laws have been received, the draft lease and details concerning use of the property has not been finalized. Milan Bull indicated that he was contacted by an individual from Friends of the Organic Teaching Farm requesting that the organization be allowed to mow the property so that a cover crop can be planted. Mr. Bull noted that he recommends approval of this request and that he did not anticipate that the mowing and planting would have an adverse impact on the bird habitat at the site. Following inquiry by Douglas Jones, Pamela Jones indicated that a cost estimate has not yet been requested for planting. Chairman Lesser and Kathleen Maxham noted their concern regarding liability exposure to the Town for the planting activities to occur prior to the implementation of a lease and/or other necessary documentation. It was noted that these issues could be resolved between the parties. Thomas Steinke indicated that it is customary for the Town to require proper insurance and indemnifications in place in these types of circumstances. Mr. Steinke also indicated that since the prior motion of the Commission indicated that no disturbance of the fields would occur prior to the bird survey, the

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

Commission would need to vote to approve this request. Following discussion, Landon Storrs *moved*, and Frank Rice *seconded* to authorize the Fairfield Organic Teaching Farm to prepare the designated two acres, with concurrence and compliance with Town of Fairfield insurance and liability in place, with a completion date as directed by Conservation Staff. *Motion passed unanimously*. Pamela Jones noted that she was assuming that the Town of Fairfield would be responsible for the mowing of the property. Thomas Steinke indicated that the Conservation Department would coordinate the mowing, either through Town of Fairfield employees, or by private contractor. Milan Bull indicated that the netting at the H. Smith Richardson Golf Course driving range continues to be a problem, and is harming the birds at the site. Milan Bull *moved*, and Elizabeth Jones *seconded* to have Conservation Staff forward a letter to the Golf Commission, through the Parks and Recreation Department, requesting that they give consideration to resolving the problem at the driving range, and to provide the Conservation Commission with recommendations as to how the netting can be made safer for the birds at the site. *Motion passed unanimously*.

- B. Connecticut Proposed Streamflow Standards and Regulations: Thomas Steinke advised the Commission that the proposed Streamflow Standards and Regulations had not been approved by the Connecticut Legislature's Regulation Review Committee; the regulations were denied without prejudice and returned to the DEP for further review.
- C. H. Smith Richardson Conservation Trust, Agreement Revisions: Thomas Steinke provided the Commission with a brief history of the Trust Agreement, indicating that the draft agreement would effectuate the transfer of control from the former co-trustee, Bank of America, to the new co-trustee, Bank of New York Mellon, N.A. Mr. Steinke recommended endorsing the Amended and Restated Trust Agreement between the Town of Fairfield, the Board of Selectman of the Town of Fairfield, and BNY, N.A., with the addition of "For purposes of conservation". Milan Bull *moved*, and Elizabeth Jones *seconded* to endorse the Amended and Restated Trust Agreement, with the additional language as proposed by Thomas Steinke. Following an indication by Eileen Kenelly, Assistant Town Attorney, that the proposed additional language has already been incorporated within the document, the motion was withdrawn. Following discussion on item III. A. below, Thomas Steinke indicated that a vote is desired on this matter. Milan Bull *moved*, and Kathleen Maxham *seconded* to endorse the Amended and Restated Trust Agreement, as proposed. *Motion passed unanimously*.

### **III. NEW BUSINESS**

- A. Fairfield Trails Guide- Possible Second Printing: Frank Rice advised the Commission that most of the trail guides have been sold, and suggested that the Commission consider reprinting 200 additional copies. Mr. Rice further indicated that the Commission may consider revising the document to incorporate the additional trails that were omitted from the first edition as well as new mapping for those trails which were subsequently re-directed. Mr. Rice also noted that Aspetuck Land Trust has expressed an interest in having its trails included in a future printing. Landon Storrs volunteered to

assist Mr. Rice with regard to obtaining information on the new printing, and will contact Aspetuck Land Trust and the Audubon representatives to discuss their interest and the feasibility of having those trails included. Conservation Staff will obtain cost estimates for reprinting the additional 200 copies of the guide in its current format.

- B. Fairfield Senior Center – Lifelong Learners Series – Fairfield Inside Out #1297 – An Overview of the Fairfield Conservation Department: Thomas Steinke advised the Commission that he had provided a presentation to the Fairfield Senior Center and had included an “Overview of the Fairfield Conservation Department”. Frank Rice noted that he had received positive feedback from some of the participants who had indicated that Mr. Steinke had provided a wonderful presentation.
- C. CT DEP-OLISP 4/40 Dock Application by John Hilts for Barbara Castelli at 1524 Fairfield Beach Road: Thomas Steinke provided the Commission with a description of the activities proposed by Barbara Castelli at 1524 Fairfield Beach Road. Mr. Steinke recommended that the Commission forward a letter to the State of Connecticut DEP endorsing the application, with the following conditions (a) that new plans be submitted by the applicant evidencing the 50’ fairway between the boats and structures opposite the shoreline, and (b) that the slope be stabilized by resetting the boulders and concrete rubble. Following discussion, Elizabeth Jones *moved*, and Kathleen Maxham *seconded* to have Conservation Staff send a letter to the CT DEP-OLISP recommending that it approve the application with the conditions set forth by Thomas Steinke. *Motion passed unanimously.*
- D. 2011 Conservation and Inland Wetlands Proposed Meeting Schedule: The Commission will vote on the 2011 meeting schedule at its December meeting.

#### IV. OTHER

- A. Conservation Department Web-Site Statistics: Informational.
- B. Conservation Department Maintenance Crew Report – Dike Repairs: Informational. Thomas Steinke advised the Commission that the culvert repairs are anticipated to last five years, and that this is the first three of seven pipes to be repaired.
- C. Rivers Alliance of Connecticut – Streamlines – Fall 2010: Informational.

#### **SUPPLEMENTAL AGENDA**

Landon Storrs recused herself on the following matter:

Douglas Jones was appointed to sit as a full member.

**I. OLD BUSINESS**

- A. Mill Hill Open Space Area (Diocesan Property) – Reddington and Thomas Encroachment Easements: Following a description by Thomas Steinke of the proposed easements, Milan Bull *moved*, and Kathleen Maxham *seconded* to approve the proposed easements. *Motion passed unanimously.*
- B. Draft of Proposed 2011-2012 Budget: Thomas Steinke indicated that the draft budget is due next week, and that he would like the sense of the Commission concerning the request for additional personnel, including the replacement of the full-time wetlands compliance officer (which was not funded in the current budget), replacement of the full-time secretary position (which was reduced to a part-time position in the current budget), and the conservation laborer (which has not been funded for several years). Landon Storrs indicated that she would like the budget information provided to the Commission at least one month in advance, and requested that the information be provided in a very clear and cryptic format. Chairman Lesser indicated that the requests for personnel should be included. Following discussion, it was the consensus of the Commission that the personnel requests be included in the 2011-2012 Conservation budget request.

There being no further business to come before the Commission, Milan Bull *moved* and Elizabeth Jones *seconded* to adjourn at 8:35 p.m. *Motion passed unanimously.*

Respectfully submitted,

Betty Gabriel