

**CONSERVATION COMMISSION
FAIRFIELD, CONNECTICUT
MINUTES OF CONSERVATION MEETING
October 18, 2012**

The Conservation Commission of the Town of Fairfield held a meeting on October 18, 2012 in Meeting Room II, Second Floor Conference Room, John J. Sullivan Independence Hall, 725 Old Post Road, Fairfield, CT.

MEMBERS PRESENT: Kevin Gumper, Chairman; Catherine O'Donnell, Secretary; Frank Rice, Kate Maxham and Elizabeth Jones. **ALTERNATES:** Felicia B. Watson. Also Present: Thomas Steinke, Conservation Director, Annette Jacobson, Conservation Administrator, Edward Jones, Wetlands Compliance Officer/Open Space Manager, and members of the public and press.

MEMBERS ABSENT: Milan Bull, Richard Santalesa, Letitia Ferguson and Sam Boyarsky

CALL TO ORDER: The meeting was called to order at 7:31 p.m. by Kevin Gumper.

APPOINTMENT OF ALTERNATES: Felicia B. Watson was appointed to sit as a full member.

II. CONSERVATION

A. Bills and Communications

III. OLD BUSINESS

- A.** Ms. Joan I. Rasmussen – Comments and her Concerns for Dogs at Lake Mohegan Open Space Area: Ms. Rasmussen shared that she has lived in Fairfield all her life and moved on to Adley Road many years ago. When the lake was first opened there were all kinds of noise and parties and people coming in from everywhere and we put up with that. Now there's a wonderful lake behind our house and it's been closed at least twice this year. Her family would go for an autumn walk every year and now you can't do that because there's dog-doo everywhere; her neighbor no longer walks her dog there because her dog rolls in the dog-doo and when it rains it washes into the lake.

Fairfield Magazine says there are 6 dog parks in the Town of Fairfield. Ms. Rasmussen wants to know where these others parks are located; 3500 dogs in this town. Ms. Rasmussen asked if there were any open space areas where there wasn't any water that could be designated for dogs; Brett Woods doesn't have any water. All open space areas are open to dogs; Edward Jones described the difference between open space areas that are administered by the Conservation Commission where dogs are allowed, and parks under the jurisdiction of Parks and Recreation Commission that in general prohibit dogs. The Fairdog organization makes a concerted effort to encourage dog owners to pickup after their dogs and on occasion organizes cleanup efforts. Ms. Rasmussen felt a person should be able to walk in the open space without stepping in dog-doo.

Edward Jones referred to the new sign boards with dog regulations and swimming prohibition that have been erected in hopes of better adherence and enforcement; additional garbage cans have been placed out on the open space over the last few years to accommodate dog owners. Kate Maxham questioned whether there is a leash law; there isn't in Fairfield where the dog

simply must be under voice control of the owner. There is an ordinance for owner to pickup after their pets.

Ms. Rasmussen asked if there are other open space areas without water; could the dogs be restricted to the northeast corner around the small pond. Edward Jones mentioned the past public hearings held on the dog issues and the overwhelming turnout of the dog walkers. Frank Rice referred to a past proposal that suggested fencing in the northwest corner from Morehouse Highway down to the river – there is an area for parking at the “Old Dog Pound” or “Old Dog Kennel” location.

Chairman Gumper requested a report from the Health Department on beach closures at Lake Mohegan be obtained. Closures are based on bacterial levels expected after a one inch rainfall event; dog waste is only one contributing factor.

IV. NEW BUSINESS

A. DRAFT – Conservation & Development Policies: A Plan for Connecticut – Office of Policy and Management (see attached).

Thomas Steinke described the document as a 5-year plan with six components/policy areas that now takes climate change and possible sea level changes into account, and that the natural environment may have more effect than human activities; open space and water quality; and he recommends endorsement. They’re also trying to encourage consistency between municipal, regional and state plans of conservation and development. Since the comment period had lapsed no action was taken.

B. Town Plan and Zoning Referral - 893 Sasco Hill Road Subdivision - Open Space Set Aside (heard after Old Business).

Attorney William Fitzpatrick represented the subdivider. Tom Steinke described the property as isolated from any other Town property or Public Access and the “fee in lieu of” may be the best way to go. Chairman Gumper asked if the parcel had any wildlife or bird sanctuary value and Tom Steinke responded that the property was essentially all maintained landscape with perhaps some habitat along the property boundaries, nothing noteworthy.

Attorney William Fitzpatrick concurred with Edward Jones’ memo and recommendation for fee in lieu of open space.

Kate Maxham *moved* and Catherine O’Donnell *seconded* that the Commission recommend that the Town Plan and Zoning Commission accept a fee in lieu of open space. *Motion passed unanimously.*

C. Connecticut Department of Energy and Environmental Protection.

1. Coastal Jurisdiction Line: Chairman Gumper asked if there would be any significant impact on Fairfield. Thomas Steinke replied that we’re not yet sure. The new coastal jurisdiction line is predicated on the 1988 vertical datum and he has asked the Engineering department where that might be; it appears to be 5.2 on the 1988 datum and it’s a little over 6.2 on the 1929 NGVD and we’re waiting to see what’s going to happen. It will be a little higher in some places and a little lower in other places along the coast. He estimated that we will be right at

the past elevation line. In the past it has been 1 foot above high water or 6.8.to 6.2 probably the lower elevation. No action is recommended at this time.

Some of the Commissioners didn't receive the attachment. Not everyone received the email dispersal.

2. DRAFT Integrated Water Quality Report: Tom Steinke cited the previous draft and this draft is essentially the same. Edward Jones indicated that this takes into account the dog feces that wash into the watercourses. No Action was required on this item.

Further discussion was had on the location of the proposed dog area in the northwest corner of Lake Mohegan and Thomas Steinke clarified that it was above the power line R.O.W.; if we were talking about the area above the power lines and down to the river it would be 15 to 20 acres. Edward Jones suggested we would have to expand the parking area.

Felicia Watson made reference to Waveny Park (New Canaan) that has a completely enclosed area for dogs.

Catherine O'Donnell felt that if the same people don't pickup after their dogs then changing the location won't change people.

The Park commission has considered an area in the past and found parks are dedicated to too many specific activities

Chairman Gumper asked that staff do a little investigation into Frank Rice's idea and find Milan Bull's Dog Committee Report. He also requested that copies of the last two years of water quality data be obtained from the Health Department.

There was some discussion on the disposition of the Deer Committee findings and lack of a standing committee. Logistics are quite involved with questionable results.

- D. Connecticut Association of Conservation and Inland Wetlands Commissions, Inc. - 35th Annual Meeting and Environmental Conference – Saturday, November 17, 2012 (see attached).

IV. OTHER

- A. Commission Comments for Website Update.
- B. Southwest Conservation District Newsletter – Soil And Water - Fall 2012 (see attached)
- C. The League of Women Voters - Fairfield's Open Spaces Celebration at Lake Mohegan Open Space on October 21, 2012 at 1:30 pm.

Questions were raised about coyotes and current problems were discussed. Jurisdiction would be Animal Control – State does not regulate as a game animal or furbearer.

The prevalence of turkeys was discussed with their reintroduction welcomed and now approaching a nuisance.

V. ADJOURNMENT: There being no further business to come before the Commission, Kate Maxham *moved*, and Elizabeth Jones *seconded* to adjourn at 8:15 p.m. *Motion passed unanimously*

Respectfully submitted,
Edward H. Jones, OSM/WCO