



STATE OF CONNECTICUT – COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

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CONSERVATION COMMISSION REGULAR MEETING MINUTES TUESDAY, MARCH 14, 2023, 7:00 PM REMOTE ZOOM MEETING

PRESENT: Chairman Rebecca Quarno, Vice Chairman David Bidwell, Regular Members Robert Zielfelder, Sean Dwyer, James Gage, Laurie Burstein, and George Nickerson (arrived at 7:32)

ABSENT: Alternates Jessica Fay and Ann Harford

STAFF: Lisa Houlihan, Town Planner and Nathaniel Trask, Recording Clerk

OTHERS

PRESENT: Valerie Amsel, Ad Hoc Ellington Trails Committee Liaison

- I. **CALL TO ORDER:** Chairman Rebecca Quarno called the Conservation Commission meeting to order at 7:05 PM.
- II. **PUBLIC COMMENTS (On Non-Agenda Items):** None
- III. **ACTIVE BUSINESS:**
 1. Plan of Conservation & Development, Chapter 4 - Conservation Strategies, Natural Resource Preservation.

Chairman Quarno asked commission members what their priority interests were for conservation strategies. Commissioner Gage said that he is interested in saving farmland. Commissioner Burstein and Vice Chairman Bidwell said they were interested in preserving open space, and Vice Chairman Bidwell said he was particularly interested in protecting natural forest and wildlife instead of actively used open space. Commissioner Burstein said that farmland preservation has been positive, but open space should balance that out. Commissioner Gage said the commission has been thwarted several times by the BOS (BOS/Board) about open space proposals. Chairman Quarno said that the commission has been unsuccessful in the past with preserving more open space because they have not been able to get the approval of the BOS even after meeting with the First Selectman.

The commission discussed strategies for preserving open space. Chairman Quarno said that the group could consider raising awareness with town citizens prior to presenting a proposal to the BOS so that residents can attend Board meetings showing their support for open space preservation. Commissioner Burstein said this could be an effective means of pursuing the issue since selectmen could be swayed by members of the public attending meetings. The BOS have been supportive of preserving farmland, but less so with open space. Commissioner Zielfelder suggested finding a piece of property that could be of interest and share it with the Ad Hoc Ellington Trail Committee and the public before presenting it to the selectmen. It was recommended that the commission use the list of properties that they scored at previous meetings for such a task. Chairman Quarno remembered hearing from the BOS that they asked what the

potential use of the open space land would be if the town were to purchase it, such as for future schools or recreational use. She said part of the strategy for approaching the issue is to create awareness and educate about the purchase and preservation of open space, like the commission's previous efforts to encourage and raise awareness for water conservation.

Ms. Houlihan gave some details about rules, regulations, and definitions for open space. She reported that state law gives the town the authority to require open space when land is divided. In the subdivision regulations there is a standard that specifically refers to open space, saying that 10% can be held as land set aside or the value of the land prior to it being developed. The regulations recognize when land is developed population increases and more open space is needed. The regulations acknowledge that open space can include any space meant for active recreation, including competitive sports, or passive recreation. Sometimes open space is donated by a landowner and the property owner restricts use of the land, such as the Batz property prohibiting the town from building on it. The Plan of Conservation can be updated to prioritize where the commission would like greenways or active areas. She indicated that this can be focused on by the commission.

When Vice Chairman Bidwell asked about it, Ms. Houlihan said it would be a good idea for the commission – when proposing open space purchases to the Planning and Zoning Commission (PZC) – to present what they would like to use the space for, especially if it will be passive use for greenway areas. Chairman Quarno said it would be important for the public to know that there is an open space account for land purchases and open space purchases are not directly funded by taxpayers. She said that it would be good for the commission to give the public this information. Commissioner Burstein shared that she spoke with a neighbor a couple of years ago who opined that the money should be used for other purposes, such as for school budgets, not knowing that there was a separate fund for open space. Commissioner Zielfelder indicated there is data that shows open space costs the town less than residential areas in terms of services provided, referencing the Cost of Community Services Study. Ms. Houlihan said the study has been useful in gaining the BOS's approval for being a funding partner for open space purchases with the land trust, and any hesitation for purchasing the land was the responsibility of stewardship that the town would then hold. Commissioner Gage expressed an idea for finding a quality property that the land trust might be interested in.

Ms. Houlihan surmised that the commission wants to develop a strategy to raise awareness about the group's efforts to preserve open space and farmland.

2. Report - Working Farmland Preservation Program.

Ms. Houlihan said that a letter was sent out to 25 property owners in February asking if they wanted to participate in the Farmland Preservation Program. Roberta Hambach indicated she was interested in preserving her land. She owns a 40-acre parcel off Broad Brook Road, which borders East Windsor. The Morins, who own the property at 267 Jobs Hill Road, are considering preserving a part of their land. They do have some wetlands on their property, so it needs to be determined what they will qualify for. Ms. Houlihan said they would have to do an agricultural cut and establish an easement for the farmland preservation if only part of the parcel were to be preserved. The Catholic Cemeteries Association at 146 Tripp Road said they would be interested in the program, but only if the program was not the State of Connecticut's farmland preservation program. Ms. Houlihan reached out to let them know that the process would not solely involve the state, but that the town would be a part of it as well. Clarification is needed from the Department of Agriculture as to which programs the properties would qualify for. Ms. Houlihan added that the one property that Oakridge Dairy, LLC. is looking to preserve is still delayed.

3. Report - Open Space Preservation Program.

Ms. Houlihan said she received a couple of inquiries from people along Green Road after a letter was sent in July of 2022. She noted that Green Road is registered as an unimproved town road, and it would be costly to improve. One of the property owners that expressed interests in preserving his land for open space was George Grant, who owns a 31.5-acre parcel on the road and is on the board of the land trust, according to Commissioner Gage. Joseph MacVarish also expressed interest in preserving a 30-acre parcel. Ms. Houlihan also spoke with John deRham that jointly owns two parcels adjacent to one another, with a collective area of about 25 acres. She felt that he might want to work with the town. She also noted that Scott Brady solely owns two properties on Green Road and expressed interest. There are about 80 acres that the town could purchase for open space. Commissioner Dwyer supported purchasing properties on Green Road for open space, saying that there is some wooded area along that road and that a bike trail could connect to Somers. He said the town could also build some athletic fields on the flat land. Ms. Houlihan asked Commissioner Gage if the deRham family was interested in preserving their two parcels, would the land trust consider taking the purchase as a donation. Commissioner Gage said they would gladly accept the donation. She also said the town would need to preserve the right to work with the land trust for improvements and negotiate with Eversource the development of a gravel or paved rail trail system in the area.

Chairman Quarno said Green Road was the area the commission was focused on when prioritizing which parcels they would like to pursue for open space preservation. She said when that conversation happened last year that it was a priority for the commission to pursue. Vice Chairman Bidwell again recommended that the commission draw the attention of the public to the cause, especially for the potential use the land might serve, such as with the development of a rail trail system. Ms. Houlihan and Commissioner Gage could create a PowerPoint presentation that would be presented to the Conservation Commission and the Ad Hoc Ellington Trails Committee, along with a mailer and press release to town residents. Chairman Quarno suggested posting articles about open space or a write-up about how the town approaches the topic, or even an explanation about the subdivision process and the Open Space Fund. Ms. Houlihan said she wasn't aware of a way to track visitors to the town's website. She thought it was a good idea to write articles in the monthly newsletter, circulating the open space brochure and creating social media posts. She also suggested posting information in the library or holding an open house. Chairman Quarno said one of the primary focuses for the commission is to communicate to the public how open space is purchased.

Ms. Houlihan said she will include the open space brochure and the applicable section of the subdivision regulations in the next meeting packet. Commissioner Zielfelder suggested asking the Ad Hoc Ellington Trails Committee for a copy of the brochures they share with the public so the commission can possibly model one after that, particularly with a conservation mindset. Ms. Amsel, the Ad Hoc Ellington Trails Committee liaison, said the group will attend the town's Earth Day event and they would distribute any brochures that are available for open space. Commissioner Nickerson recommended a monthly trail walk in which commission members would walk with residents on the town trails and inform the public about the open space initiatives. The trails committee does hold some of these types of events already during warmer months. Ms. Amsel said the group holds events – but not necessarily trail walking events – every month during the warm season.

Ms. Houlihan said she wanted to wait to hear back from John deRham before pursuing anything further. The matter will be discussed further at next month's meeting.

IV. ADMINISTRATIVE BUSINESS:

1. FY 22-23 Budget & Expenditure Update and draft proposed Fiscal Year 23-24 Budget.

Ms. Houlihan said the FY 23/24 budget proposals are under zero-based budgeting again, and the proposed budget is the same as last year. The budget covers part-time recording clerk services, advertising, printing, forms, and dues and subscriptions.

2. Approval of the January 10, 2023 regular meeting minutes.

MOVED (DWYER) SECONDED (NICKERSON) AND PASSED UNANIMOUSLY TO APPROVE THE REGULAR MEETING MINUTES OF JANUARY 10, 2023 WITH VARIOUS CORRECTIONS.

3. Election of Officers.

- a. Chairman Position

MOVED (BIDWELL) SECONDED (BURSTEIN) TO NOMINATE COMMISSIONER (QUARNO) FOR CHAIRMAN OF THE CONSERVATION COMMISSION FOR THE YEAR OF 2023.

**COMMISSIONER (QUARNO) ACCEPTED THE NOMINATION.
HEARING NO FURTHER NOMINATIONS,**

MOVED (BIDWELL) SECONDED (ZIELFELDER) AND PASSED UNANIMOUSLY TO ELECT COMMISSIONER (QUARNO) FOR CHAIRMAN OF THE CONSERVATION COMMISSION FOR THE YEAR OF 2023.

- b. Vice-Chairman Position

MOVED (QUARNO) SECONDED (ZIELFELDER) TO NOMINATE COMMISSIONER (BIDWELL) FOR VICE-CHAIRMAN OF THE CONSERVATION COMMISSION FOR THE YEAR OF 2023.

**COMMISSIONER (BIDWELL) ACCEPTED THE NOMINATION.
HEARING NO FURTHER NOMINATIONS,**

MOVED (ZIELFELDER) SECONDED (DWYER) AND PASSED UNANIMOUSLY TO ELECT COMMISSIONER (BIDWELL) FOR VICE-CHAIRMAN OF THE CONSERVATION COMMISSION FOR THE YEAR OF 2023.

4. Correspondence/Discussion:

- a. Ad Hoc Ellington Trails Committee – Monthly Agenda/Minutes.

Ms. Amsel said the trees at Metcalf have been cut down for \$50,000 and three days' worth of work. There were a lot of dead trees in the area. The trail needs to be blazed again. The committee will be flagging the new trail at Crystal Lake. The committee also participated in mini golf at the library and will have a table setup at the Earth Day event.

The next big issue the group will be taking on will be the disc golf course. The Inland Wetland Agency (IWA) held a meeting the last two months for the proposed 18 hole course. Vice Chairman Bidwell attended the IWA meeting on March 13, 2023. He said neighbors were concerned about the course. The holes for the course need to be mapped out carefully to avoid wetlands, which impacts the trails significantly. People also have concerns about the impact to wildlife with the implementation of the disc golf course. Commissioner Zielfelder asked why they are looking at this property for the disc golf course. Vice Chairman Bidwell

said a wooded area is needed for the course, and there aren't a lot of those open space areas in town. Ms. Houlihan said that the PZC cannot act prior to the IWA and the PZC has to give the IWA's decision due consideration. She also said the Batz property was once considered for this project, however it was not pursued. There are currently local courses in Tolland, Vernon, and Manchester. Chairman Quarno asked if this is a project that the town wants to do. Ms. Houlihan said the Recreation Department is the applicant.

Ms. Houlihan said she would distribute the meeting minutes from when the commission talked about the disc golf course and distribute it to the commissions.

- b. Notification of Community Power Group LLC petition to CT Siting Council for the proposed construction, maintenance, and operation of a 4-megawatt AC solar photovoltaic electric generating facility at 24 Middle Road.

A letter was sent, in accordance with state law, from the Community Power Group to the commission notifying them that they intended to file "a petition for declaratory ruling with the Connecticut Siting Council" on or about January 30, 2023, for a 4-megawatt solar farm at 24 Middle Road. There is a public hearing on March 15, 2023, with the Connecticut Siting Council (CSC). There has been some opposition from the farmers that manage the property and residents around the property. The PZC instructed Ms. Houlihan to write a memo to the CSC requesting they hold a public hearing. For solar farms, if they are one megawatt or larger, the local municipality cannot require them to pull IWA or PZC permits. They would be solely under the jurisdiction of the CSC. About 15 landowners representing 8 different homes went to the PZC to express their concern about the project. They are aware of the process to address this with the CSC.

Vice Chairman Bidwell noted that there is farmland preservation land all around the property. The previous owner of the property is now deceased and left it to a family member. Oakridge Dairy, LLC, has a lease on the land to farm it, however it expires this year. All neighbors within 300 feet of the property have been notified about the proposal. The solar panels will be placed in the area that is farmed, which is about 28 acres. The Community Power Group has completed numerous studies that analyze the impact of the project.

V. ADJOURNMENT:

MOVED (BIDWELL) SECONDED (ZIELFELDER) AND PASSED UNANIMOUSLY TO ADJOURN THE CONSERVATION COMMISSION MEETING AT 8:47 PM.

Respectfully submitted,

Nathaniel Trask, Recording Clerk