



STATE OF CONNECTICUT – COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

55 MAIN STREET – PO BOX 187
ELLINGTON, CONNECTICUT 06029-0187
www.ellington-ct.gov

Tel. 860-870-3120 Town Planner's Office Fax. 860-870-3122

CONSERVATION COMMISSION REGULAR MEETING AGENDA TUESDAY, APRIL 11, 2023, 7:00 PM

ONLINE MEETING - INSTRUCTIONS TO JOIN MEETING PROVIDED BELOW

I. CALL TO ORDER:

II. PUBLIC COMMENTS (On Non-Agenda Items):

III. ACTIVE BUSINESS:

1. Plan of Conservation & Development, Chapter 4 - Conservation Strategies, Natural Resource Preservation. (Distributed January 10, 2023)
2. Report - Working Farmland Preservation Program.
 - a. Notice of Acquisition of Development Rights, Oakridge Dairy, Farm I, for 101.83 acres, Recorded March 16, 2023.
 - b. Request for Referral to Board of Selectmen for Special Appropriation for Farmland Preservation, Oakridge Dairy, Farm II, for 101 +/- acres, June 2018 Application.
 - c. [Seth Bahler, Oakridge Dairy and The Modern Milkman, Recognized as Young Farmer of the Year 2023, Ag Day at the State Capitol](#) (open link for video).
3. Report - Open Space Preservation Program.
 - a. Open Space Brochure, Revised October 2022.
 - b. Guide To Open Space Recommendation.

IV. ADMINISTRATIVE BUSINESS:

1. FY 22-23 Budget & Expenditure Update.
2. Approval of the March 14, 2023, Regular Meeting Minutes.
3. Correspondence/Discussion:
 - a. Ad Hoc Ellington Trails Committee – Monthly Agendas/Minutes.
 - b. March 30, 2023, Notice of Public Hearing for May 18, 2023, Connecticut Siting Council for Petition 1558 - Request for Declaratory Ruling for a 4 MW Photovoltaic Facility, 24 Middle Road, Ellington.

V. ADJOURNMENT:

The next regular meeting is May 2, 2023.

Instructions to attend remotely via Zoom Meeting listed below. The agenda is posted on the Town of Ellington webpage (www.ellington-ct.gov) under Agenda & Minutes, Conservation Commission.

Join Zoom Meeting via link:

Link: <https://us06web.zoom.us/j/86765185507>

Meeting ID: 867 6518 5507

Passcode: 972137

Join Zoom Meeting by phone:

1-646-558-8656 US (New York)

Meeting ID: 867 6518 5507

Passcode: 972137

COMMISSIONERS: TO ASSIST IN ESTABLISHING QUORUMS REQUIRED TO CONDUCT MEETINGS, PLEASE CONTACT THE PLANNING DEPARTMENT IF YOU ARE UNABLE TO ATTEND A SCHEDULED MEETING.



Doc ID: 001610750007 Type: NOTICE

BK 541 PG 432-438

OAKRIDGE DAIRY FARM 1
Ellington, Connecticut
to
STATE OF CONNECTICUT

NOTICE OF ACQUISITION OF DEVELOPMENT RIGHTS

Pursuant to Farmland Preservation Program Section 22-26cc(b) of the Connecticut General Statutes, notice is hereby given that pursuant to Chapter 422(a) of the Connecticut General Statutes, the State of Connecticut, acting by and through the Commissioner of Agriculture, has acquired development rights, as such term is defined in Section 22-26bb(d) of the Connecticut General Statutes, of farmland from **Oakridge Dairy LLC**, being the fee owners of agricultural land, as such term is defined in Section 22-26bb(a) of the Connecticut General Statutes. The land upon which such development rights have been acquired is located in the **Town of Ellington**, Connecticut, and is defined in "Schedule A" attached hereto and made a part hereof.


It is the purpose and intent of such conveyance to protect such land as agricultural land in accordance with the Statement of Intent set forth in Section 22-26aa of the Connecticut General Statutes so as to benefit the well being of the people of the State of Connecticut now and in the future.

For a more detailed description of the restrictions on such land, reference is made to that certain Conveyance of Development Rights Deed from Oakridge Dairy LLC to the State of Connecticut dated January 16, 2023, which has been recorded in the Land Records of the Town of Ellington, Connecticut on March 16, 2023 at 2:23 ~~pm~~ / p.m.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 6TH day of March, 2023.

Signed, sealed and delivered in the presence of:

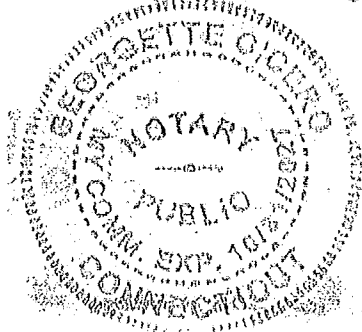
Witness: _____



Bryan P. Hurlburt
Commissioner

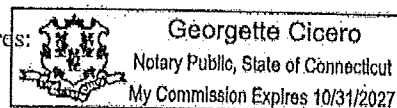
Witness: _____

STATE OF CONNECTICUT)
) ss: Hartford
COUNTY OF HARTFORD)

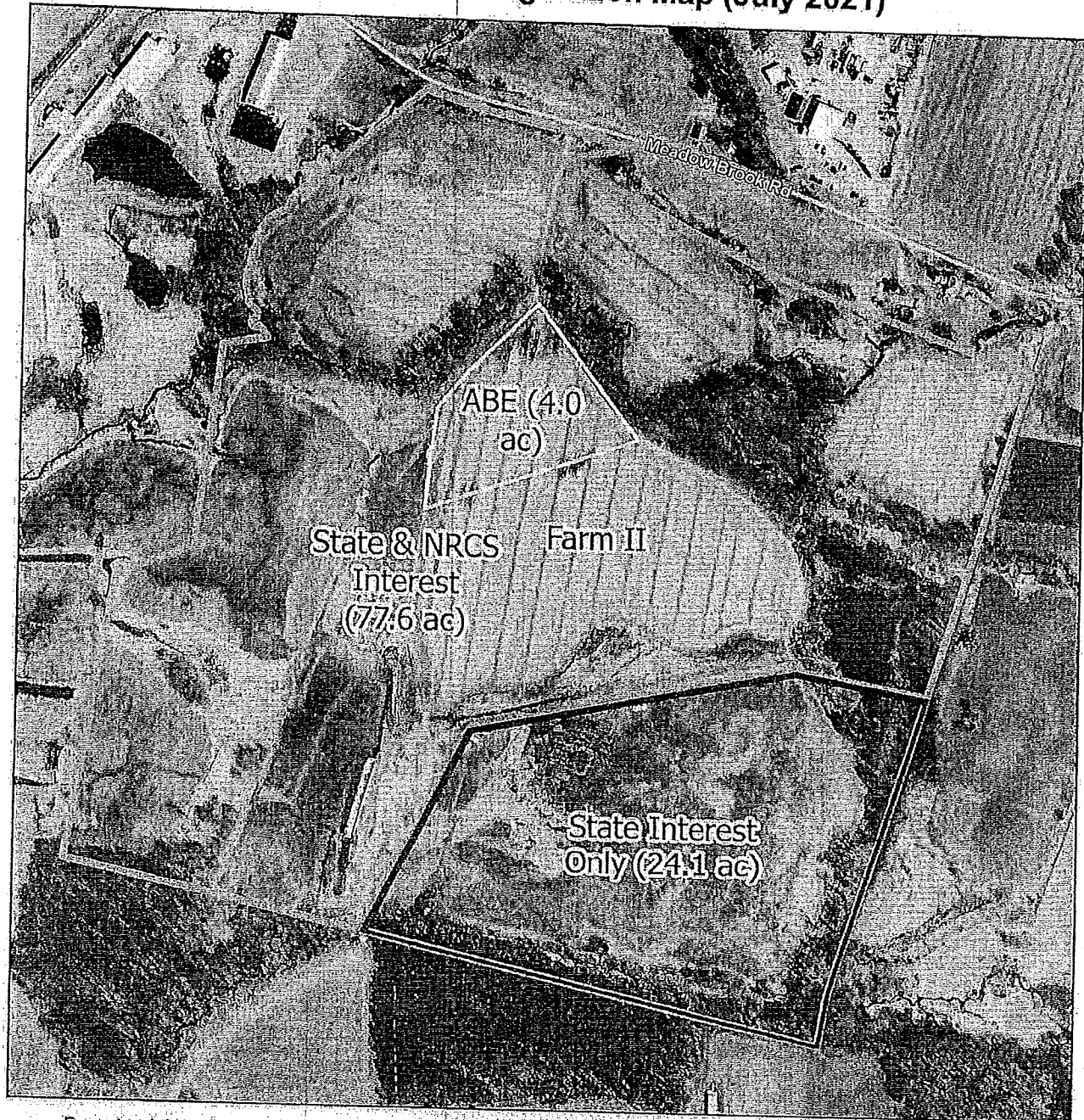
The foregoing instrument was acknowledged before me this 6th day of March, 2023,
by Bryan P. Hurlburt, Commissioner of Agriculture.



Notary Public
My commission expires: 



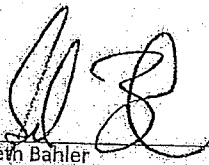
SCHEDULE B
Oakridge Dairy Farm II
Revised PDR Configuration Map (July 2021)



Farmstead Area "ABE" (4.0 ac)
Farm II easement area

State Interest Only (24.1 ac)
State & NRCS Interest (77.6 ac)

Data sources: USGS Ortho Imagery from CT ECO (Spring 2019).
Created by: Kathleen Doherty, CFT (May 10, 2021)
Note: The Protected Property boundary line depicted is for general reference
— the measurements are not to scale. The Property Description in the
conservation easement should be used to locate the precise easement
boundary.


Seth Bahler

0 100 200 400
Feet
N

9/6/2021
date
2021
83



Town of Ellington

Planning Department

55 Main Street, PO Box 187, Ellington, CT 06029/Phone: 860-870-3120/planner@ellington-ct.gov

GUIDE TO OPEN SPACE RECOMMENDATION

4.01 OPEN SPACES (IV. DESIGN STANDARDS – GENERAL IMPROVEMENTS)

Open space is land set aside within or in conjunction with a subdivision or other development to preserve the open and natural character of the land, to be developed as a park or a playground pursuant to Connecticut General Statute (CGS), Section 8.2, or other similar public use. Open space land is not to be developed for residential or business purposes or part of the infrastructure of the town unless the public use intended compliments specifically the use of the open space land.

4.18 OPEN SPACE

The Commission has found that development of land for residential or business use will cause an increase in population, the intensity of land use, and the need for open space, parks, or playgrounds to serve the residents of the town. To meet this need, it is the policy of the Town of Ellington to preserve open space in accordance with the requirements set forth herein.

These open space and recreation requirements have been prepared from a regional perspective in an effort to preserve wildlife habitat, flora and fauna, while preserving for the citizens of the region an area in which to enjoy nature, with an opportunity to walk, jog, cross country ski, bicycle, picnic, fish, wade, sit, or otherwise spend time in a natural setting. In addition to these passive activities, these requirements recognize the importance of areas which may be used for active recreational activities which include competitive sports. These requirements also recognize the importance of the Town's agricultural areas, which we strive to preserve in an effort to provide locally grown fruits and vegetables, dairy products, trees, shrubbery, and similar products.

The open space and recreation requirements outlined herein are based on the Town Plan of Conservation and Development and the Plan of Conservation (aka Open Space Plan). In determining the appropriateness of an open space and/or recreation area disposition, the Commission shall consider initiatives of the aforementioned plans, the advisory opinion of the Ellington Conservation Commission, and the characteristics of the subject site with respect to the following objectives: the conservation and protection of wildlife and natural or scenic resources including lakes, ponds, rivers, streams, streambelts, inland wetlands, riparian buffer zones, aquifers, significant woodlands, ridges, ravines, ledge outcroppings and other unusual physical features; the protection of historic or archeological sites; the expansion of existing open space, and recreational areas meeting neighborhood and/or community-wide recreational needs. In determining the location of open space, the Commission may consider potential for combination with existing or proposed open space on adjoining properties owned by any public or private institution.

4.18.1 FLEXIBILITY OF APPROACH

1. In accordance with Section 8-25 of the CGS, such preservation may be accomplished through the dedication of one or more parcels of open space land in the subdivision or through the provision of a fee-in-lieu-of dedication of land or both.
2. The Commission is aware that it is not desirable in all situations to require the dedication of open space land in all subdivisions, particularly those which are small. The Commission may, at its discretion, accept a fee-in-lieu-of land dedication from the subdivider for all or any part of the open space, in accordance with the provisions of CGS Section 8-25.

4.18.2 DECLARATION AND CONSIDERATION

1. At the time of filing a formal application to the Commission for subdivision approval, the subdivider shall indicate on the application and plans whether ten (10%) of the land will be dedicated to open space purposes or a fee-in-lieu-of the land for open space will be paid to the town or a combination of land dedication and fee is proposed as advised by the Ellington Conservation Commission.
2. The Commission shall consider the proposal and make the final determination after discussing with the subdivider as to whether land shall be dedicated, or fee levied, or any combination thereof.

4.18.3 DEDICATION REQUIREMENTS

1. Where the open space requirement will be met through the dedication of land, the total area reserved for open space shall equal or exceed ten percent (10%) of the total land area of the subdivision.
2. The location of open space parcels shall be designed in accordance with one or more of the following factors appropriate to the site (some do conflict with others):
 - a. Where new roads are proposed, open space is located so as to create a buffer between existing Town/State road(s) and the proposed lots.
 - b. The open space is designed as a buffer between the proposed and existing abutting properties.
 - c. The open space is located to preserve such natural features as scenic vistas, ridge tops, significant tree groves, waterfalls, and environmentally scenic areas.
 - d. The open space is located in areas to preserve significant man made features such as stone walls, canals, or historic structures.
 - e. The open space is located so as to preserve primary and secondary agricultural lands.
 - f. The open space is located in areas which connect existing open space or areas with the greatest potential for future open space and facilitates recreational and green space corridor and/or trails.
 - g. The open space is suitable for public active recreational use.

3. The open space land shall be of a similar ratio of buildable land to unbuildable land as the entire subdivision or shall, in the opinion of the Commission, preserve environmentally sensitive areas such as river corridors, wildlife sanctuaries, or other natural features.
4. All open space shall abut or have direct access to a street through a right-of-way dedicated to public use. The right-of-way shall not be included in the required open space area, but shall be at least fifty (50) feet wide and shall be suitable for foot traffic. In acceptable circumstances the Commission may reduce or waive this requirement.
5. An attempt shall be made to preserve a location for the parking of vehicles within areas that can provide public access to existing and proposed open space, particularly those areas which provide access to new and existing trails and recreational areas.
6. The Commission may permit a reduction in the ten percent (10%) requirement, and thereby permit an equal increase in density, where the application proposes to construct public facilities, such as ball fields, and other recreational facilities provided the value of the construction is equivalent to the value of the land and the additional lots obtained as a result of open space reduction.
7. To satisfy all or a portion of the open space requirements of a subdivision, the Commission may consider lands located elsewhere in Ellington.
8. When a subdivision is a portion of a larger parcel of land, the Commission may consider dedication of an area of land in the undeveloped part of the parcel but outside of the proposed area of the subdivision.
9. The ultimate ownership of dedicated open spaces, parks, and playgrounds, be it the Town of Ellington, a land trust, homeowner's association, or a recognized conservation organization, should be determined by the Commission on a case by case basis at the time of subdivision approval.
 - a. In the event that the Board of Selectmen declines to accept offered open space land as part of the town property, then the developer must return to the Commission and implement another alternative as described above.
10. The Commission reserves the right to make the final decision on the suitability of open space land and the means of preservation.
11. Monuments are required at all corners and angles of town open space and must be easily identified, except where land characteristics cannot accept the monuments.

4.18.4 DEDICATION FOR OTHER MUNICIPAL PURPOSES

1. In the event the subdivider desires to transfer to the Town land for other municipal purposes such as future schools, fire houses, etc., the dedication provisions of this regulation shall be complied with. The Commission may consider such a municipal dedication as a credit toward any open space and/or recreational area disposition requirements.

4.18.5 DEED RESTRICTIONS

1. Any land dedicated for open space purposes shall contain appropriate covenants and deed restrictions (approved by the Town Attorney for Town-dedicated property) ensuring that:
 - a. The open space area will not be further subdivided in the future.
 - b. The use of the open space will continue in perpetuity for the purpose specified.
 - c. Appropriate provisions will be made for the maintenance of the open space, if necessary.
 - d. The open space shall not be converted into a commercial for-profit enterprise.
 - e. The rights of public access are provided when appropriate.

4.18.6 FEE-IN-LIEU-OF REQUIREMENTS

1. In lieu of providing all or part of the open space land as required above, an applicant may, with the Commission's approval, pay a fee. This fee shall not exceed 10% of the fair market value of the land to be subdivided prior to the approval of the subdivision.
2. The fair market value shall be determined by an appraiser jointly selected by the Commission and the applicant, with the cost to be borne by the applicant. The Planning Department maintains a Commission-approved list of appraisers.
3. A fraction of such payment the numerator of which is one and the denominator of which is the number of approved parcels in the subdivision shall be made at the time of sale of each approved parcel of land in the subdivision and placed in a fund which shall be used for the purpose of preserving open space or acquiring additional land for open space or for recreational or agricultural purposes.
4. The Commission encourages the applicant to consider paying the entire fee prior to the filing of the subdivision map on the land records.

Town of Ellington

General Ledger - On Demand Report

Fiscal Year: 2022-2023

From Date: 7/1/2022 To Date: 3/31/2023

Account Mask: ?????00270???????

Account Type: All

☒ Print accounts with zero balance

☐ Include Inactive Accounts

☐ Filter Encumbrance Detail by Date Range

☐ Print Detail

☐ Include PreEncumbrance

Account Number / Description	Budget	Range To Date	YTD	Balance	Encumbrance	% Remaining Bud
1000.02.00270.10.50103	\$1,600.00	\$780.00	\$780.00	\$820.00	\$0.00	\$820.00
Part Time---Conservation Commission--						51.25%
1000.02.00270.20.60221	\$400.00	(\$400.00)	(\$400.00)	\$800.00	\$0.00	\$800.00
Advertising Printing---Conservation Commission--						200.00%
1000.02.00270.20.60222	\$1,350.00	\$560.00	\$560.00	\$790.00	\$0.00	\$790.00
Dues & Subscriptions---Conservation Commission--						58.52%
1000.02.00270.20.60223	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Travel---Conservation Commission--						0.00%
1000.02.00270.20.60234	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Professional Development---Conservation Commission						0.00%
1000.02.00270.20.60250	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Contracted Services---Conservation Commission--						0.00%
1000.02.00270.20.60254	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
St of CT Surcharges---Conservation Commission--						0.00%
1000.02.00270.20.60341	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Office Supplies---Conservation Commission--						0.00%
1000.02.00270.30.60341	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Office Supplies---Conservation Commission--						0.00%
Fund: 1000	\$3,350.00	\$940.00	\$940.00	\$2,410.00	\$0.00	\$2,410.00

Town of Ellington

General Ledger - On Demand Report

Account Mask: ??????00270??????

Fiscal Year: 2022-2023 From Date: 7/1/2022 To Date: 3/31/2023

☒ Print accounts with zero balance

Account Type: All

☐ Include Inactive Accounts

☐ Filter Encumbrance Detail by Date Range

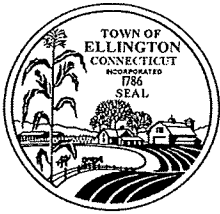
☐ Print Detail

☐ Include PreEncumbrance

Account Number / Description	Budget	Range To Date	YTD	Balance	Encumbrance	% Remaining	Bud
	\$3,350.00		\$940.00	\$2,410.00	\$0.00		\$2,410.00

Grand Total:

End of Report



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INCORPORATED 1786

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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



TOWN OF ELLINGTON

55 MAIN STREET – PO BOX 187
ELLINGTON, CONNECTICUT 06029-0187

www.ellington-ct.gov

Regular Meeting Agenda

Ad Hoc Ellington Trails Committee

6:30 PM – Wednesday, April 5, 2023

Town Hall Annex, 57 Main Street

- I. Call to Order
- II. Citizens' Forum
- III. Approval of Minutes
 - A. March 1, 2023
- IV. Old Business
 - A. Hockanum River Association Report
 - B. Metcalf Update
 - C. Conservation Commission Report
 - D. Ellington Highlands Update – Disc Golf
- V. New Business
 - A. Bluebird Houses
 - B. Eagle Scout
 - C. Trails Committee Recommitment
- VI. Subcommittee Reports
 - A. Treasurer
 - B. Planning & Development
 - C. Maintenance
 1. Batz
 - D. Community Outreach
 1. Ginny Apple Talk on Moose
 2. Ginny Apple Talk on Deer – April 25th
 3. Earth Day – April 22nd – Committee Members/Set Up/Table
- VII. Adjournment



TOWN OF ELLINGTON

Ad Hoc Ellington Trails Committee

55 MAIN STREET – PO BOX 187
ELLINGTON, CONNECTICUT 06029-0187

CHAIRMAN
LINDA ANDERSON

VICE CHAIRMAN
CYNTHIA VAN ZELM

SECRETARY
DEANNA WAMBOLT-GULICK

VALERIE AMSEL
PAM MCCORMICK
JUDI MANFRE
LARRISSA BURKE
DONNA ALLEN

Ad Hoc Ellington Trails Committee
Special Meeting Minutes
March 1, 2023
Nicholas J. DiCorleto, Jr. Meeting Hall

MEMBERS PRESENT: Donna Allen, Linda Anderson, Judy Manfre, Pam McCormick, Cynthia van Zelm

MEMBERS ABSENT: Larrissa Burke, Deanna Wambolt-Gulick, Valerie Amsel

OTHERS PRESENT: Bruce Dinnie, Tom Palshaw

- I. Call to Order:** Ms. Anderson called the meeting to order at 6:30 pm.
- II. Citizens' Forum:** No discussion was held.

III. Approval of Minutes
A. March 1, 2023

MOVED (MCCORMICK), SECONDED (ALLEN) AND PASSED UNANIMOUSLY TO APPROVE THE MINUTES OF THE FEBRUARY 1, 2023 REGULAR MEETING.

IV. Old Business

A. Hockanum River Association Report
Mr. Palshaw said the Association group has been picking up trash along the trail and will look at potential projects in April.

B. Metcalf
Ms. Anderson said Metcalf needs to be walked before it is opened. She will write a thank you letter to State Representative Foster for securing the money to cut down the dead trees. The goal would be to have a grand opening with State Representative Foster and First Selectman Lori Spielman.

C. Conservation Commission Report
The Conservation Commission has not met since the last Trails Committee meeting.

D. Ellington Highlands Update – Disc Golf

Ms. Anderson attended the Planning and Zoning Commission meeting where a potential disc golf course was discussed at Ellington Highlands. There was no opportunity to talk at that meeting but there will be at an Inland Wetlands Agency meeting on March 13; only wetlands and erosion issues can be brought up at that meeting. Ms. Anderson said that neighbor David Bidwell is getting the word out about the meeting and the potential Planning and Zoning Commission meeting on March 27.

E. Storm Steinberg

Ms. Anderson said Storm Steinberg is interested in joining the Committee but not until the summer. He is interested in a bike path as previously discussed.

V. New Business**A. Windermere Parking Lot**

Ms. Anderson said the Town of Ellington owns a lot across from the Windermere Trail and First Selectman Spielman has suggested a possible small parking lot there to more easily access the Windermere Trail. Public Works will review in the spring.

Ms. McCormick asked if there would be a crosswalk to the trail; Ms. Anderson was not sure if that was part of the plan. Mr. Palshaw also expressed concerns since there is no sidewalk on either side of the road.

B. Fancy Signs for Trailheads, Benches, Picnic Tables

Ms. Anderson said First Selectman Spielman is looking into grants for signs at Ellington trailheads. At her request, Ms. Anderson also gave Ms. Spielman a list of needs for signs, benches, and picnic tables.

VI. Subcommittee Reports**A. Treasurer**

Ms. Anderson reviewed the budget and said she and Ms. van Zelm submitted it to the Town.

B. Planning & Development**1. Crystal Lake – New Trail**

Ms. Anderson said she, Ms. Amsel, Ms. Manfre, Mr. Dinnie, and Dan Cumberland (part of Hockanum River Association) started a new trail at Crystal Lake. The trail goes from the top of the hill to the brook and will be named the Quartz Trail.

C. Maintenance**1. Crystal Lake**

The above group also gathered up trash for Public Works to pick up.

Ms. McCormick noted that the trees were not pruned at Batz, and the peaches had already started to bud.

D. Community Outreach**1. Mini Golf**

Ms. Anderson thanked Ms. Manfre for leading the Trails Committee golf hole at the Library's mini golf event. Ms. Manfre suggested that if the Trails Committee participates again, the Committee should be there all day. 450 people played golf at the event.

2. Ginny Apply Talk on Coyotes, March 28th Moose Talk

Ms. Anderson said there were over 30 attendees at the coyote talk and noted that the next talk is on moose on March 28. The deer talk was moved to April 25th as was snowed out at the regularly scheduled time.

3. Raptor Talk at Batz – July 19th, 10 am.

The raptor talk will now be on July 19 at 10 am. Several raptors will be on display.

4. Earth Day at the Town Green, April 22

Ms. Anderson submitted an application for a table at the Town's Earth Day event on April 22. Set up is from 8 am to 9 am, and the event runs from 10 am to 2 pm. Volunteers will be solicited at the April Committee meeting.

5. CT Trails Day

Ms. Anderson and Ms. van Zelm will both be out of town for CT Trails Day weekend, the first weekend in June. The suggestion is to do a hike at Crystal Lake; two volunteers would be needed to lead the hike. Ms. Manfre said she may be able to help.

6. Key Bank Volunteer Day

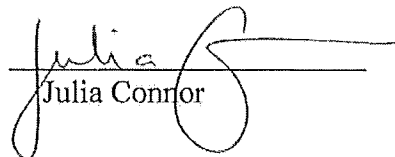
Ms. Anderson said State Representative Foster is interested in doing another volunteer cleanup day with Key Bank, possibly June 14/15 or June 20.

A few suggested projects were a bridge over the brook at Crystal, clean brush at overlook at Crystal, and put more wood chips at Windermere. Ms. Anderson suggested that perhaps a group could be split up to do both projects.

VII. Adjournment

MOVED (VAN ZELM), SECONDED (MCCORMICK) AND PASSED UNANIMOUSLY TO ADJOURN THE TRAILS COMMITTEE MEETING AT 7:35 PM.

Prepared by Cynthia van Zelm; submitted by


Julia Connor



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone (860) 327-2935 Fax (860) 327-2950

E-Mail siting.council@ct.gov

Web Site portal.ct.gov/csc

VIA ELECTRONIC MAIL

March 30, 2023

TO: Service List, dated January 31, 2023

FROM: Melanie A. Bachman, Executive Director *MAB*

RE: **PETITION NO. 1558** – Community Power Group LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 4-megawatt AC solar photovoltaic electric generating facility located at 24 Middle Road, Ellington, Connecticut, and associated electrical interconnection.

Enclosed please find a copy of the Connecticut Siting Council's notice of public hearing for the above-referenced matter.

MB/RM/lm

Enclosure (1)

c: Secretary of the State
Council Members
Petition Service Recipients
A Plus Reporting Service, LLC
Pryme Tyme Entertainment



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 327-2935 Fax: (860) 327-2950

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HEARING NOTICE

Pursuant to provisions of Connecticut General Statutes § 16-50m and Public Act No. 22-3, notice is hereby given that the Connecticut Siting Council (Council) will conduct a public hearing via Zoom remote conferencing on Thursday, May 18, 2023, beginning with an evidentiary session at 2:00 p.m., and continuing with a public comment session at 6:30 p.m. The hearing will be on a petition from Community Power Group LLC for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 4.0-megawatt AC solar photovoltaic electric generating facility located at 24 Middle Road, Ellington, Connecticut.

The purpose of the hearing is to receive evidence on the petitioner's assertions that the construction, operation, and maintenance of the facility will not have a substantial adverse environmental effect. The 2:00 p.m. evidentiary session will provide the petitioner, parties and intervenors an opportunity to cross-examine positions. **No public comments will be received during the 2:00 p.m. evidentiary session.** The 6:30 p.m. public comment session will be reserved for the public to make brief statements into the record. Public statements are limited to 3 minutes. During the 6:30 p.m. public comment session, the petitioner will present an overview of the proposed facility.

Attendees can join by clicking (or entering) the following link:

<https://us06web.zoom.us/j/87033177403?pwd=RnpRajUvN1BYVkZRWGIJUEkyQ25ZQT09>

from a computer, smartphone, or tablet. **Meeting ID: 870 3317 7403 and Passcode: Rb5SYN**

No prior software download is required. For audio-only participation, attendees can join by dialing in at **1(929) 205-6099 (not toll free)** and then enter the **Meeting ID: 870 3317 7403 and Passcode: 994910** from a telephone.

Interested persons may join any session to listen, but must sign-up in advance to speak during the 6:30 p.m. public comment session.

To participate in the **6:30 p.m. public comment session by computer, smartphone or tablet**, please send an email to siting.council@ct.gov with your name, email address and mailing address by **May 17, 2023**. To participate in the **6:30 p.m. public comment session by telephone**, please leave a voicemail message at 860-827-2935 with your name, telephone number, and mailing address by **May 17, 2023**. Public comments may also be submitted to the Council by electronic mail or by regular mail.

Any person may be removed from the Zoom remote evidentiary session or public comment session at the discretion of the Council.

Applicable law for this proceeding includes the Public Utility Environmental Standards Act, General Statutes § 16-50g, et seq., and Sections 16-50j-1, et seq., of the Regulations of Connecticut State Agencies.

The Council directs that all testimony and exhibits be pre-filed electronically with the Council and all parties and intervenors by May 11, 2023.

Individuals are encouraged to participate through their elected officials and other party/intervenor groupings.

Any person seeking to be named or admitted as a party or intervenor to the proceeding may file a written request to be so designated at siting.council@ct.gov, on or before May 11, 2023.

Parties and intervenors will be allowed to submit briefs and proposed findings of fact within 30 days after the close of the evidentiary record.

Any person who is not a party or intervenor to this proceeding may file a written statement with the Council up to 30 days after the close of the evidentiary record. No written statement or any other information will be accepted after 30 days of the close of the evidentiary record, except as otherwise prescribed by law or the Council.

A verbatim transcript of the hearing will be posted on the Council's project webpage and deposited in the Town Clerk's Office of the Ellington Town Hall for the convenience of the public.

Requests for information in alternative formats or for sign-language interpreter services must be submitted in writing by May 11, 2023.

Information about how the public hearing will be conducted and how the public can access it will be posted on the Council's Petition No. 1558 project webpage at the following link: https://portal.ct.gov/CSC/1_Applications-and-Other-Pending-Matters/Pending-Matters

The petitioner is represented by the following:

Petitioner

Community Power Group, LLC

Its Representative

Bruce L. McDermott, Esq.
Murtha Cullina LLP
265 Church Street
New Haven, CT 06510

A copy of the petition is available for review on the Council's website at portal.ct.gov/csc under the link "Pending Matters." The Council has assigned this proceeding Petition No. 1558.