

Draft

MINUTES

WALLINGFORD CONSERVATION COMMISSION

REGULAR MEETING

Thursday, January 12, 2023, 6:00 p.m.

Room 315, Town Hall

45 South Main Street, Wallingford, CT

This Regular Meeting of the Wallingford Conservation Commission was held on Thursday, January 12, 2023, at 6:00 p.m. in Room 315 of Town Hall, 45 South Main Street, Wallingford, CT.

**Present:** Chair Mike Miller, Vice Chair John Lathrop, and Commissioners Dianne Saunders, Carl Arsenault, Brad Sammis, James Pyskaty, Jeffrey Borne, and Environmental Planner Erin O’Hare.

**Absent:** Commissioners Dianne Lendler and Jared McQueen.

Also present were seven persons from the public.

Chair Miller called the Meeting to order at 6:06 p.m.

Commissioner Jeffrey Borne arrived at 6:08 p.m.

**1. APPROVAL OF MINUTES**

**A. Nov. 10, 2022** - Corrections were made by Commissioner Saunders:

- p. 1. at 2.A.1., sentence 2, to change “vines” to “Oriental bittersweet”. And to restate sentence 3 as “Bittersweet treatment is done two years in a row for re-sprouts.”
  - p. 2 at paragraph 4, to delete the second sentence.
  - p. 4 at 2.A.3., to restate sentence 3 as “*Commissioner Saunders asked Ms. O’Hare to find out if the contractor can determine when the trees are dead so we can drop them.*”
  - p. 5 at 2.A.5, to restate sentence 1 as “Commissioner Saunders reported that she sent contractor Mr. Bob Baker to remove multiflora rose at Tyler Mill to use up the last few of his contracted hours.”
- Correction made by Ms. O’Hare:
- p. 5 at D.1., sentence 1, to add “bamboo”, to read “*Ms. O’Hare had asked Public Works to cut bamboo in here, and she will report back.*”

**Motion was made by Vice Chair Lathrop to accept the Minutes of the November 10, 2022, meeting as corrected; seconded by Commissioner Borne, and approved unanimously.**

**B. (Dec. 8 Meeting – Cancelled)**

**2. PROPERTY MANAGEMENT**

**A. Tyler Mill Preserve**

**1. Stewards of Tyler Mill** – report, D. Saunders & D. Lendler

Commissioner Saunders said trees keep coming down. We're working on invasives, multiflora rose, and cutting back the aggressive areas on the Purple Trail and part of the Red Trail.

Mr. Brent McCarthy, 231 Northford Road, said I'm adjacent to Tyler Mill since 2021. The mountain bikers have bothered me and my family. They have created trails on both sides in Tyler Mill and across streams. They have gone on trails during hunting season and scared wildlife away. I called the DEEP Game Warden when they came close to my property and off the trail. It's not safe for my family to walk out there. We want to feel safe, enjoy our property. We spoke to Wallingford police and the Mayor.

Chair Miller said, We want to hear what you have to say, but we have limited scope. I appreciate your being here and telling us what you've seen.

Mr. Ken Roe said, I'm familiar with this situation. What Mr. McCarthy is referring to goes on about 900 feet from his property. The Town surveyed it.

Mr. McCarthy said, It's next to my property.

Mr. Roe said, My people have been harassed.

Mr. McCarthy said, They have cut down trees and taken apart watercourses. I live bordering the park and I have been out in the park for a decade.

Mrs. Linda McCarthy, 146 Cooke Road, said, It's complicated. Someone took trees down and made a trail where they were not permitted.

Chair Miller said, This is not something that this group decides. I appreciate your concerns, but it's not in the purview of this Commission. That would fall under the Parks and Rec Department, which has oversight of the land.

Mr. McCarthy said, Can they remove trees and stone walls? I have pictures from last night of eight or nine people riding at 9:00 p.m.

Commissioner Arsenault said, It's closed at sunset.

Commissioner Saunders said, By State statute, the Conservation Commission can make a recommendation on land use out there, and then the administrative use of the land is per Park and Rec. Since the Commission was created, this Commission gives recommendations to Parks and Rec for use and appropriateness of land—for example, for no motorized vehicles. So we are the first to give opinions to Parks and Rec, and after that, Wetlands would deal with any issues. Then the Open Space Users Group would weigh in on things since 2010, and then Parks and Rec says Yes or No. They have the ultimate authority for Town open spaces.

Chair Miller said, Our first step is advisory. All we can do is discuss it and perhaps present it to Kenny Michaels, (Director, Parks and Recreation Department). So at the point when Kenny has heard it, we're going to let him deal with it.

Mrs. McCarthy asked, What is your view on it?

Chair Miller said, So the Commission's view has been that citizens should follow the law and/or rules for those areas set by Kenny Michaels and the Parks and Rec Department. It's our responsibility to deal with any issue that's come to us. So we'd advise him. This situation has been developing for quite some time, and Kenny Michaels has been part of the discussion.

Unidentified Gentleman asked, Are there still trail cameras on public land?

Chair Miller said, I don't know. Mr. Michaels knows the situation.

Ms. O'Hare said, I'd add that the Commission had commissioned a study in the past year on that trail. (See discussion at Agenda 2.A.3. Unauthorized Trail - on east side.) You might want to see the more detailed report. First, the contractor was asked to GPS it. It's on a map now, accurately. And then, a second contract with the same outfit had them evaluate and detail where erosion is, where trails were made. I sent a copy of that report letter to Mr. Michaels and the Mayor in May.

Mr. McCarthy asked, Can we get a copy of that?

Ms. O'Hare said, Yes.

Chair Miller said, I appreciate you both coming out and speaking. I'm not sure we'd do anything here.

### **3. Unauthorized Trail (on east side) – discussion**

Ms. O'Hare said, This is on the agenda to ask the Commissioners: If you get a chance, go walk it. Do all Commissioners have a copy of this trail map? *Not all had received it, so Ms. O'Hare will re-send the map to all.*

*The Commissioners were directed by the Chair to go out and walk that trail during this next month if they have not already done so.* Commissioner Saunders said she has done it.

### **4. Other reports**

Chair Miller reviewed the procedure for proposals: If Kenny Michaels receives a proposal for Town Open Space—such as something to be done at Fresh Meadows, etc.—then the Commissioners would present their ideas to Mr. Michaels. Mr. Michaels would review those and get input from others, and then he would give a “Yes” or a “No” on it.

Chair Miller said, Mr. Michaels told me today about his decision to close the Orange Trail to mountain bikers. And he approved the closure of a section of the White Trail.

Chair Miller said, As to proposals by Scott on the new trail blazing system (2.a. below), Mr. Michaels has given approvals for closure of the Red Trail on the floodplain and for eliminating the overlapping trail names on common footbeds.

Mr. and Mrs. McCarthy and the unidentified person left the meeting at this time

## **2. Response to proposals forwarded by Trails Administrator**

### **a. Trail Blazing System proposal – marker & roster of colors – (S. Gray)**

Mr. Scott Gray, of the Tyler Mill Users Group, said he had met with Kenny Michaels. The red arrow on the map you're seeing shows the first Blue/Green Trail that runs from the Muddy River close to Tyler Mill Road, and the blue arrow shows another place where two different-color trails run on one footbed.

Chair Miller noted Commissioner Lendler's communication to him this week, which reported that Durham has plastic blazes, easier to use and more visible.

Commissioner Sammis asked Scott Gray, if someone on the Yellow/Red Trail sees that the Yellow drops off, can that person find the Yellow Trail again?

Mr. Gray said, Yes. Tyler Mill has four Yellow trails: a Mustard, two Yellow, and one similar. There are two Purple Trails and two Blue Trails, so we'd reblaze those. I brought here an example of trail colors, based on a system used by Connecticut Forest and Parks Association. And I brought three identical proposed maps to put around the room.

**b. Map Depicting Proposed Trail System changes (S. Gray)**

The Commissioners and the remaining public looked at these maps.

Chair Miller said, Kenny Michaels has agreed to eliminating the Blue/Black Trail on Moss Rock.

Mr. Gray said, He and I discussed that, and I am writing a proposal on it for him.

Ms. O'Hare said, Mr. Michaels did not send it to me yet for my report. And is this the new trail you made on the map, Scott? It runs down by the soccer field.

Mr. Gray said, It goes Purple/Yellow. It's not on the original trails map. You call it the Gold Trail.

Ms. O'Hare said, The Gold Trail is blazed. But we're discussing an alternate extension of the Gold Trail. The Gold Trail is to the north of the northern soccer field, and you get on it that way. But on your map it continues here. It's not on our original trail map.

Mr. Gray said, O.K., I see what you're saying. Do you know that there's blue blazes there? That has "Blue Blaze" on it. I thought it was part of the Gold. I have it from the soccer field continuing over onto the Blue. So I assumed it was blazed.

Commissioner Arsenault stated, That was not blazed before.

Mr. Gray said, Blue blaze is where it was done onto the Green Trail this summer—one section of 14 feet that got moved to there.

Commissioner Saunders said, No, that just added to the Blue blaze.

Mr. Gray said, An extension of the Yellow Trail from the Blue Trail to the Woodhouse Road soccer field. I colored it in by accident.

Chair Miller said, So Scott has permission to work on the trails. But we haven't seen the map before this. *So, if Commissioners and people are out there and you have valid concerns, bring them up.*

Commissioner Saunders said, So you don't want unpermitted trails approved by Kenny Michaels.

Ms. O'Hare said, What about the unauthorized trail by the main parking lot?

Mr. Gray said, This map has lots of colors that are suggested, and I brought it. So there's things on here that haven't been proposed yet.

Commissioner Saunders said, What did Kenny Michaels approve?

Chair Miller said, Kenny Michaels has the basic idea of what we're going to consider. But Kenny Michaels did not look at anything specific. So we have them to discuss.

Commissioner Saunders said, The Red, Orange, Blue, and Pink colors look all the same to me—Pink, Red, etc. How do you differentiate them?

Mr. Gray said, In the north you have a Blue/Orange and a Blue/Red, but they don't look anything alike.

Vice Chair Lathrop said, They don't change much in the light.

Mr. Gray said, It's the concept that we're talking about here, taking these multiple Red/Yellow to pass over two brooks below and building in the double-color trail markers. This is an example of where I think that could be used. And if we want to add a trail, we'd use a different double-color base. I did all these extra trails.

Chair Miller said, Another question is painted versus plastic signs. Dianne Lendler suggested to try it on a limited basis, like on the Boy Scout Trail in blue and gold, to see if people like it.

Ms. O'Hare said, So Dianne Lendler reported to me that she and Scott Gray blazed the Blue/Yellow last weekend with plastic blazes.

Mr. Doug Clark in the audience asked, Scott, what are the next steps?

Mr. Gray said, Getting past this early step and determining what we reblaze, and closing the trail in the floodplain and showing the rerouted part—so to expect that this program would be done in the field.

Mr. Clark said, For this proposal to go forward, would it be to make a new trail, to propose it to Kenny Michaels?

Mr. Gray said, We did that—proposed the Blue/Black to Kenny Michaels and to Parks and Rec with input from Erin O'Hare.

Ms. O'Hare said, If your color scheme goes ahead, some of the Trail name signs will have to be changed. I don't know how many have been stolen—for example, at the 1.1-mile Lilac Trail.

Mr. Gray said, Those signs would have to be redone, and the kiosks, too.

Vice Chair Lathrop said, I made some signs--but they have mileage on them, and that would have to be changed, too.

Mr. William Reddy said, Maybe the Boy Scouts could help.

Mr. Gray agreed. He said, So we still have to get a response from Kenny Michaels on colors of signage; rerouting of the White North and to be new colors; closure of the Red in the floodplain, etc. I propose that we get rid of the floodplain trail and run it down the gravel road, which is currently Blue Trail, and back to the Tyler Mill Road to the bridge. Is that O.K.?

Chair Miller said, O.K. *Chair Miller asked Ms. O'Hare to place Consideration of the Blue/Black Trail on the February agenda.*

Mr. Gray said, Does the Conservation Commission agree that we replace that stretch—take Blue/Green off that road and make it Red?

Commissioner Saunders said, I don't know if we can change it before it's all done because it might be confusing to first responders.

Mr. Gray agreed. He said, It takes days to do this. So then we should table going out and making the changes until we have the sense that we should go ahead and do it?

Chair Miller said, Is there a reason to do the Red Trail closure?

Mr. Gray said, Yes, now—O.K. to take those blazes out.

Ms. O'Hare said, On the closure, Tyler Mill Road would be Red. What happens to the bottom of that portion of Tyler Mill Road toward Woodhouse?

Mr. Gray said, It stays the way it is.

Vice Chair Lathrop said, There's no blazes on that part.

Commissioner Saunders said, It might be good to blaze that part?

Mr. Gray agreed and said, So to work at it as a trail, to have roadway in the Preserve that's not open to motorized traffic. That would be OK.

Vice Chair Lathrop said, Emergency numbers on a few of the trees have been altered—such as at Crossings—those would have to be altered.

Mr. Gray said, But people are still going to go there, even if we close it and take the blazes off. And on the South Trail where marker 93 doesn't exist anymore.

Ms. O'Hare said, The northern end of the Purple Trail doesn't jive with Scott's map. Did the microburst cause the difference?

Mr. Gray said, Where the Purple Trail goes lower? That's just another proposal that I have to extend the Purple Trail. It's on my map, but it's not been submitted.

Commissioner Saunders said, Maybe we should work on that. You can't put a major area of invasives on the map.

Mr. Ken Roe said, On the agenda you mentioned grant due dates. I'd suggest to have a bridge over the Muddy River at the Pink Trail.

Mr. Gray said, And we need more kiosks.

Ms. O'Hare said, We have \$50,000 in the Open Space Resource Management Fund that can be used for kiosks. That grant application requires so much administrative work, and with Engineering and surveying. So kiosks would be a good use for our \$50,000 Open Space money.

Mr. Gray said, Those plastic badges, do you need a quote for purchasing them? CFPA purchases them from a company, such as 5,000 for \$480.00 in the colors and with aluminum nails. *Mr. Gray will see if the blaze signs use Pantone colors.*

Mr. Reddy asked about becoming a volunteer at Tyler Mill. Chair Miller explained. Ms. Saunders said, There is a training program and reviews with the Risk Manager, and the Department, and the Mayor.

#### **B. Fresh Meadows**

1. Proposal for field appreciation document contract – Not discussed.

#### **C. Beseck Meadow**

1. Bamboo cutting

Chair Miller said this property is at the Durham Town line. The bamboo has been cut on the Wallingford side and left on the ground. The field has been hayed for years, and it has no problems. *The gate lock is gone, which Ms. O'Hare will report to Public Works. Chair Miller has ordered the lock.* Chair Miller said entrance signage is visible going toward Wallingford, but vegetation obscures it for drivers toward Middlefield. Commissioner Arsenault said, Yes, but there is no alternative for that issue that will work.

2. Access road erosion & minor dumping

The west side of this field has serious erosion (1-foot-deep ruts) at the field access. *Ms. O'Hare will talk to Public Works Director Rob Baltramaitis about this erosion. Chair Miller will ask the Lessee if he can remediate the erosion and if the accessway is passable and if he has several missing gate locks.* Pallets were found dumped on the property.

**D. 1364 Scard Road & 40 Geo. Washington Trail** – signage. This item is deferred to February.

**E. Other properties** – No discussion.

### 3. PROPERTY MONITORING REPORTS

#### A. Cliffside Trail / Beseck Mountain, C. Arsenault

Commissioner Arsenault will report in February. *Commissioner Borne noted that this is along the ridge near Wallingford Land Trust property, and he suggested discussing emergency access for here.*

#### B. Ferguson Woods, J. Pyskaty

Commissioner Pyskaty said near the parking area and kiosk someone has dumped a few loads of leaves in Dibble Edge Road, but it helps with the erosion there.

### 4. OPEN SPACE PLAN

#### A. Discussion

*Ms. O'Hare asked the Commissioners to think about updating this 1999 Plan. New topics to add would be climate change and climate resiliency and anything else the Commissioners may suggest.*

The Commissioners and the public still in attendance brought up ideas tonight. Commissioner Borne talked about updating the Plan to reflect people's values around open space now and educating children about open space. He suggested that Ms. O'Hare will seek recent information from the Regional Council of Governments and others with regard to the tax benefits of acquiring open space. He noted the Town Council's record of voting to purchase open space. Ms. O'Hare talked about how pathogens attack trees and invasive plants and insects. Commissioner Saunders mentioned increasingly warmer temperatures and air pollution, the value of the forest, and safeguarding pollination. Mr. Ken Roe asked what individuals can do to prevent climate change and make our forests more resilient. Chair Miller replied that we need more open space. Mr. Scott Gray brought up that conserving energy combats climate change, and advocated for more use of indigenous plantings to support birds and wildlife. Ms. O'Hare said improvements lead to health benefits for everyone, especially by getting outdoors or on the trails.

Commissioner Saunders brought up the idea of citizens planting a 10' x 10' "meadow" in their front yards by the street to combat air pollution from vehicles. Ms. O'Hare added that studies have shown that trees planted by sidewalks provide shade, keeping sidewalks significantly cooler. Commissioner Pyskaty mentioned "no idling" at traffic lights. Chair Miller thought that everyone could help in these efforts.

### 5. ELECTIONS OF OFFICERS

Chair Miller stated that Vice Chair Lathrop has opted to stand down from that office and that Commissioner Sammis is willing to become Vice Chair.

**Motion by Commissioner Borne that the board elect Mike Miller for another term as Chair, and Brad Sammis as Vice Chair, both for 2023; seconded by Commissioner Pyskaty, and approved by Commissioners Lathrop, Pyskaty, Saunders, Arsenault, Borne, Miller and Sammis.**

Chair Miller indicated that he abstained from voting for himself. Commissioner Sammis indicated that he abstained from voting for himself.

### 6. REPORTS / CORRESPONDENCE

Chair Miller said that this list is to be kept on the agenda for the February meeting.

A. **DEEP- magazine**, "Connecticut Wildlife", July/August 2022; received 10/17/22



- B. CT Land Conservation Council**, email notices, several
- C. DEEP Notice Of Tentative Decision Intent to Renew a State Permit for Discharge Into Waters of the State of Connecticut:** White Way Laundry, Inc., 271 Hall Ave., proposed renewal of permit to discharge 35,000 gallons of industrial laundry wastewaters to Town sanitary system, dated 10/25/22; received 11/3/22
- D. DEEP Energy and Technology Policy, Notice Of Request For Written Comments to Inform DEEP in its review of the ‘2023 Conservation & Load Management Plan Update’,** dated 11/1/22 to the ‘2022-2024 Conservation and Load Management Plan’; DEEP deadline 11/15/22; per email dated 11/2/22, received 11/3/22
- E. Memorandum from Mayor Dickinson, Jr., re:** 2023 General Assembly Session - proposals for legislation, due Nov. 18 & Notices of State Legislative Delegation meeting, Dec. 9, 2022, 9 a.m., Robert Parisi Town Council Chambers, Town Hall
- F. CT Energy Efficiency Board & DEEP Public Input Session (virtual)** to be held 11/15/22, 10 a.m. – 12 p.m., re: C&LM Plan & Inflation Reduction Act Funding (see above entry)
- G. Sustainable CT – newsletter**, “Actions & Impact”
- H. CT DEEP Notice:** Recreational Trails Grant Program – deadline March 1, 2023
- I. CFPA, magazine, Connecticut Woodlands**, Winter 2023
- J. CT Farmland Trust** – email notices, several

**7. NEXT MEETING** – Feb. 9, 2023

## **8. ADJOURNMENT**

**Motion was made by Commissioner Lathrop to adjourn the meeting; seconded by Commissioner Borne, and approved unanimously.**

The meeting was adjourned at 7:48 p.m.

Respectfully submitted,

Kathleen L. Burns  
Recording Secretary