

**CONSERVATION COMMISSION MINUTES**  
**Regular Meeting of September 11, 2018 at 7:00 pm**  
Meeting Room 3, Municipal Center, 3 Primrose Street, Newtown, CT

**These Minutes are Subject to Approval by the Conservation Commission**

**Present:** Holly Kocet, Gail Friedman, Cindy Joyce, Mike Santora, Mark Lurie

**Staff:** Robert Sibley, Deputy Director of Planning & Land Use, Dawn Fried, Clerk

Ms. Kocet opened the meeting at 7:00 pm.

**PUBLIC PARTICIPATION**

Mr. Joe Hovious, Newtown resident and member of the Pootatuck Watershed Association (PWA), spoke about the Deep Brook Preserve project and the history of the Deep Brook open space property. Mr. Hovious explained the importance of preserving Deep Brook's water quality. The Brook trout need clean water to flourish. Mr. Hovious reviewed a hand-out detailing the Wild Trout Management Area (attached).

Mr. Hovious spoke about a grant given to PWA by a private donor for improving Deep Brook's habitats. Mr. Hovious explained the goal was to reintroduce the native Brook Trout into Deep Brook. PWA had success with the project and because of that success DEEP supplied PWA with 250 native, spawning Brook trout. In 2017 a population assessment showed continued success with the breeding population of native Brook trout into Deep Brook. Mr. Hovious believes that Deep Brook is a special resource which needs a lot of protection and is concerned about potential disturbances. Mr. Hovious also stated that Deep Brook is an important piece of Open Space which is utilized by several different groups.

Mr. Steve Zakur, Newtown resident and member of Trout Unlimited, stated that Trout Unlimited has been working closely with the Town and PWA to improve the Deep Brook habitat. Mr. Zakur stated he is concerned with any significant activities harming Deep Brook. Mr. Zakur was specifically speaking to the Hubbard Foundation project. His concerns were the "thousands of dump truck trips" going across the Deep Brook bridge. He questioned whether other town access ways can be used.

Mr. Dan Rosenthal, Newtown First Selectman, introduced Jenny Hubbard, her son Freddy Hubbard and Phil Hubbard, PH Architects. Mr. Rosenthal explained that the Hubbard project has received many private donations over the past three years and the project needs to show progress on the site. Mr. Rosenthal believes "the Hubbard project will be a huge benefit to the community and to the Hubbard Foundation". Mr. Rosenthal would like to be transparent with the Conservation Commission and have a discussion regarding a plan to have temporary use (approx. 4 months) of town-owned open space and access to cross over the Deep Brook bridge. Mr. Rosenthal described a Butler-style bridge which will be placed over the existing Deep Brook bridge for a layer of security. The town will be insured and will seek a bond to protect the town. Mr. Rosenthal stated that the Butler bridge will minimize the impact on the environment and preserve the area. Mr. Rosenthal is trying to see this project to fruition.

Ms. Friedman questioned why the access Road to Commerce Street is not being built. Mr. Rosenthal stated there is other land there that needs to be developed and the cost (without another tenant) would be \$700,000/\$800,000. The Hubbards are willing to contribute to the cost but will not pay the entire amount.

Mr. Phil Hubbard, PH Architects, stated the sanctuary has approximately 34 acres. He discussed the phases of construction. The temporary access of the bridge will be used during the first phase which is the site work phase. During this time trucks will be carrying stones, gravel and fill to the site as well as installing drainage pipes. Mr. Hubbard stated that it would be advantageous from a fund raising effort to show progress.

Ms. Joyce stated that the Conservation Commission's only mission is to preserve open space. Ms. Joyce would like more detail about the project to better understand how this project will not undo Joe Hovious' efforts to keep Deep Brook clean. Ms. Joyce stated that she doesn't understand how these trucks would not adversely affect Deep Brook.

Mr. Hubbard stated that they are a sanctuary and the last thing they want to do is effect Deep Brook and the natural habitats. Mr. Hubbard stated "what they are proposing is simple, they want temporary access to cross the bridge for construction access". Mr. Hubbard has not been able to locate the original documents or any historical information regarding the construction of the bridge but believes it to be structurally sound due to the recent reports done by structural engineers.

Ms. Kocet questioned Mr. Hubbard as to whether monies would be better spent building the road. Mr. Hubbard stated that showing real tangible results on the property are the "best bang for the buck". They are currently waiting for the DEEP and the Army Corps of Engineers' approval to build the road from Commerce Street which they have been waiting for over four years.

Ms. Joyce voiced concerns about the pedestrian traffic. Mr. Hubbard stated that it's always been important to the foundation to have public access to the property and important for the safety of the public.

Mr. Michael Fatse, town resident and member of Trout Unlimited, had concerns with one truck every 12 minutes, the degradation of the road and the protection of Deep Brook. He also questioned the drainage and ice flows.

Mr. Hovious questioned whether there are any plans to do storm water run-off or sediment control during the time the trucks will be going up and down the road. Mr. Hubbard stated that they had been assured by the former Conservation Commission and the former president of Trout Unlimited that there would not be silt run-off.

Ms. Mary Wilson also expressed her concerns with the heavy trucks tearing up the road. Ms. Wilson questioned if the road could be paved or if there was a protective overlay that can be put down.

Mr. Randy Walker, resident of Newtown and member of PWA, stated that he would like to give input and collaborate on the project and hoping everyone can work together. Mr. Rosenthal appreciated Mr. Walker's comments and stated he would like everyone's collaboration on this project.

Mr. Hovious stated there needs to be a plan for the people to use the open space, manage parking and access the bridge crossing during the day when the trucks are travelling back and forth on the property. Ms. Hubbard responded that they (the Foundation) have embraced the town and have embraced the community residents and there has always been access to the sanctuary property. Ms. Hubbard stated several groups have benefited from use of the property; the high school cross country team, programs for the schools, workshops for Monarch butterflies and programs for native habitats to name a few.

Mr. Rosenthal wrapped up the discussion by asking the Commission what documents and reports they will need to become more informed and better educated on the project allowing temporary access to the open space. Items mentioned were: information on erosion control, information on the Butler bridge and construction of the bridge and a plan for pedestrian traffic.

### **APPROVAL OF MINUTES for August 28, 2018**

Change all “Santoro” to “Santora”. Ms. Friedman moved to approve the amended minutes from August 28, 2018. Ms. Joyce seconded. All in favor. The minutes from August 28, 2018 were approved.

### **CORRESPONDENCE**

The Commission received a memo from Don Mitchell, Chair of Planning & Zoning Commission regarding P&Z Application 18.24 Castle Meadow Subdivision requesting fee in lieu of Open Space. After a lengthy discussion the Commission agreed to recommend real property rather than fee in lieu of. The Commission felt the open space property was more suitable because of the existing adjoining town-owned open space and the Newtown Forest Association preserve across the street. Mr. Lurie moved to recommend Open Space property as part of the Castle Meadow Subdivision and deny the recommendation for fee in lieu of. Mr. Santora seconded. All in favor.

### **AGENCY REPORTS**

**Parks and Rec** – Mr. Lurie stated that Amy Mangold, Parks and Rec, reached out to him regarding a Bike and Trail Committee. The Committee would report to Dan Rosenthal, First Selectman and Mr. Lurie would be the CC liaison. Ms. Mangold would like to schedule a trail meeting for late November. Mr. Lurie also proposed creating a greenway between Sandy Hook and Fairfield Hills.

### **COMMISSION APPOINTMENT**

Mr. Lurie moved to accept the nomination of John Madzula, II to the Conservation Commission. Ms. Friedman seconded. All if favor.

### **DISCUSSION**

**High Meadow Wildflower Meadow** – Ms. Kocet will reach out to Carl from Parks and Rec to hold off mowing the meadow until late winter or early spring.

**Pole Bridge** – Mr. Sibley reported the siltgrass was cut on Monday and the cutting will continue throughout the week. The area of siltgrass concentration is the meadow and pathway.

**Website** - Ms. Joyce will reach out to Keith from Shiftclick regarding updating the Commissioner member list and posting the quantitative High Meadow study. Ms. Joyce stated the High Meadow study was not high quality.

### **EXECUTIVE SESSION – Discussion of a Possible Land Acquisition**

Ms. Joyce moved to begin the Executive Session at 8:54 pm for the discussion of a possible land acquisition. Ms. Friedman seconded. All in favor.

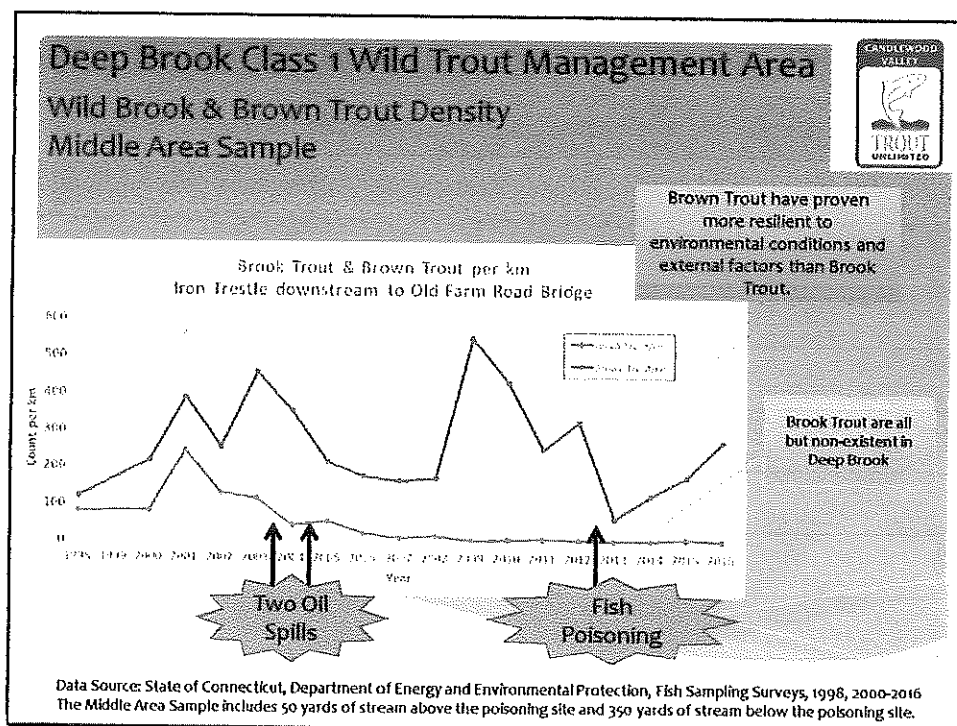
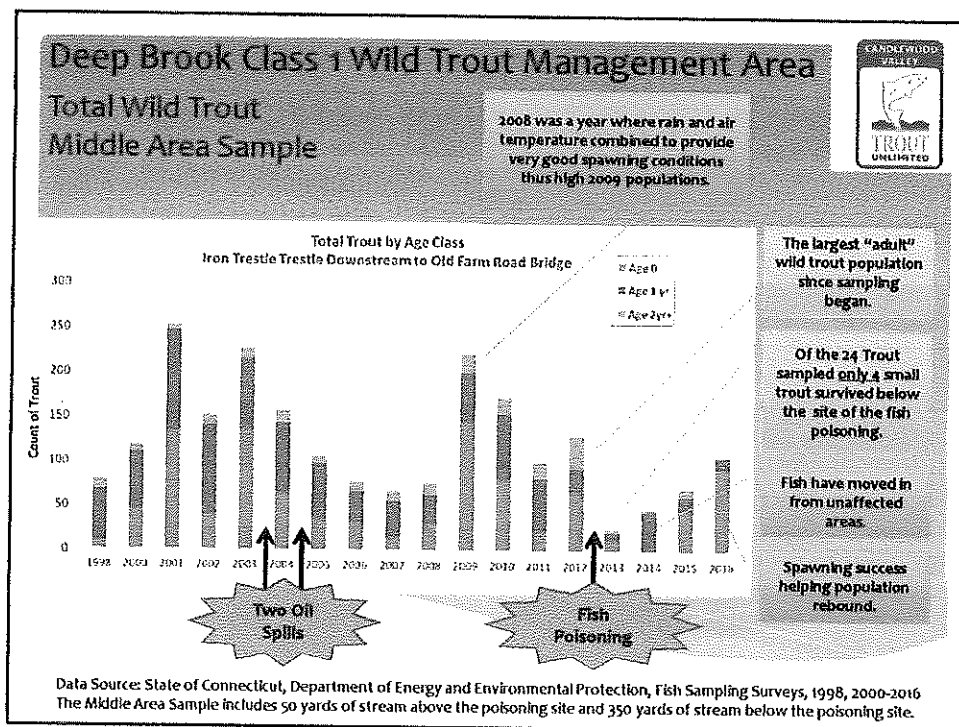
Ms. Joyce moved to close the Executive session at 9:03 pm. Ms. Friedman seconded. All in favor.

Mr. Lurie moved to approve the acquisition by the Town of OS #17-04, 103 Laurel Trail. Ms. Joyce seconded. All in favor.

### **ADJOURNMENT**

Ms. Joyce moved to adjourn the CC meeting. Ms. Friedman seconded. All in favor. Meeting adjourned at 9:04 pm.

Respectfully Submitted,  
Dawn Fried, Clerk

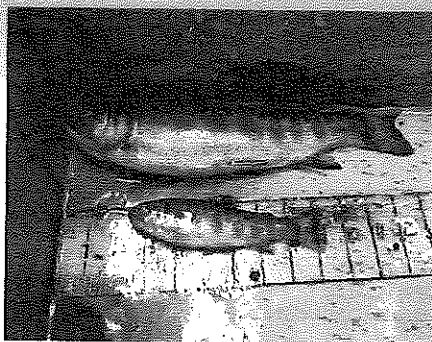


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CC M+8  
9/11/18

## Success!



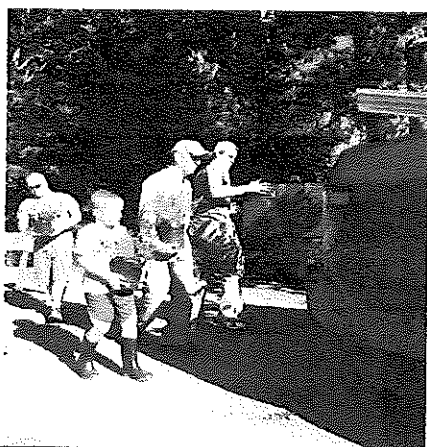
Young of Year  
Brook Trout – Meeker Brook  
June 2017



Hold over & Young of Year  
Brook Trout – Deep Brook  
June 2017

## Planting to Protect New Habitat

New plants arrive



Moving to the site

