CONSERVATION COMMISSION
FAIRFIELD, CONNECTICUT
MEETING AGENDA
7:00 p.m. Wednesday, January 17, 2018

The Fairfield Museum and History Center
370 Beach Road, Fairfield, CT

Kevin Gumpner, Chairman (FM) Catherine O’Donnell, Secretary (FM)
Kate Maxham, Vice Chair (FM) Elizabeth Jones (FM) Richard A. D’Amico (FM)
Felicia B. Watson (FM) Charlie Rowan (FM) Milan Bull (A)
Nelson North (A) Jennifer A. Hauhuth (A)

FM = Full Member A = Alternate Member

CALL TO ORDER

APPOINTMENT OF ALTERNATES IF NECESSARY

I. CONSERVATION

A. Bills and Communications

1. Appointment of Nelson North as Alternate Commission Member.
2. Reappointment of Catherine O’Donnell.
3. Appointment of Charlie Rowan as Full Member
4. H. Smith Richardson Conservation Fund
5. Approval of Conservation Commission Meeting Minutes of November 15, 2017 Note: December 20, 2017 meeting canceled
6. Approval of Secretary’s Bill for November 15, 2017

B. Committee Reports:


II. OLD BUSINESS


B. 319 NPS Watershed Management Grant – Mill River Watershed Based Management Plan Grant (status).

C. Request of Cornerstone Energy Services, Inc. to ask the Town of Fairfield to grant a road access easement for maintenance of their transmission lines within Brett Woods (see attached).

III. NEW BUSINESS

A. Open Space Grant Approval - Potential Acquisition of Property at 760 Oldfield Road, Fairfield (status).

IV. INFORMATIONAL

A. Conservation Crew Work Summary
V. OTHER

VI. ADJOURNMENT

PLEASE NOTE!
This agenda does not reflect items received after the date the agenda was compiled. Please check with the Conservation Dept. for additional items which might have been added to a supplemental agenda after the mailing date.

NOTE: All members of the Conservation Commission are requested to notify the Conservation Department (256-3071) if they are unable to be present. A quorum is necessary to transact business, and your call will be appreciated.
CONSERVATION COMMISSION
FAIRFIELD, CONNECTICUT
MEETING MINUTES OF NOVEMBER 15, 2017

The Conservation Commission of the Town of Fairfield held a Meeting on Wednesday,
November 15, 2017 at 7:00 p.m. in the Fairfield Museum & History Center Meeting Room,
370 Beach Road, Fairfield, Connecticut.

MEMBERS PRESENT: Kevin Gumpper, Chairman; Kate Maxham, Vice Chair; Catherine
O’Donnell, Secretary; Elizabeth Jones

MEMBERS ABSENT: Sam Boyarsky; Richard D’Amico; Felicia B. Watson; Milan
Bull (Alternate)

ALTERNATES: Charlie Rowan; Jennifer Hauhuth

ALSO PRESENT: Brian Carey, Conservation Director; Annette Jacobson, Conservation
Administrator; Ed Jones, Open Space Manager; members of the public

CALL TO ORDER: The meeting was called to order at 7:06 p.m. by Kevin Gumpper.

APPOINTMENT OF ALTERNATES IF NECESSARY: Chairman Gumpper appointed
Charlie Rowan and Jennifer Hauhuth to sit as full members.

I. CONSERVATION

A. Bills and Communications

1. H. Smith Richardson Conservation Fund: The Commission acknowledged
   the status of the fund.

2. Approval of Conservation Commission Meeting Minutes of Oct. 18, 2017:
   Catherine O’Donnell moved and Jennifer Hauhuth seconded to approve the
   Conservation Commission Meeting Minutes of Oct. 18, 2017. Motion passed
   unanimously.

3. Approval of Secretary’s Bill for Oct. 18, 2017: Kate Maxham moved and Catherine
   O’Donnell seconded to approve the Recording Secretary’s bill of Oct. 18, 2017.
   Motion passed unanimously.

4. Approval of Conservation Commission Special Meeting Minutes of Oct. 27,
   2017: Elizabeth Jones moved and Jennifer Hauhuth seconded to approve the
   Conservation Commission Special Meeting Minutes of Oct. 27, 2017. Motion passed
   unanimously.

B. Committee Reports

1. Committee to Review Open Space Regulations -- Committee Members
   Milan Bull, Elizabeth Jones, Felicia B. Watson, Jennifer Hauhuth, and
   Catherine O’Donnell: Brian Carey gave a brief summary of the
   Committee’s organizational meeting held the morning of Wednesday,
   November 1. The next meeting will be held on Dec. 13 at 7 p.m. in the Board
   of Education conference room. The committee members had agreed upon
   6:30 p.m. for the next meeting, but the room was unavailable until 7:00 p.m.

DRAFT MINUTES SUBJECT TO REVIEW, CORRECTION, AND APPROVAL BY
THE CONSERVATION COMMISSION OF THE TOWN OF FAIRFIELD

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Milan Bull will be chairing the committee, and Felicia Watson is the committee secretary. At the first meeting, the committee members assigned themselves tasks. At subsequent meetings, they will report on their findings and hear public comment afterwards. There will be five Committee meetings, and then at the conclusion, the Committee will make a recommendation to the Conservation Commission.

II. OLD BUSINESS

A. 319 NPS Watershed Management Grant -- Mill River Watershed Based Management Plan Grant: Brian Carey stated that the first meeting took place today. Meetings with the stakeholder group will be quarterly over the next year. The watershed management plan will be developed using data collected over the past two years. Today’s meeting was well attended and Brian Carey will get in touch with the stakeholders who did not attend today’s meeting to get them involved.

B. Notice of Violation – Zwyenburg - 1642 Bronson Road – Channelization of Stream Course and Clearing of Existing Conservation Easement: Kevin Gumpfer stated that at the last meeting, it was determined that the inland wetlands issue has been resolved and only the easement issue is outstanding. All Commissioners wishing to make a site visit have done so. Catherine O’Donnell moved and Kate Maxham seconded to instruct Staff to clear this matter administratively, the Commission having examined the evidence and the easement language, and determining that there is no violation of the easement. Motion passed unanimously.

C. Request of Cornerstone Energy Services, Inc. to ask the Town of Fairfield to grant a road access easement for maintenance of their transmission lines within Brett Woods: Brian Carey stated that at the conclusion of the October 27, 2017 site visit, there was a quick discussion regarding how to proceed. One option would be an easement, and Brian Carey is awaiting response from the Town Attorney on that. If this option is chosen, an Inland Wetland Permit would be required, and plans would need to be submitted and approved before any improvements could be made. Another option would be to do nothing. If the Commission determines that granting an easement is the best alternative, Ed Jones suggested that the best plan might include access to the first tower from Redding Road/New Street to Judges Hollow, and then access to the other two towers from spurs off New Street via the Gilbert Highway entrance. It was noted that the first tower is the closest to the southeast. Brian Carey raised the idea of compensation, as the trail improvement would not really benefit the Commission or the Town of Fairfield. He also raised the (as yet unanswered) question of whether Eversource could bypass the Commission if they go through the Connecticut Siting Council and remain completely within the existing easement for any new road access.

D. Mill River Project (Exide) -- October 25th Close Out Meeting and Reception: Informational. Brian Carey gave a brief summary of the event.

III. NEW BUSINESS

A. 2018-2019 Conservation Commission Budget Request: Brian Carey gave an overview of the proposed budget request. He stated that it is as flat as possible but is incomplete because the Finance Department supplies the payroll and social security data. Jennifer
Hauhuth moved and Elizabeth Jones seconded to approve the filing of the budget request by Conservation Director, Brian Carey. Motion passed unanimously.

B. Conservation Commission Terms of Members and Upcoming Election of Officers at December meeting: Informational. Brian Carey reported that the Board of Selectmen met today and Charlie Rowan was appointed as a full member. An alternate will be appointed as well. There was brief discussion of how to recognize out-going Commissioner Sam Boyarsky for his service.

C. Draft 2018 Conservation Commission & Inland Wetlands Agency Meeting Dates: Elizabeth Jones moved and Jennifer Hauhuth seconded to approve the proposed schedule of meeting dates. Motion passed unanimously.

IV. INFORMATIONAL

A. Conservation Crew Work Summary: Informational. Ed Jones reported on the recent work done by the Conservation crew. Highlights include fall mowing, retrieving swim buoys from Lake Mohegan that moved from their original location, and a successful start on the Eagle Scout project to reinstate the orchard at Hoyden’s Hill. Ed Jones noted that some tree work is being done too – compromised trees near trails are being taken down.

V. OTHER – None.

At this time, Elizabeth Jones moved and Jennifer Hauhuth seconded to take up the supplemental agenda. Motion passed unanimously.

I. OLD BUSINESS

A. Presentation Regarding Conceptual Designs For The Proposed Ash Creek Pedestrian Bridge -- City of Bridgeport: Informational. Dean Mack (Project Manager, Office of Planning and Economic Development, City of Bridgeport), and Chad Perkoski and Sam Haydock of BL Companies gave an informational presentation to the Commission regarding the proposed Ash Creek pedestrian bridge project. This matter is of concern to the Conservation Commission as the proposed bridge will disturb an existing Conservation Easement area on the Metro Center property. Items of particular concern are determining the exact location and potential disturbance of the liner, and a temporary suspension of the conservation easement for construction purposes.

The Commission then returned to the regular agenda.

VI. ADJOURNMENT – There being no further business, Kate Maxham moved and Elizabeth Jones seconded to adjourn the meeting at 8:18 p.m. Motion passed unanimously.

Respectfully submitted,
Robin Fukuyama
December 1, 2017

Brian Carey, Conservation Director
Sullivan Independence Hall, Second Floor
725 Old Post Road
Fairfield, CT 06824

RE: CONSERVATION COMMISSION
MEETING MINUTES OF NOVEMBER 15, 2017

Dear Mr. Carey,

I would like to address some of the remaining questions with regard to our request for a permanent access easement within the Brett Woods Conservation Area.

Following our site meeting of October 27, 2017, we have determined that our preference of proposed access is shown on the attached map draft. We understand the consensus of the Commission is to keep the walking trail as natural and "untouched" as possible, versus having a flatter, wider, improved road. This proposed access route represents the shortest distance of impact to accomplish this goal. Any modifications or road improvements would be “as needed” and reviewed with the Commission prior to finalizing an agreement.

In reading the meeting minutes, I see that Ed Jones suggested using access from both directions. However, we would contend that only accessing the first tower from the northeast, also known as Structure 906 of the 1714/1720 circuit, is necessary. By gaining access to Structure 906, the subsequent towers to the west can be reached via in-Right of Way access.

We understand that regardless of which option we decide to pursue, an Inland Wetland Permit would be required. Certainly, we welcome input from the Town
Attorney as well. Eversource would bear the costs of all surveying and engineered mapping that might be required.

You raised the question regarding compensation for the grant of an access easement. Eversource is certainly prepared to fairly compensate the Commission or the Town for these easement rights. Regarding your question if Eversource can bypass the Commission by going directly through the CT Citing Council to acquire this access, this is not an option.

Please remember that having established permission to readily access the transmission lines provides important protection, not just for the utility company, but for the public at large. Being prepared for the unpredictable, including damaging weather events, and improving the reliability of the system, is the overall goal. We pursue access, mostly, for the benefit of standing permission in the case of construction and emergency needs, which happen infrequently over the course of time. Structures are good for approximately sixty years and major storms, of course, are anyone’s guess. It is nice to know, however, for both parties, that when the dire need arises for important access, our permission is already in place and documented. This is our motivation for pursuing this type of access. It is important to recognize that even when rights are granted, this will not automatically equate to an endless stream of maintenance or construction activity. In fact, there should be very limited changes to current levels of activity.

We look forward to the opportunity to discuss these options again with you in the near future. Please don’t hesitate to contact me with any questions or concerns in the meantime.

Thanks very much for your attention to this matter.

Best Regards,

Tyson Chamberlin
Right of Way Coordinator
(860) 480-3634
Proposed In-ROW "Switchback" Access
Proposed Access Basememt Path
North Street, Fairfield, CT
Brett Woods Conservation Area
Fairfield Conservation Commission
Proposed Agenda Items for Eversource Access Road Proposal

• Aerial mapping of all proposed routes of access
  o Reasoning behind our preferred route
    • Utilizing the existing, semi-improved access routes to the Eversource structures in Brett Woods Open Space will minimize any impacts associated with vegetative clearing and soil disturbances, including excavation, filling and grading. These routes do require some up-grading, but substantially less than if new access roads were to be constructed in the ROW. It appears that Eversource has historically utilized the existing access routes in the past for work on the transmission line structures. These access routes would result in the lease environmental impact and also serve to maintain the scrub-shrub/old field habitat which presently exists between Structures 906 & 907.
  o Why other routes are not preferred
    • Coming in from the southwest would represent the longest route and the steepest grade to any structure, requiring the most clearing, grading and hammering. Any proposed access within the ROW from the west (Gilbert Highway) into Brett Woods would require crossing thru a wide wetland and going up a near-cliff with a 30+/- foot elevation difference (located to the west of Structure 908). Proposed access within the ROW from the east into Brett Woods would require crossing a wide wetland. Furthermore, the grades between Structure 906 and 907 are very steep. The construction of a proposed access road in the ROW between these two structures would require a substantial amount of cutting and filling.
    • An alternative would be the construction of a new access road between Structures 906 & 907. However, this would require a substantial amount of placement of fill with stone, excavation and grading. In addition, in order to accommodate the road construction on the very steep slope it may require additional tree clearing along the edge of the presently cleared ROW. Please see Addendum 3 - photos of the existing landscape between Structures 906 & 907.

• Details of the proposed construction activity
  o Road clearing
    • Minimal tree removal to accommodate a 12’-14’ wide road. A 16’ width may be required at sharp turns, but there does not seem to be any points where this would be necessary.
  o Grading
    • Minimal grading will be required from North Street into the Right-of-Way. More extensive grading is required within the Right of Way. A wide pathway already exists between Structures 907 and 908, but switchback grading will be necessary between Structures 906 and 907.
  o Ledge hammering/drilling
    • Some hammering may be needed to widen the road at points where ledge creeps out into what needs to be part of the road.
  o Amount of materials/gravel to be used
    • Please see the attached photos of the road constructed by Eversource through the Nehantic State Park.
  o Construction methods
  o Design of structures
    • Though no structure replacement project is currently planned, future replacements would most like be ...(H-frames or monopoles???)
  o Gate & boulder installations
    • See attached photos of security gates. A gate will be installed at each end of North Street and in the ROW between structures. Boulders or concrete blocks can also be used for security around the gates where necessary. Gates will always be locked upon our leaving the property.
  o Visual mitigation
    • Should not be needed, as road improvements as proposed would be visually appealing
• Access issues
  o The notification protocol for entry when necessary
    - For general maintenance patrols (foot crews & ATV inspections), no prior notice will be given. However, any construction work will go through a complete process of notification to the municipality and all affected landowners during project outreach.
  o Emergency procedures
    - True emergencies will utilize access as needed

• Time frame
  o What will be done now?
    - Spring & Summer 2018 would include coordination with the town to install off-ROW road in advance of any construction need.
  o What will wait until an imminent maintenance/upgrade project?
    - Work pads and in-ROW road will wait until access by heavy machinery is needed.
  o What kind of input will the Commission have on timing, materials and methods?
    - All major construction work will go through the citing process.
  o What temporary changes to expect during construction
    - None

• Environmental issues
  o What sensitive species may be in the area and the proposed mitigation? Please see Addendum 6
    - Environmental flagging will be performed before anything is finalized. The CT DEEP NDDB Map for Fairfield, CT does not identify any listed species in the Brett Woods Open Space Area (see attached NDDB Map, dated December 2017). The proposed improvements to the existing access routes through Brett Woods require a limited amount of tree cutting. Any necessary soil disturbance will occur within historically disturbed areas. The proposed road improvements will result in minimal impacts to the environment.
  o What methods are used to mitigate wetland impacts? Please see Addendum 7
    - There is only one area where the proposed access route passes near wetlands. The far eastern portion of North Street located on the Brett Woods Open Space bisects a wetland. The roadway through the wetland has historically been filled and presently consists of a relatively wide gravel/dirt roadbed. The existing roadbed appears to be more than adequate in width and it is unlikely that any additional wetland filling is required (see attached photo – PC270045, view looking west). A thin layer of gravel would be put down onto the existing roadbed.
  o How proposed grading affects the landscape
    - Any necessary grading would occur within existing roadways and side slopes. No significant changes in grade are necessary. The section of North Street located to the south of Structure 908 has some moderately steep slope. The upgrade of the access road at this location will likely include the installation of water bars and possibly a small basin.
Photo 1. View looking west. A short distance past the hiker parking area is a line of boulders that blocks un-authorized vehicle travel into the Brett Woods Open Space Area.

Photo 2. View west of the gravel/dirt North Street at a point located a short distance to the west of the line of boulders. The roadway passes between wetlands.

Photo 3. View northwest. North Street continues heading in a westerly direction past the split where a side road runs to the north.

Photo 4. View north. A side road passes in a northerly direction from the split off from North Street and then continues toward Structure 906.

Line 1714/1720, Town of Fairfield, CT – Brett Woods Open Space Area
Photos taken on December 27, 2017
Photo 5. View looking westerly at North Street. The photo taken a short distance to the west of where a side road splits off and runs north to Structure 906.

Photo 6. View looking westerly at North Street. Over an extended section of roadway the slopes have a gradual rise in elevation.

Photo 7. View southwest at North Street. Slopes become moderately steep prior to reaching the split where a side road passes to Structure 908.

Photo 8. View looking northerly at the side road passing to Structure 908. The structure is located in the cleared ROW at the top center of the photo.

Line 1714/1720, Town of Fairfield, CT – Brett Woods Open Space Area
Photos taken on December 27, 2017
Photo 9. View northeast. Structure 908 is at left side of photo, while Structure 907 is at top. A wide pathway extends between the structures.


Photo 11. View looking northeasterly from a location near Structure 907. Structure 906 is visible near top of photo. The terrain is rugged with very steep slopes between the two structures.

Photo 12. View looking southeasterly in the ROW. Structure 907 is located atop a very steep ridge that is not easily traversed from Structure 906.

Line 1714/1720, Town of Fairfield, CT – Brett Woods Open Space Area
Photos taken on December 27, 2017
This photo, within Brett Woods, represents a portion of North Street which was historically constructed with fill through wetlands; an example of appropriate measures being taken to properly traverse through wetlands and representative of how Eversource would do the same where necessary.