

**East Lyme Commission for the Conservation of Natural Resources**  
**Regular Meeting Minutes**  
**Wednesday, February 8, 2017**

Present: Arthur Carlson, Chairman  
Penny Heller, Secretary  
Mark Christiansen, Member  
Don Danila, Member  
Laura Ashburn, Alternate (*seated*)  
Ron Nichols, Alternate

Also Present: Selectwoman Rose Ann Hardy, Ex-Officio

Absent: Marvin Schutt, Member

FILED

Feb 16 20 17 AT 12:25 AM/PM  
Karen Hulme, ATC  
EAST LYME TOWN CLERK

**CALL TO ORDER**

Chairman Carlson called the February 8, 2017 Regular Meeting of the East Lyme Commission for the Conservation of Natural Resources to order at 7:00 p.m.

**Motion (1): Motion made by Commissioner Danila, seconded by Commissioner Carlson, to seat Alternate Member Commissioner Ashburn for Full Member Commissioner Schutt. Discussion: None. Voice vote, 5-0, all in favor. Motion carried.**

**I. PUBLIC DELEGATIONS – none**

**II. MINUTES**

**A. Minutes of January 11, 2017**

**Motion (2): Motion made by Commissioner Ashburn, seconded by Commissioner Christensen, to approve the minutes with the following amendments:**

**Item III (C), Add final sentence:**

*Commissioner Danila stated that he would draft a letter on behalf of the Commission to the Federal Railroad Administration and will forward it to all of the Commissioners for review and approval.*

**Item V (A):**

*~~There were no communications.~~ The Commission reviewed and discussed a letter submitted by Commissioner Christensen regarding a suggested State-proposed Spill Mitigation/Containment System along the highway for a drinking water system.*

**Discussion: None. Voice vote, 5-0, all in favor. Motion carried.**

**ALTERATIONS TO THE AGENDA**

**The Commissioners agreed to add the following items to the Agenda:**

- IV (B): Federal Railroad Administration New England Rail Proposal
- III (B): DEEP Discussion

### III. NEW BUSINESS

#### A. Goodwin Trail

As previously reported, two parking lots have been established. Chairman Carlson is currently working with Gary Goeschel, Director of Planning, to create and distribute the maps. It is hoped that they will be ready for distribution within the next two weeks.

#### B. DEEP Discussion

Chairman Carlson and Commissioner Danila met with two DEEP (Department of Energy and Environmental Protection) representatives to discuss the aquifer protection zone. It was confirmed that the area is a wellhead protection zone. The Commission's understanding regarding the direction of the aquifer is correct in that it flows from the high point in the north to the low point in the south. Those businesses, e.g., dry cleaners, gas stations, steel mills, etc., which utilize heavy chemicals and solvents that cannot be naturally broken down are not permitted in the zone. Discussion ensued regarding the inclusion of the possible growth in population and the continuation of the drought. Commissioner Heller noted that both DEEP and USGS (United States Geological Survey) are encouraging State Drought Committees and local communities to be aware of their groundwater levels due to the ongoing drought. The Commission will request bi-annual or annual updates regarding the Town's water level.

Also discussed was the importance of having a maximum amount of clean water flushing into the aquifers as part of the attempt to dilute any pollution, the critical and non-critical areas of storm water runoff, and the possible need for water gardens and/or artificial wetlands.

Chairman Carlson proposed presenting a fully documented report, with specific citations and an appendix containing supporting documents, based on their studies and discussions.

**Motion (3): Motion made by Commissioner Christenson, seconded by Commissioner Danila, to task Chairman Carlson to draft a letter to the Board of Selectmen regarding the Water Study of East Lyme to be reviewed at the Commission's March Regular Meeting. Discussion: None. Voice vote, 5-0, all in favor. Motion carried.**

### IV. OLD BUSINESS

#### A. Continuation of Water Study – *no discussion*

#### B. Federal Railroad Administration New England Rail Proposal

Commissioner Danila reported that he has reviewed and incorporated the Commissioners comments in the letter he drafted to the Federal Railroad Administration. Chairman Carlson sent a letter to First Selectman Mark Nickerson via the Planning Director regarding the process and Selectwoman Hardy reported that the First Selectman stated that he has verbally discussed the issue with the pertinent parties. Commissioner Danila stated the importance of having an official document stating their position with the Federal Commission that is

responsible for the development. He has carefully crafted the letter to include only those items under the Commission's purview. Selectwoman Hardy stated the necessity for the Commission to hold a formal vote regarding the letter to be followed by a meeting with the First Selectman and Chairman Carlson and/or Commissioner Danila for further discussion.

**Motion (4): Motion made by Commissioner Heller, seconded by Commissioner Danila, to task Commissioner Danila to deliver the letter, as approved by the Commissioners, and meet with First Selectman Nickelson.**

**Discussion: Selectwoman Hardy also suggested that the Aquifer Protection Agency, Inland Wetlands Agency, and Planning Commission submit a similar letter. Voice vote, 5-0, all in favor. Motion carried.**

## V. REPORTS AND COMMUNICATION

### A. Communications

#### B. Agribusiness Subcommittee

A Beekeeping Educational Class will be held on March 17, 2017 in the Olive T. Chendali Room, East Lyme Community Center. Based on preliminary discussions, the Zoning Commission appears to be in favor of establishing a regulation regarding beekeeping. The town of Wallingford is also currently in the process of formulating a similar regulation, which the Town plans to utilize in formulating theirs.

Open Farm Day will be held the day after Celebrate East Lyme. The Samuel Smith House, Scott's Yankee Farmer, and Foster's Old Orchard Farm have been contacted regarding their possible interest in participating in the event.

Foster's Old Orchard Farm is seeking an amendment to Section 25 of the Town's Zoning Regulations to allow farms of 5+ acres to obtain a special permit for farm and agritourism events, including hayrides, corn mazes. The issue was met with, primarily, positive feedback at a recent public hearing. The original proposal is in the process of being revised.

Approximately 45 people, including a member of Old Lyme's Flood and Erosion Control Board and a former member of Old Lyme's Conservation Commission, attended their Fourth Annual Potluck Party where both Chairman Carlson and Commissioner Danila as well as the Garden Club and Betty Murphy (historic cemeteries) provided presentations.

A proposal for the establishment of solar panels on brownfields or on the roof of an existing building, rather than on farmland, has been created by the State.

#### B. Chairman's Report

Chairman Carlson proposed drafting a letter of support to DEEP for the funding of the purchase of approximately 42-acre property located in the Pattagansett Watershed by the East Lyme Land Trust. The property was previously approved for low-cost housing.

**Motion (4): Motion made by Commissioner Heller, seconded by Commissioner Christensen, to task Chairman Carlson to draft a letter to DEEP in**

**support of the Land Trust's proposal to DEEP for funding to purchase a 42-acre property located in the Pattagansett Watershed. Discussion: The property should also be added to the Town's Open Space Plan. Voice vote, 5-0, all in favor. Motion carried.**

**C. Ex-Officio Report**

Selectwoman Hardy reported that, under the Governor's proposed budget, the Town is slated to receive a cut of \$7.2 million from the State.

Commissioner Danila reported that he has informed the Town Clerk's office regarding correcting the name of their Commission on the Town website.

**VI. ADJOURNMENT**

**The meeting was adjourned at 8:29 p.m.**

Respectfully Submitted by: Agnes Miyuki, Acting Recording Secretary for the Town of East Lyme