

**MINUTES OF THE
CONSERVATION COMMISSION
REGULAR MEETING
DECEMBER 13, 2001**

MINUTES

PRESENT

J. Beatty
N. Kiniry
H. Reid
D. O'Brien
E. Lukens
J. Kilian
J. Brawerman @ 7:15 pm
Stacey Lowe
Shirlee Zito
L. Holder @ 7:30 pm
L. Tundermann @ 7:30 pm

ABSENT

G. Rankin
S. Stoane
E. Lukens

OTHERS PRESENT

W. Corvo
P. Armetta
R. Audette
D. Bauer
V. Maruffi
E. Roberts @ 8:00

A. Call to Order

1. Roll Call

S. Stoane, Chairman, and Len Tundermann, Vice Chairman are not present. The consensus of the Commission members present was that M. Beatty would serve as chairman and coordinate the meeting tonight.

J. Beatty, acting Chairman called the meeting to order at 7:10 pm. The roll was called and a quorum was determined.

B. Presentation of Kleen Energy Systems Project, 90 Industrial Park Road, Middletown, CT, construction of an electric generating facility and substation on River Road\Middletown, CT

Environmental Reports\Site Plan Review Process

Bill Corvo, the project manager, presented and described the project in general. He described the site and history of the mining activities conducted at the site. Mr. Corvo described the initial siting factors his project team considered.

R. Audette explained the technical design of the actual power blocks and cooling towers. One fuel source, natural gas, will generate power twice utilizing the burning of fuel. This process is referred to as a combined cycle plant, that will generate 520 megawatts.

Mr. Audette reported that out of 137 acres, 20 acres will be needed for the actual plant, 10 acres for the lay area for materials, and 8 acres for construction worker parking, etc. The plant will need 350 employees while it is being constructed. R. Audette reported on the existing site characteristics. He then discussed the details of the proposed site conditions relative to surface drainage and discussed the mitigation and wetland creation of the proposed wet ponds.

Phil Armetta commented on the betterments and benefits to the City. When this efficient plant is operating the lower inefficient plants will not be on line. He has been working with the Chamber of Commerce and the CT Siting Council.

Mr. Sipperly explained the local jurisdiction relative to the Planning & Zoning Commission and Wetlands Agency. A field trip is scheduled for December 15, 2001 at 10:00. Mr. Sipperly distributed copies of the notice for the field trip.

Mr. Sipperly also reported that the Planning and Zoning and Inland Wetland Watercourses Agency will have a joint public hearing on January 16, 2001 to discuss the power plant project.

D.O'Brien asked if this land was in the aquifer.

R. Audette responded no, it is not.

E. Lukens questioned the oil backup. R. Audette reported that in case the gas source is interrupted, since Sept. 11, 2001 a backup fuel of 90 days is required. The backup fuel is oil and is stored in a 900,000 gallon tanks.

J. Brawerman asked about reports submitted.

B. Corvo reported that the reports and maps are on file in the Planning Office, Clerk's Office and Library. Water use was discussed and out of the 3 mgd withdrawal, 20% will be returned to the river. J. Brawerman also asked about the location and visibility of the plant.

J. Beatty asked about noise reduction\pollution.

A noise study is being conducted according to R. Audette and will be submitted for the Public Hearing.

L. Holder questioned the emissions using oil versus a gas fuel. R. Audette represented that the emission standards would still be the same high standard.

Everyone thanked the team for their presentation.

Motion: To have a 10 minute recess

Moved by L. Tundermann\seconded by N. Kiniry

Approved unanimously

Len Tundermann, Vice Chairman reconvened the meeting at 9:00 pm.

J. Kilian left the meeting.

Everyone else is still in attendance

C. Minutes

1. November 8, 2001

The minutes of November 8, 2001 were reviewed.

Motion: To accept the minutes as presented

Moved by J. Beatty\seconded by N. Kiniry

Approved unanimously with D.O'Brien abstaining

D. Officer's and Committee Reports

No reports given

E. Old Business

1. Open Space Brochure

Mr. Sipperly stated that the brochures have been distributed to City Hall, Libraries, various commission members, the council and Mayor. The Water and Sewer Department has agreed to mail the brochure in the spring as part of their water and sewer bills. They will pay for postage. E. Lukens recommended distribution at the Chamber of Commerce. Staff will look into that possibility.

2. Plan of Conservation and Development

Much discussion ensued regarding the comments that were submitted in September 2000, and why they were not incorporated. E. Lukens will give staff copies of those original comments. Mr. Sipperly reported that meetings will be scheduled for January to discuss the Plan of Conservation and Development. The consultants will be present.

Motion: To communicate to the Planning and Zoning Commission that the comments sent to Paul Buckhurst were ignored. The Commission would like to again incorporate the original comments for incorporation into the Plan.

Moved by J. Beatty\seconded by L. Holder

Approved unanimously

3. The Mattabassett Management Plan

Mr. Sipperly reported that the Barbara Doretsky, Soil and Water Conservation District has sent via email schedules for subcommittee meetings. Mr. Sipperly included a copy of a letter of support from Sheila Stoane, Chairperson in support of funding for a part-time director. Jane Brawerman reported that the grant award will be in early spring.

4. I-3 Zone (Maromas Area)

L. Tundermann reported that a letter was to be sent to Planning and Zoning regarding several issues. Mr. Tundermann further reiterated that the commission should focus on one item at a time, the Plan of Conservation and Development should be the priority. L. Tundermann will talk to S. Stoane about these issues.

5. Trail Guide

E. Lukens reported that the maps and descriptions are being organized. D. O'Brien volunteered to blend the maps and descriptions so that all the trails have the same format. Once this is completed the college student can input and design the layout of the book.

6. Trap Rock Ridge Protection Regulations

Mr. Sipperly reported that he mailed out a copy of the proposed regulations that were previously denied by the Planning and Zoning Commission. He further stated that he talked to Bill Warner about this and Mr. Warner's opinion was that the first step would be to incorporate language in the Plan of Conservation and Development and then adopt regulations. Mr. Warner was skeptical that the Trap Rock Ridge Protection Regulations would be approved by the Planning and Zoning Commission due to a spot zoning type of approach only affecting a few property owners.

7. Other

J. Beatty wanted at this time to discuss the DEP letter regarding the open space parcels.

Mr. Sipperly handed out a letter dated December 6th from the DEP addressed to Attorney Tim Lynch.

It describes the requirements to meet and deadlines for submission. This letter was a result of the meeting with DEP and Tim Lynch, J. Sipperly, E. Lukens, K. Coley and S. Stoane. Also attached was a list of “recommended” appraisers that DEP likes to work with.

Mr. Sipperly reported that the Sumner Brook (Swartzkopf\Daniels) purchase is combined and the DEP requested an additional appraisal for the land the city is obtaining from the Swartzkopfs. The amount of land has changed from the original grant and appraisal. D. Santacroce is conducting this appraisal.

Lamentation Mountain – Vernlund\Savage

Mr. Sipperly reported that another appraisal is being conducted as Mrs. Vernlund thought the original appraisal of her land was too low. The original appraisal was conducted by D. Santacroce also. The second appraisal is being conducted now and should be submitted in 2 weeks.

Peterson Oil Property – Mr. Sipperly reported that the DEP appraiser did not like the Burr appraisal, and rejected the Santacroce appraisal. B. Varhue, DEP recommended using yet another appraiser and recommended Roger Palmer. Mr. Sipperly has contacted Mr. Palmer and he has agreed to conduct the appraisal. Also, Mr. Burr’s appraisal needs to be modified and supplemented before it is accepted by DEP. A list of additional information was provided.

Mount Higby Preservation – Pierce\Wesleyan

The DEP rejected both appraisals of the Pierce Property. The DEP is requesting additional appraisals. The Mayor is aware of this and is working with the City Attorney’s office and the Planning office to develop a course of action. The appraisers who conducted the work, Donald Nitz and Dave Santacroce, wrote letters to DEP and are upset at DEP’s rejections of their appraisals.

Lamentation Mountain and Metacomet Ridge – Wilcox Property

This application submitted in Spring of 2001, was accepted by DEP. However, this grant round required the submission of appraisals at the time of application. The city did not perform appraisals on this property. The DEP is recommending that we conduct 2 appraisals and submit them as a full application in the Spring 2002 round.

Discussion ensued regarding bid specifications on appraisals similar to what Cromwell does. Mr. Sipperly explained how the appraisers were chosen.

Motion: That the conservation submit a request to the council to acquire money to conduct appraisals of the Wilcox property which has submitted in the spring of 2001 round due to the state’s request that the appraisals be included with the application.

Moved by J. Beatty\seconded by E. Lukens

Approved unanimously

E. Lukens further mentioned that in the spring 2002 we also submit additional grants for other properties. She requested that the grants be started on and we should obtain money for appraisals also.

E. New Business

Farmers Celebration is being investigated by D. O'Brien and L. Tundermann. Assistant Deputy of Agriculture was contacted for some information. The idea to conduct a regional celebration involving more towns was discussed. This will have to be done in the spring, maybe tied into Earth Day.

Motion: To table Public Relations

Moved by J. Beatty\seconded by Nancy Kiniry

Approved unanimously

2. Other

F. Public Forum

Councilman Earl Roberts asked the Commission to pay close attention to the environmental issues regarding the power plant. He mentioned the impacts on wildlife and the adjacent areas that have habitat. Mr. Roberts talked about the changes to the CEPA law.

G. Correspondence

Mr. Sipperly distributed a copy of a memo and a map from Trust for Public Land. They have indexed all Northeast Utilities land and want to add priorities to an open space list if these properties should become available for purchase.

Staff will bring the colored map and open space map at the next meeting.

Mr. Sipperly copied the CT River Plan by the DEP, Open Space Acquisition 2001-2006

H. Member Forum

The idea to move the next meeting from January 10 to January 3 was discussed in order to discuss the Power Plant Proposal.

Motions: To move the meeting from January 10th to January 3rd at 7:30 pm

Moved by L. Holder\seconded by E. Lukens

Approved unanimously

I. Adjournment

Motion: To adjourn at 10:17 pm

Moved by E. Lukens\seconded by N. Kiniry

Approved unanimously