

Brooklyn Conservation Commission
Special Meeting
Monday, October 2, 2023
Green Building
and Virtual Meeting 7:00 pm

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MINUTES

1. Call to Order –Chair, Richard Calarco called the meeting to order at 7:00 p.m.

Present: William Green; Dana Heilemann; Diane Wimmer; Richard Calarco.

Carolyn Teed-Ives and Victoria Fradette were present via Zoom.

Staff Present: Austin Tanner, First Selectman (seated in the audience); Jana Roberson (Town Planner and Director of Community Development)

Also Present: J.S. Perreault, Recording Secretary.

There were three additional people present in the audience.

Also Present via Zoom: Andy Rzeznikiewicz, Windham Land Trust Board Member; Aila Wasstrom-Evans; Sharon Loughlin; Amy Clark; G.I.; Jim Dougherty.

2. Approval Minutes of September , 2023 (Note: Scrivener’s error on the Agenda - Date of meeting was September 5, 2023).

Motion was made by D. Heilemann to approve the Minutes of the Meeting of September 5, 2023, as presented.

Second by D. Wimmer. No discussion.

Motion carried by voice vote (6-0-0).

3. Public Comment – None at this time.

4. Budgets

- 2023-2024

Expenses would be to reimburse those who attend the UCONN Workshop and to purchase the post for the sign at the Carol Randall Memorial Nature Trail.

5. New Business

- Land Purchase – This item is covered under the next item “Wyndham Land Trust Presentation/Discussion” (see below).

- Wyndham Land Trust Presentation/Discussion

Andy Rzeznikiewicz, Windham Land Trust Board Member, (present via Zoom) explained that Windham Land Trust has an agreement to purchase 320 acres from Little Dipper Farm. Mr. Rzeznikiewicz explained about the land that would be included in the sale (no map was available).

- An appraisal was done - \$635,000.
- More land could become available in the future.
- The Windham Land Trust is looking for the Town of Brooklyn to contribute \$200,000 toward the purchase of the property. Mr. Rzeznikiewicz explained about the process for how this was done in other towns. Mr. Rzeznikiewicz explained about what the benefits to the Town of Brooklyn would be.
- There was discussion regarding grants that could be applied for, but Mr. Rzeznikiewicz explained that the process takes a tremendous amount of time.
- No A-2 Survey has been done. Mr. Rzeznikiewicz stated that it is not needed unless a State grant is involved. He also stated that he is not aware of any environmental/historic studies having been done and he explained about how, when acquiring property, they obtain an EDR Radius Report to find out if there are any of those issues.
- Mr. Rzeznikiewicz explained that the Windham Land Trust would own the property and that the Town would be contributing to the Windham Land Trust toward the purchase. There would be no formal agreement with the Town for the use of the property. The land would be public open space.
- There was discussion regarding whether Brooklyn would be a co-owner or if there could be an agreement where the portion of the purchase contributed by the Town would be owned by the Town. Mr. Rzeznikiewicz stated that the property would be better protected by the Windham Land Trust than by the Town of Brooklyn. Mr. Calarco explained that our Regulations are very similar to the DEEP's Regulations regarding open space acquisition use – only passive recreation activities may be permitted on the site.
- Mr. Rzeznikiewicz stated that they do not usually develop a forest plan or hire a forester for the sites that they acquire.
- Mr. Rzeznikiewicz explained that the Windham Land Trust is an accredited land trust and that they do not sell or trade their properties, once they have it, it is protected. He also explained that if the Windham Land Trust were to dissolve/cease to exist, all of their land holdings would go to like-minded organizations, so they would still be protected.
- When asked about what say the Town would have regarding an activity that is destructive to the property, Mr. Rzeznikiewicz stated that it could be written in the deed to exclude a certain activity and, regarding the future, he explained that the Windham Land Trust is most likely to be like-minded with the townspeople regarding concerns about what would be degrading to the property. Mr.

Rzeznikiewicz stated that on all of the Windham Land Trust preserves where mountain biking is allowed, there is virtually no mountain bike use at all on any of them.

- Mr. Rzeznikiewicz referred to a map (not available for viewing at this meeting) and explained that the entire Little Dipper Farm property is surrounded by conservation land and that it maintains the connection and keeps the wildlife corridor open to move from one area to another. He explained that larger pieces of forest have a higher diversity of wildlife. He spoke about vernal pools.

COMMENTS FROM THE COMMISSION:

- Mr. Calarco explained that the Commission would like to work with the right professionals to map out where things such as vernal pools are located, so we can be sure that we are protecting the right parts of the land.

Mr. Rzeznikiewicz explained that there is no need to hire a company to do something that he can do by walking the property. He explained about the lack of time. He stressed getting the land protected and then, going back and mapping out where things might be.

Mr. Calarco spoke of his experience regarding destruction caused by mountain biking in the Town of Hebron where he worked in the past.

Mr. Calarco asked about the timeline.

Mr. Rzeznikiewicz explained that the property owner would like to do something by the end of the year. He advised that the Town should go through its process and the Windham Land Trust will go through their process.

- Ms. Heilemann suggested that it would be helpful to make townspeople aware of the importance of preserving this land, so they would know the purpose for spending the funds.
- Ms. Wimmer suggested having a third party that is not from either the Commission or the Windham Land Trust, who would do an objective study (like a UCONN Environmental Study).

Mr. Rzeznikiewicz stated that of all the thousands of acres of land that he has protected with the Windham Land Trust, he has never had to do that before.

Ms. Wimmer explained that when using Open Space money in the past, but the Town now has development rights on the land. She is skeptical as to whether the townspeople would be in favor of this use of the money. She asked for Mr. Tanner's opinion.

Mr. Tanner explained that he had read the Ordinance and he does not feel that there would be a problem with the Town putting in the money with the Windham Land Trust, it is just a matter of whether the citizens would have a problem with it.

- Ms. Wimmer explained her concern regarding not having development rights and that she feels that the townspeople won't be in favor of this proposal.

Mr. Rzeznikiewicz explained about how the Town could be a holder of a conservation restriction/easement. He said that this would be very reasonable.

Ms. Wimmer asked if there is a proposal in writing and a map to present to the Board of Selectmen, Board of Finance and the other Commissions.

Mr. Rzeznikiewicz stated that they could draft something up.

COMMENTS FROM THE PUBLIC:

The following members of the public offered comments regarding their concerns to be considered by the Brooklyn Conservation Commission when forming their recommendation. Comments may be heard in

their entirety, as well as the entire meeting, by calling the First Selectman's Office and requesting the Zoom link:

- Debbie Cornman, Bush Hill Road, voiced concern regarding the following:
 - How the land would be managed.
 - She feels that there should be restrictions on use of the land. She expressed opposition to mountain biking, as it can be destructive, and camping.
- Jacke Igliozi, Woodward Road, voiced concern regarding the following:
 - Whether the land around Bush Hill Pond would be included in the purchase.
 - Whether the Windham Land Trust would pay taxes to the Town.
 - She commented that the citizens present are not against the Windham Land Trust purchasing the land. She stated that the piece of property that LDF does not want to sell is the property where they want to build a glamp ground. She feels that if the Windham Land Trust purchases the property and then the glamp ground goes in, the glamp ground would then use that public property for their business for which they would have no responsibility or pay taxes.

Mr. Rzeknikiewicz explained that he had not thought of that before, but he is looking at it from another angle and he sees this as Phase One. He explained that if this purchase does not take place, the land will be sold on the open market.
- Jim Dougherty, Bush Hill Road (via Zoom), voiced concern regarding the following:
 - Whether biking is passive recreation. He feels that all forms of biking should be restricted. He asked if there were any environmental studies that would detail the impact of bike trails to the wildlife habitat.
 - Traffic on the road.
 - He feels parking would be a problem and would create safety issues. He asked if a 100-car parking lot would be built. He is opposed to on-street parking.

Mr. Rzeknikiewicz explained that he does not feel that there would be a need for a big parking lot. He mentioned a logging access off Bush Hill Road where a few cars could park. Mr. Rzeknikiewicz does not feel that the land would be used by a lot of people at one time.
 - If wetlands would be marked so people would stay out of them.
 - He asked if there were any environmental studies that would detail the impact.
 - Traffic on the road.
 - Mr. Dougherty commented about wetlands on both sides and asked whether cluster housing could be done on the property.
- Aila Wasstrom-Evans, 17 Elliott Road (via Zoom), stated that she is a Land Conservation Attorney who specializes in these kinds of transactions. She advised that the Commission get an understanding of the specific conservation values and public access values of the property. Regarding concerns about mountain biking, she explained that there can be side-by-side uses as long as the conservation values are not impacted. She explained about funding contingencies. She noted that it is significant that the Windham Land Trust is an accredited Land Trust. She explained that it takes a lot of management practices to earn that Certification. She said that it sounds like a great acquisition, but there are a lot of questions that are still open.

Ms. Wasstrom-Evans commented that development pressure in Brooklyn is significant. She also commented that, if public money is to be used, to be sure that we are getting public benefit from it.

Ms. Wasstrom-Evans commented that it would be good for the Commission to know about Mr. Rzeknikiewicz's expertise which may make it unnecessary for any additional environmental impact statement or outside consultant.

- Ed Homan, 66 Bush Hill Road, asked if there is a map that clearly defines the area being discussed.

A map had not been provided to the Commission.

COMMENTS FROM STAFF:

- Jana Roberson, Town Planner and Director of Community Development, asked if Mr. Rzeznikiewicz would share the appraisal with the Town.
Mr. Rzeznikiewicz stated that he would.
Ms. Roberson continued and stated that this would help with understanding the boundaries.
 - Ms. Roberson reminded the Conservation Commission Members that they have an established system for scoring the value of parcels based on accepted Town policies. She offered her assistance with the analysis. She stated agreement with Aila Wasstrom-Evans regarding the need to document the conservation value and public access value of the parcel. However, she is not of the opinion that outside consultants need to be hired to do it.
 - Ms. Roberson feels that it is worth looking at different options for land protection assuming the Town makes a decision to pursue this use of the current Open Space funds in partnership with Windham Land Trust. She explained that there are dozens of ways that such an agreement could be created to meet everybody's goals and outright ownership is not necessarily one of them.
 - Ms. Roberson asked if she and Martha Washburn, Wetlands Agent, would also be allowed to participate in the site walk.
 - There is a need to demonstrate whether this is the best use for the Open Space fund as there are other pieces of land in Town that have been discussed as, potentially, using this funding for.
 - Ms. Roberson commented that she is curious about the sense of urgency and would like to learn more about that.
- Austin Tanner spoke about how \$200,000 would basically deplete the Open Space Fund. He explained that \$8,000 is put into it each year, so it will take time to build it up again. He commented about forest products from logging goes into the Open Space Fund. He said that in twenty years, that may be a way to put some more money into the Fund. He suggested that perhaps this could be considered to be incorporated into an agreement.
Mr. Calarco spoke about whether there is a possibility of selling carbon credits.
Mr. Rzeznikiewicz explained about how that is difficult in Connecticut for only a couple hundred acres.
Mr. Tanner said that this is a big move for Brooklyn and he wants to be sure about going through the right process. Therefore, he objects to a time restraint.

Mr. Calarco stated that input would be needed from the Planning and Zoning Commission, the Inland Wetlands & Watercourses Commission, the Board of Finance, and the Board of Selectmen.

There was discussion regarding the Commission doing a Special Meeting Site Walk with Mr. Rzeznikiewicz. The Commission would like the public to be able to attend also. Mr. Tanner stated that all Commissions that would need to act on this matter should attend the Site Walk. Mr. Rzeznikiewicz will check with the property owner. There was discussion regarding where everyone would park. Mr. Calarco will coordinate with Mr. Rzeznikiewicz on a date and an alternative date (in case of rain).

- Planning/ Zoning decision on open space
There was discussion with Jana Roberson regarding whether PZC requires Open Space vs. Fee-in-Lieu on applications. There needs to be better communication between the BCC and the PZC.

Mr. Calarco explained that the BCC wants to work closely with the IWWC and the PZC to get a solid plan for the development of the Trail System and where we are going in the future. He spoke about the upcoming Boy Scout projects.

Some of the BCC Members will be attending the UCONN's sustainable garden training program.

Ms. Heilemann suggested that the BCC work with Ms. Roberson on the maps once Mr. Rzeznikiewicz provides a map of the proposed property. Mr. Calarco suggested working with UCONN, DEEP and forestry to assist, as they have a lot of resources. Ms. Wimmer stated that it would be an unbiased opinion. There was discussion regarding possibly having a joint meeting with IWWC, PZC and BCC.

There was discussion regarding a Day Street property that the BCC would have liked to give a recommendation for land instead of fee-in-lieu because the developer did not do what he said he would do on a previous application. The BCC would like to see the application and they would prefer that the PZC not assume that their recommendation would be the same as on a previous application with the same developer. Ms. Roberson stated that she will relay that to the PZC.

6. Old Business

a. Trail Maintenance and sign Carol Randall Memorial Nature Trail

Mr. Calarco explained that the sign was purchased with funds from last year's budget. The post needs to be purchased. He will be meeting on Wednesday with the Director of Parks and Recreation regarding getting it installed. Eventually, what to put on it will be decided. He explained that the School Superintendent is concerned about people walking on the back trails when school is in session. Signs are to be installed stating that those trails are closed during school hours for the safety of the students.

b. Scout Project

One project will be clearing brush at the old landfill trail system. Mr. Calarco spoke with Bill Skene who is the moderator for this project. The Scout wants to leave the cut brush on site, spreading it out which can be used as habitat (nature working with nature). Mr. Calarco will send a letter to the Wetlands Agent to see if she has any concerns with this. The Scout hopes to start work at the end of October.

The second project is to build benches along the Creamery Brook Trail. There were no objections or concerns. Mr. Calarco will contact the Scout who may begin work in the spring.

c. Discussion of Trail Days

Mr. Calarco stated that it was a positive thing and even though they didn't get a lot of people. He hopes that Parks and Recreation will truly sponsor this with the BCC. Possibly do some nature crafts that day. The Commission Members were in favor of pursuing this.

d. Meeting with Parks and Rec

See Agenda Items 6.a and 6.c above.

e. Training Session/Uconn

Diane Wimmer, Carolyn Teed-Ives and Richard Calarco have already signed up.

William Green has not decided yet. Dana Heilemann and Victoria Fradette will not be able to attend.

7. Trails

a. Trail tour schedule

Mr. Calarco asked if Commission Members are still interested in doing a tour of one or two of our trails.

It was decided to wait until after the Site Walk with Mr. Rzeznikiewicz. There was discussion about possibly doing the Davis Trail and Ms. Wimmer spoke about damage that had been done there due to off-road vehicles.

8. Correspondence

Mr. Calarco stated that he had forwarded information (to Commission Members) that he had received from Ms. Roberson, earlier in the day, regarding farmland criteria updates.

Mr. Calarco also received the list of invasive plants from UCONN, which he will also forward to Commission Members.

9. Public Comment

There was more discussion regarding parking for the Site Walk with the public who were present in person and via Zoom. There was additional discussion and Ms. Wimmer suggested looking into DEEP grants.

Sharon Loughlin, Wolf Den Road, suggested that, for the Site Walk, Mr. Tanner get a bus to bring people from the Town Hall to the site. She also commented that she feels that mapping is important to have. She said that a survey had been done on that property many years ago and, at that time, there could only be twelve houses allowed on the site due to the amount of wetlands.

Mr. Tanner suggested trying to get an idea of how many people would be interested in going on the Site Walk to see if it would be worth it to get a bus vs. carpooling.

There was discussion regarding timeline. It would require a Town Meeting and, if petitioned, it could go to a referendum.

10. Adjournment – (Note: Scrivener's error on the Agenda – Agenda Item #10)

Motion was made by D. Wimmer to adjourn at 8:53 p.m.

Second by W. Green. No discussion.

Motion carried unanimously by voice vote (6-0-0).

Respectfully submitted,

J.S. Perreault

Recording Secretary