



**TOWN OF HAMDEN
OFFICE OF THE MAYOR**

Scott D. Jackson
Mayor

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MINUTES: The Natural Resources & Open Space Commission held a Regular Meeting on Wednesday, May 26, 2010 at 7:30 p.m. in the third floor conference room, Hamden Government Center. The following issues were discussed:

Commissioners in Attendance: Mr. McManus, Ms. Larke, Mr. Horn
Mr. Camenga, Dr. Doheny, Mr. Bell, Mr.
Stalis, Mr. Vitali

Commissioners Absent: Mr. Kennedy, Mr. Milroy

Call to Order

Mr. Horn called the meeting to order at 7:30 p.m.

Minutes of April 28, 2010

Mr. Stalis made several clarifications to the minutes of April 28th, as noted in the paragraphs below:

Mr. Kops was involved in a meeting two months ago where the actions of the Traffic Commissioners were discussed as well as concerns of the Whitneyville Civic Association. Mr. Milroy walked the area and feels it was a good opportunity for a little bit of open space. Mr. Stalis feels this Commission should look at how the roads in town are treated as they are really open space. When the overlook was put in with the state funding, the bollards were put in. At that time it probably went through town review, *which should have included Police and Fire*. This Commission was looking at it and went to Lake Road when the jersey barriers were up. The bollards are a valid method to keep traffic out, but would still allow the emergency vehicles access. *Fire and police first responders likely have access to front, as well as rear, with roadway as an alternate access route. If improper parking is an issue*

for building access, it is a question of enforcement by Police. One of the things he thought of was an opportunity to *treat* storm water running down from Whitney Avenue. He feels the walking path is *important* for the obesity issue *that is a national epidemic and providing for walkable communities, etc.* He also sees enforcement issues there. Mr. Stalis *believes* that the reopening of the road came up because of a desire for parking by a private enterprise. Dr. McManus is ambivalent about it, and has probably only driven down the road once when it was open. Mike Horn feels the street should be left the way it is. First responders have immediate access. Mr. Bell asked if the RWA had input when the Traffic Commission took this action a few weeks ago.

A letter from RWA was submitted by Bob Pattison expressing its desire to have the road remain closed. This letter was presented to the Traffic Commission. A traffic review was conducted and cited no safety concerns should the road remain closed, and cited what might happen if it was opened regarding parking. Bill Doheny asked how long the road has been closed, and what problems have occurred since the road was closed. Mr. Kops said the road has been closed for 22 years, and there have been no problems that he is aware of. Mr. Stalis mentioned adverse possession *could there be any applicability here?* Mr. Kops said the traffic study he distributed concludes that the traffic would have no adverse impact. Mr. Bell feels it is a dark and too narrow road.

Dr. Doheny made a motion to approve the minutes of April 28th as amended. Mr. Stalis seconded the motion. The vote was six in favor, Mr. Bell abstained.

Mr. Camenga was not at the last meeting, and wanted to clarify the issue of the Town not making more than \$7,500 per year from the Maselli property. He said the Bond Attorney suggested the cap, not the Town and/or the State.

Dr. Doheny said he pursued the issue as to why we were thinking of selling the house if the limit was \$7,500, and he was told not to worry about it.

Lake Road

Mr. Horn said last month this Commission made and passed a motion that the south end of Lake Road be left in its current state (closed to traffic). The Mayor has read our motion. Now there is a lawsuit against the Mayor and the Town, brought by the owner of Lakewood Apartments, to open the road. Ann DeMatteo's article Wednesday, May 12th, in the New Haven Register states that the attorney representing the Tagliatellas, owners of Lakewood Apartments, is suing the Town to open the road.

Reiterating this Commission's motion from the April 28th meeting:

Mr. Horn called for a motion that the south end of Lake Road be left in its current state as a pedestrian walkway. This Commission is taking this position to agree with the RWA, and in the view of this Commission, reopening Lake Road would have a potentially serious impact on water quality. Mr. Vitali accepts this addition to his motion. Mr. Bell also accepts and seconds the motion. The vote was six in favor, one opposed and the motion passed.

Mr. Stalis said apart from the expense of preparing the road for reopening, there is a health benefit of the walkway, which is a national trend. The project went through two years ago when the overlook was designed, and if these issues were not addressed at that time, he doesn't see why they should come up again now. The traffic issue is an enforcement issue. There was discussion on trash in the area. Dr. Doheny said with Mr. Vitali's permission we might want to add to the motion that if the Town loses the law suit and is forced to open the road, the 12/19/09 conceptual plan has a barricade along the road to separate the pedestrians from cars. This would cost in the area of \$350,000-\$400,000. Mr. Stalis said if it comes to that the Commission can comment again.

Citizen Comment

Lane Harris, business owner (Your Community Yoga) and resident of Whitneyville (Turner Avenue) said the lawsuit specifies that if they win the lawsuit, the road would be reopened according to the December 2009 plan. Mr. Harris was at the traffic Commission meeting along with about 20 others who voiced their opposition, but they were ignored.

Old Business

There are no updates from Planning and Zoning this evening.

5 Lakes Park – Dr. Doheny said there was a tour of the 5 Lakes Park Property on May 15th, in conjunction with the Hamden Land Trust. Remediation of the homes in Newhallville will be done before anything happens at 5 Lakes Park.

Dr. Doheny said there is nothing new on the Maselli Farm. Dr. McManus said there has been some tree cutting. Dr. Doheny said the house has not been secured, nor the well, nor has the ivy been removed that is destroying the house. The barn door also needs to be secured before someone goes in there and falls through the floor. The other request was to clear some of the pathways so people can walk in there. The Commission is curious as to why the Town has decided to cut down trees on the Maselli property.

There were no comments on other properties of interest.

New Business

The Commission's Annual Brown Bag Picnic will be held at Dr. Doheny's home on Saturday, July 31st at 1:00 p.m.

Memo to Commission from Mayor Jackson

Mr. Horn said basically the present code allows open burning of logs and twigs for cooking, religious and/or ceremonial purposes. The Mayor has received requests to initiate an ordinance that bans outdoor wood burning of any kind. Commissioners feel an ordinance that bans outdoor wood burning of any kind is over the top. Boy scouts have campfires, people have chimineas, etc. Mr. Stalis said if such an ordinance is enacted, and someone has an outdoor fire and their house catches fire, the homeowner would be responsible.

Mr. Horn called for a motion that leaves our present open burning code as it is.

Mr. Camenga made a motion that this Commission recommends the continuation of the existing code in recognition of the preservation of open space. Mr. Bell seconded the motion.

Air quality is under the State's purview. Bill Doheny said outdoor wood furnaces belch huge amounts of smoke. If this is the purpose of the ordinance, it is overreaction. If they want to ban wood furnaces, do that and leave the rest of the code alone.

The Commission voted unanimously in favor.

Mr. McManus said the Cheshire Ordinance specifies outside wood furnaces.

Adjournment

Mr. Stalis made a motion to adjourn. Dr. Doheny seconded the motion. The vote was unanimous in favor. The meeting adjourned at 8:30 p.m.

Submitted by: _____
Gerry Tobin, Meeting Clerk