

NATURAL RESOURCES & OPEN SPACE COMMISSION

MINUTES: The Natural Resources & Open Space Commission held a Regular Meeting on Wednesday, November 17, 2010 at 7:30 p.m. in the third floor conference room, Hamden Government Center. The following issues were discussed:

Commissioners in Attendance: Hamilton Milroy, Marigrace Larke, Richard Bell, Daniel Camenga, Mike McManus, Peter Vitali, Mike Horn

Commissioners Absent: Ted Kennedy

Others in Attendance: Assistant Town Planner Dan Kops
Meeting Clerk Gerry Tobin
9th District Council Representative Lynn Campo
and Lee Campo

Mr. Horn called the meeting to order at 7:00 p.m.

Proposed Meeting Schedule for 2011

Mr. Milroy made a motion to approve the meeting schedule for 2011. Mr. Bell seconded the motion. The vote was unanimous in favor.

Minutes of October 27, 2010

Mr. McManus made a motion to approve the minutes of the October 27, 2010 meeting. Mr. Milroy seconded the motion. Mr. Bell abstained. The vote was six in favor.

Lynn Campo, 9th District Council representative and her husband Lee Campo were in attendance. Mrs. Campo said she felt that since so many of the Town's open space properties are in the 9th District, she wanted attend the meeting to see what is happening.

Old Business

DeMatteo Property (off Wintergreen Avenue) – no news. This property is in foreclosure, and is being proposed as open space.

DePodesta Property – 351 Forest Street Rear – This property is hilly and has wetlands on it. There is no news and none anticipated. Dr. Doheny was going to talk to the DePodestas.

Sablitz Property – Most of this property was purchased by the State of CT. Mr. Sablitz has some additional property on Booth Terrace, which he would like someone to purchase.

McMahon Property – Bids were opened at the auction, and there is an offer of \$100,000 on this property, which is way below what it is worth and well below the taxes owed. The Town will soon be contesting that. There are three stakeholders in this property, the Town and a couple of mortgage holders.

There were no further properties to report on and no further old business

New Business

Maselli Farm – Habitat for Humanity is interested in rehabbing the house. The onus is on Mr. Rosabianca to come in with a professional plan for his potential use of the property. The house is actually on a separate parcel. Mr. Horn said he sees no problem with the property remaining open space, which could include haying (after August 1st). There was discussion on the liability issues. The Town Attorney's review showed the Town would be liable even if a conservation easement was given to the Land Trust.

Mr. Camenga said in the event this doesn't come to fruition, if Mr. Rosabianca doesn't come forward, if it is to be viable for 2011, the Commission thinks it would be worthwhile to put a bid waiver out earlier so we will have some options. Some kind of resolution is due.

Mr. Kops explained that the Administration would have to request a bid waiver in favor of a Request for Proposal and forward it to the Legislative Council for approval. Mr. Camenga asked if the Commission can encourage a different strategy at this point. Mr. Horn agreed. Assuming the Council approved such a request, it would have to be advertised, bids would be received, reviewed, etc.

Ms. Larke said in order to use the land for open space, some of the land would have to be cleared. What would be the strategy for that space. First stage – no haying before August 1st, that is a strategy, a farmer would come in plant it, hay it, and go away.

There was discussion on a possible motion.

Mr. Bell moved that it is the consensus of this Commission that the Mayor's Office move as expeditiously as possible to make some decision for the productive utilization of the Maselli Property. Mr. Vitali seconded the motion.

Discussion followed. Mr. McManus asked if the Commission could approach the Yale School of Forestry to help us come up with an open space plan for the Maselli property. He asked the National Resources Conservation Service, which has an office in his office building, about possible financial assistance programs for grassland habitat, but under the new Farm Bill they are not allowed to finance towns, but they can finance land trusts. They can also provide us with the language for easements. Mr. Camenga said an important consideration is another alternative, that we aren't just looking for RFP's, but as open space, and what body is currently positioned to make a decision.

The vote was unanimous in favor.

There was discussion on the objections of the Town Attorney to a conservation easement to the Land Trust.

Mr. Horn said there is no liability on the land if no fee is charged for people to use it and no hazard is known. This applies to any size property. There is no longer a 5 acre minimum. This comes under Chapter 925, Chapter #52-557f entitled Land Owner Liability for Recreational Use of Land and applies to all land owners, both municipal and private.

Mr. Camenga is a board member of the land trust. The easement that was being drafted was circulated between the Land Trust the Town. An outside source came in and wrote up an easement allowing different uses of the land. The biggest challenge to the Land Trust would be how would they take care of the land. The Town would keep title. The Land Trust owns land in Hamden, but none of it is agricultural.

Mr. Bell said we would still be worried about civil litigation. Ms. Larke reminded the Commissioners about what happened to Meadowbrook.

Lake Road

As of last month has the interested parties came to a mutual understanding on the issue of closing Lake Road. §8-24 review is going to the Legislative Council for the next cycle.

Mr. Vitali made a motion to adjourn. Mr. Milroy seconded the motion. The vote was unanimous in favor. The meeting adjourned at 8:25 p.m.

Submitted by: _____
Gerry Tobin, Meeting Clerk