

**Preston Conservation and Agricultural Commission
Regular Meeting
Monday, April 26, 2021
Teleconference
7:30 pm.**

1. Call to Order

Chairman Piszczek called the meeting to order at 7:30 pm.

2. Roll Call

Regular Members

Gary Piszczek, Chairman
Matthew Snurkowski, Vice Chairman
Lynwood Crary
Margaret Gibson - absent
Sandy Pimentel - absent
Ted Zajac

Alternates

Roberta Charpentier - seated

Chairman Piszczek seated R. Charpentier

3. Approval of the March 22, 2021 Regular Meeting minutes.

A motion was made by L. Crary and seconded by M. Snurkowski to accept the Regular Meeting Minutes of March 22, 2021 as presented.

All in favor. Motion carries.

4. Comments from the Public

None

5. Communications

a) Audubon Society Conservation News, Spring 2021

b) Audubon Society Northeast Corner Programs, Spring 2021

c) Maura Robie, Eastern Connecticut Conservation District re: letter of support for grant for pollinator pathway

A motion was made by L. Crary and seconded by M. Snurkowski that Chairman Piszczek write a letter of support as requested by Maura Robie, Eastern Connecticut Conservation District

All in favor. Motion carries.

6. Public Hearings

None

**A motion was made by L. Crary and seconded by R. Charpentier to waive on to the agenda under Old Business; Amos Lake Association update and Planning & Zoning Subdivision Application 2021-01.
All in favor. Motion carries**

7. Old Business

a) Amos Lake Association Update www.amoslake.com

Chairman Piszczek stated that he attended the BoF meeting and they approved the \$6,494 so that ALA can receive a matching grant.

Pat Monohan, President Amos Lake Association thanked the CAC and noted that the ALA has been awarded the grant.

b) Planning & Zoning Subdivision Application #2021-01, Maro Flagg, Jr. and James E. Simpson, Owners for property located at 583 Route 164; Create a 6-lot subdivision.

Attorney Harry Heller

John Faulise, Project Manager

Attorney Heller stated his client owns 40 acres at Burton Road and Route 164.

John Faulise displayed the subdivision plan.

Attorney Heller stated that when formulating a proposal for the open space of the property, it was recognized that the town of Preston has requested that Route 164 be designated as a scenic road. That designations applies from 395 to the intersections of routes 164 and 165.

Preston's Plan of Conservation and Development was adopted by the Planning & Zoning Commission in 2014 and states that the Preston Conservation Commission recommended the creation of five corridors/areas that should be protected with land that could be acquired through outright purchase or the acquisition of development rights for a conservation easement. "Agricultural Alley" is one of the protected areas along Route 164; it is an area of scenic views because of the open farm land and has been designated as a scenic highway.

Attorney Heller stated that the proposed subdivision plan includes an area along the west of route 164 that will be permanently preserved in its natural state as a conservation easement.

Attorney Heller noted that this proposal agrees with what the CAC has recommended in the Plan of Conservation and Development and the scenic road designation of Route 164. Preston's Open Space Policy creates a hierarchy so the CAC should only request a fee in lieu of open space only in the event that none of the prioritized criteria are otherwise met. That criteria has been met with this subdivision by dedicating a piece of land to preserve the streetscape along Route 164 as recommended by the Plan of Conservation and Development.

Attorney Heller requested that the CAC report back to the P&Z that what is being proposed is consistent with the scenic road designation but is also in compliance with the Plan of Conservation and Development.

John Faulise stated that he wanted to point out that the property is located in an R60 zoning district and all of the lots exceed the 1.5 acre requirement.

Chairman Piszczek explained that the CAC collects fee in lieu of open space to preserve farmland and a lot of these lots are on existing hay fields. I understand and appreciate your efforts to preserve open space by giving a conservation easement but you're taking away farmland that is an existing hay field.

Attorney Heller stated that is correct but the Plan of Conservation and Development doesn't speak about preserving farmland it speaks about preserving vistas along the Agricultural Alley of Route 164.

Chairman Piszczek explained that the CAC's goal is to preserve the farms along route 164 and that is why it's called Agricultural Alley. We could recommend that we accept this acreage in lieu of an Open Space fee but it would be defeating our more important role of preserving what is left of the farm lands going down Route 164.

Attorney Heller stated your request to receive a fee in lieu of Open Space in appendix 3 of your Subdivision regulation policy says: a fee in lieu of Open Space should be paid to the Town when a subdivision does not meet any of the above noted criteria. So there is a hierarchy created in the subdivision regulations. A fee in lieu is a last resort.

L. Crary asked this is just an easement and the land is owned by the land owner?

Attorney Heller answered that is correct and it would be encumbered by a conservation easement that is enforceable by the Town.

Chairman Piszczek asked if the landowner would be allowed to cut firewood or do what he wants on that land?

Attorney Heller answered not without Commission approval and the purpose of a conservation easement is to preserve it in its natural state.

Chairman Piszczek stated I am still uncomfortable with it. I think maybe the wording in our regulations needs to be changed a little bit because they don't quite meet our expectations.

Chairman Piszczek noted that he would be a little more comfortable if the buffer was extended (to the squiggly line shown on the Plans).

Attorney Heller answered yes. We can do that all the way up to Burton Road and that would include the portion that is in the town of Griswold.

Chairman Piszczek stated that would achieve the view of the scenic highway. I am still uncomfortable about losing all the hay land.

L. Crary stated that the Plan of Conservation and Development says we want to maintain the open space and the farm buildings along Route 164. We are losing the hay field and the land to the south of that was lost due to poor development.

L. Crary noted that it is up to the Planning & Zoning Commission to make the final decision but from the Conservation and Agricultural Commission's stand point, this is not what we want.

A motion was made by L. Crary and seconded by G. Piszczek that payment be received in lieu of a conservation easement.

All in favor. Motion carries

c) Clustered Zoning Regulations Farm Dating Program/Diane Hansen, Community Based Project

Tabled

d) Farm Dating Program/Diane Hansen, Community Based Project

Discuss under New Business

e) State Hospital Development.

No new Comments

f) Beaver behavior report.

There are Beavers at Cooktown.

g) Roadside Trash

In celebration of Earth Day Preston Parks & Recreation and Preston Conservation & Agricultural

Commission held a Preston Clean Up Weekend on April 17th and 18th
Pickers, vests and garbage bags were picked up outside at Town Hall on Thursday April 15th .
40 residents participated
35 bags were filled from Brickyard Road
Public Works filled the truck 3.5 times

8. Boots on the Ground – paddles in the water report

No comments

9. New Business

a) Petroglyph in Preston CT

Chairman Piszczek received a call from someone in MA asking if they could see the Petroglyph in Preston. Chairman Piszczek would like to find it.

M. Snurkowski noted that a website indicated it was at the Y junction of the Quinebaug and the Shetucket.

Chairman Piszczek noted there is also a supposed carving of an Indian on a farm in Preston.

Chairman Piszczek saw it and it does look like an Indian.

b) Kendall Property Update

Chairman Piszczek attended Planning and Zoning Commission regarding the Kendall Property and they did approve partnering with Avalonia. It then went to the BoF who want to check with the Attorneys first.

c) Pumpkins for Preston Plan

M. Snurkowski and Chairman Piszczek will grow pumpkins for Diane Hansen's class.

10. Meanderings

No comments

11. Adjournment

A motion was made by R. Chaepentier and seconded by T. Zajac to adjourn the meeting at 8:25 pm.

All in favor. Motion carries.

Respectfully submitted,



**Roberta Charpentier
Preston Recording Secretary**