

**Town of Easton South Park Advisory Committee  
Special Meeting  
May 18, 2020**

**Location: Virtual Meeting via Zoom**

**Meeting ID: 573 146 5822**

**Password: SPAC0518**

**Total attendees: 23**

1608 Call to order by John Cunningham

Committee members present: John Cunningham, Ross Ogden, Tara Sanft, Lisa Keane, Bob Schrage, Jeff Becker, Elliot Leonard, Andy Kachele  
Committee member not present: Dwight Senior

1. Reviewed minutes from May 4, 2020 meeting, motion to approve minutes by T Sanft, second by J Becker, vote was unanimous.

2. Public comment: June Logie, 140 Rock House Rd- Please announce the committee members that are on this Zoom meeting. Response by J Cunningham, L Keane, R Ogden, T Sanft, J Becker, A Kachele are on, B Schrage, and E Leonard.

3. Old Business:

A. No discussion regarding May 4 meeting.

B. Christine Calvert reports that the town would not have to pay off the additional bond balance, if partial sale; the 800K would go toward the principal.

4. New business:

A. Trout Unlimited presentation by Richard Rosen, President of Nutmeg Chapter, see attached report. Members of Trout Unlimited and DEEP (Matt Gocłowski) toured the property last week, greeted by J Cunningham. The Mill River is a class one wild trout stream, unique, as it is the tail water coming out of the dam and ending in Lake Mohegan. The river is fragile. The fish breed in the river, in Redds (spawning beds), and it's important to have a buffer. It is extraordinary that there are wild brook trout there, especially in such a developed area. Trout can't live in temperatures above 75 degrees. A Kachele asks if there are restrictions to activities they would recommend along the banks of the stream, within the 200-foot buffer? Mike Piquette responds that the area can be used but caution is needed to prevent over use, ie a walking trail within 30 feet could be a problem. TU could help with the clean up of the river and shore area.

B. CT Dept of Energy and Environmental Protection, DEEP, presentation by Matt Gocłowski, Fisheries Biologist, Habitat Conservation and Enhancement Program, see attached report. Cold-water releases (~55° F) from the bottom of the reservoir provide stable summer water temperatures that support thriving populations of wild Brook Trout and wild Brown Trout. Part of the Mill River is one of Connecticut's first Wild Trout Management Areas, WTMA, including the section of

the Mill River that runs through the S Park property. In its current state, the S Park property is relatively undeveloped and provides an intact riparian corridor, the area along the banks of the river, can be up to 200 ft or more, for approximately two thirds of a mile along the Mill River WTMA. "Protecting the riparian corridor and maintaining public access to the river through this parcel will be critically important to keeping the Mill River as one of the state's most unique tailwater trout fisheries", per presentation. Keeping the area vegetated with forest cover is recommended. Removing debris/trash is recommended, to include removing invasive species. If working near the river, it is recommended to work at low flow times, summer.

C. Aspetuck Land Trust presentation by David Brant, Executive Director. Review of map showing nearby ALT angler's preserves, state and water company land, open space and protected land. Reviewed grant being submitted for area that runs along the river, approximately 19 acres. With this grant, the public must have access to the land. Looked at as a natural resource property, primarily for fishing. J Becker asks for clarification on 2016 grant submitted, that was for the entire property, what happened in that process? D Bindelglass responds that a private party submitted the grant and the state rejected the grant because the entire property did not fit the grant criteria, that is his understanding. A Kachele asks for clarification regarding the letter of intent required for the grant, is it binding? D Bindelglass responds that the letter of intent is nonbinding and he will provide a sample copy of Weston's letter used last year for the same grant, see attachment.

5. Public Comment: Grant Monsarrat, 370 N Park Ave- A letter was sent to this committee regarding the April 20, 2020 meeting when the P&Z chair (R Maquat) stated he could put a commercial building on the S Park property with a "simple text change". Grant states Mr Maquat's statement is not true and any change to the zoning regulations of the town would need to have a public notice/hearing. Grant continued noting his view that the SPAC makes recommendations, which are actions. He asked that the 4/20/20 meeting minutes be amended to reflect this statement per P&Z chair. J Cunningham responds that the minutes have been approved unanimously in a subsequent meeting and will stand as is. Cunningham offered that Grant's letter could be attached to the Committee's minutes of this meeting. Further, the April 20, 2020 meeting was not recorded by Zoom therefore no official recording is available to be posted on the town's website.

6. Plan for next meeting: Solicit former selectmen that were in office at time proposals were solicited. J Cunningham will do this. A Kachele suggests having UI provide input on possibilities of a solar farm. T Sanft and B Schrage are working on a utility proposal. Matt Goclowski adds that a solar farm may affect water temperatures of the river, having negative effects on a trout fishery. Next meeting set for June 1, 2020. A Kachele addresses an email sent to participants of this committee regarding concerns of FOIA, he advised that all committee members read through the emailed FOIA regulations.

1719 Motion to adjourn by A Kachele, second by T Sanft, vote was unanimous.

ZOOM link:

<https://us02web.zoom.us/rec/share/5t5TMYD56TNLUo3nt0XiapMsRr2-T6a80CZM86UFxU-dBgPoa-OfllHxpaRqTJ9>

Password: 8y.9K9+N

Minutes submitted on May 21, 2020 by Lisa Keane, SPAC secretary

The Mill River below Easton Reservoir provides a unique tailwater fishery for wild trout in southwestern Connecticut. Cold water releases (~55° F) from the bottom of the reservoir provide stable summer water temperatures that support thriving populations of wild Brook Trout and wild Brown Trout. While trout in most of Connecticut's streams become stressed during the summer months, trout in the Mill River benefit from nearly optimal water temperatures throughout the growing season. Growth of both species of wild trout in the Mill River is rapid with Brook Trout up to 13" and Brown Trout up to 19" having been collected during Fisheries Division's annual sampling.

Prior to 2002, the Mill River was managed as a put and take trout fishery supported by regular stocking. Because the stream supported a strong population of wild Brown Trout, that year the Fisheries Division designated a section of the stream as one of the state's first Wild Trout Management Areas (WTMA), including the area that flows through the property at 22 South Park Avenue. Hatchery stocking was discontinued in this section of the river and 46 wild Brook Trout were transplanted from nearby streams in an effort to reestablish this native species in the Mill River. In 2003, a release of sodium hypochlorite from a water treatment facility caused a major fish kill that resulted in the loss of an estimated 2,332 wild Brown Trout and all of the transplanted Brook Trout.

In September 2004 another 160 wild Brook Trout were transplanted from nearby streams to restore the population in the Mill River. These fish produced a strong year class in 2005, which helped to jump start the now thriving population. The population of wild Brown Trout was thought to have made a full recovery by 2009 and is still going strong today.

In 2012, an angler survey was conducted in the WTMA, in the stocked open harvest section between the WTMA and the Merritt Parkway, and in a seasonal catch and release TMA between the Merritt Parkway and Lake Mohegan. The survey documented relatively high catch rates and consistent moderate year round effort in the WTMA, which drew in some anglers from more than 60 miles away. Overall, the survey documented strong support for wild trout management in the Mill River.

Based on the results of the angler survey, the Fisheries Division considered a number of alternative management options before ultimately deciding to extend the WTMA downstream to the Merritt Parkway and changing the seasonal TMA between the Merritt Parkway and Lake Mohegan to a year round catch and release trout fishery. These new regulations went into effect during 2018 and provided wild trout with more than 3.25 contiguous miles of protected habitat. At that time, the Fisheries Division also discontinued the stocking of any domestic strain Brown Trout and Brook Trout in the Mill River and the fishery for these species is now completely self-sustained.

In its current state, parcel at 22 South Park Avenue is relatively undeveloped and provides an intact riparian corridor for approximately two thirds of a mile along the Mill River WTMA. In addition to providing shade to sustain the river's cold summer water temperature, the forested riparian area helps to filter out excess nutrients and sediment from reaching the river, prevents stream bank erosion, provides a more natural flow regime, and provides important wildlife habitat. This Town-owned parcel also provides a significant public access area for anglers. Protecting the riparian corridor and maintaining public access to the river through this parcel will be critically important to keeping the Mill River as one of the state's most unique tailwater trout fisheries.

**Letter of Intent to Sell**

This letter will set forth the general terms under which the Town of Weston (the "Seller") agrees to sell to Aspetuck Land Trust, Inc. (the "Buyer") that certain piece and parcel of land in the Town of Weston, containing 83.79 acres +/- and commonly known as the Fromson Strassler property (the "Property").

**This Letter of Intent to Sell ("LOI") is not a binding contract, but is merely a statement of certain basic terms and conditions under which Buyer and Seller have agreed to proceed with additional due diligence and administrative requirements.**

Buyer and Seller agree that the purchase price for the Property shall be negotiated based upon the appraisals to be conducted by Buyer and Seller, each at such Buyer and Seller's sole expense.

The purchase of the Property is contingent upon the receipt by Buyer of a grant to be issued by the State of Connecticut through the DEEP Open Space and Watershed Land Acquisition (OSWA) Grant Program (the "Grant") and the ability of the Buyer to obtain the balance of funding from other sources within one year of the announcement that the Grant has been awarded.

The sale of the Property is contingent upon receipt of all necessary governmental approvals, including, but not limited to approvals by the Board of Selectmen and the Planning and Zoning Commission.

Upon prior written notice to Seller, Buyer shall be allowed access to the Property to conduct such due diligence tests as may be necessary; to "show" the Property to potential donors; to conduct a survey; and for any other purpose approved by the First Selectman or his designee. If the Buyer does not acquire the Property, any and all damage caused to the Property by Buyer or Buyer's invitees, agents, contractors or other person authorized by Buyer to be on the Property shall be restored to the condition of the Property prior to such damage.

Agreed to this Sixth day of February, 2019.

BUYER  
Aspetuck Land Trust, Inc.

SELLER  
The Town of Weston

By \_\_\_\_\_

By  \_\_\_\_\_

David Brant, Executive Director

Christopher Spaulding, First Selectman

Note: received by the SPAC Committee as an extension of Grant's Public Comment in our 5/18/20 meeting.

My communication to the South Park Advisory Committee as revised on 5-20-20:

Hello South Park Avenue Advisory Committee:

I am concerned that in your SPAC Zoom meeting of April 20, 2020 P&Z chair Robert Maquat made statements wherein he suggested that a research center or low density corporate headquarters could be put on our South Park Avenue property and that this could be accomplished with a text change. None of this was included in your minutes and it needs to be. Because the fact is that changing regulations like this is not as simple as a text change as the P&Z chair would have you believe. The fact is that to legally change our regulations would require public notice and public hearings on the revised regulation so that the public would be aware of this change – a change that could have sweeping implications for commercial development in our town. Only after public hearings and public input could P&Z vote on this.

I'm concerned that the committee and the public may develop opinions and the committee may take actions (in the form of making recommendations) based on a fleeting statement by P&Z chair Maquat that is just not accurate. The fact is that P&Z can't control important zoning changes in our town with a simple text change. P&Z needs to follow the proper processes, and the SPAC committee and the public need to be aware of that. What is also of great concern is that there is a member of your committee who is on the Planning & Zoning Commission and he didn't address the chair's statement when it was made.

I am aware that the SPAC did not record this meeting, but it was recorded by someone observing the meeting and this recording is in the process of being submitted to the committee by member Jeff Becker. And I would recommend that all future SPAC meetings be recorded and put on channel 79, because they contain very important information the public needs to know in the interest of open and transparent government.

Regards, Grant Monsarrat

## Mill River Along South Park in Easton

1. The upper Mill River is special.
  - a. The Mill River is one of only nine streams in the entire state that has been designated a "Class One" wild trout stream by the Connecticut Department of Energy and Environmental Protection (DEEP). It is a very special stream, a blue gem located in the very heavily developed New York City Metropolitan area. The prime trout habitat section is a Wild Trout Management Area, which is uniquely composed of a tailwater on one end and a deep lake on the other end. The stream supports wild brook and brown trout.
    - i. Jeff Yates, author- Fly Fishing Fairfield County.
      1. The Mill River in the area in question "is designated as a Class 1 Wild Trout Management Area with catch and release fishing. Despite the lack of stocking, the wild trout are thriving in the Mill River, primarily due to the cold water discharges from the dam upstream"
    - ii. Ron Merly, author- Flyfisher's Guide to Connecticut
      1. "Here is where some of the finest wild trout fishing in Fairfield County can be found." "The Mill River is fragile and pristine. It has good populations of stoneflies, BWOs, brown caddis, and mayflies.
2. As a tailwater stream, cold water coming from the bottom of the Easton Reservoir dam provides the trout with safe conditions, even during the hottest summer days. The cool water release from the reservoir has restored the river to it's natural (predevelopment state) and must be protected. The river is fragile. In 2003 1 gallon of chlorine spilled in the river at the dam and killed nearly all the trout for 2+ miles downstream.
3. Wild trout reproduce in the Mill. A survey of trout spawning beds (know as Redds) was conducted in the fall of 2019 and numerous spawning areas were found. Trout lay eggs in cleared gravel which take 5-6 months to hatch. Excessive sand and silt caused by erosion covering these spawning beds can kill the eggs. Providing a 200 foot buffer along the stream reduces the chances for sand and silt entering the river and destroying the trout spawning beds.
  - a. <https://www.arcgis.com/home/webmap/viewer.html?webmap=7cbce64976be41438bb8919b4e4ec580&extent=-73.2729,41.2279,-73.2323,41.2487>  
<https://arcg.is/1rCCDu0>
4. We recommend that the area along the river should be kept in it's most natural state possible. Excessive use can, and will, lead to the kind of degradation that has occurred along the river at Lake Mohegan in Fairfield, where excessive streambank erosion has occurred.