Report of the Trolley Bed Planning Committee

Aquarion Property - Potential Uses and Management Requirements

The Project

In March of 2016 the Town of Woodbury, following the recommendation of the Reservoir Property Task Force, voted at referendum to seek the purchase of 250+/- acres in two parcels owned by Aquarion Water Company ("Aquarion"). The site surrounds and provides watershed drainage into a former water supply reservoir owned and managed by predecessors to Aquarion. Following approval by regulatory authorities to abandon the reservoir, the site was offered for sale, and under State statute the Town of Woodbury had a right of first refusal.

The purchase was funded in part by a grant from the Connecticut Open Space and Watershed Acquisition Grant Program. Such acquisitions are subject to use and management restrictions as defined by the Connecticut Department of Energy and Environmental Protection ("DEEP"). A copy of the Conservation and Public Recreation Easement and Agreement is appended as Attachment A.

In anticipation of the acquisition, the Woodbury Board of Selectmen appointed a Trolley Bed Planning Committee charged with exploring potential uses such as passive recreation and conservation projects. Because the property to be acquired abuts existing Town-owned land, including designated open space, the Committee’s considerations encompassed the entire unified area as well as potential interconnections with other nearby or abutting open space and greenway projects.
The Committee

The Committee met 11 times and conducted two field site visits over a seven month period. The Committee members are identified on the signature sheet appended to this Report.

The Committee heard presentations from Joel Serota, who chaired the Reservoir Property Task Force; Jenifer Miller, Director Woodbury Parks and Recreation; Authur Milnor, Executive Director of Flanders Nature Center and Land Trust; Dick Leavenworth, Former Chairman of the the Woodbury Conservation Commission; Len DeJong, Executive Director of the Pomperaug River Watershed Coalition; Aaron Budris, Senior Regional Planner for the Naugatuck Valley Council of Governments; Chris Wood, Committee member; Bob Walker, representing the South Brook Landowners Association; Tracy Anderson, a Scuppo Road resident; Richard Lamothe Director of Woodbury Public Works; and Jeff Whan Volunteer Land Manager Flanders Land Trust.

Individual members of the public offered comments and recommendations during Committee meetings, as did members of the Committee. All such presentations and comments are represented in the meeting minutes and Attachment B provides a summary of each presentation.

The Analysis

The Committee considered the public and expert input received and discussed the various potential uses identified as well as their management implications. These include maintenance and improvements obligations for safety and access; potential conflicts among current and prospective uses; and potential negative environmental impacts. Additionally, the Committee considered potential opportunities for partnerships and assistance from such outside entities as neighbors, the Naugatuck Valley Council of Governments, Flanders Nature Center and Land Trust, the Pomperaug River Watershed Coalition, scout groups, and educators.

Despite boundary postings prohibiting trespass for any purpose, people regularly access the subject property for several purposes. These include walking, fishing, nature observation, dog exercising, and trail bicycling. These uses were the most commonly cited as appropriate by presenters and commenters during the Committee's review. Apparently there is a history of all-terrain vehicle use on the
property, although no-one raised that as a current problem during the Committee’s review.

The property presents opportunities for three basic categories of uses: outdoor recreation, natural resource conservation, and quiet contemplation (to use the term offered by Arthur Milnor).

The Committee also considered categorization of uses as “active” or “passive” and the recommendations attempt to prohibit or minimize active uses such as those that would require on-site equipment, that may damage natural resources, or that had significant potential conflict with other uses.

Committee Chairman Bob Travers proposed a functional and temporal framework for the Committee’s considerations of potential appropriate uses:

1. recommended uses possible now,
2. recommended uses possible with some preparatory work,
3. uses that can be allowed with monitoring, and
4. prohibited uses.

However, several potentially appropriate uses may fit into more than one of these categories. For example, the immediate use of the site for dog walking will also require monitoring for compliance with leash and waste removal rules. It is probably unrealistic to permit pedestrian use immediately but ban dogs until monitoring programs are in place. Further, some uses may be appropriate immediately but with further preparation may be expanded, such as enhanced nature and history observation.

As noted, the easement required by the terms of funding from the Connecticut Open Space and Watershed Acquisition Grant Program restricts uses and development activity on the property. Key provisions pertinent to the Town’s consideration of appropriate uses for the site include “no building, residential dwelling, structure, parking lot, driveway, road or other temporary or permanent structure or improvement requiring construction shall be placed on the Protected Property...” although the Town may “maintain existing unpaved driveways, footpaths and other minor surface alterations...” and perform other minor improvements to allow permitted uses and ensure safety.
The uses permitted by the required easement are specified as "passive recreation" and include "recreational trail usage (non-motorized), recreational activities which do not require a formalized delineated playing field or area, picnicking, fishing, hunting, non-motorized boating and environmental education." Other provisions prohibit commercial activities on the property.

During its consideration of use potential, the Committee recognized that the easement's prohibition on driveways may preclude the creation of additional parking on Town property abutting but separate from the pending acquisition. Another concern was whether the prohibition on "commercial" activities would prevent agricultural activities under arrangements with private interests. Based on comments from the Town Attorney, this Report assumes those concerns will be resolved.

The Town Director of Public Works described his department's potential role in establishing and maintaining parking. The Committee does not offer specific recommendations regarding parking, beyond noting both the need for adequate and safe parking and the need to recognize neighbor concerns about parking and access.

The issues outlined in this analysis are illustrated and summarized in a presentation titled "Woodbury's New Trolley Line Park and Natural Area" prepared by Committee member Chris Wood. That presentation is included as Attachment C.

**The Recommendations**

The Use Recommendations Table, below, lists the uses considered appropriate either immediately or over time with necessary preparation. Uses requiring monitoring are so noted. Implicit in this list of use recommendations is the Committee's further recommendation that all uses not listed are considered prohibited; examples of prohibited uses are listed. However, the Committee recognizes that uses prohibited initially may become acceptable following development of inventories and management and stewardship plans.

The Table also identifies prospective enforcement, possible improvements, and potential conflicts associated with each proposed use. These considerations are only preliminary and will require further evaluation as uses are implemented and following development of inventories and management and stewardship plans.
The Committee notes that a $50,000 grant has been received from Aquarion to support the Town’s management of the property; however, this report does not attempt to provide specific recommendations regarding this or other potential funding sources.

The Committee recognizes that uses and management of the contiguous Town-owned properties will need to be consistent with, if not identical to, those applying to the new acquisition, with the understanding that these other Town properties remain subject to any existing restrictions but are not subject to DEEP easement restrictions. Future management planning should include any specific issues applying to individual Town-owned parcels. A map showing all Town properties associated with the project is provided as Attachment D.

Management Issues

In addition to the specific management issues noted for prospective uses, the Committee notes the Town will have several general management responsibilities including providing safe access, maintaining trails, installing and maintaining necessary boundary posting and use signage, providing parking, removing litter and debris, and maintaining neighbor relations.

Additionally, the Committee recommends that the Town undertake a natural resource inventory and an environmental assessment and develop a stewardship/management plan for the consolidated Town-owned properties as well as the separate Aquarion parcel abutting Whittemore Sanctuary. These projects should be completed before any significant expansion of uses on the properties are initiated, including specific “agricultural” activities such as maple-sugaring and forestry. Flanders Nature Center and Land Trust has provided examples of such work and offered to assist.

These management issues should properly be the responsibility of the Parks and Recreations Department and the Woodbury Conservation Commission, which may also seek assistance from other local conservation and land management experts.
## Former Reservoir Area Open Space

### Use Recommendations*

<table>
<thead>
<tr>
<th>Immediate Uses</th>
<th>Monitor/Enforce</th>
<th>Maintenance</th>
<th>Improvements</th>
<th>Potential Conflicts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Walking, skiing, snowshoeing; existing Trolley Line Trail only</td>
<td>Trail Restrictions</td>
<td>Safety; Repairs; Trash and Litter</td>
<td>Trail Upgrade; Parking; Signage; Benches</td>
<td>Dogs; Bicycles; Environmental</td>
</tr>
<tr>
<td>Nature and History Observation</td>
<td>Safety</td>
<td>Signage; Benches</td>
<td>Off-trail Disturbance</td>
<td></td>
</tr>
<tr>
<td>Dog Exercising</td>
<td>Leash Law</td>
<td>Dog Waste Removal</td>
<td>Signage</td>
<td>Walking, Environmental</td>
</tr>
<tr>
<td>Outdoor Education</td>
<td>Permitting</td>
<td>Safety</td>
<td>Access</td>
<td></td>
</tr>
</tbody>
</table>

### Uses, Preparation Required

| Walking, Skiing, Snowshoeing on Additional Trails                              | Trail Restrictions | Safety; Repairs; Trash, Litter | Clearing, marking | Dogs; Bicycles; Environmental |
| Bicycling                                                                    | Trail Restrictions | Safety | Trails Designation (where permitted) | Walkers; Dogs; Environment |

### Uses, Preparation and Monitoring Required

| Nature and History Observation, Enhanced | Appropriate Oversight | Access; Repairs | Observation Blinds and/or Platforms; Interpretive Materials/Signage; Picnic Tables | Construction Activity |
| Habitat Protection, Enhancement       | Appropriate Oversight | Invasives Control; Erosion Repairs; Sensitive Sites Protection | Natural Resource Inventory; Environmental Assessment; Plantings | All Off-Trolley Line Trail Activities |
| Resource Conservation                 | Appropriate Oversight | Water Quality Monitoring | Natural Resource Inventory; Environmental Assessment | Vehicle Access |
| Forestry/Silviculture                 | Contracting        | Selective Clearing; Danger Tree Removal | Forestry Plan | Habitat, Vehicle Access |
| Agriculture                          | Permitting         | Location Designation | Habitat, Vehicle Access |
| Fishing                              | DEEP licensing     | Trash; Waterfront | Access Points | Environment; Habitat |
| Events; Group Activities            | Permitting         | Access; Safety | Site Designation |

*Implicit in this list of use recommendations is the Committee's further recommendation that all uses not listed are considered prohibited until further evaluations determine otherwise, including but not necessarily limited to: Motorized Vehicles (other than for emergencies); Hunting; Trapping; Horseback Riding; Boating; Camping; Alcohol; After Dark Access; Collecting or Removal of Artifacts, Vegetation, Geological Samples, etc.

CSW Nov 28, 2016
The Committee recognized that the portion of the property abutting the Flanders' Whittemore Sanctuary ("Parcel 2") does not provide much opportunity for the uses outlined in this Report, other than walking on the existing wood road that passes through Whittemore. However, the use recommendations and management considerations on the Use Recommendations Table are appropriate for both Aquarion parcels as well as the adjoining Town-owned parcels.

Discussion

The Committee's overall recommendation is for the Town to proceed deliberately and cautiously in its implementation of use and preservation activities to balance the overriding goals of minimizing environmental impacts, protecting neighboring properties, minimizing potential use conflicts, and providing maximum benefit to the Town and its residents. The default prohibition on uses not specifically permitted (and the list of examples) reflects this caution.

Permitted uses, including those requiring additional preparation and/or monitoring, are recognized as having low potential for adverse impacts on the natural resources of the properties and on neighboring properties. As noted, the recommended additional evaluations will provide further guidance on appropriate uses and restrictions.

Finally, the Committee would also like to offer recommendations for names for the property and its primary recreational asset, the former trolley rail bed. Because the successful acquisition of this valuable property has been long promoted and supported by former Conservation Commission Chair Dick Leavenworth who has made many, significant contributions to the Town of Woodbury, we recommend "The Leavenworth Sanctuary" as an appropriate name for the contiguous Town-owned properties between Scuppo Road and Old Sherman Hill Road and the parcel abutting the Flanders' Whittemore Sanctuary.

To reflect the historic character of the property, we further recommend naming the former trolley rail bed as "The Trolley Line Trail".

Conclusion

After careful review of available information about the former water company property and abutting Town-owned parcels, including site visits and presentations
The Committee believes the Town has acted wisely in proceeding this valuable natural resource preservation actions.

Committee has concluded that the properties, including existing buildings, from a diverse variety of interests and expertise, the Trolley Bed Planning

Signatures

David Taylor

Ron Tannick

Terri Hale

Tom Escepy

Nancy Bailey

Christopher Wood, Vice-Chair

Robert Travers, Chair

Useful

The members stand ready to offer further assistance as may be needed.

The Committee thanks the Town for the opportunity to contribute to this important planning.