



Great Meadows Conservation Trust, Inc.
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Far right: A Great Blue Heron basks in the December sunshine on a log in the Wood Parcel turtle pond.



Right: An osprey perches on its nest balanced on a tall stump in the marsh in Rocky Hill during the Spring freshet.



Great Meadows Conservation Trust, Inc.
 Glastonbury, Rocky Hill, Wethersfield, Connecticut

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GMCT acquires “Frechette Field” Parcel in Great Plain area, Elm Street, Wethersfield

Nearly a year ago, the Trust acquired a 3.3 acre property on Elm Street in Wethersfield, an area of prime farmland in one of the Trust’s highest priority areas. After their father passed away, the Frechette Family was looking to sell the family home, but they also wanted to preserve the farm field where they had grown up.

The Trust funded a survey that enabled a one acre lot with the house to be cut out and sold, leaving 25 foot frontage and 3.3 acres stretching back `1000 feet through the farmland into the swamp beyond. The Trust leases about 2 acres of farmland to Anderson Farms for sweet corn. Arborist Bruce Graver removed overgrown trees that threatened the neighbor’s house and horse shed along the property line. See **Frechette Field on page 2** for photos and more details.



Court Reverses Rocky Hill Zoning Commission’s Approval of Road Leading to Landfill in the Flood Zone

*By Brian R. Smith and Evan J. Seeman**

The Connecticut Superior Court recently ruled that the Town of Rocky Hill Planning & Zoning Commission (Commission) exceeded its authority by approving a fill permit application to construct a road at the site of the former Rocky Hill landfill located partially within the Town’s Floodplain Overlay District. The decision – which culminates a five-year zoning appeal brought by Great Meadows Conservation Trust, Inc. (GMCT) challenging the type of fill material to construct the road – is important for its analysis of when an administrative agency’s interpretation of its own regulation is and is not entitled to deference.

In 2006, Meadow Properties, LLC purchased the approximately 43 acre former Rocky Hill landfill site, which is bordered on the west and the north by Goff Brook – a watercourse that discharges into the Connecticut River. The site abuts property owned by

GMCT, whose mission it is, in part, to preserve the floodplain and its agricultural, scenic, archeological and wetland resources.

Prior to 1979, the site had been operated as a permitted municipal solid waste landfill until the expiration of a solid waste operating permit for the site. After the permit expired, the former site owner capped the landfill with soil – a process in which certain material is placed on the landfill to stabilize the solid waste therein, to prevent erosion, and to maintain the integrity of the cap. But in 2008, staff for the predecessor agency to the Connecticut Department and Environmental Protection (DEEP) observed areas of landfill leachate

outbreaks and other areas where the landfill cap had eroded. DEEP staff believed that these issues could cause waste to leach into and pollute State waters.

In 2010, Meadow Properties entered into a Consent

In 2010, Meadow Properties entered into a Consent Order with DEEP specifying the steps to be taken to repair the landfill cap... Meadow Properties also sought to deposit additional solid waste on site for financial profit.

See Consent, p. 6

Frechette Field the First Year—

The photo at right shows the “before” of the Frechette parcel on the property line near the street. A huge white pine leaned over the neighbor’s driveway, along with a tangle of hemlocks overgrown with bittersweet and poison ivy vines. The photo on page one shows the streetscene “after” these were removed and another white pine was pruned into a stately street tree, opening up a view of the sugar maple in the neighbor’s yard.



The next photo shows Rick Doran and Larry Lunden setting property boundary signs in the spring, with early sweet corn planted under row covers to hold in the early season warmth.



The photo on the far right shows Larry Lunden carrying out an official inspection (along with photographer Jim Woodworth) a few months later as the corn has tasseled out, getting closer to harvest time.

At the edge of the cornfield, an overgrown

clump of gnarly boxelder trees (a native, but weedy maple species) grew behind a large mulberry tree. Right, a sturdy crew of volunteer woodsmen cut up the boxelder: Tim Lewis, center, provided the chain sawing, and the pickup to haul away firewood; Larry Lunden, Rick Doran, Matt DeLuca, and Gerry Hayes built an



impressive pile of brush for the chipper.

Earlier, Whit Osgood and Bob Ludwig had felled the large boxelder, a couple of hemlocks and numerous saplings. Far right Bob Ludwig, in full lumberman regalia, pruned the mulberry that forms a backdrop for a pollinator garden of native wild flowers planned in collaboration with the WHS Environmental club. The club has applied for a grant from the Society of Women Environmental Professionals to fund the project, but has yet to receive word..

Wolf Parcel/DeMille Easement: Right, growth of many wonderful meadow plants including the native warm season grasses planted 2 years ago, but also the re-growth of sumac and other woody plants. Below, Marshall Lussen of Yardgroup, brush-hogged the area his workers had brush-hogged in 2013. Volunteer lumbermen, Bob Ludwig and Whit Osgood pruned a “perching” tree and cut invading red maples. Right, Bob and WHS community service volunteer Amanda Dawkins moved cut brush to higher ground to help make up the volunteer match for the USDA NRCS WHIP grant re-imbursment to enhance grassland habit..



Brisk Winter Walks 2016

This is the schedule for the Great Meadows Conservation Trust winter walks for 2016, co-sponsored with the Connecticut Audubon Society Center at Glastonbury and the Eleanor Buck Wolf Nature Center in Wethersfield. Go to www.gmct.org for a printable schedule and updates.

Sunday, Jan 3, 2016, 1:00 pm, Wethersfield.

About 1 ½ hours. Meet Jim Woodworth at 160 Middletown Ave, south of Maple St, on GMCT’s **Wood Parcel**. Cross the shiny bridge and follow the trail along the marsh and around the loop past the 18th century house site. Hike will continue along the edge of the farm fields that once hosted the original “Pyquag” Native American summer camp and along the marsh...and introducing GMCT’s newest acquisition: **Frechette Field!** 3.3 acres of farmland, swamp, and a planned pollinator garden. From I-91 south take exit 25 S to route 3 south, or from Glastonbury take route 3 south over the Putnam Bridge. At the second light turn left onto Middletown Ave. From I-91 north take exit 24 to route 99 north. Take route 99 1.3 miles to a traffic light. Turn right onto route 3 north. At the first light turn right onto Middletown Ave. Make a U turn and park on the left side of Middletown Ave.

Saturday, Jan 9, 2016, 10:00 am,

Wethersfield. About 2 hours. Meet Jim Woodworth at 412 Hartford Ave, corner of Jordan La, for a short walk through the gate to our **Wolf Parcel and DeMille Easement**. See habitat improvements made with the help of a WHIP grant and volunteer work. Stay for a longer walk, another two and a half hours, up Hartford Ave. and out along the Hartford dike that divides the Folly Brook Nature area from the South Meadows Industrial Park.

Sunday, Jan 31, 2016, 1:00 pm, Rocky Hill.

About 2 hours. Meet at 78 Goff Brook La, off of Old Main St. Join Jim Woodworth on a hike to several of our **DiPaola, Brooks, McCann, or Ryan** parcels in the Rocky Hill Meadows. From I-91, take exit 24, Wethersfield, Rocky Hill, Silas Deane Highway, route 99 south. Take the Silas Deane a short distance to the second traffic light past the interchange. Turn left onto Marshall Rd and follow it to the end. Turn left onto Old Main St, and take the first right onto Goff Brook La. Meet just past the railroad crossing.

Sunday, Feb 7, 2016, 1:00 pm, Rocky Hill.

About 2 hours. Meet Larry Lunden at Ferry Park, 313 Meadow Rd, on route 160. A hike to our **Methodist Church** and **Hayes** parcels in the Rocky Hill

Meadows. From I-91, take exit 24, route 99, Silas Deane Hwy. Take the Silas Deane south 1.4 miles to a traffic light. Turn left onto route 160, Glastonbury Ave. It is the right hand street of the two that you see when you turn left. Proceed past the ferry landing to the gravel parking lot on the right.

Saturday, Feb 20, 2016, 10:00 am, Wethersfield.

Meet Jim Woodworth and Goodwin College’s Bruce Morton, Program Director of Environmental Studies, at the Putnam Park parking lot, 100 Great Meadow Road, just north of the Putnam Bridge. We’ll peel away the centuries to imagine the river bank before the bridge, and explore the 300+ acre **Crow Point** property owned by Goodwin College. We’ll observe the process of nature reclaiming the land and waterways excavated for fill to build the highway across the ancient farmland and wetlands of the great meadows. From I91 N, take exit 25/26 and bear right on Exit 26 to Wethersfield. At the end of the ramp, turn left under the Putnam Bridge to the parking lot. From I91 S, take exit 26, Marsh St. /Old Wethersfield. At the end of the ramp, turn left under the highway, and right at the T toward the Putnam Park lot. From Route 3N/ Maple Street, take the exit toward I91 north, but bear right to exit onto Great Meadow Road, and turn right toward the parking lot. From Route 3S, take the I91N exit at the end of bridge, but bear right to exit onto Great Meadow Road, and turn right toward the parking lot.

Saturday, Feb 27, 2016, 10:00 am, East Hartford.

Meet Jim Woodworth and Goodwin College’s Bruce Morton, Program Director of Environmental Studies, at Hockanum Park, 324 High St. Explore our **Wilson-Carvalho** and **Hockanum Meadows** parcels in the “Wethersfield Triangle” of land marooned on the east side by the meandering of the river. Goodwin College students are studying environmental science here, experimenting with invasive species control and habitat enhancement. From Route 2 west, take exit 5 A, Main St. At the second traffic light take a left, and then another left and under the highway onto High St. From route 2 east, take exit 5 A, High St. Once on High St, follow it south, past the elementary school, to the park on the left

Dress for the weather and ground conditions. Many places will be muddy. Weather and water conditions may revise or cancel a walk. This area is used for hunting, so wear an orange vest if you have one. Call the CT Audubon Society for the latest information, 860-633-8402. Free.

GMCT's Mission Statement Reaffirmed and Goals adopted

The Board voted unanimously to reaffirm our Mission Statement, adopted in 2010, and to adopt four oals for the Trust. These will act as a guide to focus all the Trust's programs, activities and efforts.

Mission Statement

The mission of the Great Meadows Conservation Trust, Inc. is to promote – for the benefit of the general public – the preservation of the Great Meadows and environs along the Connecticut River located generally within the towns of Wethersfield, Rocky Hill and Glastonbury; including the preservation of the rural landscape, the floodplain and water resources, marshland, swamps, woodland, farmland, open spaces, the plant and animal life therein, and unique historic and scenic sites.—**Adopted January 28, 2010, Reaffirmed December 3, 2015 by the GMCT Board of Directors**

Goals

TO engage in the preservation of the Great Meadows and environs through responsible stewardship and management of the land the Trust owns and easements it holds.

TO engage in and promote the scientific study relating to the natural, cultural, and ecological values of the Great Meadows including its history, landscape, flora, fauna, recreational and flood control significance and to educate the public on these matters.

TO acquire, by gift, purchase, or otherwise, real or personal property of all kinds and interests, and to properly use such property and any net earnings exclusively for educational, scientific, charitable, agricultural, and conservation purposes of the Trust.

TO promote conservation efforts consistent with the mission of the Great Meadows Conservation Trust in partnership with landowners, state and town governments and other organizations. — **Adopted December 3, 2015 by the GMCT Board of Directors**

Consent, cont. Order with DEEP specifying the steps to be taken to repair the landfill cap and to complete post-closure monitoring and maintenance. Meadow Properties also sought to deposit additional solid waste on site for financial profit. Later in 2010, Project Green, LLC, which had agreed to operate the site for Meadow Properties, submitted to the Commission a fill permit application to construct a road using 1,731 cubic yards of recycled asphalt millings. GMCT and other residents attended the Commission's public hearing and urged the Commission to deny the application on the ground that asphalt millings were not permissible filling material under the Town's zoning regulations. The Commission rejected this argument and approved the application.

But the Superior Court agreed with GMCT that the Commission had exceeded its authority in approving the application. The Court found that the zoning regulations did not allow asphalt millings as fill material, since "filling" was defined as "[t]he depositing of clean fill such as soil, sand, gravel, rock or clay." The zoning regulations in effect at the time added that "[t]he fill material shall consist of earth fill, woody vegetation, and masonry *only*. No trash, garbage, building materials, or junk of any nature shall be permitted." According to the Court, asphalt millings did not meet these regulatory requirements.

Perhaps the most important aspect of the Court's decision is its analysis of when a zoning agency's decision is – and, important to this case, *is not* – entitled to deference. The Commission attempted to justify its approval of the application on the ground that asphalt millings were used elsewhere in Town to repair roads. However, the Court found this argument unpersuasive and noted that for a zoning agency's decision to be afforded deference the *agency itself* must interpret and apply the subject zoning regulation consistently over an extended period of time. There was no evidence in the record before the Court that the Commission itself had ever interpreted the zoning regulations governing fill material – only that the Town had used asphalt millings to repair some roads. Because the Commission's decision was not entitled to any deference, the Court conducted what is known as plenary review (in which the agency decision is afforded no deference) to conclude that the Commission violated its own regulations.

The Court's decision sends a strong message to administrative agencies that they cannot justify their own actions using other agencies' regulatory interpretations.

**Brian and Evan, land use lawyers at Robinson & Cole LLP in Hartford, Connecticut, represented GMCT in this appeal.*

2015: A Bountiful Season for Farming in the Meadows— Hayes and Fair Weather Acres farms experiment with new crops and reap bumper yields



Left—Hayes-Whalen family members turn newly mown hay destined to feed the beef cattle pasturing on the Hayes Farm up on Hayes Road.

Kudos to the Town of Rocky Hill who recently purchased an easement to preserve the upland farm and pastures. This spring the Hayes-Whalen family leased the parcel of the ill-fated former Jabber moto-cross track, leveled the mounds of soil piled up for jumps, and harvested 10 acres of silage corn. During the "hay" day of diary farming in the mid 20th Cen-

tury, silage corn blanketed the meadows. In a couple of seasons, the moto-cross track across North Meadow Road with its exuberant riders revving their powerful bikes over jumps, arching through the air and throwing up mud showers or billowing clouds of dust, will fade to silence. Soon those jumps, too, will be leveled, and once again produce bountiful harvests of hay, corn, beans, vegetables or sod.

Below left—Fair Weather Acres added a new product to their repertoire of green beans, grain corn, pumpkins and vegetables. This season they allowed their traditional rye cover crop to mature and harvested acres of rye straw, useful for mulching strawberries over the winter, for example.



Several seasons ago Fair Weather Acres began offering a CSA (Community Supported Agriculture) option to their retail custom-



ers at the stand on Cromwell Avenue. This July, well after the straw was harvested, they planted a couple of acres of Kohl crops on the GMCT Hayes Parcel that lies on the Wethersfield/Rocky Hill town line (acquired by the Trust some years ago from the Ed Hayes branch of the Hayes family). **Above right**—Rows of plants tucked in the rich alluvial soil survived the dry summer to thrive. **Left**—Armando Perez proudly displays the beautifully varied cauliflower that he and fellow FWA workers harvested for the last weeks' CSA shares. The field yielded regular green, savoy, and red cabbage, broccoli, white, green, yellow and purple cauliflower, and exotic romanesco, or broccoflower.



The harvest was so bountiful, and the Indian summer so long lasting, Fair Weather Acres generously donated unharvested vegetables

to the Great Meadows Conservation Trust. Anderson Farms also donated unharvested beets, spinach and scallions. Rick Doran and Jim Woodworth picked bags of fresh vegetables in December for the Trust's booth set up at Comstock, Ferre for the Holidays on Main celebration in Old Wethersfield. The veggies brought in new members, and raised over \$100, including a basket of vegetables in the silent auction at the Webb Barn, and perhaps most important, provided a taste of fresh produce grown by two of our local farms on land "preserved in perpetuity" by the Great Meadows Conservation Trust.

CT Trails Day Weekend 2015

Little Kids' Walk leads families into the dark wildflower festooned woods and out along the freshly planted corn field.

The first weekend in June bloomed with beautiful weather that lasted nearly the whole summer, and GMCT's CT Trails Weekend Little Kids' Walk drew a wonderful group of enthusiastic young families.

Right: Student volunteer Mary Cugno from Hebron, second from left, and her friend, joined three volunteers from Silas Deane Middle School to lead the walkers along the path lined with June wildflowers into the woods.



Far right: Emerging from the woods, they filed along the edge of the corn field, seeded that morning by Anderson Farms, in soil that had been planted in corn, beans, and squash for centuries by Native American farmers.



Below right: A family poses next to the "Great Park Pursuit" poster, proof they had joined hike #205. Their smiles prove what fun they had!



Below: After the walk, families pause for a group photo in the parking area of the Wood Parcel before heading home.



Source to the Sea 2015 at the Wethersfield Cove

The Haul: 1.59 tons of trash including 17 tires plus a 1/4 ton of iron



Left: Alicea Charamut, CT River Watershed Council Lower River Steward, a key organizer of the Clean Up in Connecticut, checks out a huge water tank stranded on the river opposite the Cove. To plan for the future, Alicea brought DEEP Commissioner Klee to join the volunteers at the Cove to show him the tank and the derelict oil pipes that will require special equipment to remove. Commissioner Klee and his son helped to crew Boy Scout leader Dennis Walter's pontoon boat that retrieved a dozen or more tires and rusty iron car parts littered along the River.

Below Left: the last shipment adding up to an est. 500 pounds of scrap iron hauled in by Troop 54 of Wethersfield and Troop 8 of Hartford. Listed on EBay, the pile was gone by Monday!

Below: Troop 8 Scouts, moms and dads, sponsored by the Muhammed Islamic Center of Hartford, led by Rasheed Ali, right.



Below left: a posse of volunteers (MDC workers, UIL workers, WHS Enviro Club, and GMCT members.) from New-



ington, Windsor, Rocky Hill and Wethersfield filled Tim Lewis' pickup truck with bags of bottles, bottle caps, cans, tires, fragments of styrofoam, and plastic straws.



Left: Note the plastic frog prince lording over the pile of plastic in his kingdom on the north side of the Cove.

News Flash—Wethersfield Parks and Rec eliminates launch fees for canoes and kayaks!

Left below: the new permanent dock system designed to rise and fall with the river water or ice level, convenient for boaters and sunset views alike. **Below right:** An AMC canoe trip paddling the CT part of the CT River launched from the Cove, thanks to a dispensation from the \$7 and \$15 launch fees.



A vision of future paddles now that launch fees have been eliminated. CT Trails Day Paddle anyone? Let's unleash a flotilla of paddlers of all ages who care enough about water quality to pick up floating trash instead of tossing it overboard! Let's not wait until S2S in fall to clean up!

