

**Ball Pond Advisory Committee
Virtual SPECIAL Meeting October 12, 2021
Minutes**

MEMBERS IN ATTENDANCE:

Julian Laemmerhirt (Chair)
Mark Spellmann
George Buck
Elissa Johnson
Jim Mellett
Pete Viola
Monica Santos (Absent)

MEETING CALL TO ORDER:

Mr. Laemmerhirt called the meeting to order at 7:03 PM

APPROVAL OF MINUTES FROM SEPTEMBER 7, 2021:

MOTION

Mr. Spellmann made a motion to accept the Minutes of September 7, 2021.

Mr. Viola seconded the motion.

Vote: 6-0-0 (motion passed)

CORRESPONDENCE:

October 11, 2021 at 9:39 pm from committee member Mark Spellmann to fellow BPAC Committee Members:

Dear Fellow BPAC-ers,

Tim would like a recommendation from BPAC about whether we are in favor of maintaining the brook.

I have heard from many of our neighbors this month about this issue. The community is strongly in favor of maintaining the brook--cutting away the weeds and cattail that may impede flow. They are also very much supportive of the work the Land Trust has done in clearing Hahlawah and making it more accessible. Toward that end, I would like to propose the following motion, and welcome suggestions to improve it, so that we may make the best use of our time tomorrow.

BPAC recommends that the stream bed into Ball Creek be maintained to ensure outflow. We will request a bid from New England Aquatics for maintaining the weeds in the stream. Cat-tails should be cut to the water level. We also encourage the Landtrust and

the property owner on the north bank to keep weeds on their banks and around the grate trimmed so that the brook and grate can be easily monitored. We also express our appreciation to the Land Trust for making Hahlawah more accessible to the community.

I know not all of you agree with this perspective, but I believe this position reflects the widely held perspective of our Ball Pond community.

Thank you,
Mark

Response October 12, 2021 at 11:42 am from committee member Elissa Johnson:

Hi All,

My suggestions are as follows.

With all due respect, this proposal is based on political pressure and opinion rather than science and data. Many members of this committee have observed the flow of the stream, even in the aftermath of record-breaking rains, and announced it to be flowing adequately. This is backpedaling.

At our last meeting, I suggested we amend our contract with AER to assess the cattails and vegetation around the outlet and this motion was not carried. This could still be done. The stream is flowing.

The Senior Researcher and PhD Botanist at the Native Plant Trust confirmed the cattails to be native *Typha latifolia*. This is a species used for bioremediation of pollutants and excess nutrients and one that is essential habitat for several species. On the banks of the stream (riparian zone) are several important native species that protect the stream ecology and biodiversity of the larger area. The only ecologically sound management of this area would be to carefully, and methodically remove these invasives which include Purple Loosestrife, some Multiflora Rose, and a few first year Garlic Mustard. Yellow Iris may reappear and need to be removed as well.

Streams tend to adapt their flow as necessary and in response to watershed changes. Cutting the cattails to the water level will not improve or reduce the flow, and they will eventually grow back anyway - but only in shallow water. This cutting will, however, deprive wildlife of resources AND encourage colonization by more invasives. We really should avoid the use of the term "weeds" as it is misleading and inaccurate.

Stream flow can be measured and if any "management" of this stream is to be done to support this, it should be based on real data, not opinion.

Regarding Hahlawah, I would agree that many people have enjoyed greater access to this area thanks to the Land Trust. I have personally spent MANY hours identifying native plants and making a list of these for the Land Trust, as well as removing invasives and replacing them with

native plants, spending \$200 in the process. This pales in comparison to the efforts made by Gary Mummert. However, this is one of two remaining sizable wetlands adjacent to and critical to the health of Ball Pond. Among its many important functions, in addition to providing important habitat for many species, is to filter runoff before it enters Ball Pond. This important function is why we have inland wetland regulations. Gary and I discussed this many times. Unfortunately, these important ecological roles became secondary to recreational uses. Again, it is important that there be oversight of this wetland by those knowledgeable in the field. In particular, the area has been filled excessively with mulch and paths. The paths have become channels for runoff completely circumventing the important filtering function of the wetland. Yes, we are committed to keeping the grate clear for the carp, but that is easily done and this proposal goes beyond that.

So, I ask all of you to consider whether the proposal, as stated, is consistent with our unstated mission of protecting Ball Pond? It certainly doesn't appear to be consistent with the first 2 statements of the FBP mission which are:

- 1.Support Ball Pond ecology for future generations
- 2.Educate the community about sound Pond management

Thanks,

Elissa

PUBLIC COMMENT:

Mary Yulo, 11 Arrow Meadow Rd and Maureen Dangelo, 59 Ball Pond Rd East, shared that they continue to fundraise for Friends of Ball Pond. Last weekend they raised \$1130 selling Ball Pond merchandise. They are hopeful the money will be used to continue maintaining the Ball Pond.

Lisa Lisi, 50 Ball Pond Rd East, shared that she saw the evening's agenda and wanted to learn what the next steps for maintaining the outlet stream would be.

MAINTAINING THE OUTLET STREAM:

Mr. Spellmann said his draft was based on feedback from the Ball Pond community. Mr. Simkins, Director of Health and Environmental Enforcement Officer for Conservation-Inland/Wetlands, had wanted to receive feedback on how the Ball Pond Advisory Committee felt about maintaining the outlet stream. Should it be maintained or left alone?

Mr. Spellmann's draft is under **CORRESPONDANCE** above.

He said, in summary that his draft supported maintaining the stream, perhaps by a professional company, cutting of cattails to water level, having property owners clear weeds from the grate, and expressed support for the work done by the land trust at Hahlawah, making the property more accessible.

Ms. Lisi asked how cutting cattails to water level would affect the flow. She also said Mr. Quigley of Inland Wetlands requested she not cut down cattails.

Mr. Spellmann said Inland Wetlands ultimately needs to make the decision regarding the cutting of native and invasive plants around the pond and stream. Mr. Simpkins is requesting BPAC's official stand on the subject as it pertains to the stream. BPAC's job is to come to a majority vote.

Mr. Spellmann's concern is for when leaves fall and make their way to the brook. Right now the brook is flowing but he sees a risk. What happens when the leaves hit the cattails?

Mr. Mellett said the outflow is the main factor. The elevation of Ball Pond, with 9" of rain in one day has massive impact on the stream's flow. He understands Mark's point on the leaves clogging the brook. However, he also agrees with Elissa. Cattails are native and serve a purpose. He does not agree with cutting the cattails.

Mr. Buck said he has been helping to maintain the brook for 22 years with Gary Mummert. Other volunteers rake leaves out of the brook. The idea that leaves take care of themselves is untrue. It has always been through volunteers in the fall and spring. He said the only cattails of concern are those in front of the stream. With regards to the down flow, when you get 9" of rain there is going to be water problems. He believes it should remain as it has for the last 22 years. He does not think there should be arguments on how to maintain someone else's property. No one, included DEEP, wants to see the downflow impeded. He does not want to see the process change because of a few cattails.

Ms. Lisi added that she clears the grate immediately. She has also pulled significant stuff out of the pond with Mr. Simpkins and Mr. Quigley present.

Ms. Johnson wanted to make sure all committee members read her response to Mr. Spellmann's draft (it is under **CORRESPONDENCE** above). She said the key is adaptive management. There are regulations in place from Inland Wetlands that apply to all property owners. She said hydrophytes (plants that grow in or on water) adapt to their environment and serve a purpose. She said invasive plants can be removed, carefully. Native plants should not be removed.

Mr. Buck said in the 1990s there was a list from the state of plants of concern. He is unaware of a current list. He said plants need to be managed. Property owners need to go to Inland Wetlands for permits to remove plants around the pond and brook.

Mr. Spellmann is concerned that the cattails will multiply. He said BPAC needs to decide if they are in favor of maintaining, or having a professional company maintain. It seems like a lot of volunteers are willing to do it for the time being, which is great. Mr. Simpkins asked BPAC to weigh in. Mr. Spellmann believes he represents the Ball Pond community.

Ms. Johnson said it makes sense to remove invasives, carefully. If you remove native plants you are inviting in more invasives. She would support having AER do a vegetation analysis in the spring.

Mr. Buck added that frost is coming soon and there will be dead weeds blocking things. In the spring there should be an inventory of invasives. BPAC can remove those and leave the natives if they want to. Leaves, sticks and floating leaves are the biggest issue. They get loosened up and travel downstream to the grate. The grate needs to be cleaned.

Ms. Johnson asked Mr. Buck if he was concerned about dragon flies, mayflies and other larvae that feed on the native plants and provide food for fish and birds.

Mr. Buck said Ball Pond is 88 acres, then there is 5 miles of stream. He is not worried about something that is 50' long. Plus, dragon flies and mayflies, even mosquito larvae don't live in strong currents, nor do they want a sandy bottom. He sees no impact.

Ms. Johnson said there are significant issues facing Ball Pond. Cutting vegetation does not make sense.

Mr. Buck said there are two types of vegetation prominent around Ball Pond: native (cattails) and invasive (phragmites). Phragmites were maintained by Mr. Buck and Gary Mummert in the retention ponds by the boat launch. The town took over doing it a couple of years ago. Cattails, if they get in the way, remove them. Otherwise, leave them alone.

Mr. Spellmann made a motion:

Ball Pond Advisory Committee will continue to maintain the outflow brook, as they always have, and cut down those weeds that impede the flow of water, at the discretion of those maintaining it. Ball Pond Advisory Committee will also seek professional guidance in the future

The motion was seconded by Mr. Mellett

Vote: 5-1 (Ms. Johnson voted against the motion, Ms. Santos was absent)

ELECTIONS

Ms. Johnson asked when elections are held. She has been with the committee for 1.5 years and has not seen one. Mr. Spellmann said BPAC will have one for the new year.

Mr. Haemmerhirt said, effective immediately, he needed to step down as Chair due to time and personal constraints but will continue to serve on the committee. He said Mr. Spellmann, as Vice Chair, will serve as Chair until the election.

Mr. Spellmann said Ms. Santos expressed concern over attending meetings because of scheduling conflicts. He recommended Mary Yulo write a letter to the First Selectman requesting to join BPAC.

Everyone agreed Mary would make a good edition to the committee.

ADJOURNMENT

Mr. Spellmann made a motion to adjourn at 8:05 pm.

Mr. Mellett seconded the motion.

Vote: 6-0-0 (motion passed)

Respectfully submitted,

Lisa Arasim

Lisa Arasim
Secretary
Ball Pond Advisory Committee