

May 4, 2004

MEMBERS PRESENT: Mr. Bender, Mr. Byerly, Mr. Charles, Mr. Rimsky, Mrs. Roberts

ALTERNATES PRESENT: Mr. Fairbairn, Mr. Frank

ALTERNATE ABSENT: Mr. Buck

STAFF PRESENT: Mrs. Hill

ALSO PRESENT: Mrs. Talbot, Residents, Press

Mr. Bender called the meeting to order at 7:31 p.m. and seated Members Bender, Byerly, and Roberts and Alternates Fairbairn and Frank for Mr. Charles and Mr. Rimsky.

Consideration of the Minutes

The 4/6/04 Regular Meeting minutes were accepted as corrected. On page 2, line 28, "over rule" was changed to "be involved in."

MOTION: To accept the 4/6/04 Regular Meeting minutes as corrected. By Mr. Byerly, seconded by Mr. Fairbairn, and passed 5-0.

Mr. Charles arrived and was seated for Mr. Frank.

MOTION: To accept the 4/9/04 Special Meeting minutes as submitted. By Mr. Fairbairn, seconded by Mrs. Roberts, and passed 5-0.

MOTION: To add subsequent business not already posted on the agenda. By Mrs. Roberts, seconded by Mr. Charles, and passed 5-0.

Mr. Rimsky entered at this point and was seated.

Pending Applications

Taylor/38 New Preston Hill Road/2 Lot Resubdivision

Mr. Bender read the 5/4/04 review by the Land Use Coordinator. It was noted the Record Subdivision Map had not yet been completed. The Commissioners agreed to table further discussion until the final map is submitted.

MOTION: To table further discussion of Taylor/ 38 New Preston Hill Road.2 Lot Resubdivision until the June 1, 2004 meeting. By Mr. Fairbairn, seconded by Mr. Byerly, and passed 4-0-1. Mr. Charles abstained.

Beck/129 Calhoun Street/2 Lot Resubdivision

Mr. Bender read the 5/4/04 report from the Land Use Coordinator. It was the consensus to schedule a public hearing to consider this application on Tuesday, June 1, 2004 at 7:30 p.m.

Talbot/44 Bell Hill Road/2 Lot Subdivision

Mr. Bender read the 5/4/04 report from the Land Use Coordinator. It was the consensus the application was complete and that the two possible conditions mentioned in the above referenced memo should be included in the motion of approval.

MOTION: To approve the application submitted by Talbot Realty Trust for a 2 Lot Subdivision at 44 Bell Hill Road subject to the following conditions:

1. a note is to be placed on the mylar to be filed on the Town Land Records that both lots require engineered septic systems, and
2. a note is to be placed on the mylar that Lots #1 and #2 may be transferred only to one or more of the subdividers' relatives named in Section 5.8.4.A of the Subdivision Regulations for no consideration.

By Mrs. Roberts, seconded by Mr. Rimsky, and passed 5-0.

Other Business

Review of the Subdivision Regulations: Mr. Bender noted he had reviewed the Regulations for possible revisions that are needed. He circulated a sheet, "Checklist for Consideration of Possible Revisions of our Subdivision Regulations." Mr. Fairbairn said he was working on a detailed report, but responded briefly to Mr. Bender's list: 1) Section 5.8.1.A - Mr. Fairbairn said his research to date had shown that the Commission could not refuse to take wetlands as open space. 2) Section 5.8 - State statutes do not set a limit on the percentage of open space that may be required by the Commission, but do establish maximum fees that can be collected for fees in lieu of open space, which is 10% of the value of the property prior to subdivision. Section 5.8 - Regarding the question of whether the Commission should emphasize obtaining large parcels of open space or fees in lieu of rather than scattered smaller parcel throughout Town, Mr. Fairbairn agreed this issue should be discussed and thought the matter should be thoughtfully considered on a case by case basis depending on the potential open space to be acquired. A brief discussion followed. Mr. Charles was reluctant to emphasize fees in lieu of since these would be low because they would be based on the predevelopment value of the property. He also thought there was a value to having smaller parcels of open space throughout Town as they contribute to the character of an area and could be used to connect with other open space parcels in the future. Mr. Fairbairn suggested that accepting a fee in lieu of would help the Commission to avoid situations like the Taylor application where there was a request to waive the open space requirement. Mr. Rimsky agreed with Mr. Charles that smaller parcels have a cumulative effect of softening the landscape, but noted how difficult they were to police. Mr. Bender said the Open Space Steering Committee's report advised that smaller parcels should be avoided, but Mr. Rimsky said there was beginning to be a general opinion that a patchwork of smaller parcels throughout Town would be valuable. When Mr. Fairbairn completes his report, these and other possible revisions to the Regulations will be discussed in greater detail.

Depot Business District Study: The following Special Meetings were scheduled: 1) Thursday, May 20, 2004 at 4:00 p.m. with Mark Westa of UConn and 2) Tuesday, May 25, 2004 at 4:00 p.m. with Alan Plattus of the Yale School of Urban Design. Prior to each meeting, Mr. Charles will tour the Depot with each planner. The purpose of the meetings will be to provide the Commissioners the opportunity to discuss broad ideas on how to proceed with the study, to consider the possible benefits of conducting a charrette, to educate itself on how to write the proper proposal for bids, etc. Mr. Rimsky also suggested the Commission contact Mr. Dodson who comes highly recommended due to his ability to visualize how a Town can best utilize its space. It was noted Mr. Charles had offered to pay each planner's expenses, up to \$200, and this would be taken out of the consulting budget. Mr. Bender thanked Mr. Charles for his research and efforts to schedule each planner. Mr. Fairbairn asked what the Board of Finance had appropriated for the Depot Study. Mr. Bender noted the Commission had requested \$100,000, but the Board of Finance had cut it to \$35,000. He said the Commission might have to go back to the Board for more money once the bids are received.

MOTION: To adjourn the meeting. By Mr. Rimsky.

Mr. Bender adjourned the meeting at 8:16 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Janet M. Hill

Land Use Coordinator