

February 6, 2007

MEMBERS PRESENT: Mr. Frank, Ms. Gager, Mr. Rimsky, Mrs. Roberts

MEMBER ABSENT: Mr. Charles

ALTERNATES PRESENT: Mrs. Braverman, Mr. Carey, Mr. Fowlkes

STAFF PRESENT: Mrs. Hill

ALSO PRESENT: Mrs. Sherman, Mrs. Waterhouse, Mr. Neff, Press

PUBLIC HEARING

Application for Scenic Road Designation for Couch Road

Mrs. Roberts called the public hearing to order at 7:35 p.m. and seated Members Frank, Gager, Rimsky, and Roberts and Alternate Fowlkes for Mr. Charles. She read the legal notice, which was published in **Voices** on 1/24/07 and 1/31/07. She then read the list of the documents in the file and Mrs. Hill's 1/9/07 review of the application. Mrs. Sherman submitted the proof of certified mailings and green certified mailing receipt cards. Mrs. Roberts noted the Commission had conducted a site inspection.

The Assessor's Map was reviewed.

Mrs. Sherman, applicant, read her 2/6/07 letter to the Commission, noting the unique rural appearance of Couch Road and its bucolic and special qualities.

Mrs. Roberts warned that designation as a scenic road would not control what could be done to trees, stone walls, etc. on the private properties along Couch Road. She urged the property owners to come to an agreement regarding preservation efforts if this was their main concern. She also noted the Town road crew could do all necessary work to maintain and repair the road under the Ordinance.

There were no public comments.

Mrs. Roberts closed the public hearing at 7:45 p.m.

This public hearing was recorded on tape. The tape is on file in the Land Use Office, Bryan Memorial Town Hall, Washington Depot, Ct.

REGULAR MEETING

Mrs. Roberts called the meeting to order at 7:46 p.m. and seated Members Frank, Gager, Rimsky, and Roberts and Alternate Fowlkes for Mr. Charles.

Consideration of the Minutes

MOTION: To accept the 1/2/07 Regular Meeting minutes as written. By Mr. Frank, seconded by Ms. Gager, and passed 5-0.

Later in the meeting it was noted the date, January 22, 2007 was missing from the 5th line on page 3.

MOTION: To include subsequent business not already listed on the agenda. By Mr. Frank, seconded by

Ms. Gager, and passed 5-0.

Mrs. Hill noted the additional item was a referral from the Zoning Commission regarding proposed revisions to the Zoning Regulations governing eating and drinking establishments.

Pending Application

Application for Scenic Road Designation for Couch Road

Mr. Frank thought Couch Road should be designated a scenic road for all of the reasons given by the applicant and the other commissioners agreed. Mrs. Roberts noted there would be no scenic road sign posted.

MOTION: To designate Couch Road as a scenic road. By Ms. Gager, seconded by Mr. Rimsky, and passed 5-0.

New Application

Young Elliot's Farm, LLC./110 Calhoun Street/2 Lot Subdivision

Mr. Neff, engineer, presented the following maps; "Property/ Boundary Survey," by Mr. Alex, revised to 2/5/07 and the "Proposed Site Development Plan, by Mr. Neff, revised to 1/22/07. He briefly described the proposal to subdivide the 39.22 acre property into two lots of 14.39 acres with the existing house and barn and 24.83 acres with a proposed house site at its northern end. A lengthy driveway, which would cross the wetlands at the narrowest point, would be required to reach the proposed house site, but building the house at the rear of the property would mean that the streetscape would be basically unchanged. He pointed out the 2.48 acre parcel that had previously been donated to Steep Rock and the location of the proposed conservation easement, which ran along the wetland corridor and along a short portion of Calhoun Street. The proposed easement area was approximately 11 acres. Mr. Carey asked what percentage of the proposed easement was wetlands and Mr. Neff responded approximately half. Mr. Neff noted the Inland Wetlands Commission had approved the application and the Health Department and Board of Selectmen had applications pending. Mr. Frank asked if the new dwelling would be visible from the Bee Brook condos. Mr. Neff noted there were woods and Steep Rock property between the two, so he did not think it would be. Mr. Rimsky asked why the northwest corner of proposed Parcel A hadn't been included in the easement area to preserve the roadscape. Mr. Neff noted there was no development proposed in this area at this time. Mr. Carey noted the current plan would not prevent the future resubdivision of this portion of Parcel A and/or the southern portion of Parcel C. Mr. Neff said these would be possible given the density calculations. Mrs. Braverman arrived at this point. Mr. Rimsky reiterated his concern about the preservation of the streetscape, noting that the wetlands included in the proposed easement were already protected. He also noted that while the property is located in the Historic District, the Historic District Commission would not be able to prevent the conversion of the fields to lawn. Mr. Neff noted there would be the possibility of additional easements for tax advantages in the future, but said this was not part of the current application. He did not think the property owners would be willing to protect the entire streetscape, adding that the historic hay field would be preserved. Mr. Rimsky asked if the barns would be preserved and whether there would be detached "dwellings" at the perc test locations. Mr. Neff stated the house and barns would be renovated and the perc tests had been done as part of the subdivision planning process and not all would be utilized. A site inspection was scheduled for Saturday, February 24, 2007 at noon. Mr. Neff noted the commissioners could also walk the property on their own.

Other Business

Revision of the Zoning Regulations/Outdoor Residential Lighting Regulations: Mrs. Roberts noted the Planning Commission had long urged the Zoning Commission to regulate outdoor lighting. It was noted this had been a recommendation in the 2003 Plan of Conservation and Development. The commissioners had a brief discussion regarding the "outrageous" lighting throughout Town including lighting directed upward, lighting that blocks out the stars, lighting of trees, and "obnoxious" orange farm lighting. While they thought some of the proposed revisions were vague, they wholeheartedly supported the concept of regulating outdoor residential lighting. Mrs. Roberts was directed to write a letter of support to the Zoning Commission.

Revision of the Subdivision Regulations: Mrs. Hill had suggested two minor revisions to the Regulations; the first to Section 3.4.3.A to require the applicant, not the Town, to post a sign on the property which is the topic of a public hearing and to Section 6.5.1 to clarify how the length of a cul de sac is to be measured. Regarding Section 3.4.3.A she stated the signs were expensive and the Land Use Office did not have the time to oversee them. She noted the proposed language required these signs to be approved by the Land Use Coordinator before they are posted. She read the other sign requirements in Section 3.4.3. Mr. Frank noted corresponding revisions would also have to be made in the chart on page 10. There was general agreement that clarification of Section 6.5.1 was needed, but there was no agreement regarding whether 1000 feet should remain the maximum length of a cul de sac. When asked what the reasoning was for the 1000 ft. maximum length, Mrs. Hill said she did not know, but it had been in effect for more than 20 years and perhaps it had something to do with access by fire department equipment. Mrs. Braverman thought it might take into account power lines, school bus access, etc. Mr. Rimsky questioned whether the 1000 ft. limit might prevent subdivisions on dead end roads. Mrs. Hill noted perhaps this would affect the total number of lots in a subdivision, but said a property could still be subdivided without the construction of a road. Mr. Frank noted the Commission had previously intended to do a more thorough update of the Regulations and recommended a study to find out what other revisions are needed. Mrs. Hill will contact Mr. McGuinness of the NW Ct. COG to find out if he will be able to review the Regs and recommend appropriate revisions.

Referral from the Zoning Commission/Revision of the Zoning Regulations/Prohibition of Outdoor Wood and Other Fuel Fired Furnaces: Mrs. Hill explained the proposed ban was based on the nuisance these furnaces cause neighboring properties and said it would not regulate indoor wood furnaces. After a brief discussion, it was the consensus of the Commission that it had no objection to the proposed language.

Referral from the Zoning Commission/Revision of the Zoning Regulations/Proposed New Section 13.20 re: Eating and Drinking Establishments: Mrs. Hill circulated copies of the proposed language so that it could be studied and discussed at the next meeting.

2007-2008 Budget: After a brief discussion it was decided to propose the same budget as had been approved for 2006-2007. It was noted it was not necessary to propose funding for implementation of Phase I of the Depot study because 1) this would be undertaken by other boards and commissions and 2) this would most likely be funded by grants. Also, the Commission agreed that Phase I should be implemented before seeking additional funding to work on Phase II issues. However, it was agreed to attach a note to this year's budget proposal to remind the Board of Finance and the Board of Selectmen that the Planning Commission would request funding for Phase II at a future date.

Communications

The 1/22/07 letter from Mr. Mustich to the Zoning Commission about the Lake Waramaug boat launch was circulated to Planning at Mr. Mustich's request. Mr. Carey thought the public concern about the project was due to its fear about the expense to the Town and what future tax rates would be. Mr. Rimsky

supported the constructive criticism voiced by Mr. Kozak at Zoning's public hearing over what he felt was the more negative approach taken by Mr. Mustich. Mr. Frank thought the public was more critical of the process than it was of the proposal. Mr. Rimsky noted the Commission had determined the proposal complied with the 2003 Plan of Conservation and Development. Mrs. Roberts compared the negative views about the boat launch to the negative input first received about Phase I of the Depot study. She thought much of the contentiousness in both instances was not fact based and that as frustrating as the process might be, in time people would be more supportive.

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

Mrs. Roberts adjourned the meeting at 9:02 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Janet M. Hill

Land Use Coordinator