

September 4, 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: Mr. Szymanski, Mr. Mack, Mr. Sears, Mr. Papsin, Mr. Hileman, Mrs. Suddaby, Press, Residents

PUBLIC HEARINGS

Brown-Carroll/41 Buffum Road/2 Lot Resubdivision

Mrs. Roberts called the public hearing to order at 7:34 p.m. and seated Members Frank, Gager, Rimsky, and Roberts and Alternate Carey for Mr. Charles.

Mr. Szymanski, engineer, said that since the last meeting he had received confirmation from the Conservation Commission that the proposed open space, the entire roadside corridor, was acceptable. He submitted a sheet with the breakdown of the amount of each soil type in the proposed open space and the calculations to show how it was determined that 2.76 acres of open space was required.

Mrs. Hill explained that the current application was identical to the application approved in May 2007 except for the proposed open space, which was now required because the proposed lot would be sold rather than given to a close relative for no compensation.

Mr. Frank noted that the Conservation Commission had comments about the proposed conservation easement language. Mrs. Payne had recommended the right to use herbicides in the open space be retained because sometimes that is the only way to eradicate invasives. Atty. Miles had cautioned that if the open space was wooded, the easement included language, which would give the grantor the right to clear the land for agricultural purposes. Mr. Szymanski noted the Conservation Commission had been concerned about the preservation of a mature stand of trees and so said he would work on appropriate revised language with Atty. Miles. Mrs. Roberts recommended that a condition of approval be that the proposed language be sent to Atty. Miles for his final review and approval. Mr. Szymanski said there was no intent to clear the forest; that the future owner wanted the right to cut diseased and hazardous trees only.

The map, "Two Lot Resubdivision Map," by Mr. Natale, dated 7/10/2007 was reviewed. Mr. Szymanski explained that Parcel "A", which had been shown on the map studied at the last meeting, had now been incorporated into the parcel. Mrs. Hill stated this addressed the concern she had raised in her 9/4/07 review.

There were no questions or comments from the public.

MOTION: To close the Public Hearing to consider the application submitted by Brown-Carroll for a 2 lot resubdivision at 41 Buffum Road. By Mr. Rimsky, seconded by Ms. Gager, and passed 5-0.

Mrs. Roberts closed the public hearing at 7:40 p.m.

Abella/44 Scofield Hill Road/3 Lot Resubdivision/Con't.

Mrs. Roberts reconvened the public hearing at 7:41 p.m. and seated Members Frank, Gager, Rimsky, and Roberts and Alternate Carey for Mr. Charles.

The map, "Record Subdivision Map," by Mr. Natale, revised to 8/9/07 was reviewed.

Mr. Szymanski, engineer, reviewed Mrs. Hill's 9/4/07 report point by point. 1) He noted the Abellas had already planted white pines on the west side of the driveway and asked if the Commission would require landscaping or buffering. Mr. Rimsky did not think additional buffering would be required for the proposed interior lots. 2) Mrs. Roberts asked if Mr. Szymanski had checked with the Fire Dept. to see if it recommended any fire protection measures. Mr. Szymanski responded that similar to other small subdivisions, the cost would be prohibitive. Mrs. Hill noted that the Inland Wetlands Commission had recently approved a dry hydrant at the corner of Popple Swamp and Scofield Hill Roads. 3) Mr. Szymanski pointed out the entire 50 ft. right of way to the interior lots. Mr. Carey asked if it would be possible to continue the driveway to access future additional lots. Mr. Szymanski said this would not be possible because only two interior lots may be served by one driveway. 4) Mr. Szymanski noted the applicant was requesting a waiver of the requirement that the state plane coordinates be shown on the subdivision map. 5) He asked if the proposed open space was acceptable to the Planning Commission, noting a buffer had been added along the entire north and west boundary and along part of the east boundary of Lot #3. He said these would be recharge areas for runoff in addition to the infiltration system each house would have for roof runoff. 5) Mr. Carey asked if another intermittent watercourse had been found on the adjacent Kimball property. Mr. Szymanski said a second site inspection had found that there were no wetlands within 100 feet of the boundary line; the original mapping had been correct. 6) Mr. Szymanski said there would be a cleared area to the south of each of the proposed houses for passive solar energy, although he thought the land disturbance should be minimized. He also said it would be possible to loop the driveways to serve the houses from the north so that there could be more windows on the south sides of the buildings. 7) It was noted that the Selectmen's Office had not yet approved the proposed curb cut, but that Mr. Cannavaro would soon review the application. 8) Mr. Szymanski said he had incorporated comments from the Inland Wetlands Commission into the conservation easement and driveway maintenance agreement language, but had not yet received comments from Atty. Miles.

There were no questions or comments from the public.

Mr. Szymanski submitted a letter dated 9/4/07 requesting an extension of the public hearing to the October meeting. At 8:54 p.m. Mrs. Roberts continued the public hearing to Tuesday, October 2, 2007 at 7:30 p.m. in the Land Use Meeting Room, Bryan Memorial Town Hall.

These hearings were 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 Regular Meeting to order at 8:54 p.m. and seated Members Frank, Gager, Rimsky, and Roberts and Alternate Carey for Mr. Charles.

Consideration of the Minutes

MOTION: To accept the 8/7/07 Public Hearing - Regular Meeting minutes as written. By Mr. Frank, seconded by Mr. Rimsky, and passed 5-0.

MOTION: To include subsequent business not already posted on the agenda. By Ms. Gager, seconded by

Mr. Frank, and passed 5-0.

Pending Applications

Abella/44 Scofield Hill Road/3 Lot Resubdivision: The public hearing was continued to October 2, 2007 at 7:30 p.m. in the Land Use Meeting Room. There were no further comments at this time.

Brown-Carroll/41 Buffum Road/2 Lot Resubdivision

MOTION: To approve the application submitted by Brown- Carroll for a 2 lot resubdivision at 41 Buffum Road with the following conditions: 1. that Atty. Miles reviews the final draft of the conservation easement and determines it is acceptable and 2. that Mrs. Payne's recommendations regarding retaining the right to use herbicides to remove invasives in the open space be incorporated in the conservation easement language. By Ms. Gager, seconded by Mr. Rimsky, and passed 5-0.

Other Business

Referral from Board of Selectmen/Discontinuance of Old River Road

Mr. Sears first reviewed the Town's process for approving the discontinuance of Town roads. He noted that the Highway Discontinuance Committee had recommended the discontinuance of the portion of Old River Road from its intersection with Cook Street and River Road to where it rejoins River Road at Lot 14 on Assessor's Map #9-4 and that the Board of Selectmen had contacted adjoining property owners. He read his memo to the Commission dated 9/4/07. Mr. Sears stated the property owners now using that portion of the road for their driveway support the proposal and he detailed the repairs that the Town would do before discontinuing the road. Mrs. Roberts and Mr. Rimsky urged the Town to retain the right to use the road for passive recreation; both for safety reasons as walking that section of River Road can be hazardous and because it would be a good precedent. Mr. Sears noted the Town's liability would continue for the uses it retains as of right. Mr. Sears asked the Commission to review the map and file and to discuss the discontinuance at its next meeting. Mrs. Roberts asked the commissioners to inspect the road on their own and said it would be decided at the next meeting whether a subcommittee to study the issue would be needed.

Communications

2007 Report from League of Conservation Voters: Mrs. Hill copied a section of the report for each commissioner at the request of Mr. Carey who thought the Commission should keep up to date with new state legislation. Of concern was HB 7040, which changed the permitting process so that it is no longer required to submit to Inland Wetlands before submitting to the other land use commissions. Mrs. Hill did not think this would have too much of an impact as Planning and Zoning Commissions are still required to wait for the final report of the Inland Wetlands Commission before acting on zoning and subdivision applications.

Water Diversion Application/Lake Waramaug Country Club: The state DEP sent the Commission a copy of the Country Club's application for the renewal of its water diversion permit to pump water from Lake Waramaug for maintenance of the golf course. Mr. Frank will review the application.

Revision of the Subdivision Regulations: Ms. Gager reported that she had met with Mrs. Payne, Conservation Commission, to receive her recommendations. She will soon refer her report to Mr. McGuinness of the NWCTCOG for review.

2007 Vermont ASLA Awards: Mrs. Roberts announced that Mr. Donovan had received this award for

his work on the Depot Study and that she would attend the awards ceremony on 9/7/07 in Vermont.

2006 Senior Housing Report from the Housing Commission: Mr. Hileman, chairman of the Housing Commission, gave an executive summary of the report. He noted the Commission had been hoping to get a broad view of Town opinion, but said that 82% of the respondents to the survey were over age 50. The three major findings were: 1) There is strong support for more senior housing options in Town; for rental units, owned units, and congregate housing, with the strongest support for rental and congregate options. 2) There is significant support for affordable units in any senior housing project. 3) There is a demand for more senior housing options in the near future. The two conclusions of the Housing Commission were: 1) No direct public funding is necessary for senior housing initiatives in Washington. 2) The Town needs to reexamine the Plan of Conservation and Development and its land use regulations with the goal of allowing senior housing. Mr. Hileman noted the only way to develop senior housing in Town now is under the Affordable Housing Appeals Act and he urged the land use commissions to be more pro active and to create a plan to allow senior housing in the village centers. He asked the commissioners to read the full report. Mrs. Roberts noted that the Plan of Conservation and Development and the Depot Study recommend concentrating housing in the village centers. Ms. Gager pointed out, however, that issues such as water supply, septic systems, sidewalks, parking, and traffic must be studied in depth when considering senior housing. Mr. Rimsky advised Mr. Hileman that a public-private partnership might be necessary to bring about a senior housing initiative. He pointed out that the Planning Commission was aware that the village centers need people to be viable, young families as well as seniors. He pointed out that the Depot had 30% more people living in it prior to the 1955 flood than it does now. Mr. Rimsky suggested there should be tax breaks for affordable housing lots as there are for open space. Mrs. Roberts advised the Housing Commission to go to the state legislature to let it know this is needed. Mr. Hileman said this had been attempted in the last legislative session, but had failed. Mrs. Braverman asked if senior housing could be limited to Washington residents. Mr. Hileman said there was no way to restrict it if it was market rate housing and state or federal funding was used. Mr. Rimsky noted the community wants its long term residents to benefit from senior housing and not to allow new housing at the expense of those people with an investment in the community. He asked how this could be accomplished without being discriminatory. Mr. Hileman was not sure, but pointed out that currently 75% of the affordable housing in Washington is occupied by Washington people. Mr. Frank advised Mr. Hileman that not only is housing in the village centers consistent with the 2003 Plan, but it is a concept already included in it. Mr. Hileman asked Planning to implement the Plan. Mrs. Roberts responded that the Planning Commission drafts the plan, but is not responsible for its implementation. She urged the Housing Commission to continue to educate and persuade the public to bring about townwide support for revisions to the Zoning Regulations. Mr. Frank thought the Housing Report was an excellent way to get the public dialogue started.

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

Mrs. Roberts adjourned the meeting at 9:12 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

By Janet M. Hill, Land Use Coordinator