

December 4, 2007

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

MEMBER ABSENT: Mr. Charles

ALTERNATES PRESENT: Mrs. Braverman, Mr. Carey

ALTERNATE ABSENT: Mr. Fowlkes

STAFF PRESENT: Mrs. Hill

ALSO PRESENT: Atty. Fisher, Mr. and Mrs. Klein, Mr. Neff, Mr. Cannizzaro, Mr. Owen, Press

REGULAR MEETING

Mrs. Roberts called the Meeting to order at 7:45 p.m. Mr. Frank announced that Mrs. Roberts had been named Washington's Volunteer of the Year. Seated were Members Frank, Gager, Rimsky, and Roberts and Alternate Carey for Mr. Charles.

Consideration of the Minutes

The November 7, 2007 Minutes were accepted as corrected. On page 4, line 17: delete: "of," and on page 5, under Fences and Walls: insert a hyphen between semi and open.

MOTION: To accept the 11/7/07 Regular Meeting minutes as corrected. By Mr. Frank, seconded by Mr. Carey, and passed 5-0.

MOTION: To add subsequent business not already posted on the agenda. By Ms. Gager, seconded by Mr. Rimsky, and passed 5-0.

Pending Applications

Klein-Cannizzaro/285 West Shore Road/2 Lot Subdivision: Mrs. Roberts read Mrs. Hill's 12/4/07 review, which listed many incomplete items. She asked if the density calculations were correct and Mrs. Hill responded that she had no way of knowing this. It was noted that Mr. Neff, engineer, was not present and would be able to facilitate the discussion upon his arrival.

MOTION: To table further discussion of the Klein- Cannizzaro subdivision application until later in the meeting when Mr. Neff arrives. By Mr. Frank, seconded by Mr. Rimsky, and passed 5-0.

New Application

Bowles/52 Carmel Hill Road/2 Lot Subdivision: Atty. Fisher noted he had received Mrs. Hill's 12/4/08 review of the items missing in the application. He submitted the application fee, a request for a waiver of the 2 ft. contour line map requirement, and the 6/21/07 letter of authorization from Mr. Bowles. The map, "Proposed Site Development Plan," by Mr. Neff, dated 11/1/07 was reviewed. Atty. Fisher noted the proposed boundary line followed the existing stonewall and that the property was fairly level. Mrs. Hill pointed out the locations where monuments were required. She also advised the commissioners that the open space acreage had been computed incorrectly and so a larger area than that shown on the map would be required. Mrs. Gager asked if there was any connecting open space on adjoining properties.

Mrs. Hill said there was open space on the Davenport property, but she did not know if it was adjacent to the Bowles property. Mrs. Roberts noted that the Commission often prefers open space along the road to preserve the rural character of the streetscape. A site inspection was scheduled for Sat., December 15, 2007 at 10:00 a.m.

Other Business

Application for Scenic Road Designation for Whittlesey Road: Mrs. Roberts read the 11/14/07 application letter from Ms. Feldman and the list of incomplete documentation by Mrs. Hill. It was noted the application was for the entire length of the road. Mr. Rimsky mentioned that this was one of the roads listed as scenic in the Natural Resources Inventory Report. A site inspection was scheduled for Saturday, December 15, 2007 immediately following the Bowles site inspection.

Revision of the Regulations: Ms. Gager said she had received comments from Mrs. Hill and would add them to her list for review at the January meeting.

Implementation of the 2003 Plan of Development and Depot Study: Mrs. Roberts noted that a letter had been sent to all Land Use boards and commissions and to the Board of Selectmen asking for a status report and information about whether they had encountered any problems or could use the Planning Commission's help. She said that few responses had been received. She read the letter from Mr. Chute of the HDC, notes from Mr. Picton, chairman of the IWC, and the brief paragraph in the 11/14/07 IWC minutes, and noted she had had a conversation with and an email from Mr. Owen, chairman of the Zoning Commission. She said she would submit the email for the file. Since there had been no response from the Selectmen's Office, Mrs. Hill was asked to submit the letter a second time. Mr. Owen suggested that the Planning and Zoning Commissions hold a Special Meeting on Monday, January 2, 2008 at 8:30 p.m. in the Land Use Meeting Room to discuss relevant issues. It was the consensus that a joint meeting would be productive. Mr. Owen will work on an agenda. Although Mr. Owen stated that the Zoning Commission was not bound by law to implement the Plan of Conservation and Development, the commissioners noted that the recent adoption of regulations governing outdoor residential lighting and for providing flexible development options in the Depot and the New Preston Business Districts were in keeping with the Depot Study and Plan. Mr. Owen said he had attended the last WCHT meeting and noted that the Town groups concerned about housing did not appear to have the same priorities. The Planning Commission was recommending housing in the village centers, the Housing Commission was working on senior housing, and the WCHT did not view either of these as a priority at this point. He said it was important for all of the groups involved to keep the lines of communication open. Mr. Owen thought the issue of housing involved much more than just the Zoning Regulations. Housing needs in Washington, the possibility for housing on Town properties, the need for educating residents about housing issues, the question of whether more senior housing is needed at this time, how population relates to rural character, how housing units should be allocated, and the connection between housing and sprawl were among the topics briefly discussed. Mr. Owen noted that housing and development pressures can significantly impact a town's character. He noted that New Milford did not set out to become the New Milford we know today, but that it got that way inadvertently by following its regulations. He said that Route 7 reflects New Milford's regulations and pointed out that many of Washington's current regs are similar to New Milford's. In the case of the new Depot and New Preston Business District regulations, which allow flexibility and attempt to keep sprawl in check, he noted that a Depot property owner had found it would be too expensive to develop his site in this way. He continued, then, that just because we make it possible to develop in a way that is more in keeping with Washington's character, doesn't guarantee that it will happen.

Procedures for Conservation Easements: Mr. Boling and Mrs. Payne from the Conservation Commission will work with Mr. Frank and Ms. Gager to draft a standard conservation easement form.

100 Year Flood Plain: Mr. Carey will correct his letter to the Board of Selectmen requesting accurate mapping of the flood plain in the Depot, and once this is completed, Mrs. Hill will forward it to the Selectmen. The area of greatest concern extends from the Rt. 47/Rt. 109 intersection on Bee Brook Road to just south of the Primary School property.

Pending Application

Klein-Cannizzaro/285 West Shore Road/2 Lot Subdivision: The list of incomplete documentation was briefly reviewed. It included DOT approval of the feasibility of the driveway cut on the state road, Inland Wetlands approval, and Health Dept. approval. Mrs. Klein asked if the Commission had any flexibility in addressing this long list. Mr. Carey explained that the Commission must follow its Regulations and would not want to set a precedent in acting on an incomplete application. Mr. Neff, engineer, arrived at this point. He assured the Commission that he and Mr. Alex would address the information missing on the survey map and site development plan. The map, "Proposed Site Development Plan," by Mr. Neff, dated 11/12/07 was reviewed. It was noted the property has frontage on West Shore, Tinker Hill, and Ash Swamp Roads and a right of way to Gunn Hill Road. Mr. Neff said that he would request a waiver of the 2 ft. contours for the entire site, would add a monument to the site plan, and that the house site was correctly oriented on the site plan for the implementation of passive solar techniques. Mr. Frank recommended that a public hearing be conducted to consider the application because this is a significant property on Lake Waramaug and there is considerable public interest in its potential development. Ms. Gager agreed. Mrs. Hill did not think there was a reason to hold a public hearing on every subdivision, especially this one with oversized lots proposed and no open space requirement. Mr. Cannizzaro and the Kleins objected to a public hearing because they said they have no plans to develop the proposed lot, a hearing might make neighbors suspect "there is more going on than there is," and a hearing would delay action on the application. Mr. Carey noted that this was an environmentally precious piece of property and a public hearing would give residents the opportunity to see that a family division of the parcel is proposed and that it meets all of the regulations. He also noted the scheduling of a hearing would require neighbors to be notified by certified mail, which he thought was a good idea. Mr. Rimsky also thought the property was a significant piece and that a hearing would give the owners the opportunity to tell neighbors that they have no immediate plans to develop it. Mrs. Roberts explained to the applicants that while the Commission takes comments from the public, it acts only on what has been applied for and acts according to its Regulations. A site inspection was scheduled for Thursday, December 13, 2008 at 2:00 p.m. and a public hearing was scheduled for Wednesday, January 2, 2008 at 7:30 p.m.

Other Business

Mr. Rimsky noted that Mr. Owen had observed differences in the priorities of the Housing Commission and WCHT and suggested that the Planning Commission begin dialogues with these groups as well as the Zoning Commission. He thought it would be helpful to correct any misinformation the public has so that implementation of the Plan and the Depot Study doesn't get stuck. He also thought that Planning would benefit by keeping up with the issues raised by the public. Mrs. Roberts thought the Board of Selectmen should call for and moderate such a meeting. She also said she thought it was a good idea for the Planning and Zoning Commissions to work cooperatively.

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

Mrs. Roberts adjourned the meeting at 9:40 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Janet M. Hill

Land Use Coordinator