

December 2, 2003

MEMBERS PRESENT: Mrs. Averill, Mr. Bender, Mr. Byerly, Mr. Charles

MEMBER ABSENT: Mr. Buck

ALTERNATES PRESENT: Mr. Rimsky, Mrs. Roberts

ALTERNATE ABSENT: Mr. Sabin

STAFF PRESENT: Mrs. Hill, Mr. Sears, Mr. Wood

ALSO PRESENT: Mrs. Luckey, Mr. Trevenen, Mr. Shayne, Mr. Sunshine, Mr. Williams, Mr. Gitterman, Mr. Neff, Mrs. Taylor, Mrs. Payne, Mr. and Mrs. Krajnak, Mr. Papsin, Ms. Stevens, Residents, Press

PUBLIC HEARING

Application for Designation of Turner Road as a Scenic Road

Mr. Bender called the public hearing to order at 7:30 p.m. and seated Members Averill, Bender, and Byerly and Alternates Roberts and Rimsky for Mr. Buck and Mr. Charles. Mr. Bender read the legal notice published in **Voices** on 11/19 and 11/26/03. He explained the purpose of the hearing was to consider the designation of the entire length of Turner Road as a scenic road. He read the list of documents in the file.

Mr. Bender asked the Commissioners if they had any questions or comments. There were none.

Mr. Bender stated that having reviewed Washington's Scenic Road Ordinance and the state statutes and knowing that a nominated road has to meet only one of several possible criteria, he thought Turner Road was an excellent candidate to be named a scenic road as it met several of the criteria. The Commissioners agreed.

Mr. Charles entered at this point and was seated for Mr. Rimsky.

Mrs. Luckey thought Turner Road was a good choice to be designated a scenic road as it met so many of the qualifications listed in the Ordinance.

There were no other questions or comments from the public.

Mr. Bender closed the public hearing at 7:36 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

Regular Business

Mr. Bender called the meeting to order at 7:37 p.m. and seated Members Averill, Bender, Byerly, and Charles and Alternate Roberts for Mr. Buck.

Consideration of the Minutes

MOTION: To accept the 11/5/03 Regular Meeting minutes as presented. By Mr. Byerly, seconded by Mrs. Averill, and passed 5-0.

MOTION: To accept the 11/8/03 Special Meeting minutes as presented. By Mrs. Roberts, seconded by Mr. Byerly, and passed 5-0.

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

Pending Application

Application for Designation of Turner Road as a Scenic Road

MOTION: To designate the entire length of Turner Road a scenic road under the Town ordinance and state statutes. By Mrs. Roberts, seconded by Mrs. Averill, and passed 5-0.

Other Business

Taylor/38 New Preston Hill Road/2 Lot Subdivision/Preliminary Discussion

Mr. Neff, engineer, represented the property owner and presented the map, "Property/Boundary Survey," by Mr. Alex, dated October 2003. It showed the existing 17.8 acre parcel divided into two lots consisting of 7.6 and 10.2 acres.

The potential problems/questions/concerns raised were:

- 1) Mr. Bender asked that alphabetical designation of the proposed corners of the lots be indicated on the subdivision map.
- 2) It was noted one of the lots would have accessory buildings, but no primary structure, which is not permitted under Section 12.5.1 of the Zoning Regulations. Mr. Neff offered to have the buildings taken down or suggested the Commission could make that a condition of approval. Mrs. Hill noted one of the Town's goals is to preserve rural character and thought the owner could try to obtain a variance. It was not known whether a variance could be granted for a lot that did not yet exist.
- 3) Mr. Bender asked that the amounts of each soil type and calculations be submitted to prove the proposed open space is at least the minimum required.
- 4) Mr. Rimsky noted the Commission has in the past used the open space requirement to keep the streetscape looking rural. In this case 4.1 acres of open space were proposed along the full length of the eastern boundary. Mr. Charles said he would have to inspect the property before giving an opinion on the appropriateness of the proposed open space. Mr. Bender asked the Commissioners to drive by the site before the January meeting.
- 5) Mr. Neff noted the 1" = 40' scale required for the maps would mean the subdivision map would require two pages. Most of the Commissioners preferred a 1" = 50' scale on one sheet to facilitate review of the plans, and Mr. Bender advised Mr. Neff he could apply in writing to the Commission for a waiver of the 1" = 40' scale requirement. Mr. Charles favored using the 1" = 40' scale.

Plan of Conservation and Development

Mr. Wood, consultant, was present.

Mr. Bender noted the bound draft dated December 2003 with the following corrected pages: 1-6, 2-4, 3-5, 3-6, 3-10, 3-13, 3-17, 3-20, 6-4, 6-6, 7-5, 7-9, and 7-10, together made up the complete draft, which

would be considered by the Commission tonight.

Final corrections were discussed.

1) p. 3-6 in the 4th box at the bottom: "Establish" will be deleted in the heading and 1st bullet: "Establish" will be revised to: "Accumulate funds in the."

2) p. 3-13, 3rd bullet, last line: "Land Acquisition" will be deleted.

3) pp. 7-6, 7-8, 7-10: All headings should begin at the left margin. Mr. Wood said this was a formatting issue and he would try to correct it.

4) p. 5-4, last sentence of the 2nd paragraph: This will be changed to: "This will help prevent situations where buildings exceed reasonable standards for where they are located."

5) p. 7-9, last recommendation: The primary responsibility will be changed to the Board of Selectmen, with "All" inserted under Others.

6) p. 6-4, revised language re: schools: After consideration of revised language by Mr. Rimsky it was decided the only change to this paragraph would be that "revealed" will be changed to "shared with."

MOTION: To adopt the December 2003 draft of the Plan of Conservation and Development for the Town of Washington with the circulated revisions to pages 1-6, 2-4, 3-5, 3-6, 3-10, 3-13, 3-17, 3-20, 6-4, 6-6, 7-5, 7-9, and 7-10 and the revisions discussed at the 12/2/03 meeting to pages 3-6, 3-13, 7-10, 5-4, 7-9, and 6-4; to become effective upon publishing of the legal notice. By Mr. Bender, seconded by Mr. Byerly, and passed 5-0.

Mrs. Luckey thanked the Commission for all its work on the Plan during the past two years.

2004 Calendar

MOTION: To adopt the 2004 Calendar as presented. by Mr. Charles, seconded by Mrs. Roberts, and passed 5-0.

Privilege of the Floor

Several residents expressed their concern about the now adopted Plan's suggestion that the Zoning Commission study the possibility of creating a new transitional zone in Marbledale. Mr. Bender advised them the Commission had worked on the Plan for over two years and had conducted many meetings and two public hearings where the public had an opportunity to comment. He noted, too, the Commission had considered the comments made at the 10/29 public hearing and had in response, made some revisions to this section.

Mr. Williams, Quarry Ridge Condos, stated the transition zone would surround Quarry Ridge residents with a business atmosphere and would adversely affect both their quality of life and property values.

Mrs. Roberts said while everyone in Town wants things to stay the same, it is the Commission's responsibility to look ahead and plan for possible future changes. Mr. Charles noted it was not too long ago that Marbledale residents were worried the proposed Quarry Ridge Condominiums would have an adverse impact on Marbledale. He explained the Commission was trying to ensure Marbledale will not become a "strip mall" and hoped to provide for the possibility of a future village green. He did not envision that the fields in the area would be destroyed and used Kent as an example of a town center that

allows new development with a rural character. Mr. Rimsky stressed the Commission was trying to protect Marbledale as both a village and a residential area from future development pressures. He noted that if specific regulations for a transition zone were adopted, the Town would have additional tools to protect the intrinsic quality and character of the area.

A resident asked if Planning was recommending the entire area between Rt. 202, Mygatt Road, and Scofield Hill be rezoned. Mr. Bender read the paragraph on p. 4-6 regarding this matter.

Mrs. Krajnak asked if establishment of a transitional zone would mean there would be more condos built in the commercial district. Mr. Bender noted the Planning Commission thought there was a need for more condo units in Washington, but it would be up to the Zoning Commission to decide. Mrs. Krajnak then asked what was proposed for the lot at the corner of Mygatt and Scofield Hill Roads. The Planning Commissioners did not know if the property had been sold or what would be proposed there. Mrs. Krajnak asked about the possibility of the expansion of the Marbledale Business District up to the cemetery. Mr. Bender noted this section of Rt. 202 was already commercially zoned. Mr. Rimsky explained there are already some commercial and institutional uses allowed in the R-1 District by Special Permit such as some home owned businesses and schools.

Mr. Bender explained the Plan of Conservation and Development is not an enforceable document, but provides guidance to the Town and recommendations for addressing future growth.

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

Mr. Bender adjourned the meeting at 8:46 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

By Janet M. Hill, Land Use Coordinator