

• January 6, 2004

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

MEMBERS ABSENT: Mr. Byerly, Mr. Rimsky

ALTERNATES PRESENT: Mr. Fairbairn, Mr. Frank

ALTERNATE ABSENT: Mr. Buck

STAFF PRESENT: Mrs. Hill, Mr. Sears]

ALSO PRESENT: Mrs. Beck, Mr. Neff

Regular Business

Mr. Bender called the meeting to order at 7:36 p.m. He noted with regret the passing of Jean Averill, Planning Commissioner, Commission Secretary, and friend. Members Bender, Charles, and Roberts and Alternates Fairbairn and Frank were seated. Mr. Bender congratulated Mrs. Roberts on her appointment as a Regular Member and welcomed Mr. Fairbairn and Mr. Frank, the newly appointed Alternates.

Consideration of the Minutes

MOTION: To accept the December 2, 2003 Regular Meeting Minutes as presented. By Mrs. Roberts, seconded by Mr. Charles, and passed 5-0.

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

Other Business

Beck/129 Calhoun Street/Resubdivision/Preliminary Discussion

Mrs. Beck and Mr. Neff presented the map, "Subdivision Map Prepared for Julian Beck, Pamela Beck," by Mr. Alex, revised to 10/3/97 with the proposed 5 acre lot and open space sketched in. The following issues were discussed.

1) Open Space: Mrs. Beck proposed to preserve a portion of the existing meadow on the new lot and a strip along the south side of the property. She said she did not want the house on the proposed lot to be constructed in the meadow. Because the entire meadow was not proposed as open space, Mrs. Hill pointed out the only way to ensure a house would not be built there would be to propose a building envelope elsewhere on the property. Mr. Fairbairn suggested Mrs. Beck check for conservation easements on surrounding properties so the required open space could be connected to other existing open space. Mr. Charles preferred the entire meadow and the wetlands be preserved as open space. Mr. Bender thought it was important to protect the field at the corner of Calhoun Street and Ives Road. Mrs. Beck feared a large conservation easement would discourage buyers. This led to a lengthy discussion regarding the purpose of such easements, their impact on property values, uses that may be permitted within a conservation easement, etc. Mr. Bender noted that now that the Town can accept open space, the Commission would no longer favor deed restrictions.

2) Residential Density Form/Conservation Easements: Mr. Neff noted the proposed easement area could not be counted towards permitted density under the current Zoning Regulations. Mr. Fairbairn said this was correct and noted as a result, the size of the conservation easement might have to be limited to enable the creation of the proposed lot. Mr. Bender voiced his concern that the Regulations may have created the situation where land could be preserved by deed restriction, but not by conservation easement. He thought this was a matter for future discussion.

- 3) Inland Wetlands: Mr. Neff stated the wetlands soils found on site were not consistent with the soils map. He noted wetlands soils were present, but there was no watercourse. It was noted the Inland Wetlands Commission would have to approve the application.
- 4) Driveway: The access/driveway to the proposed lot would be over the existing right of way shared with the adjoining Smith property.
- 5) House Site: Mrs. Beck said the house site had been selected after careful consideration so it would not be in the meadow and the house would not be visible from the road.
- 6) Topographic requirements: Mr. Neff noted the proposed lot had a very gradual slope and asked if the 10 ft. contours from the USGS map could be submitted in lieu of the 2 ft. contours required by the Subdivision Regulations. It was the consensus that because the slope was slight, the driveway was already installed, and the house site would be close to the driveway, 10 ft. contours would be OK. Mr. Bender advised the applicant to submit a written request for a waiver of this requirement when the application is submitted.
- 7) Historic District: The property is located within the Calhoun-Ives Historic District, but Mr. Neff said the house would not be visible from either road.
- 8) Final Subdivision Map: Mr. Bender asked that the corners of the proposed lot be lettered to facilitate its reference in any motion of approval.
- 9) Resubdivision: It was noted the proposed lot would be a resubdivision and would require a public hearing.

Referral from the Zoning Commission/Revision of the Zoning Regulations/Section 17.5: Special Exceptions

Mr. Fairbairn explained the proposed new section and spoke in favor of it. Mr. Charles was concerned that if the Special Exception section to enable an increase in coverage without proof of a hardship was approved and pervious driveways were taken out of the coverage calculations as had been discussed at a previous Zoning meeting, it would adversely impact the Town's rural character, especially in areas with smaller existing lot sizes. It was noted a change in the definition of coverage was not proposed at this time. It was the consensus to send the Zoning Commission a letter that Planning has no objections to the proposed revision.

Plan of Conservation and Development

- Review of the Subdivision Regulations: Mr. Bender and Mr. Fairbairn will serve on a subcommittee to determine whether any general revisions to the Regulations are needed and whether revisions should be made to implement specific recommendations in the newly adopted Plan. It was noted several Conservation Commission members had met with Mr. Bender to discuss revisions they thought were necessary and Mr. Bender had received a memo addressing several issues including fees in lieu of open space, from Mr. Markert, Conservation Commissioner. Mr. Bender thought the Commission should get a good legal review regarding exactly how fee in lieu of open space works.
- Study of the Depot Business District: Mr. Bender appointed Mr. Charles and Mr. Frank to the subcommittee to compile a list of professionals who will be invited to make a proposal and to draft the letter, which will be sent out to them detailing the scope of the study.
- State Plan of Conservation and Development: Mr. Bender appointed Mrs. Roberts and Mr. Byerly to

study the updated State Plan and map and to report back to the Commission on what the local impacts will be.

Mr. Bender read his 1/5/04 memo to Mr. Sears, which reported the Commission had completed the update of the Plan of Conservation and Development on time and under budget.

Public Input

Mr. Sears invited the Commission to attend the presentation of the Democracy Cup on Friday, January 9, 2004 at 3:00 p.m. in the Town Hall lobby.

MOTION: To adjourn the meeting. By Mrs. Roberts.

Mr. Bender adjourned the meeting at 9:00 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Janet M. Hill
Land Use Coordinator