

# March 2, 2004

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

ALTERNATES PRESENT: Mr. Fairbairn, Mr. Frank

ALTERNATE ABSENT: Mr. Buck

STAFF PRESENT: Mrs. Hill, Mr. Sears

ALSO PRESENT: Mr. and Mrs. Dyer, Mrs. Pasch, Mr. Gitterman, Mr. Neff, Mrs. Taylor, Press

PUBLIC HEARING

## **Application for Scenic Road Designation for Buffum Road**

Mr. Bender called the public hearing to order at 7:33 p.m. and seated Members Bender, Byerly, Charles, and Roberts and Alternate Fairbairn for Mr. Rimsky. He then read the legal notice published in the **Waterbury Republican** on 2/20/04 and the list of documents included in the file for the hearing.

Mrs. Roberts noted the Commission had conducted a site inspection of the road on 2/14/04 and had determined that it met more than one of the criteria for scenic roads listed in the Ordinance. She had no objection to the designation. Mr. Byerly agreed.

Mr. Bender asked for comments from the public. Mr. Gitterman complimented the Commission on its due diligence.

No one spoke in opposition to the application.

MOTION: To close the public hearing to consider the application submitted by Mrs. Dyer for scenic road designation for Buffum Road. By Mrs. Roberts, seconded by Mr. Charles, and passed 5-0.

Mr. Bender closed the public hearing at 7:37 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

Mr. Bender called the Regular Meeting to order at 7:37 p.m. and seated Members Bender, Byerly, Charles, and Roberts and Alternate Fairbairn for Mr. Rimsky.

Consideration of the Minutes

MOTION: To accept the 2/10/04 Regular Meeting minutes as presented. By Mr. Charles, seconded by Mr. Byerly, and passed 5-0.

MOTION: To accept the 2/14/04 Special Meeting minutes as presented. By Mr. Fairbairn, seconded by Mrs. Roberts, and passed 5-0.

Mr. Rimsky arrived at 7:38 p.m. and was seated.

MOTION: To accept subsequent business not already listed on the agenda. By Mrs. Roberts, seconded by Mr. Byerly, and passed 5-0.

## Pending Applications

### **Application for Scenic Road Designation for Buffum Road**

MOTION: To designate Buffum Road a scenic road as it more than meets the scenic road criteria and there were no objections from the public. By Mrs. Roberts, seconded by Mr. Charles

There was no discussion. The motion was approved 5-0.

Mrs. Dyer submitted photos of the existing conditions along Buffum Road. Mr. Bender noted these should have been submitted at the public hearing, but accepted them to serve as documentation of the base line conditions at the time of the road's designation.

### **Taylor/38 New Preston Hill Road/2 Lot Resubdivision**

This application was deferred until later in the meeting because Mrs. Taylor was not present.

## NEW APPLICATION

### **Application for Scenic Road Designation for Gunn Hill Road**

Mrs. Hill noted two items were missing from the application: 1) fee and 2) proof the statements of support were filed in the Town Clerk's Office.

Mr. Gitterman said he thought the road was beautiful and more than qualified for scenic road status.

It was noted only the .9 mile portion of the road between New Preston Hill Road and Camp Road was applied for. Mr. Rimsky asked why the section from Camp Road to Golf Links Road had not been included. Mr. Gitterman said it was due to the convenience of those involved and that he thought there would be a second application in the future.

A site inspection was scheduled on Friday, March 5, 2004 at 11:00 a.m. Members will meet at the intersection with New Preston Hill Road. Those who were not able to attend this meeting were asked to inspect the road on their own prior to the next meeting,

A public hearing was scheduled for Tuesday, April 6, 2004 at 7:30 p.m.

### **Taylor/38 New Preston Hill Road/2 Lot Resubdivision**

Mr. Charles recused himself and Alternate Fairbairn was seated.

Mrs. Taylor and Mr. Neff, engineer, were present. The site development plan presented at the last meeting and the Record Subdivision Map, "Property/Boundary Survey," by Mr. Alex, dated 10/03 and revised to 2/20/04 were reviewed. Mr. Neff reported the residential density form had been corrected and showed both lots were above the minimum requirements and this information had been included on the Record Subdivision Map. He said Lot #1 could accommodate 3.05 dwelling units and Lot #2 2.49 units.

It was noted the indoor riding ring discussed at the last meeting had been demolished and the disturbed area would be reseeded.

Mrs. Roberts asked if the existing driveway cut could be used. Mr. Neff said the driveway plans had been approved by the Selectmen's Office and a copy of the approval had been submitted for the file.

It was also noted the Health Department had approved the septic plans. Mrs. Hill confirmed a copy of the Health Department approval was in the file.

Mr. Bender asked how the open space would be protected and noted the Commission had not received approval from Steep Rock. Mrs. Taylor said she had applied to Steep Rock, but that it required a baseline study, which had not yet been completed, before it could make a determination about whether it would accept the open space. She said she hoped to have a decision from Steep Rock by the next meeting. Mr. Bender noted the applicant had been negotiating with Open Space Equity and asked whether there was a chance the size or location of the proposed open space would change. Mrs. Taylor said she was not sure, but if a change were made it would be to enlarge the proposed open space.

A public hearing was scheduled for Tuesday, April 6, 2004 immediately following the Gunn Hill Road/Scenic Road Designation hearing. Mrs. Hill reminded the applicant a final map would be needed at the time the hearing legal notice is published.

Mr. Bender asked the clerk to remind the Conservation Commission that written comments would be due by the April 6th hearing.

Mr. Bender asked if calculations had been done to show the proposed open space exceeds the minimum required. Mr. Neff stated it was well above the minimum, but said he would ask the surveyor to provide the calculations for the public hearing.

#### Other Business

Mr. Charles was reseated.

**Report from the Subcommittee Reviewing the Subdivision Regulations:** Mr. Bender read the memo from Mr. Fairbairn, which listed possible revisions the Commission might consider including adoption of scenic resource protection regulations jointly with the Zoning Commission, incentives and guidelines for conservation designed subdivisions, affordable housing set aside provisions, requirements for archeological studies on parcels proposed for subdivision, etc. Mr. Bender asked if Mr. Fairbairn could report on whether the Town's current 15% open space requirement is inconsistent with state statutes. Mr. Fairbairn said this is a complicated issue and he would have a report for the next meeting.

**Depot Business District Study:** Mr. Bender noted the 3/2/04 memo from Mr. Charles regarding the process for hiring a consultant. (See attached.) He explained that it outlined three options on how to proceed and asked the Commissioners to study it and come prepared for a discussion at the next meeting. Mr. Bender said the memo had persuaded him the Commission should educate itself on how to conduct the study and asked Mr. Charles whom he would recommend to advise the Commission. Mr. Charles said Mr. Platus of Yale and Mr. Westa of UConn had been highly recommended. He will continue to investigate possible consultants for this first step of the study and also the cost of such an endeavor. It was noted the educational process would include advice on how to draft the request for proposal letter so that it would be specific enough to include all the work to be accomplished, but loose enough to allow for imaginative and creative responses from the potential consultants. Mr. Charles recommended the Commission start in April to hold two meetings a month, the second to be devoted to the Depot study. Mr. Sears noted the Board of Selectmen is working on next year's budget and asked the Commission to submit a more accurate estimate for the cost of the Depot study as soon as possible. Mr. Charles responded that the Commission is sensitive to keeping the cost down and realistic, but not to the extent that it would make the consultant's job more difficult as had happened during the work on the Plan of Conservation and Development.

## **Election of Officers**

MOTION: To accept the report of the nominating committee and to cast a single vote for the nominated slate: Chairman- Mr. Bender, Vice Chairman-Mr. Charles, and Secretary-Mrs. Roberts. By Mr. Rimsky, seconded by Mr. Byerly, and passed 5-0.

**Draft Article for The Washington Town Times:** A draft article had been circulated with the agenda. Mr. Bender asked for comments and suggestions. It was the consensus to approve the article with one grammatical revision.

**Volunteer for Conservation Commission Open Space Subcommittee:** Mr. Bender said Mrs. Payne, Conservation Commission Chairman, had called him to ask for a volunteer to serve on this committee. Mr. Rimsky volunteered as long as his work schedule did not become more intense. The Commission thanked Mr. Rimsky for his interest and Mr. Bender appointed him as the Commission's representative.

There were no comments from the public.

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

Mr. Bender adjourned the meeting at 8:28 p.m.

FILED SUBJECT TO APPROVAL Respectfully submitted,

Janet M. Hill, L.U. Coordinator