

December 7, 2004

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

ALTERNATES PRESENT: Mr. Fairbairn, Mr. Frank

STAFF PRESENT: Mrs. Hill, Mr. Sears

ALSO PRESENT: Mr. Neff, Press

Mrs. Roberts called the meeting to order at 7:31 p.m. and seated Members Byerly, Charles, Rimsky, and Roberts and Alternate Fairbairn for the vacant seat.

Mrs. Roberts remembered Mr. Bender and all he contributed to the Commission. She thanked Mr. Rimsky for his words on behalf of the Planning Commission at Mr. Bender's memorial service. The Commissioners had a moment of silence.

Consideration of the Minutes

MOTION: To accept the 11/4/04 Regular Meeting minutes as written. By Mr. Fairbairn, seconded by Mr. Charles, and passed 5-0.

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

2005 Calendar: The 2005 Calendar was approved as submitted.

MOTION: To approve the 2005 Calendar as submitted. By Mr. Fairbairn, seconded by Mr. Byerly, and passed 5-0.

New Application

Application for Scenic Road Designation for West Morris Road

Mrs. Roberts read the undated letter from Mrs. Friedman, listing the scenic road criteria, which West Morris Road meets. The Assessor's maps showing the road, the property owners, and the frontage of each property along the road were reviewed. It was noted that owners of over 50% of the frontage had signed statements in support of the application.

A site inspection was scheduled for Saturday, December 11, 2004 at 9:30 a.m. Members will meet at the Rumsey Hall School parking lot at the corner of Sabbaday Lane and Romford Road.

Pending Applications

Stiteler-Giddins/198 Tinker Hill and West Shore Roads/2 Lot Resubdivision

Mrs. Roberts noted the following documents had been submitted since the last meeting: 1) "Property/Boundary Survey," by Mr. Alex, dated June 2004, 2) "Proposed Site Development Plan," (with 2 ft. contours for the development site), by Mr. Neff, dated 10/7/04, copies of the existing conservation easements on adjoining properties owned by the applicants, and the 12/6/04 letter from Mr. Neff requesting that these easements be accepted as the open space requirement for this application and requesting a waiver of the landscaping plan requirement. Mrs. Roberts read the letter.

Mr. Fairbairn said he had reviewed the conservation easements and thought there was no reason to

require additional open space. He also supported the request to waive the landscaping plan.

Mr. Neff noted the Inland Wetlands Commission is currently considering the application and said he would soon be meeting with the state DOT for approval of the driveway cut.

A site inspection was scheduled for Saturday, December 11, 2004 at 10:30 a.m. Members will meet on West Shore Road.

It was noted a public hearing has been scheduled for Tuesday, January 4, 2005.

Beck/129 Calhoun Street/2 Lot Resubdivision

It was noted there had been no new information received and a public hearing had been scheduled for Tuesday, January 4, 2005.

Other Business

Referral from the Board of Selectmen/Discontinuance of a Portion of West Mountain Road: The information from the Selectmen's Office; memo dated 11/17/04, minutes of the 10/21/04 Board of Selectmen meeting, letter from Atty. Miles dated 1/27/04, and OLR Research Report, "Local Road Abandonment and Abutting Property Owners," dated 12/24/03, was reviewed. Mr. Sears presented a portion of an Assessor's map with the portion proposed for discontinuance colored in and a written description in the 10/12/04 letter to Mr. Kessler, "...between the western boundary line of parcel 2-2/8 and the western boundary line of parcel 2-2/7 as designated on the Town Assessor's map." In response to several questions raised by Mr. Charles concerning rights of abutting property owners, rights of the public to continue to use the road for passive recreation, interference with the rights of the public to pass, ownership of the bridge, private driveway sign posted at the end of the road, etc., Mrs. Roberts read Atty. Miles' letter. It was noted the public would have the right to use the road for passive recreation. Mr. Charles said it was important to retain this right to ensure that a greenway could be established in the future. While several of the Commissioners thought there should be a sign to indicate to the public that use by pedestrians and bicycles was permitted, Mr. Fairbairn explained this concern and any complaint that might arise concerning interference with the right to pass or any of the other issues raised should be brought to the Board of Selectmen. He noted the only issue to be voted on by the Planning Commission was whether or not to support the Selectmen's proposal to discontinue the portion of the road. It was the consensus of the Commissioners to support the proposal to discontinue this portion of West Mountain Road.

Referral from the Zoning Commission/Revision of Section 12.14 Concerning Noise Generating Equipment: Mrs. Hill, Land Use Coordinator, explained the exact language of the proposed revision would be ready for the Commission's review at the next meeting. The purpose of this revision would be to grant ZBA the authority to approve by Special Exception locations for noise generating equipment farther than 25 ft. from the structure served or 50 feet from the pool served if it was determined that doing so would have a lesser noise and visual impact on adjoining properties.

Washington Depot Business District Study: It was noted that each Commissioner had received copies of the seven proposals submitted to review prior to the meeting. Mr. Charles suggested the Commission begin by considering how to prepare for the interview process and what the time frame for setting up the interviews would be. Mrs. Roberts suggested getting preliminary opinions from each Commissioner to see if there were any firms that could be eliminated from the start. Most thought one of the firms had submitted a proposal that was too general and one had experience mainly with cities and so these could be eliminated. There was a lengthy discussion in which the Commissioners compared the proposals and

brought up issues that should be included in the interviews. Significant issues included:

- Community and/or Town staff participation: How much is required and at what point in the process should it begin?
- Role of the Planning Commission: Some of the proposals called for working mainly with an advisory group. What would the role of the Commission be and how much control would it have over the process?
- Advisory Group or Ad Hoc Committee: It seemed likely a group would be established. How many members should it have? Who should be included?
- Implementation: What, if any, strategies are proposed by each firm? Are draft regulations included in the cost estimate?
- Timetable: Many of the firms call for walking tours of the Depot to begin the study process. Would this be feasible during the winter?
- Models: The Commission thought the ability of each firm to create models to help educate the public was important, but none of the firms said these would be supplied.
- Response to the RFP: Did each firm adequately address the eight key issues? Is the Commission sure it will be getting what it asked for?
- Comparison of Proposals: It was noted it would be difficult to compare proposals, costs, and services offered.
- Additional issues: Can any of the firms offer advice about concepts the Commission overlooked that should have been included in the RFP?
- Focus: What issue(s) does each firm focus on? Does the Commission agree with this focus?

It was decided each Commissioner would review the proposals again and write down what he thinks are the best ideas presented in each and what topics should be covered in the interviews. These will be submitted to Mrs. Hill by 12/20 so she can compile them and get copies out to everyone to study before the January 4th meeting. It is possible that at this meeting, the firms to be interviewed will be determined.

Regarding the interview process, it was decided the interviews would be held on two consecutive days, probably in February. After the January 4th meeting, letters will be sent to the firms to be interviewed regarding what issues they should address in their presentations and to inform them when the interviews will be held.

Public Comment

Mrs. Roberts read the 12/7/04 letter from Mr. Sears thanking the Commission for its efforts during the past year.

Mrs. Roberts briefly reported on an aquifer protection seminar she had attended in Goshen last month.

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

Mrs. Roberts adjourned the meeting at 9:18 p.m

FILED SUBJECT TO APPROVAL

Respectfully submitted,
Janet M. Hill
Land Use Coordinator