

December 5, 2006

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

MEMBER ABSENT: Mrs. Gager

ALTERNATES PRESENT: Mr. Carey, Mr. Fowlkes

ALTERNATE ABSENT: Mrs. Braverman

STAFF PRESENT: Mrs. Hill

ALSO PRESENT: Mr. Brigham, Mr. Aragi, Ms. Dupuis, Mr. Sears, Press

Mrs. Roberts called the meeting to order at 7:36 p.m. and seated Members Charles, Frank, Rimsky, and Roberts and Alternate Fowlkes for Ms. Gager.

Consideration of the Minutes

MOTION: To accept the 11/8/06 Regular Meeting minutes as written. By Mr. Frank, seconded by Mr. Rimsky, and passed 5-0.

MOTION: To accept the 11/15/06 Special Meeting minutes as written. By Mr. Frank, seconded by Mr. Rimsky, and passed 5-0.

MOTION: To add subsequent business not already posted on the agenda: 1) the approval of the 2007 calendar and 2) Town of Washington plans for the municipal boat ramp at 59 East Shore Road. By Mr. Charles, seconded by Mr. Frank, and passed 5-0.

New Application

Application for Scenic Road Designation for Couch Road

Mrs. Hill noted the application had been submitted that afternoon and so there had been no time to review it.

Mrs. Roberts read the 12/4/06 letter from Mrs. Sherman, which stated 70% of the frontage owners support the application and that the road meets every standard for scenic road designation. It was noted the fee had been paid and photos were submitted. The portion of the Assessor's Map showing the road was reviewed.

A site inspection was scheduled for Saturday, December 9, 2006 at 9:30 a.m. The Commissioners will meet at the corner of Couch Road and Rt. 202. Mrs. Hill was asked to invite Mrs. Sherman and any other interested Couch Road residents to attend.

Other Business

Aragi/9 Wilbur Road/Preliminary Discussion/8 Lot Subdivision: Mr. Aragi presented a rough preliminary map showing 8 lots, 7 acres of open space, and a Town road on the 34+ acre parcel. He asked the Commission for input before he drafted final plans.

Open Space: Because the configuration of the proposed open space looked like a basic buffer, Mr. Charles asked if Mr. Aragi had defined the valuable features on site or read the Natural Resources Inventory Report before he had delineated the open space. Mr. Aragi said he had spoken with the Inland Wetlands Commission who asked for more open space surrounding the wetlands to act as a buffer. He said he proposed open space around the perimeter of the property so that if open space were proposed on adjoining properties in the future, these areas could be linked. He said he would next be going to the Conservation Commission for input. Mr. Charles made the following points: 1) The Commission would have to conduct a site inspection before it could understand the site and offer appropriate comments. 2) The open space proposed in the loop at the end of the road was "ludicrous." 3) An ecological baseline study should be done to define what is worth preserving on the property. 4) The proposed subdivision layout looked very suburban. 5) Smaller lots could be approved if more land was committed to open space. Mrs. Roberts thought the 35 ft. wide buffer along Birch Hill Run was useless because it was not wide enough to be meaningful.

Density Units: Mr. Aragi calculated there were 11.5 density units as there was mostly A and B soils. The smallest proposed lot size was 2.77 acres and most of the lots were over 3 acres.

Wetlands: Mr. Aragi said there was only a small amount of wetlands on the property and that 25% to 30% of the proposed open space was wetlands. He noted the Inland Wetlands Commission had voiced its concern about development on the steep slopes above the wetlands.

Proposed Road: The proposed road was a dead end road off Wilbur Road. Mr. Aragi noted the cut was not proposed off Birch Hill Run because that is a private road.

Mrs. Hill questioned why Birch Hill Run was not yet a Town road. She noted that private roads are not permitted under the Zoning Regulations, that the Planning Commission had approved the Birch Hill Run subdivision with a Town road as its access, and the current proposal for two side by side road cuts onto Wilbur Road so close to the Wilbur Road/Rt. 202 intersection was poor planning. Mr. Sears and Mrs. Hill will research this matter.

Referral from the Board of Selectmen/Potter Farm Proposal: Mr. Charles recused himself. Mr. Sears had submitted the letter to the Commission dated 12/5/06 with the following attachments: 1) real estate contract, 2) restrictions and covenants for the affordable lots, 3) conservation restrictions, and 4) property/boundary survey. Mrs. Roberts suggested since the information had just come in, that a subcommittee study it, discuss it with the Town Attorney, and report back to the Commission at its next meeting. She appointed Mr. Frank and Ms. Gager as the subcommittee. Mr. Carey asked if the real estate contract had been executed. Mr. Sears said, no, the contract was not negotiable, but was contingent upon approval at a Town Meeting.

Mr. Charles was reseated.

Referral from the Board of Selectmen/Town of Washington/59 East Street/Boat Ramp and Parking: Mrs. Roberts appointed Mr. Carey and Mr. Rimsky to a subcommittee to review this proposal and report to the Commission at its January meeting.

Town Road Abandonment Policy: Mrs. Roberts suggested the Commission discuss its role in the Town's road abandonment policy in order to prevent future miscommunications between the Commission and the Board of Selectmen. A lengthy discussion followed. It was noted that the Commission had always recommended in the past that the Town retain rights for public access when formally abandoning a Town road and that both the Plan of Conservation and Development and the Natural Resource Inventory recommended this policy. The rights for public access would include pedestrian access and

passive recreational uses. Reasons in support of retaining these rights included maintaining the history of the Town, the community's ability to walk the countryside, the Town's ability to monitor properties, and the potential to establish a greenway trail system throughout Town and the region. Mr. Sears detailed the current road abandonment process: 1) The Road Discontinuance Committee studies the roads and makes recommendations, 2) the Board of Selectmen invites affected property owners to a Board of Selectmen's meeting to discuss the possibility of abandoning the road, 3) the Selectmen refer the matter to the Planning Commission, and 4) if the Planning Commission concurs, the Board of Selectmen recommends a vote to discontinue at a Town Meeting. Mr. Charles noted the problem with Frisbie Road was that the Planning Commission approved the proposed discontinuance with the condition that the right to public access be maintained, but was not notified when the Selectmen decided to proceed without reserving that right. Mr. Sears offered to contact Planning earlier in the process if the Commission thought that would improve communications between the two boards.

Depot Study Update: Mrs. Roberts said there was nothing new to report. Mr. Sears noted how a minor point discussed at the Commission's November 15th Special Meeting became the focus of a recent newspaper article. He stated for the record that the Town has no plans for a traffic circle at this time.

Public Comment

Mr. Brigham asked for the Planning Commission's opinion about the Potter Farm proposal. He asked who would have the liability for the reclamation of the barns and other buildings. Mr. Sears stated the Potters would retain that liability. He then questioned the concept of floating envelopes and asked if either the Planning or the Zoning Commission could restrict them to certain areas. Mrs. Roberts advised him that because the Planning Commission would most likely have to consider a subdivision application for this parcel in the future, she did not think the Commission should make definitive comments or prejudge the application. Mr. Rimsky noted a subcommittee to study this matter had been set up and would report back to the Commission at its next meeting. There was a brief discussion regarding whether lot line revisions, a single first cut, or a subdivision application would be required for the main Potter parcel. It was noted the Potters would be and/or had been entitled to a first cut on each of their separate parcels; each parcel separated by Town or state roads. Mr. Carey recommended title searches be done by the owners to establish whether each parcel qualifies for a first cut. Further discussion was tabled until the subcommittee report is received.

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

Mrs. Roberts adjourned the meeting at 9:17 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted, Janet M. Hill, Land Use Coordinator