

April 1, 2008

MEMBERS PRESENT: Mr. Frank, Ms. Gager, Mrs. Jahnke, Mr. Rimsky, Mrs. Roberts

ALTERNATES PRESENT: Mrs. Braverman, Mr. Carey

ALTERNATE ABSENT: Mr. Fowlkes

STAFF PRESENT: Mrs. Hill

ALSO PRESENT: Atty. Fisher

Mrs. Roberts called the Meeting to order at 7:40 p.m. and seated Members Frank, Gager, Jahnke, Rimsky, and Roberts.

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

Consideration of the Minutes

MOTION: To accept the March 4, 2008 Regular Meeting minutes as written. By Ms. Gager, seconded by Mr. Frank, and passed 5-0.

Pending Application

Mrs. Roberts noted that the Commission will work to implement procedures to ensure that applications are complete at the time of submission.

Klauer/102 East Street/2 Lot Subdivision

Mrs. Roberts noted there were still outstanding questions regarding this application and that the Commission must act on the request for a waiver of the open space requirement.

Atty. Fisher submitted the revised 1" = 40' scale map, "Property/Boundary Survey," 5 sheets, by Mr. Alex, dated March 2008, which was reviewed by the Commission. He also submitted the 4/1/08 letter requesting a waiver for the state plane coordinates.

Several questions and issues were raised based on points from Mrs. Hill's 4/1/08 report. 1. Mr. Temple did the mapping of the upland soils as required. Mrs. Hill asked if a soils report had been submitted. Atty. Fisher said there was no report, but there was a note on the map. He asked Mrs. Hill to advise him as soon as possible if this was adequate. 2) Mrs. Roberts asked whether monuments were located at the lot corners. Atty. Fisher stated that three were shown on the map. 3) Mrs. Roberts noted that a large portion of the property had already been placed under conservation easements and said she saw no reason not to waive the open space requirement. 4) A request to waive the 2 ft. contour requirement for the site development plan had previously been approved. 5) Atty. Fisher noted the proposed larger lot had not been labeled "Parcel A" and that was the only remaining deficiency he was aware of. 6) Mrs. Roberts asked if the existing driveway would be utilized for the proposed lot. If not, she advised Atty. Fisher that approval for the new driveway cut would have to be obtained from the Selectmen's Office. Atty. Fisher did not know where the driveway would be located, but said it would be within the building envelope. 7) Mr. Carey noted that perc tests were shown at the south end of the property, but not within the building envelope. He said if the existing septic system could not be used, the primary and reserve septic systems

should be shown on the map.

Mrs. Roberts noted that the application would be reviewed again for completeness and would be discussed again at the May meeting.

Other Business

Abella/44 Scofield Hill Road/Request to Amend Conservation Easement Language: Atty. Fisher noted he had used the Bowles/52 Carmel Hill Road conservation easement as the template for the proposed revisions in this easement. He thought there should be no problem with the proposal since the Bowles easement language had been approved. It was noted, however, that there could be site conditions that should be addressed. The proposed amendment will be referred to the Conservation Commission for review.

Procedures and Template for Conservation Easements: Ms. Gager will contact Mrs. Payne and Mr. Boling to find out how this work is progressing.

Revision of the Subdivision Regulations

Ms. Gager and Mrs. Hill had compiled a list of possible revisions to be considered and this had been circulated prior to the meeting. There was a lengthy discussion on many points and sections, which included: 1) Ms. Gager recommended that one of the maps submitted with each application show all of the required information. She said it was difficult to review a proposal without all of the information on one map. 2) Mrs. Hill recommended that Section 3.2 be expanded to list all of the information required for a complete application. If an applicant insisted on submitting an incomplete application, it could be denied without prejudice. Mr. Frank read Section 3.6.1, which confirmed this was true. To help applicants become aware of all of the documentation required for a complete application, it was decided that the application form would be revised to a check list format. 3) Ms. Gager suggested that Section 5.8.4.c be amended to set a specific time period during which the transferred property must remain in the family. If the property is sold before that time period is up, a fee in lieu of open space must be paid. She noted that two other towns in the state have successfully made this a requirement. Prior to the transfer of the lot to the family member a note is placed on the Land Records so any potential buyer would be aware of the requirement. It was generally thought that 3 years would be an appropriate time period. 4) Previously Mrs. Hill had pointed out that the Regs do not include an explanation of how the length of a cul de sac is measured. Therefore, a revision of 6.5.1 was proposed so this would be specified. Also, a reference to hammerheads as an alternate turnaround will be added. 5) Ms. Gager recommended several revisions concerning detention basins in Section 7.2. They should be designed by a Ct. licensed engineer, should not be located in open space, and should not drain into public drainage systems. 6) After consulting with Mr. Bellantoni, state archeologist, Ms. Gager recommended the addition of a requirement that sites of archeological and/or historic concern must be sent to the state for review. The sites of concern would be noted on a map produced by the state. 7) Mrs. Hill thought that the current reference in the Regs to road design standards was outdated because the Town Road Specification Ordinance administered by the Selectmen's Office has been adopted by the Town. It was thought that these and all of the other revisions should be reviewed by Atty. Zizka before a public hearing was scheduled. Because Atty. Zizka works in land use, he could review the legality of the proposed language as well as advise the Commission if there were additional revisions it should implement. Mrs. Hill and Ms. Gager will try to prepare a referral for Atty. Zizka before the next meeting.

Referral from the Zoning Commission/Revision of the Zoning Regulations: Section 16.5.1/Non Residential District Signs: Mrs. Hill explained that the state right of way was so wide in some of the commercial districts, that business signs erected 10 feet from the front property line were not visible to

passers-by. The proposed revision would eliminate the 10 ft. setback from the front boundary line for commercial properties. The commissioners generally thought this made sense and said for the record that they had no objections.

Referral from the Zoning Commission/Revision of the Zoning Regulations: Sections 13.11.1-Accessory Apartments, 12.15.4, 12.15.9-Outdoor Lighting in Residential Districts, 13.9-Tourist Home or Inn, Petition to Amend 11.5.1, 11.5.2, 21.1.37-Lot Coverage, and 21.1.8, 21.1.9, 11.7.2.3-Method for Measuring Finished and Pre Existing Average Grade: Mrs. Hill circulated the proposed language and asked the commissioners to be prepared to discuss the referrals at the next meeting. She noted that three of the proposed revisions were mainly clarifications, while the two on Accessory Apartments and Lot Coverage were more substantive.

Communications

Mrs. Roberts and Ms. Gager had recently attended the seminar on the roles and responsibilities of land use commissions and strongly encouraged all commissioners to attend the next one In Torrington on 9/27/08.

Mrs. Roberts circulated the 3/31/08 committee meeting minutes regarding potential uses of the Washington Primary School building. She noted that when the Depot Study had been done the Commission had not included a detailed review of the Town owned school property and so said that a planning study should be done now.

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

Mrs. Roberts adjourned the meeting at 9:05 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Janet M. Hill

Land Use Coordinator