

June 5, 2008

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

ALTERNATES PRESENT: Mrs. Braverman, Mr. Carey, Mr. Fowlkes

STAFF PRESENT: Mrs. Hill

ALSO PRESENT: Mr. Parker, Mr. Klein, Mr. Charles, Mr. Boling

Press

Mrs. Roberts called the Regular Meeting to order at 7:34 p.m. and seated Members Frank, Gager, Rimsky, and Roberts and Alternate Fowlkes.

Consideration of the Minutes

MOTION: To accept the 5/6/08 Regular Meeting minutes as written. By Mr. Frank, seconded by Mr. Rimsky, and passed 5-0.

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

Mrs. Jahnke arrived at this point.

It was noted there were no pending or new applications.

Other Business

Klein-Cannizzaro/285 West Shore Road/Request for Boundary Line Revision in Approved 2 Lot Subdivision: The commissioners compared the approved survey map dated 12/18/07 with the proposed map, "Property/Boundary Survey," by Mr. Alex, revised to 6/5/08. Mr. Klein stated that the approved subdivision map had not yet been filed on the Town Land Records; that if approved, the 6/5/08 map would be filed. He described the proposed change. The boundary line to the shoreline would be moved 32 feet to increase the amount of shoreline with the existing boathouse on Parcel B. Mr. Frank noted that in the Planning Commission's point of view, this was not a material change.

MOTION: That the 6/3/08 request from Mrs. Klein to amend the approved Klein-Cannizzaro/285 West Shore Road/2 Lot Subdivision map to adjust the shoreline boundary in accordance with the map, "Property/Boundary Survey," by Mr. Alex, revised to 6/5/08 be approved. By Mr. Frank, seconded by Ms. Gager, and passed 5-0.

Preliminary Discussion/Camp Windgauge, LLC./24 Old North Road/ Subdivision: Mr. Boling, agent, presented the preliminary map, "Existing Conditions Map," by Arthur H. Howland & Assoc., dated 12/12/07. He gave the location of the 31 acre family owned parcel and said the family was currently in the process of voluntarily placing most of the property under a conservation easement. Mrs. Braverman arrived at this point. In addition to creating the easement, the family plans to create a 5 acre lot, which it would sell to create an endowment for the repair and maintenance of the existing Rossiter house on the property. In response to a question from Mr. Carey, Mr. Boling stated that although there was no site development plan at this time, there were 7 density units and the soils had been partially field verified and were better than those indicated on the USDA map. Mr. Boling pointed out the access to the

proposed lot from Old North Road and said that an Inland Wetlands permit would be required for the driveway. Mr. Rimsky voiced his concern about the location of the curb cut due to the nature of Old North Road in that area, but said he did not think there were significant wetlands in the area of the proposed crossing. Mr. Boling stated his purpose for appearing before the Commission was to ask, if a large portion of the property was voluntarily placed under a conservation easement, would the Commission waive the open space requirement at the time of the subdivision application. He cited the Taylor subdivision on New Preston Hill Road as an example to show that the Commission had previously approved such a request to waive the open space requirement. Mr. Rimsky asked how much more open space would be donated than would be required for the subdivision application. Mr. Boling responded that approximately 6 acres of Class A soils would be required, but the family has volunteered to conserve 20 acres. Mr. Frank stated that the Commission could have no firm opinion until proposed plans were submitted. Mr. Rimsky noted there was adjoining open space and that there were few remaining properties in the Green Hill area that could be preserved this way. Mr. Frank and Mr. Rimsky said at this time they had favorable views. Mrs. Roberts noted that she was familiar with the property and that her preliminary opinion was also favorable. Mr. Carey stated that a site inspection would be appropriate at the time of the application.

Procedures and Template for Conservation Easements: Mr. Boling said that the Conservation Commission had finalized the easement language and would send it to the Planning and Inland Wetlands Commissions for review and then to Atty. Miles for his review.

Revision of the Subdivision Regulations: Mrs. Hill circulated a draft document, which she asked the commissioners to review before the next meeting. She noted that Ms. Gager's comments and recommendations were included, but that the proposal regarding archeological reviews was not. Ms. Gager will send this language to Mrs. Hill to include in a final draft. The proposed revisions will be discussed at the next meeting.

Referral from the Zoning Commission/Petition to Amend the Zoning Regulations/Sections 11.5.1, 11.5.2, and 21.1.37/Lot Coverage, and to Create New Section 11.5.3/Maximum Lot Coverage for Pervious Surfaces, and Add a Definition in Section 21 for "Pervious Traveled Surfaces": Mrs. Hill noted that the Zoning Commission public hearing had been continued to June 23 and that the Planning Commission comments were needed by that date. Ms. Gager explained that a joint meeting with Zoning to discuss the petition would not be possible because discussion outside the hearing was not appropriate. Mr. Frank said, however, that the Planning Commission had been invited to attend the hearing. Those commissioners who had not attended the first session of the public hearing had read the petition and the 3/08 and 5/08 Zoning minutes on this matter. Mr. Rimsky thought Mr. McGowan's remarks on pervious surfaces were straightforward. Mr. Frank said this issue was important for Lake Waramaug, but he was not sure that the revisions proposed in the petition were the most appropriate way to handle the problem. He noted that Mr. McGowan said many factors should be considered before deciding whether to give a bonus for lot coverage when pervious surfaces are installed. Two significant factors, he said, were whether the surface was properly installed and whether it was adequately maintained. Mr. Rimsky asked what would happen if the pervious surface was not maintained and a larger house already constructed. Ms. Gager said she did not support the idea of tying additional lot coverage to the use of pervious surfaces. Mr. Rimsky stated that a holistic approach that would consider a much broader range of property management, especially around the lake, was warranted. Ms. Gager agreed, noting that the management must be permanent management. Mr. Parker asked why lot coverage was currently limited to 10% and whether the concept of a bonus in lot coverage for the use of pervious surfaces would encourage more density. Mrs. Hill explained that current maximum lot coverage varies to up to 15% depending on lot size and that two of the reasons it had been implemented was to preserve water quality, which begins to degrade when lot coverage exceeds 10% to 15%, and to control density. Mr. Rimsky agreed that lot coverage was a method for controlling development. Mr. Parker asked if pervious

surfaced parking lots could be installed. Mr. Frank responded, yes, and if a pervious driveway and parking lot were installed, 10% additional coverage would be permitted, which could bring the total coverage up to 25% for some properties. Mr. Parker thought this was a lot of coverage. Mr. Frank explained that some of the Zoning commissioners thought the Commission should consider requiring pervious surfaces for driveways in sensitive areas such as around the lake and on steep slopes without providing a coverage incentive. Mr. Carey recommended that the Zoning Commission investigate how other Ct. towns have handled this matter. Mrs. Hill noted that Coventry had been cited by the petitioner as one town that had instituted an incentive for the installation of pervious surfaces, but that according to Ms. Gager, it had not worked exactly as planned. In Coventry on the smaller lots where the driveways were generally located closer to the septic systems, the infiltrated stormwater runoff from the pervious surfaced driveways had affected the function of the septic systems, resulting in the need for town sewers. Mrs. Roberts agreed that the Zoning Commission should proceed cautiously because this was a very complicated issue. Mrs. Roberts asked Mrs. Hill to deliver the Planning Commission minutes to Zoning for its 6/23 hearing and noted that if any Planning commissioners spoke at the hearing, they would be speaking individually and not on behalf of the Commission. It was the unanimous consensus of the Planning Commission to recommend to the Zoning Commission that the petition to amend the Zoning Regulations regarding lot coverage and pervious surfaces be denied subject to further investigation of the entire subject by Zoning Commission.

Mr. Carey reported that he had recently attended a seminar on discontinued and abandoned roads and would report on it at a future meeting. He noted there are five relevant state statutes, which he would give to Mrs. Hill for the file.

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

Mrs. Roberts adjourned the meeting at 8:15 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Janet M. Hill, Land Use Coordinator