

March 3, 2009

Regular Meeting

7:30 pm, Land Use Meeting Room

Members Present: Ms. Roberts, Mr. Frank, Ms. Jahnke, Ms. Gager, Mr. Rimsky

Alternates Present: Mr. Carey, Mr. Fowlkes

Alternates Absent: Ms. Braverman

Staff Present: Shelley White

Also Present: Susan Payne

Ms. Roberts called the meeting to order at 7:31 pm and seated members Frank, Gager, Jahnke, Rimsky, and herself.

Consideration of the Minutes

The regular meeting minutes of the February 3, 2009 were approved as submitted.

Motion: to accept the February 3, 2009 Regular Meeting Minutes of the Planning Commission as submitted, by Mr. Frank, seconded by Ms. Gager, by 5-0 vote.

Motion: to include subsequent business not already posted on the Agenda, by Ms. Roberts, seconded by Ms. Gager, by 5-0 vote.

Ms. Roberts invited Ms. Payne, Chairperson of the Town of Washington Conservation Commission, to join them in executive session.

7:35 pm

Motion: to go in to executive session to discuss Washington Partners, LLC/108 New Milford Turnpike/Possible Application for 9 Lot Affordable Housing Subdivision, by Mr. Frank, seconded by Ms. Gager, by 5-0 vote.

8:03 pm

Motion: to come out of executive session to discuss Washington Partners, LLC/108 New Milford Turnpike/Possible Application for 9 Lot Affordable Housing Subdivision, by Mr. Frank, seconded by Ms. Roberts, by 5-0 vote.

New Applications

There were no new applications.

Other Business

Procedures and Template for Conservation Easements:

Ms. Payne stated the Conservation Easement Model has been submitted to Town Counsel for review.

Ms. Payne has created a checklist of items needed when accepting a regulatory & voluntary conservation easement. She stated the Conservation Commission would be reviewing this list at the March, 4, 2009 meeting. Ms. Roberts stated the Planning Commission would make sure to look at the model next month.

Revision of the Subdivision Regulations:

Ms. Hill, Land Use Coordinator, prior to this meeting, suggested a Town Planner execute these revisions. Ms. Roberts read the estimates of three planners, 1) Chris Wood, \$1500.00-\$2500.00 2) Planometrics, \$500.00-\$1,000.00 3) Marty Connor, approximately \$1,000.00. Mr. Frank asked if an itemized list of what the Planning Commission is requesting had been given to these planners. Ms. Roberts said there was not a list and this was a preliminary, informal query to get an idea of the cost. Mr. Carey asked if it would help reduce the cost if the highway regulations were eliminated from this review. Ms. Gager stated there is not a large section on the highway regulations and does not think it would. Ms. Gager suggested reviewing definitions in house could decrease cost and a planner could do the technical aspects. The members of the commission agreed that Ms. Gager and Ms. Hill should go over what could be done in house. Ms. Gager stated Nick Bellantoni, State Archaeologist, has offered to talk to the Planning Commission and answer any questions about archaeological regulations. Mr. Carey stated that clarifying the regulations should decrease or eliminate waivers. Mr. Rimsky stated it should also put and end to incomplete applications.

Referral from Zoning Commission/Revision of Zoning Regulations – 3/23/09 Public Hearings:

Ms. Roberts reported the request to revise Section 11.7.1/Height of Principal Structures in Historic Districts has been withdrawn by the Historic District Commission. The Planning Commission had no objection to the proposed revision to Section 12.14/Noise Generating Equipment that would result in going back to the original procedure of requiring a variance to install noise-generating equipment that does not meet the setback requirements, which the owner would then have to prove hardship. The Planning Commission discussed the revision of Zoning Regulation Section 16.4/Business and Institutional Signs in Residential Districts. Mr. Frank read a proposed list of permitted signs in a residential area. Ms. Gager pointed out that seasonal signs, such as farm stands would fall under this. She suggested the ones that exist should be grandfathered. Mr. Fowlkes stated proper signage is important to promote things like farming/farm stands and does not think one sign will be enough. Mr. Carey stated he had concerns about grandfathering some of the existing lighting in residential areas that are currently able to light up acres. Mr. Rimsky asked about Bed and Breakfasts, art studios, etc. in residential areas. The commission agreed the list of allowable residential signs was limiting and that listing these would end up with people asking for exceptions. The possibility of permitting smaller and only unlighted signs in the residential districts was discussed. Mr. Frank stated he would write down the Planning Commissions thoughts regarding this regulation. The commission had no objection to adding 'offices' to the uses in Section 9.2.3/Permitted Uses in the Marbledale Business District.

Communications

2/17/09 Letter to Ms. Larson from Mr. Lyon re: Proposed Rabbit Hill Tower Proposal:

Ms. Roberts asked Ms. Payne to comment on the Rabbit Hill Tower Proposal. Ms. Payne expressed the difficulty in getting the appropriate, updated technical information from the attorney for Optasite. She stated the Conservation Commission has been communicating with the Connecticut Siting Council and Attorney Larson requesting this updated information will then schedule a town meeting on this subject. Ms. Roberts stated she had been informed there would have to be a cell tower every mile or so in the Town of Washington to get full coverage because of the terrain of the area. Mr. Carey questioned why a cell tower would be set on land that had been purchased by taxpayers of the state in order to preserve agricultural land. Ms. Roberts asked Ms. Payne to keep lines of communication open between the Conservation and Planning Commissions regarding this proposal. Ms. Roberts read the letter from Atty. Larson. She suggested the members of the commission come in to the Land Use Office and read through the accompanying report sent to the Connecticut Siting Council by Ms. Larson.

2/24/09 Notice of Tentative Determination from Intent to Renew from the State of Connecticut DEP:

Mr. Frank explained how the system oxygenates the water of Lake Waramaug. The Department of

Environmental Protection is asking if there is any public comment before Permit # CT0024805 is renewed.

Public Comment:

No one from the public was present.

Adjournment:

Motion: to adjourn by Ms. Roberts, seconded by Mr. Rimsky, by 5-0 vote.

Filed subject to approval.

Respectfully submitted,
Shelley White
Land Use Clerk
3-11-09