

November 4, 2009

7:30 p.m., Land Use Meeting Room

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

Members Absent: Ms. Gager

Alternates Present: Mr. Carey, Mr. Fowlkes

Alternates Absent: Ms. Braverman

Staff Present: Shelley White, Janet Hill

Also Present: Peter Talbot AIA, Martine Nolletti, Martin Brown, Gary Fitzherbert, Chris Charles, Tony Bedini, Jack Johnson, Residents

Public Hearing

Application for Scenic Road Designation for West Mountain Road (section off Route 47):

Ms. Roberts read the legal notice published in Voices on October 21 and November 1, 2009 and the list of contents in the file. She stated that she and other members of the Planning Commission attended a site visit on October 14, 2009.

Mr. Jack Johnson of West Mountain Road stated that all neighbors were notified of the application for Scenic Road Designation and that only two neighbors did not respond and there weren't any negative responses.

Mr. Frank read the criteria for Scenic Roads and stated that he felt that West Mountain Road met these criteria and he was in favor of this application.

Mr. Slaibey, a property owner on West Mountain Road, asked if there would be a 'Scenic Road' sign on the road. Ms. Hill stated there would not be.

Motion:

to close the Public Hearing for the application for Scenic Road Designation for West Mountain Road (section off Rt. 47),

by Ms. Roberts, seconded by Mr. Frank, passed by 5-0 vote.

Regular Meeting

Call to Order

Ms. Roberts called the meeting to order at 7:40 pm.

Seated: Frank, Jahnke, Rimsky, Roberts, Fowlkes, Alt.

Consideration of the Minutes

The minutes of October 6, 2009 were considered.

Corrections:

Page 3, 6th sentence should read: After a brief discussion, it was the consensus of the Planning Commission that it does not have any objections....

Under Revision of Klein/285 West Shore Road/2 Lot Resubdivision, 3rd sentence should read: Ms. Hill and the Planning Commission looked at the previously approved Property Boundary Surveys prepared

for Leila Klein and Linda Cannizzarro, 285 West Shore Road and Tinker Hill Road.....

4th sentence beginning with Ms. Hill explained....and the property owners are now applying to Zoning for another minor lot revision (asking for approval of a minor change) as indicated on the survey dated August 2009.

6th sentence should read: Attorney Jim Kelly, who was present....

Under Land Use Academy Seminar, 2nd sentence should read: Ms. Hill is in the process of summarizing the information relating to proper conduct of meetings of town commissions and boards and she will share them...

Motion:

to accept the October 6, 2009, Regular Meeting Minutes of the Planning Commission as corrected, by Mr. Frank, seconded by Mr. Carey, passed by 5-0 vote.

Motion:

to defer Consideration of the October 14, 2009, Special Meeting Minutes - Site Inspection of the Planning Commission until December 1, 2009 Planning Commission Meeting, by Mr. Frank, seconded by Ms. Jahnke, passed by 5-0 vote.

Motion:

to include subsequent business not already posted on the Agenda, Re: Condition of Approval for Rowe, 44 Kielwasser Road, 2 Lot Re-subdivision, by Ms. Roberts, seconded by Mr. Frank, passed by 5-0 vote.

New Applications

There were no new applications.

Pending Applications

The Planning Commission considered the application for Scenic Road Designation for West Mountain Road. There were no questions.

Motion:

to approve the application for Scenic Road Designation for West Mountain Road (section off Rt. 47), by Mr. Fowlkes, seconded by Mr. Rimsky, passed by 5-0 vote.

Other Business

Presentation – Discussion re: Mill Race Road Concept by Peter Talbot

Peter Talbot, Martin Brown and Martine Nolletti presented the Mill Race Road a.k.a. 16 Titus Road, Washington Depot, CT, Civic Sustainability Project, dated November 4, 2009 (on file in the Land Use Office). Mr. Talbot stated that they are looking for input from the Planning Commission. Mr. Talbot explained the history of the property, displayed maps of the area, and presented historical pictures. He displayed a map titled "Topographic & Property Lines, Flood Plain," prepared by Wilbur Smith and Robert Orr for the 2005 Washington Depot Village Area Study.

Ms. Martine Nolletti talked about the LEED neighborhood development program. She explained the

LEED program and suggested that the Mill Race Road/Washington Depot project might qualify even though the LEED pilot program was designed with urban areas in mind. Ms. Nolletti stated that she has been in contact with the U.S. Green Building Council to see how its criteria and Peter Talbot Architect's concepts could work together. She stated that LEED is not necessary to develop a sustainable community. Ms. Nolletti stated she would like to have further discussions with the USGBC in Washington DC to see how the new LEED development program and the new set of government standards for this type of work might be able to help with this project as long as the Planning Commission was in agreement that this was worth pursuing.

Mr. Talbot discussed the project initiative and displayed several plans. He explained 3 options that included commercial units, residential units and a possible community center. He discussed how the plans promote smart development and include environmental protection. He discussed the flood plain issue. He stated that if the Town of Washington were interested in this project it would have to provide financial support for determining the flood plain and addressing the zoning issues. Mr. Frank asked how this proposal ties in to the recent Depot Study. Mr. Talbot explained how it ties in with both the studies in that the 1993 study is supported in the 2005 study and he explained that it incorporates many of the recommendations listed on page 45 of the Natural Resources Inventory Report, dated November 2000 by the Town of Washington Ad Hoc Conservation Commission (on file in Land Use Office).

There was a discussion regarding the Ellsworth Property that the First Congregational Church currently owns. There was a discussion regarding the phases of the project. There was a lengthy discussion regarding the existing zoning regulations and whether or not there needs to be a separate set of zoning regulations for the Depot. Mr. Talbot explained the different phases this project would require.

There was a discussion regarding the flood plain and FEMA. Mr. Rimsky explained how this town would not have been able to be built under the current zoning regulations. He stated that it is essential that the Town starts planning for the future of the Depot or we will end up with failed commercial businesses and no residents living in the center of town. Ms. Roberts agreed, noting that if these problems were not addressed it would result in the slow ruin of the Town.

Mr. Charles stated that he worked on the 2003 Plan of Conservation and Development and he believes that the two main issues regarding development of the Depot are the flood plain and septic capacity. He stated he believed the next step should be to do the 'field work', which, he says, seems to be a money issue for the Town.

Ms. Nolletti stated that with new information and new technologies it may not be as expensive as people think. Mr. Bedini asked if an outline should be created as to what the Town would like to see happen in the Depot and then work on the regulations to allow these changes. Ms. Roberts stated that she hopes that the Land Use Commissions could work together regarding this subject. Mr. Talbot stated that he believes this work should be done in stages. He stated he believes that the FEMA mapping should be researched for accuracy and that if it is found inaccurate, the appeal process would be lengthy but at least the Town would know.

Mr. Fowlkes asked if there is some element of this plan that could be accomplished without answering the FEMA question or the septic question.

Mr. Fitzherbert voiced his support of both the Mill Race Road proposal and The Planning Commission's ability to make town policy. He said the Zoning Commission would support the Planning Commission's efforts. Mr. Talbot asked how the Planning Commission would move forward if it thought this concept were best for the Town. Ms. Roberts stated that the Planning Commission would have a discussion and, if in agreement, would send a letter to the Selectmen giving its support and requesting that these ideas are

pushed forward.

Ms. Hill asked if the Planning Commission wanted to think about this or make a motion tonight to approve the money to be allocated towards an engineered report. There was a lengthy discussion as to how the Planning Commission should proceed.

The Planning Commission discussed the accuracy of the FEMA map. Mr. Carey stated that it is his opinion that it is up to the Town to decide to spend the money to research the FEMA map before anything is done.

Ms. Hill stated that there are two points of view:

- 1) to get all the information before anything is done, and
- 2) to work on the proposal a little at a time.

Ms. Jahnke stated that to work on it a little at a time would also require funds. There was a discussion regarding financing. Ms. Roberts noted the possibility of both strategic goals for this section of the Depot and a plan for their implementation.

Referral from Zoning Commission/Revision of Zoning Regulations/Eating & Drinking Establishments by Special Permit in The Business Districts

Ms. Hill passed out the Revision of Zoning Regulations for Eating and Drinking Establishments by Special Permit in The Business Districts. She stated the Zoning Commission has scheduled a public hearing for their December 28, 2009 meeting.

Procedures and Template for Conservation Easement

Ms. Hill stated that she spoke with Susan Payne, Chairman of the Conservation Commission and the Conservation Easement Model is finished but has not been sent to Ms. Hill.

Revision of the Subdivision Regulations

Ms. Hill stated that she and Ms. Roberts have a meeting on November 13, 2009 with Marty Connor.

Land Use Academy Seminar

Ms. Hill distributed "Roles and Responsibilities of Local Land Use Officials, Planning Commission," by Mark Branse for the Land Use Academy of the University of Connecticut. She distributed a summary of points raised by the various speakers at the September 26, 2009 Land Use Academy Workshop on Working to Keep Land Use Decisions Legal. Ms. Hill suggested that the Planning Commission read these handouts and discuss them at the December 1, 2009 meeting.

Subsequent Business

Re: Condition of Approval for Rowe, 44 Kielwasser Road, 2 Lot Re-subdivision:

The Planning Commission had made a condition of approval that all corners should be marked on the site plan. Ms. Hill stated that the major corners are marked but not the various changes in direction indicated on the site plan. Ms. Hill stated that she was concerned about future property owners not having these points indicated and asked the surveyor if they should be marked. Mr. Michael Alex, surveyor, stated that the existing farm fence should be sufficient. The Planning Commission agreed that the farm fence was in poor condition and will probably be taken out and then the property will not be marked. It was the consensus of the Planning Commission that all changes in direction are marked or the property line is indicated as a straight line.

Public Comment

There was not anyone from the public present.

Adjournment

Motion: to adjourn at 10:25 by Ms. Roberts.

Ms. Roberts adjourned the meeting at 10:25 pm

Filed subject to approval.

Respectfully Submitted,
Shelley White
Land Use Clerk