

January 4, 2011

7:30 p.m. Land Use Meeting Room

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

Members Absent: Ms. Gager

Alternates Present: Mr. Carey, Ms. Braverman

Staff Present: Shelley White, Janet Hill

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

Seated: Roberts, Jahnke, Frank, Braverman, Alt. (for Rimsky), Carey, Alt. (for Gager)

Consideration of the Minutes

The minutes of December 7, 2010 were considered.

Corrections:

Page 1: Under Preliminary Discussion re: proposed cell tower lease on Town Property: 1st paragraph:

Atty. David Myles should read: Atty. David Miles

Town should seek council should read: Town should seek counsel

Page 2: 1st paragraph:

Sentence beginning with: The Town should control...should read: The Town should control the height of the tower by...

Sentence beginning with: Mr. Lyon stated an RF Engineer...should read: Mr. Lyon stated an RF Engineer was hired to do a study that contains radio frequency emission figures that are...

2nd paragraph: 1st sentence should read: Mr. Carey asked if there would be a provision in the lease that provides for the site to be restored if the tower was deactivated.

Page 3: Under Other Business Plan of Conservation and Development /Economic Development, second paragraph, sentence beginning with: Mr. Rimsky stated...should read: Mr. Rimsky stated that the existing topography could affect the centers...

Motion:

to accept the December 7, 2010 Regular Meeting Minutes of the Planning Commission as amended, by Mr. Frank, seconded by Ms. Roberts, passed by 5-0 vote.

7:45 pm Mr. Rimsky arrives and is seated.

Minutes of 12/17/10 Site Inspection

Motion:

to accept the December 17, 2010 Special Meeting – Site Inspection Minutes of the Planning Commission as submitted,

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

Subsequent Business

Motion:

to add Election of Officers to the agenda,

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

New Applications

There were no new applications.

Other Business

Plan of Conservation and Development/Economic Development/Other Topics

Ms. Roberts suggested that Ms. Jahnke and Ms. Braverman meet with Ms. Hill, Land Use Coordinator to work on the agenda for the POCD Subcommittee. Ms. Gager has sent a list of members of the Land Use Commissions that have volunteered to be part of the subcommittee.

Ms. Roberts stated that Mr. Talbot discussed his concern that the Planning Commission would focus the revisions of the POCD on the Depot area and that he feels that the Woodville area should be taken into consideration. The Commission discussed the changes in Zoning of the Woodville area. Mr. Rimsky stated that it is important for the Town to look at the Woodville area for mixed/commercial use. Mr. Carey stated that the designated scenic road would be an additional hurdle for development. The Commission discussed the commercial zones of Marbledale and New Preston. Ms. Hill stated that she felt Mr. Talbot's main concern was that there should be a Town build-out analysis and that soil-based zoning hinders the development of denser vibrant village centers. She stated that she thought that he wanted the build-out analysis so that he would know how many possible building lots were in Town and then allow a property owner to transfer development rights to enable denser development of the village centers. Mr. Rimsky stated that the Open Space Ad Hoc Committee talked about a projected build-out analysis and the ad hoc committee layered maps to get an idea of how a build-out would look. Ms. Roberts stated that the current mapping of the Town would be useful. Mr. Frank stated that he read that the Town of Kent asked the University of Connecticut to do a build-out analysis. Mr. Rimsky volunteered to research what mapping data is available to the Town and how it could be utilized in Planning.

Ms. Hill, by request of Mr. Charles, distributed a letter to the Planning Commissioners, written by Mr. C. Charles, addressed to Mr. George Bender (Chairman of Planning at the time), dated November 13, 2001.

Referral from Zoning Commission

Revision of Zoning Regulation/Section 4.4.19 & 21.1.69/Addition of a) Youth Camp as a Use Permitted by Special Permit in the R-1 District and b) a Definition of Youth Camp:

Mr. Franks stated that at its November Meeting, the Planning Commission did not approve the first referral from the Zoning Commission regarding camps. He read the report that was sent to the Zoning Commission that states why the Planning Commission did not approve this referral and the Commission's recommendations to the Zoning Commission. Mr. Frank read sections of the Zoning Meeting Minutes from the November 22, 2010 meeting in response to the Planning Commission's report. Mr. Frank read the Zoning Commission's revised referral. He discussed the changes in the language. Mr. Franks stated that he feels a camp is a major commercial enterprise, that there is activity noise, traffic, P.A. systems and that "this is a one camp problem and request but the cure goes to the entire district." He stated that he feels that this would be inconsistent with the policy of preserving rural character and the statement of purpose in the R-1 Zoning Regulations. Ms. Hill stated that camps are not a permitted use in the R-1 district but this camp was grandfathered in and now the owners would like to expand but they cannot because it is a nonconforming use. The Commission briefly discussed why the owners could not get a variance from the Zoning Board of Appeals. Mr. Frank read his proposed resolution. The Commission unanimously adopted Mr. Frank's proposed resolution.

Motion:

Resolved:

That the Planning Commission does not approve the proposed revisions to the Washington Zoning Regulations (section 4.4.19 and 21.1.69 relating to Youth Camps) as written because it finds that such revisions are not consistent with the Town Plan of Conservation and Development. They are contrary to the goal of preservation of rural character because they would permit the operation of such commercial enterprises throughout the R-1 Farming and Residential District and are inconsistent with the Statement of Purpose contained in Section 4.1 of the Zoning Regulations. The Planning Commission again recommends as an alternative that a regulation restricted to the expansion of non-conforming uses by the single existing summer camp be considered. This resolution constitutes the report required by Section 8-3a of the Connecticut General Statutes,
by Mr. Frank, seconded by Mr. Carey, passed by 5-0 vote.

Birch Hill Road/Acceptance as Town Road

Ms. Hill stated that Selectman Solley wanted to talk to the Planning Commission about Birch Hill Road being accepted as a Town Road but he was not in attendance. There was a brief discussion regarding the location and history of Birch Hill Road. The Commission agreed to defer this subject until the Planning Commission Regular Meeting of February 1, 2011 at Bryan Memorial Town Hall.

Referral from Zoning Commission

Revision of Zoning Regulation/New Section 2.4 Re: Public Hearing Submissions:

The Commission agreed to defer this subject until the Planning Commission Regular Meeting of February 1, 2011 at Bryan Memorial Town Hall.

Referral/Section 8-24/Municipal Improvement/Proposed Cell Tower/10 Blackville Rd.

Mr. Carey stated that the First Selectman informed him that the Town would be meeting with representatives from Verizon and the consultants and he hoped that the remaining questions regarding the lease would be answered on Thursday. Mr. Frank stated that the Planning Commission should consider that bringing cell phone coverage into the Depot would provide cell service to emergency services and could enhance the village center. Mr. Rimsky stated that, in principle, bringing cell phone service into the Depot would benefit the Town. The consensus of the Planning Commission was that they would like a more concrete lease to review before an 8-24 report is drafted and that this discussion will be continued at the next meeting.

Public Comment

No one from the public was present.

Communications

Ms. Hill stated that she, Ms. Gager and Ms. Jahnke have registered to attend the Connecticut Main Street Seminar at the end of this month.

Administrative Business

Ms. Roberts stated that she has submitted a list of suggestions for the Alternate position to the First Selectman.

Election of Officers

Motion:

to re elect the present slate of officers,
by Mr. Frank, seconded by Mr. Rimsky, passed by 5-0 vote.

Adjournment

Motion:

to adjourn at 8:50 pm
by Ms. Roberts, seconded by Mr. Rimsky.

Ms. Roberts adjourned the meeting.

Respectfully submitted,
Shelley White, Land Use Clerk