

# April 5, 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

**Also Present:** Selectman Nick Solley

Ms. Roberts called the Meeting to order at 7:35 pm.

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

## **Consideration of the Minutes**

The minutes of March 1, 2010 were considered.

Corrections:

Page 5: 3rd paragraph: first sentence should read: Mr. Frank noted that the POCD is regulated by state statute...

8th paragraph, 1st sentence should read: Reporting again on the subcommittee meeting, Mrs. Braverman said the Zoning Commission wants the Board of Selectmen to take a proactive role and make recommendations for acceptable cell tower locations, but the Board was not inclined to do so.

Motion:

to accept the March 1, 2010 Regular Meeting Minutes of the Planning Commission as amended, by Mr. Frank, seconded by Mr. Rimsky, passed by 5-0 vote.

## **New Applications**

There were no new applications.

## **Other Business**

### Birch Hill Run Subdivision/Acceptance of Town Road:

Mr. Solley stated that the Board of Selectmen met with Mr. Pappas an abutting property owner of Birch Hill Run. He stated that the Town would be going forth with the road. Mr. Solley and the Commissioners looked at the map titled Recommended Subdivision Map prepared for Birch Hill Run Inc., by Nexus Engineering Associates, sheet 1 of 4, dated March 26, 1991. Mr. Solley stated that Mr. Pappas asked the Selectmen to consider providing language, upon acceptance, that no developer could use the road for any other purposes. Mr. Solley stated that this would be unlikely. There was a brief discussion regarding some possible alternate solutions to satisfy Mr. Pappas' concerns regarding the location and use of the road. Mr. Solley stated that the road is in, but a little offset, to the right of way. He stated that Mr. Pappas would have his property surveyed and get back to the Selectmen.

### Update: Referral/Section 8-24/Municipal Improvement/Proposed Cell Tower/10 Blackville Road

Mr. Solley stated that Mr. Markert and Mr. Comi are supposed to have a meeting. Ms. Roberts stated that the Planning Commission has had a site visit to the proposed cell tower site and are waiting to review the lease before endorsing the proposed site.

### Plan of Conservation and Development/Update/Economic Development/Subcommittee Report/Etc.

Ms. Braverman stated that the POCD Subcommittee had its second meeting on March 24th and will be meeting again on May 12th at 1 pm in the Land Use Meeting Room. She stated that representatives from the Board of Finance, Board of Education, and Housing Commission have talked about issues that the Town needs to address and that the majority of the representatives feel that these issues should be prioritized.

Mr. Rimsky stated that he feels that the Town is active in wanting to conserve the land but is also dealing with population issues and the Town would need to figure out what kind of community is wanted in terms of people and not solely in terms of appearance.

Ms. Roberts stated that she read the minutes from the POCD Subcommittee Meeting of 3-24-2011 and noted that one of the questions was whether the Planning Commission should deal with what now exists or look forward and make recommendations. She asked the Commissioners for comments. She stated that the POCD has not address education and the Planning Commission must decide if this element should be in the plan. Ms. Roberts suggested that the Commissioners write down all of their questions and consult experts in planning for advice.

Mr. Carey stated that he felt addressing the subject of education involves two other towns and the Town of Washington does not have the authority to consider what would be good for Bridgewater and Roxbury.

Mr. Rimsky stated that he feels that it is not necessarily the issue of education that needs to be addressed, as it is the nature of the population that requires the education. He asked why the Town could not consider establishing a fund similar to the Open Space Fund for land available for long-term affordable leases and give tax breaks to individuals that want to donate land for this purpose. He stated that part of planning for the community is looking at the health of the population of the community.

The Planning Commission briefly discussed the infrastructure of the schools. Ms. Roberts stated that she feels it is the Planning Commission's responsibility to bring this crisis to the public's attention. Mr. Rimsky stated that he feels that if there is a problem with the growth of this community the Planning Commission should bring the issue to light. He stated that some members, including himself, have grown up in Washington, others have lived here for many years and he feels this connection with the community coupled with professional guidance would be helpful in revising the POCD to meet the Town's needs.

Ms. Roberts stated that another concern that she has is that the Planning Commission tends to focus more on the Depot area. She feels that areas such as Woodville, Marbledale and New Preston must be considered in the POCD. There was a brief discussion regarding the changes that have occurred in these areas.

Ms. Jahnke stated most people do not feel comfortable with change and when something new is suggested progress is delayed because of the opposition or it ends with less than desirable final results. Mr. Frank read some excerpts from the Connecticut General Statutes 8-23 Plan of Conservation and Development and suggested that the Planning Commission seek professional advice regarding what the POCD should address and how narrow the statutes are. Mr. Rimsky stated that he agreed with Mr. Frank that the POCD should reflect the State Statutes.

Mr. Frank stated that he went to the Land Use Seminar given by the Connecticut Bar Association and he asked the attorney that presented the Planning portion of the seminar why most of the plans do not deal with education. He stated that the attorney responded that it was probably because the Board of Education is a creature of the State and not of the Towns.

Referral from Zoning Commission Petition to Amend Zoning Regs./Deletion of Section 13.13.4 – Minimum Apartment Size for Housing in the Business Districts(Apartments in Commercial Buildings):

Mr. Frank stated that the Zoning Commission amended section 13.10 Residential Conversion of Older Home in December by deleting section 13.10.3, which states the required minimum dwelling size for an apartment. The Housing Commission then petitioned to delete Section 13.13.4: Each apartment unit shall contain at least 550 square feet. It was the consensus of the Planning Commission to approve this revision.

**Motion:**

Resolved, that the Washington Planning Commission approves the proposed revision to Section 13.13.4 of the Washington Zoning Regulations as consistent with the Town Plan of Conservation and Development because it promotes diversity of housing opportunities and supports economic growth. This resolution constitutes the report required by Section 8-3a of the Connecticut General Statutes.

Referral from Inland Wetlands Commission Shoreline Protection Policies:

Mr. Frank stated that he feels the draft of Shoreline Protection Policies is protective of Lake Waramaug and other water bodies in Town.

The Planning Commission has reviewed the referral from the Inland Wetlands Commission concerning shoreline protection and endorses the policy in its proposal, which furthers the goal of protection of Lake Waramaug and other important natural resources.

**Public Comment**

No one from the public was present.

**Communications**

There were no communications to discuss.

**Administrative Business**

Ms. Roberts asked that the Planning Commissioners draft questions regarding the revisions of the POCD and submit them to Ms. White by April 12th so that they may be discussed at the next regularly scheduled Planning Commission Meeting on May 3, 2011 in the Land Use Meeting Room.

**Adjournment**

Motion: to adjourn at 8:55pm by Mr. Rimsky, seconded by Mr. Carey

Ms. Roberts adjourned the meeting.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Shelley White, Land Use Clerk