

June 4, 2002

MEMBERS PRESENT: Mrs. Averill, Mr. Bender, Mr. Byerly, Mr. Charles

ALTERNATES PRESENT: Mr. Rimsky, Mrs. Roberts

MEMBER ABSENT: Mr. Buck

ALTERNATE ABSENT: Mr. Sabin

STAFF PRESENT: Mrs. Hill

ALSO PRESENT: Atty. Andrews

Mr. Bender called the meeting to order at 7:34 p.m. and seated Members Averill, Bender, Byerly, and Charles and Alternates Rimsky and Roberts for Mr. Buck and Mr. Sabin.

Consideration of the Minutes

MOTION: To accept the 5/7/02 Regular Meeting minutes as presented. By Mrs. Roberts, seconded by Mr. Byerly, and passed 5-0.

It was noted the 5/7/02 Joint Commission Meeting minutes had not been mailed out and so would be considered at the next meeting.

MOTION: To include subsequent business not already posted on the agenda. By Mrs. Averill, seconded by Mrs. Roberts, and passed 5-0.

Other Business

Shepaug Valley Regional High School/159 South Street/Referral: CGS Section 8-24/New Track

Mrs. Hill said the school had called to ask to be taken off the agenda as the track had been defeated a second time.

Mr. Charles arrived at 7:39 p.m. and was seated for Mr. Rimsky.

Communications

Mr. Bender circulated the 5/17/02 letter he had received from Mr. Talbot regarding the unbuildable parcel, coverage, and right of way issues at 14 Old North Road. The accompanying unsigned map, "Composite Sketch," dated 5/16/02 was reviewed. It was noted a .3225 acre parcel with a paved driveway had been conveyed to a third party to decrease the coverage on the remaining 3+ acre lot at 14 Old North Road. A zoning permit for an accessory structure was subsequently issued for the 3+ acre lot. Mrs. Hill reported she had discussed this matter with both Atty. Miles and Atty. Byrne who said it had been legal to convey the smaller parcel.

Most of the Commissioners were very concerned that a nonconforming parcel had been created because it was smaller than the lots permitted under soil based zoning and it had more than 10% coverage. Mr. Bender, who is an attorney, advised them it is legal to convey small parcels, but most considered it an unacceptable loophole whether legal or not. After a brief review of the state statutes it was agreed this

was not a Planning matter. However, Mrs. Hill was asked to 1) check again with Atty. Byrne to specifically ask whether a small parcel could be conveyed even though it is non conforming and 2) advise the Zoning Commission of the Planning Commission's serious concerns about this situation.

Plan of Development

Mrs. Roberts said Mr. Field had given her a copy of the interim open space plan, which she thought was very helpful and recommended all Commission Members read. Mrs. Hill will obtain copies for the Members who do not already have a copy. It was noted final reports by the Conservation Commission and Housing Steering Commission would soon be available.

Mrs. Luckey suggested the Plan address the question of where to store Town equipment.

There was a general concern raised that so many of the questions raised in Mr. Chalder's discussion booklets were not being fully addressed due to lack of time. Mr. Charles noted the Conservation Commission feels frustrated and that it does not have more input in the process. It was pointed out, however, that Mr. Sabin is a member of both commissions and that Mr. Chalder used the Inventory Report when drafting the conservation discussion document, so there has been at least some Conservation input. Mr. Bender said the Conservation Commission would be invited to provide input when the first draft of the conservation section has been prepared. Mrs. Roberts said she had suggested to several Conservation Commission members that prior to the receipt of the first draft they provide written input that would be forwarded to Mr. Chalder. Mrs. Luckey noted the Housing Steering Committee is also concerned that it has had little input in the process. Mrs. Roberts thought there might be a misunderstanding and that these groups might think Planning is farther along in the process than it actually is. It was stressed that the reports from both groups would be discussed.

Old Town Garage Property/Titus Road

Mrs. Roberts advised the Commission that the Park and Rec Commission was interested in putting in ball fields on this property. It was noted the Planning Commission had once before denied a use of this property as it thought a study of the most appropriate uses was needed before any decision could be made. Recommendations for the best use of the property will be addressed with Mr. Chalder later in the process of updating the Plan. Several Members thought it would be OK to let Park and Rec use it for a single season or until a plan is decided upon for the area. Mrs. Luckey stated there might be some legal issues regarding using the property at this point because the DEP order is still in effect.

Housing Steering Committee and Report

Findings of the Housing Steering Committee were briefly discussed. The draft report had been circulated and it was noted final comments were due by June 14. The Housing Committee thought the primary factor standing in the way of affordable housing in Washington is the cost of land. Mr. Charles and Mr. Rimsky discussed the possibility of preserving open space with an affordable housing component, stressing that in order to make this concept work, the Town would have to become proactive. It was thought there would be more community support for the preservation of open space if in doing so, housing diversity would also be provided. Mrs. Roberts said that as the Town acquires more open space, enforcement officers to monitor it would be required.

MOTION: To adjourn the meeting. By Mrs. Averill.

Mr. Bender adjourned the meeting at 9:01 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Janet M. Hill, Land Use Coordinator