

June 18, 2002

Special Meeting

June 18, 2002

4:00 p.m. Land Use Meeting Room

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

MEMBERS ABSENT: Mr. Buck, Mr. Byerly

ALTERNATES PRESENT: Mr. Rimsky, Mrs. Roberts, Mr. Sabin

STAFF PRESENT: Mr. Chalder, Mr. Gillis, Mrs. Hill, Mrs. Luckey

ALSO PRESENT: Mr. Boling, Ms. Doran, Mrs. Friedman, Ms. Purnell

Mr. Bender called the meeting to order at 4:04 p.m. He seated Members Averill and Bender and Alternates Rimsky and Roberts for Mr. Buck and Mr. Byerly.

Copies of Mrs. Payne's 6/12/02 comments on Section 4 and Mr. Field's memo dated 6/10/02 were circulated.

Discussion continued on Section 4 - Conservation.

P. 24: Mr. Bender commented that 1) Mrs. Payne had said the Greenways Committee was working on establishing a greenways trail over the old railroad bed and 2) the boundary of the Hidden Valley Preserve would have to be verified.

P.26: 1. First bullet under Regulatory Strategies: Add "minimum" to read, "A mandatory minimum 15% "

2. Mr. Chalder will add a bullet re: setting up a fund for fees in lieu of open space.

3. Mr. Bender questioned why Mr. Chalder thought public use and access should be encouraged on conservation easements because he thought that over emphasis on public access would decrease public donations. Mr. Chalder stated the Commission would have to discuss different preservation strategies and the benefit to the community when open space is used as well as preserved. This discussion ensued throughout the meeting. Mrs. Roberts agreed with Mr. Bender that most people who donate open space do not want public access, while Mr. Rimsky stated where public funds are used to acquire open space, there should be public access. Mr. Sabin and Mr. Charles arrived at this point. Mr. Bender asked if the Commission would recommend an assessment reduction for open space. Mr. Rimsky thought this should be based on whether or not there would be public access. It was noted that in all cases, if open space were accessible to the public, that access would be limited, and the limits should be clearly specified. Mr. Charles noted he had encountered resentment in Town about the purchase of Meeker Swamp for open space because it did not include housing and had limited access. He suggested the Town actively pursue the acquisition of open space, sell the tax credits, and use a portion of each property for affordable housing. Mr. Rimsky agreed the Town's land acquisition policy should be balanced with affordable housing efforts and said that since many residents do not understand the value of open space for its own sake, they would want to see both housing and access components in open space areas. Mr. Chalder acknowledged there is an important housing issue to be addressed in the Plan and that it is linked to open space, but said it would be discussed at a later date. He stated that most towns opt for open space with public access because it provides protection plus additional benefits and pointed out that Washington must define its open space strategy. He noted the Town has relied greatly on Steep Rock and private easements in the past, and asked if the Town could or should do more. Mrs. Roberts thought the Town

should acquire more of its own open space. Mr. Bender said this could be done by establishing a land acquisition fund. He thought Steep Rock had been successful to date in obtaining open space, but asked if there would be strategies available to the Town that are not available to a private land trust. It was the consensus the Plan should not state a preference for the way in which open space should be preserved, that the Town should encourage all methods of preservation, which method used in each case to be at the discretion of the owner, and that each parcel acquired by the Town should be analyzed for its appropriateness for affordable housing.

4. Mr. Chalder will work on a revision to the definition of open space.

P. 26: Mr. Chalder noted there are some fiscal strategies such as bonding, which would be available to the Town, but not to a land trust.

P.27: 1. State and federal programs for open space acquisition will be listed in the appendix.

2. The possibility of the Town taking a first refusal option by eminent domain was discussed. Mr. Rimsky suggested a tax incentive similar to that for 490 lands be established for properties where the Town has a first refusal option. Mr. Bender noted such a program would have to be worked out with the Assessor's Office.

3. The possibility of the Town purchasing properties for open space using a reverse mortgage technique was considered.

4. It was noted a good Plan of Conservation and Development helps a Town to get state funding for open space.

5. It was noted Roxbury has been focussing on the preservation of farms, while Steep Rock has focussed on river corridors. Mr. Chalder asked if Washington would continue to focus on these corridors. Mrs. Payne noted the Conservation Commission interim report includes recommendations for open space acquisition and a map, which has not yet been circulated.

6. Mr. Chalder asked who the Commission would rely on to implement the open space plan. Mr. Bender noted the state statutes don't say this must be the Planning Commission and asked if the Conservation Commission would have jurisdiction. Mrs. Payne said she would consult with the Conservation Commission at its next meeting.

P.28 1. Mr. Chalder noted the great job Steep Rock has done to date, but asked the Commissioners to consider whether it was time to establish a Washington land trust. Mr. Bender thought this should be considered because Steep Rock was not a government agency and so was not bound by the Town's Plan of Conservation and Development. Another option, he said, would be to bring Steep Rock into the functional position of Washington Land Trust. Mr. Chalder said that competing land trusts might result in neither being successful. It was suggested two land trusts might divide the Town, one working to preserve stream corridors and the other farmland, for example. Mrs. Payne, chairman of Steep Rock's preservation committee, stated Steep Rock's policy is to collaborate with the Town in all ways possible. Mr. Charles pointed out, however, that Steep Rock has turned down land the Town has wanted it to preserve.

2. Mrs. Roberts suggested the Town work in conjunction with other towns and land trusts to increase its capacity to monitor open space. Mr. Bender requested this recommendation be included in the Plan. Mr. Sabin pointed out this might seem difficult to accomplish, but that Washington has often shared resources; its building official, health official, and regional school district, for example.

3. Mr. Bender said the Assessor presently gives no credit for lands under conservation easements and asked if the Commission should suggest this be done. Mr. Chalder noted the land covered by the easement might be worth less, but the surrounding land is worth more.

P. 29 1. Second paragraph: It was agreed the word, "key," should be deleted.

2. #2 at bottom: This will be modified to specify constraints for public use.

It was agreed the Commission would complete discussion of Section 4 at the July 16 Special Meeting and meet with the Conservation Commission when a first draft of the Conservation section is ready. After receiving Conservation's input, the Commission will meet with representatives from Steep Rock to begin a dialogue regarding open space strategies, the role of Steep Rock in the future, whether there should be a separate Washington Land Trust, etc. A public meeting on the topic of conservation will be held in September.

Regarding the reports from the Open Space Steering Committee, Housing Steering Committee, and Conservation Commission, Mr. Bender stated these would all be incorporated as part of the Plan. Mr. Charles asked if they were to be reviewed first to make sure they were consistent with the other sections of the Plan. Mr. Chalder said he had no problem accepting the terminology used in these reports and that they were good working guidelines, but he did not want any restrictions on how he puts the whole Plan together. For example, he said he had not included all of the recommendations from the Natural Resources Inventory Report because some would be very difficult to implement and others were contrary to points already agreed upon by the Commission. Mr. Bender strongly urged that none of the work of these committees and commissions be overlooked.

Agricultural open space easements were discussed. The questions were raised, what happens to an agricultural easement if there are no farmers left to use the land, why are agricultural conservation easements important to Washington, and should farming be subsidized? The purchase of development rights was cited as a means to preserve farmland.

Historic and community character will be discussed at the July 16 meeting.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Janet M. Hill, Land Use Coordinator

MOTION: To adjourn the meeting. By Mr. Rimsky.