

August 21, 2002

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

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

MEMBER ABSENT: Mr. Buck

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

INVITEES PRESENT: Conservation Commission: Mr. Gitterman, Mr. Markert, Mrs. Payne

Inland Wetlands Commission: Mrs. D. Hill, Mr. LaMuniere, Ms. Purnell

Historic District Commission: Mr. Smith, Mr. Talbot

Zoning Commission: Mr. Martin

Steep Rock: Atty. Fairbairn

Weantinogue: Mr. McGowan

ALSO PRESENT: Mr. Boling, Ms. Doran, Mrs. Friedman, Mr. Phillips, Press

Mr. Bender called the workshop meeting to order at 4:05 p.m. and seated Members Averill, Bender, Byerly, and Charles and Alternate Roberts for Mr. Buck. He noted those invited had been sent discussion booklets 4 and 4a and asked that written comments be submitted to Mrs. Hill prior to August 28.

Mr. Chalder, consultant, moderated the meeting. He explained the following topics would be discussed: natural resources, open space, historic resources, community character, and community spirit. For each of these topics the following three questions would be considered: 1. Vision: Does Washington have an appropriate goal or vision for this topic, is it clearly articulated, and can the goal or vision be implemented? 2. Organizations: Does Washington have appropriate organizations and/or staffing to accomplish the vision, are the appropriate organizations identified, and what should be the lead organization(s)? 3. Tools: Does Washington have the appropriate tools to accomplish the vision and what other tools might be desirable?

Natural Resources

Vision Statement: Based on the discussion with the Planning Commission to date the proposed vision statement was, "Continue to protect natural resources in order to maintain environmental function, maintain ecological balance, enhance community character, and enhance the overall quality of life." Mr. Philips thought the statement was meaningless because it contained no measurable objectives, while Mr. Martin thought it was a good statement the general public would support. Mr. Chalder presented the map, "Conservation Priorities Map," which showed the lands to be preserved such as wetlands, watercourses, and floodplain, lands for conservation such as steep slopes and watersheds, and lands to be protected such as wildlife corridors. Mr. Smith asked if aquifers were included. They were and their locations noted on the map. Mr. Chalder noted these lands covered approximately 50% of Town. Ms. Doran suggested setting a specific quantifiable goal for the percentage of natural resources to be included in the overall 30% open space to be preserved. Atty. Fairbairn suggested prioritizing the natural resources to be preserved, for example, making aquifers the number one priority.

Organizations: Mr. Chalder noted currently the Conservation Commission has the charge for natural resource protection with support from the other land use commissions, and other conservation organizations such as Steep Rock and Weantinogue. He asked if the Conservation Commission was the right entity for this job. Mrs. Payne noted it is the Conservation Commission's job according to statutory

definition. Mr. Smith pointed out the Zoning Commission also serves an important role in protecting natural resources by preventing over building and Mr. Chalder noted the Health Dept. is also important. Mr. Martin stated zoning controlled density and lot coverage and was working on an update of Section 14 of the Zoning Regs. regarding site plan requirements, which included new design standards for drainage and runoff. He said he was comfortable with the Conservation Commission as the lead commission in protecting natural resources. Mr. Chalder noted Conservation may promote conservation topics and coordinate efforts, but has no regulatory role. Mrs. Roberts noted the poor communication between the land use commissions and urged the Conservation Commission to alert the other commissions about the issues it is taking up so they can be included in the discussions.

Tools: Mr. Chalder said Washington has excellent land use regulations in place to protect natural resources, but additional land disturbance controls such as zero increase in peak storm water runoff and guidelines for blasting might be desirable. Mr. Charles expressed his concern that the Town regulations weren't adequate to handle an application under the affordable housing appeals process, but Mr. Chalder said this could be overridden if there were valid environmental concerns. Mr. Bender asked that the Subdivision Regulations be added to the list of tools.

Open Space

Vision Statement: Mr. Chalder said he had a sense the community goal for preservation of open space was 30% by 2015, but he was not sure if there was a consensus for what lands should be preserved. He noted that if the existing and visual open space and the natural resources were all considered, it would total 80 to 90 percent of Washington. In order to prepare the open space plan that was geographically specific, he said, the questions, how much open space, where, and why would have to be addressed. Mrs. Payne said the 30% goal had been recommended by the Open Space Steering Committee, but had not yet been discussed in a public forum. Atty. Fairbairn thought the percentage to be preserved would be dependent upon how much cost the Town would support. It was also noted that much of the lands in Washington, which are perceived to be permanent open space, are actually in 490, which is only temporary protection. The map, "Desirable Open Space Corridors," was reviewed. Mr. Sabin noted the intent of this map was to show strategic desirable areas and did not necessarily mean the entire corridor should be open space. Mr. Chalder tried to get a sense of whether the Town envisioned many unconnected parcels of open space throughout Town or whether it would take a corridor approach. Mr. Gitterman thought this map would be more meaningful if the parcels were prioritized. Mr. Markert thought an opportunistic approach should be taken; that open space lands should be taken when offered instead of setting goals to acquire what is not available. Mr. Martin agreed, but added criteria would be needed to establish a priority for spending Town funds. Atty. Fairbairn thought that to implement anything other than an opportunistic plan, the Town would have to make a financial commitment. Mr. Chalder noted that once a plan with accompanying map had been agreed upon, it could be used to gain community support, and once that has been established, the state statutes allow the Town to reserve up to 2 mils for an open space fund. Mr. Talbot noted Nantucket charges 2% to the buyer at the time of a sale, those funds being set aside for open space. Mr. Chalder said a similar proposal had failed in the Ct. legislature. Mr. Charles thought it was important to create a situation where smaller property owners could participate in open space preservation and suggested higher development standards be set like the 10% maximum development on lots in Dewey's Island. Mr. Chalder did not think that idea was applicable to Washington because the Island was a resort community where property owners knew the restrictions before they purchased the property.

Organizations: Mr. Chalder asked what organization should be the acting land trust for Washington and why. Discussing the choices, he said Steep Rock has the ability to take property and donations, but will not always accept parcels, Weantinogue serves all of Litchfield County, the Conservation Commission can acquire property in the Town's name with the consent of the Board of Selectmen, and another option

would be the establishment of a Town of Washington Land Trust. The responses included:

- Mr. Talbot: Steep Rock.
- Mr. Martin: Steep Rock. He said Steep Rock was doing a good job and he thought Washington was too small for two land trusts. He recommended the Planning Commission begin a dialogue with the Steep Rock trustees.
- Ms. Purnell: She noted each of the above entities would have a different criteria for accepting parcels. With that consideration she recommended Steep Rock continue accepting parcels along the stream corridors and either a Washington Land Trust or the Conservation Commission for other parcels.
- Atty. Fairbairn: He agreed there are parcels Steep Rock will not accept and so agreed with Ms. Purnell to continue with Steep Rock for the stream corridors and use the Conservation Commission for all others. He noted if Steep Rock was the primary steward the Town would have to make a significant financial contribution. Since Steep Rock is not a "democratic organization" he thought many residents would object if it received Town funds and so a public organization should be used.
- Mrs. Payne: She said Steep Rock's position is to work with the Town whenever possible, but noted there would be situations when the board of trustees would find parcels unacceptable. She read a list of priorities for preservation of open space from Steep Rock's statement of purpose; 1. land suitable for farming (also #1 in the Open Space Interim Report,) 2. land adjacent to other Steep Rock land, and to the Averill and Seymour farms, 3. land that would help protect water resources, 4. Scenic views and historic sites, 5. Land in greenways and preservation corridors.
- Mr. Boling: He said it is important to have a land trust that will accept all subdivision open space.
- Mr. McGowan: Weantinogue wants to remain secondary to Steep Rock in Washington, but noted it has a liason on the Steep Rock board and would take lands not accepted by Steep Rock.
- Mr. Rimsky: He supported one main organization for coordination purposes, the organization established with a clear purpose and clear management policies.

Mr. Chalder noted there would also be a public meeting to discuss conservation issues.

Historic Resources

Vision Statement: Mr. Chalder read the proposed vision statement, "Continue to encourage the preservation of historically significant buildings, properties, and places in order to enhance community character." There was general agreement with this statement.

Organization: Mr. Chalder asked who should be the primary organization to carry out the vision to identify historic resources and coordinate efforts to preserve them. Mr. Rimsky suggested the Historic District Commission continue to do the good job that it has, but Mrs. Hill pointed out that the HDC has very limited jurisdiction and that it is difficult to establish new historic districts. Mr. Smith, HDC Chairman, agreed the Commission is very limited in what it can do, but did note the state has statutes governing procedures for delaying the demolition of historic structures. He thought it would be a good idea for the HDC to increase this power, but added it has no control over demolition by neglect. He also noted the HDC has no funds to help with historic preservation. Mrs. Roberts then suggested the establishment of a townwide historic society. Mr. Smith thought such an organization should have an educational function, possibly be connected with the museum, and would need professional expertise to

make it happen. Mr. Chalder asked if the Town was doing a good enough job already so that an additional organization would not be needed. Mr. Smith thought more education for the public was needed. Mr. Chalder asked if education could fall under the duties of the Conservation Commission. Mrs. Payne said it would fall under historic resources, but that it would take an increase in budget and staff to do. Mr. Boling suggested Village Districts be established under the control of the Zoning Commission or that the whole Town be considered a Village District so that all buildings with historical merit could be preserved. Ms. Doran agreed with Mr. Boling. Ms. Purnell cautioned using the Natural Resource Inventory Report as the sole source of historic homes as it included only those houses that could be seen from the road. Mr. Smith also noted that as time passes, the houses we now consider modern will become part of the historical record. Mr. Gitterman worried that there were not enough volunteers in Town to staff another organization. It was recommended the Gunn Museum be added to the list of historic organizations in Town and that all the houses on the National Register be included in the report.

Community Character/Community Spirit

Vision Statement: Continue to seek and use every possible device that will enable Washington to identify, protect, and enhance community character. Mr. Chalder explained the character was the physical attributes of the Town, whereas the spirit was the feeling residents had about where they live; the pride of place and love for the Town. Mr. Gitterman said the vision statement must include the word, rural. Mr. Smith pointed out that adding "rural" would not address the problem of those who move here for the rural character, but then complain about operating farms. A discussion about farming followed. Ms. Doran thought weekenders and newcomers must understand that the Town's goal is to preserve farmland and that the Zoning Commission should find ways to support agriculture. She also thought there should be pamphlets at the real estate offices to educate newcomers. Mr. Chalder said the Plan of Conservation and Development could be used for community education as well as the Town website. Mrs. Payne noted the Conservation Commission has already identified education as a real need. Mr. Charles said in addition to educating people about the goal of preserving farmland, the general public needs to understand that there are limits to what can be done on a property and that the regulations are there to protect them. It was the consensus that community character and spirit was the main chapter heading and that it included the topics of conservation, natural and historic resources, and open space. Mr. Gitterman expressed his concern about human resources. He feared Washington would be 30% open space and the remainder a gated community as there is little affordable housing and long time residents are taxed out of Town. He said community diversity must be addressed in the Plan because it is an essential part of rural character. Mr. Martin noted the many public and private schools in Town and said they are lead organizations for community spirit.

Organization: Mr. Gitterman thought that if all the commissions functioned properly and worked together all the vision statements would be accomplished. Ms. Purnell agreed it was everyone's responsibility. Mr. Philps said specific responsibilities should be assigned to the various groups or nothing would be accomplished.

Mr. McGowan from the Lake Waramaug Task Force apologized for arriving late and made the following points regarding preservation of natural resources. 1. He was concerned about the suggestion that alternate septic systems be investigated. He thought sewers would be counter productive around Lake Waramaug and asked for a strong sewer avoidance policy around the lake. 2. He asked Zoning to increase the building setback around the lake to 75 feet and 100 feet for major structures. He also noted the importance of maintaining natural vegetation around the shoreline. 3. He maintained the 10% impervious coverage cap was essential and asked the Zoning Commission to restore it around the lake. 4. He believed the preservation of small open space parcels around the lake was essential. 5. Regarding education and enforcement, he said micromanagement around Lake Waramaug was needed and recommended a deputy enforcement officer be hired for lake duty only.

Mr. Talbot asked for a definition of impervious surface.

Mr. Chalder reminded those present that written comments were due by August 28.

Mr. Bender adjourned the meeting at 6:15 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Janet M. Hill
Land Use Coordinator