

WASHINGTON CONSERVATION COMMISSION

MINUTES
December 5, 2018

5:15 p.m.

Bryan Memorial Town Hall

MEMBERS PRESENT: Mrs. Payne, Mrs. Frank, Mr. Bernard, Mr. O'Hazo, Mrs. Dupuis

ALTERNATES PRESENT: Mr. Sabin, Mrs. Branson

ALSO PRESENT: Ms. DeLuca, Conservation Commission Clerk

NOT PRESENT: Mrs. Rawson

With a quorum present, Mrs. Payne called the meeting to order at 5:16 p.m.

Consideration of the Minutes: The minutes from the November 7, 2018 were reviewed by members.

A motion was made by Mrs. Frank to approve the minutes as written. Seconded by Mr. Bernard and unanimously approved.

Approval of 2019 Meeting Calendar: Mrs. Payne noted that meetings will still take place on the first Wednesday of the month, with the exception of August, when the commission does not meet.

A motion was made by Mrs. Payne to approve the 2019 Calendar as written. Seconded by Mrs. Dupuis and unanimously approved.

New Preston Falls Update: Mrs. Payne opened discussion by mentioning that the Gunn Library has invited the Conservation Commission to speak at its evening adult program on 5/30/19. Updating the community on the New Preston Falls project will be on the agenda.

Mrs. Frank announced that a split rail fence has been installed on the site. There was a brief discussion about its placement and inability to prevent people from ultimately accessing the area, but all agreed that it was a welcome addition.

Mr. Sabin will continue to work on the site plan, and expects to have a rendering ready by the January meeting.

There was a discussion of the metal bridge owned by the State of Connecticut. Mrs. Branson noted that the parking area near the bridge would benefit from some type of cleanup, and questioned if the bridge itself was safe. Mrs. Payne reported that Brian Neff, a licensed engineer, inspected the bridge and deemed it sound, and Mr. Sabin added that the State has approved a grant to beautify the area, so improving that area might be a realistic goal in the future. Mr. Sabin suggested that the Conservation Commission work with the Buildings and Properties Commission, as they might be willing to contribute funds or help with fundraising to defer the cost of some of these improvements.

Cricket Valley Power Plant Update: Mrs. Frank reported that she contacted New Milford's Conservation Commission to see if they would be interested in participating in the monthly meetings with surrounding towns to address concerns over possible contaminants from the plant. Her suggestion was not initially well-received, but after further reflection, the chairperson spoke with New Milford's mayor and health director and they now appear to be more enthusiastic about participating.

Mrs. Frank also reported that she is prepared to order the monitoring system previously discussed, and that the Kent School's system should be up and running by the beginning of the new year. The Kent School has contributed over \$30,000 toward the cost of their system, with the balance coming from the Town of Kent. The monitor is to be placed on top of Kent School, and a teacher at Kent has been designated as the point-person who will be overseeing its data.

Mrs. Frank is still trying to foster participation with area schools, and will continue to reach out to them to see if there is interest in having students access data from both Kent's system and that of Washington. She voiced some concerns about broadening the net too wide at this juncture, and members agreed that the system(s) should be up and running before too much effort is expended in this regard. They also agreed that the focus should be on high school and middle school students.

Mrs. Dupuis questioned the longevity of the system the town will be purchasing, as well as any additional maintenance costs that might be incurred. She pointed out that the literature states that the system has a shelf life of 5-10 years. Mrs. Frank confirmed that after the unit is in place for two years, there will be a cost of \$600 to maintain it.

Phragmites Removal by All Habitat: Mr. O'Hazo shared photographs taken of the site with members, confirming that the phragmites have been abated since the process began.

Mr. Bernard reported that after a discussion with All Habitat, it was agreed that nothing new should be signed until adjacent property owners are in alignment with the plan. Mrs. Frank noted that one resident stopped by the Land Use office to discuss concerns about being indemnified should anyone be injured while crossing his property. Members agreed that this was a reasonable concern. Mrs. Frank will follow up with All Habitat to obtain language that might assuage all parties. In the meantime, Mr. Bernard wants to obtain a price for All Habitat to do the customary follow up after a treatment, where they would spot treat and cut back those phragmites that were initially missed.

Mrs. Frank asked when All Habitat will next be out to the site, and Mr. Bernard stated that they would like to go once everything is frozen. The question about whether they would be using equipment or be on foot was then raised, and Mr. Bernard thought it would depend entirely on the treatment required. He also noted that All Habitat will need to renew the permit they pulled with the State of Connecticut, but didn't anticipate that this would be a problem.

Members agreed to continue to work with neighboring property owners, and Mr. Bernard will continue to communicate with All Habitat about next steps.

Review of Site Development Feasibility Plan for 282-292 Bee Brook Road: After a thorough review and discussion of the plan that the Planning Commission would be reviewing later that evening, members expressed some concerns about easements presently on the property, and wanted to ensure that any and all potential negative impacts are considered before the plan is approved. There was a consensus that a motion should be made, with a brief discussion about the motion's intent and necessary language.

A motion was made by Mr. Bernard to review the Site Development Feasibility Plan/Subdivision Lot Line Revision dated 11/29/18 by Brian Neff and to add the comment that the Conservation Commission noted that the 50' right of way is to be relocated, and that this relocation places it within the 100' area regulated by town easements. The Conservation Commission wants to make sure the Inland Wetlands Commission reviews this relocation and considers any potential impacts that might result from such a move. Seconded by Mrs. Payne and unanimously approved.

Sustainable CT Initiative – Report on 11/14/18 Meeting: Mrs. Payne had nothing new to report, but she will continue to follow what is happening and hopes to have something to add for the next meeting.

Subdivision Set-Aside Regulations: Members discussed some of the concerns currently being addressed by the Planning Commission. Mr. Sabin stated that while he conceptually understood

the need for parameters that guide regulations, he would be wary of using language that was too restrictive, such as “all” or “always,” because there are bound to be exceptions. Mrs. Frank suggested that Planning might be interested in the language Conservation uses when accepting easements, and members agreed it might be helpful.

There was further discussion about any potential funds generated through these set-asides be designated for use by the Open Space Fund, since this would help ensure proper stewardship of these spaces. Members agreed that Mrs. Payne should follow up with Planning chair Wayne Hileman to discuss this matter further, and she will also provide him with a copy of the criteria the Conservation Commission uses when making decisions.

Consideration of a Bag Ordinance: Members discussed whether the town should consider proposing an ordinance that restricts the use of bags while shopping. Greenwich recently passed such a decree, and its conservation commission volunteered to enforce compliance. There was a brief discussion about asking customers to pay for bags, and whether supporting such an initiative should be given further consideration at this time, but there was a consensus not to pursue this idea further

A motion was made by Mrs. Payne that the Conservation Commission will not be the enforcer of any type of bag ordinance considered by the town in the future, though we recognize reducing waste is admirable. Seconded by Mr. O’Hazo and unanimously approved.

Subcommittee Reports & Assignments/Other Business:

Diane Dupuis reported that Warren approved two sites by a vote of 64-14 as contenders for placement of its new cell tower: Laurel Mountain/Carter Road and 50 Cemetery Road. The tower is to be embellished to look like a tree, and she will report back once a decision has been made. There was then a brief discussion about the impact of bringing 5G to Connecticut, and the health studies that will optimally take place before this happens.

Mrs. Payne reminded members that officers will be elected in January, and asked that each member consider choosing an area of concern so that they could be pursued with greater depth come 2019. She also stressed the importance of drafting viewscape/tree cutting regulations in 2019.

There was a general discussion of utilizing additional resources to better help the commission meets its goals. Mr. Sabin intends to contact Representative O’Neill to address some areas of concern in the hope of there being better budgeting at the State level. Mrs. Frank also suggested that the new Zoning Enforcement Officer be invited to attend meetings, as the ZEO is an ally of the commission.

Mrs. Branson informed members that 11/13/18 Inland Wetlands minutes noted concern over tree-cutting that has taken place on River Road. Members discussed the impact tree-cutting has on water run-off and potential damage to the environment. Mrs. Payne suggested that chairs of the various Land Use commissions used to meet to discuss their respective concerns, and that this often resulted in better communication and less tension. She will reach out to those chairs who might be amenable to such an idea again.

Mrs. Payne adjourned the meeting at 6:30 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Joan DeLuca", written over a horizontal line.

Joan DeLuca
Conservation Commission Clerk