

WASHINGTON CONSERVATION COMMISSION

MINUTES
February 6, 2019

5:15 p.m.

Bryan Memorial Town Hall

MEMBERS PRESENT: Ms. Payne, Ms. Frank, Ms. Branson, Ms. Dupuis, Mr. O’Hazo

ALTERNATES PRESENT: Mr. Sabin, Ms. Rawson (arrived at 5:30 p.m.)

ALSO PRESENT: Ms. DeLuca, Conservation Commission Clerk
Mr. Tsacoyannis, Washington’s Zoning Enforcement Officer

With all regular members present. Ms. Payne called the meeting to order at 5:15 p.m.

Consideration of Minutes: The minutes from January 2, 2019 meeting were reviewed by members; no corrections were necessary.

A motion was made by Ms. Branson to approve the minutes of the January 2, 2019 meeting as written. Seconded by Mr. O’Hazo and approved 5-0.

Introduction of Washington’s Zoning Enforcement Officer: Mr. Tsacoyannis introduced himself to the commissioners, and reported that he feels up to speed on current issues. There was a brief discussion of a recent letter from Attorney Marcus, who represents a neighbor of the New Preston Falls Project. Mr. Tsacoyannis will continue to monitor activity at the Falls to ensure that no zoning violations occur, and appreciated that the Conservation Commission is aware of what can and cannot be done.

New Preston Falls Update: Mr. Sabin presented a new rendering of the project, noting that planning is moving along nicely. On January 24, 2019, Mr. Sabin and Ms. Payne met with some New Preston merchants to present the current plan and discuss the commission’s goals with them. Overall, the plan was very well received, though some questions were raised about parking and access.

After meeting with members of Buildings & Properties and Economic Development, Mr. Sabin learned that the town plans to add a new sidewalk and do some repairs to curbing and drainage in

one particularly troubling section. After this takes place, Mr. Sabin hopes to walk the area with the business owners, so their concerns might be considered as future plans develop.

Ms. Branson inquired about other concerns merchants might have, and there was a discussion about dissuading pedestrians from entering areas where they might be injured. Ms. Payne noted that they hope to incorporate some type of green wall to help in this regard.

Members discussed the overall budget for the project, including the proposed walkways, signage, and printing brochures for local merchants. Ms. Payne and Mr. Sabin hope to finalize numbers shortly, in order to get the selectmen's office what they need so funding might be approved through the town's capital expenditure budget.

Eversource Tree Cutting: Recent tree cutting on municipal roadways has prompted the idea of encouraging the town's selectmen to arrange a public meeting with Eversource. Members hope to include local conservation groups who have an interest in protecting the plants and birds who are disrupted by random removal of trees. Ms. Rawson noted that, in the past, Eversource representatives have been open to such meetings, especially when they are arranged before problems arise. She suggested that providing the company with simple ideas and suggestions, as well as educating them about possible consequences, might result in a more thoughtful practice that will not only allow them to achieve their aims, but result in better stewardship of the land.

Cricket Valley Power Plant Update: Ms. Frank reported that the air quality monitoring unit has been held up due to a manufacturing delay, but she anticipates its receipt soon. In the meantime, she met with Tony Bedini of Buildings & Properties to review location options. Their recommendation is to place the unit atop Shepaug High School, due to its height, availability of necessary power and access to the Cloud. She also plans to meet with the science chair there to discuss how available data might be incorporated into the school's science curriculum.

There was a brief discussion about recent newspaper articles that are broadening awareness about concerns about the power plant.

Open Space Fund: Ms. Payne was asked to write a letter of support for Steep Rock Association's interest in the preservation of Hillside Farm on Nettletown Hollow Road. The commissioners expressed overwhelming support, and hope Steep Rock succeeds.

House Bill Re: Buyer's Conveyance Tax: Mr. O'Hazo voiced his enthusiasm for Washington adding its name to the list of towns who might be eligible to issue a buyer's conveyance tax, which could be used to fund purchases such as this in the future. Ms. Rawson noted that legislators are still finalizing language on the bill (HB5254), but that the window to be included is beginning to close. There was further discussion about the customization afforded to each town, should they request to be included in the bill. For example, the amount of the tax can be anywhere up to the 1% range, and the threshold of taxable transfers is also discretionary. Ms.

Dupuis noted that an additional tax might adversely affect those residents who are not in a position to afford it, and Mr. O'Hazo agreed. He admitted that there might be some pushback from residents or realtors about the imposition of a new tax, but ultimately the funding obtained through such a conveyance tax would protect home values in the area, since it would allow for increased stewardship of the land. He also felt that buyers come to Washington due to its rural character, and contributing to a fund that would protect that would benefit not only homeowners, but the community as a whole. All members agreed that, should the town proceed, they would recommend that purchases on the moderate to low end of the spectrum not be negatively impacted.

A motion was made by Ms. Payne to note that the Conservation Commission approves that the Town of Washington pursue being on the list of towns eligible to consider a future buyer's conveyance tax, as referenced in HB 5254 currently being written by the state legislature. Seconded by Ms. Branson, approved 5-0.

Alternate Vacancy: Ms. Payne asked members to bring forth names of possible candidates to fill the current alternate vacancy on the Conservation Commission. There was some discussion of some possibilities, but Ms. Payne would like feedback from other commissioners before a final decision is made.

Phragmites Removal by All Habitat: Ms. Frank is waiting for updated numbers from All Habitat so that the 2019 contract might be renewed.

Ms. Branson asked if there has been past discussion about long-range plans for the New Preston Open Space. Ms. Payne noted that while there are available trails and an abundance of birds to enjoy, the town has no plans to promote the space with additional signs or clearing, out of respect for nearby property owners who voiced concerns about increased activity.

Sustainable CT Initiative: Ms. Payne had nothing new to report.

Tree Cutting Regulations: Ms. Payne stressed that a long-standing goal of the Conservation Commission is to preserve the rural nature of the town. Some options might be to use language similar to zoning regulations currently enforced in Greenwich, or to propose something akin to Kent's landscaping guidelines. The overarching goal is for Washington to add legally defensible language that will result in more environmentally-minded structural and landscaping planning.

Some points raised by commissioners follow:

Mr. Sabin noted that two arguable reasons for Land Use to add such regulations are related habitat and storm water management. He reminded commissioners that Land Use may enact regulations that protect the health, safety and welfare of the town. Clear cutting trees can adversely affect habitats by making them susceptible to invasive species. A stronger argument, though, is increased run-off due to the topography of the area. Storms in recent years tend to be

stronger than in the past. This, combined with steep slopes and the removal of trees, leaves the water nowhere to go but down, adversely affecting lower-lying properties.

Ms. Branson noted that there is language currently in Washington's subdivision regulations, and suggested using consistent language when Conservation makes its recommendations.

Mr. O'Hazo recommended beginning with minimal restrictions to avoid any initial resistance, and develop them further as the need arises.

Ms. Rawson reported that she has been researching area towns to determine the best manner by which Washington should proceed, but that there are many ways communities are able to take action, resulting in the need for more research. She hopes to delve into the subject a bit more, as she has not yet determined a path she is comfortable recommending. She noted some options are going through Inland Wetlands, Zoning, the Tree Warden's Regulations, or even the guidelines set forth through the state's Forest Practices Act.

Before proceeding further, Ms. Rawson and Ms. Branson agreed to piece together the information members have gathered thus far, so members might have a more cohesive sense of the best way to move forward.

Due to inclement weather, Ms. Payne made a motion to adjourn the meeting at 6:45 p.m. Seconded by Ms. Branson, and approved 5-0.

Respectfully submitted,

Joan DeLuca

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Conservation Commission Clerk