Town of Washington

Bryan Memorial Town Hall

Washington Depot, CT 06794

#### Washington Conservation Commission

#### Minutes

**December 7, 2016**

**5:00 p.m**. **Land Use Meeting Room**

**Members Present:** Susan Payne, Linda Frank, Randy Bernard

**Members Absent:** Diane Dupuis, Phil Markert

**Alternates Present:** Dirk Sabin

**Alternates Absent:** Betsy Corrigan, Ann Quackenbos

**Staff Present:** Janice Roberti

**Others:** Attorney Robert Fisher, Attorney James Kelly

Ms. Payne called the meeting to order at 5:05 PM and seated Mr. Sabin.

**Seated:** Susan Payne, Linda Frank, Randy Bernard, Dirk Sabin

**Consideration of the Minutes**

The Commission considered the regular meeting minutes of the Conservation Commission for

November 2, 2016.

Clarification:

Under topic “*West Indies, LLC Klemm, 96 Calhoun Street, Conservation Easement, Attorney Rob Fisher”, state the acreage offered in the easement as 2.8149 acres more or less*.” The map prepared by Arthur Holland states the Total Area of 24.8207 which could be misleading.

MOTION: To accept the November 2, 2016 Conservation Meeting Minutes as amended.

By Ms. Frank, seconded by Mr. Bernard, passed 4 to 0.

West Indies, LLC/Klemm/96 Calhoun Street Conservation Easement - Attorney Fisher

Ms. Payne read a portion of the easement document aloud to the members. She read the last two paragraphs of the Property Description to the members. Ms. Payne noted a question under Section 4.7 Agricultural Uses. “Grantor may construct buildings or structures for sheltering animals and storing equipment related to permitted agricultural activities”. Ms. Payne stated that it’s a very small piece of property to allow structures which could have negative impact on the scenic value. The other members present agreed with Ms. Payne. Attorney Fisher said that he spoke to Mr. Klemm about this and that perhaps at some point someone might have a permitted agricultural use. He said that it makes sense that there could be something there so that animals could be sheltered. If the primary conservation value is the scenic view then he understands the Commission’s point.

Ms. Payne and Ms. Frank commented that the parcel is fully visible and added that the property is located in the

Historic District. Attorney Fisher stated that there is no provision for buildings or structures even for agricultural purposes in the adjacent easement.

MOTION:       To accept the Conservation Easement offered by West Indies, LLC/Klemm, 96 Calhoun Street with the requirement that the Grantor eliminate the reserved right under Section 4.7 Agricultural Uses which states “Grantor may construct buildings or structures for sheltering animals and storing equipment related to permitted agricultural activities”.  The parcel size is too small to accommodate this use. The open space value of this property is enhanced because of its location in the Calhoun Street Historic District.  By Ms. Payne, seconded by Mr. Sabin, passed 4 to 0.

90A Tinker Hill Road/Andrew Bazos Proposed Conservation Easement - Attorney Kelly

Mr. Sabin recused himself.

Attorney Kelly informed the Commission that this easement offering is not a 2016 priority. He is coordinating with Arthur Howland & Associates preparing a conservation easement map that will show:

* the one stone wall that is an encroachment so that it can be added as a reference to the restriction document
* the fence line which will be moved
* the proposed viewscape that Dirk Sabin is preparing

Questions from Attorney Kelly, Answers from the Commission:

Q. Does the CC need something independent from Mr. Sabin’s September 7, 2016 *Site Assessment Baseline for Lot #2, 90 Tinker Hill*? May we pare it down to just the findings?

A. Ms. Payne said not necessary for another independent review

Q. Regarding the management plan review by the Commission’s consultant, does the CC need to submit the management plan to their consultant prior to the January 2017 meeting?

A. Ms. Payne answered that it would be best to have everything all together in one package.

Q. Stewardship fee – has the Commission decided on the fee?

A. Stewardship fee in the process of being determined

Other Business not on the Agenda

1. Ingrassia/Subdivision at 292 Bee Brook Road - Attorney Kelly

Mr. Sabin returns to the meeting.

Attorney Kelly distributed copies of the most recent proposed draft of the Conservation Easement for Ingrassia’s subdivision located at 292 Bee Brook Road with a couple of suggested edits from the last form submitted in early October.

Attorney Kelly is looking for feedback from the Commission regarding the WHEREFORE clauses.  This is the only area which differs substantially from the approved template he was given. Attorney Kelly pointed out that he eliminated most of the WHEREFORE clauses as these clauses did not seem applicable or necessary (this is for subdivision open space set aside which does not have to qualify under any IRS or LTA guidelines)  but he deferred to the CC to ask what the Commission wishes to include.

Ms. Payne had previously emailed the draft to the members and asked the members to review the document which will be discussed at the January 4, 2017 meeting.

2) Timeframe for submitting documents to the Conservation Commision when submitting a proposal.

Immediately following Attorney Kelly’s presentation, Ms. Payne addressed the submission of documents from those who want to present proposals to the Conservation Commission. It was agreed that all relevant information needs to arrive at the Land Use Office both by hard copy and electronically no less than two weeks prior to the monthly Commission meeting to allow time for review.

MOTION: To put into place a timeframe for anyone making a proposal to the Commission at a standing monthly meeting to have documents submitted both in hard copy and electronically no less than two weeks prior to the monthly meeting. By. Ms. Payne, seconded by Mr. Bernard, passed 4 to 0.

Phragmities Eradication Progress – Randy Bernard

The project is stalled until spring of 2017.

2014 TPOCD Environmental Sustainability Action Items – Review and select action item(s) to implement

As various topics were discussed during past meetings, it was decided that two in particular would be appropriate for the Conservation Commission to select as its TPOCD Environmental Sustainability Action Items:

Action Item #1) Protecting trees, implementing sound forestry management and educating the public

Ms. Payne referred to *The Washington Connecticut Natural Inventory Report and Recommendations, Section Farmland and Woodland, Page 37 #16* and read an excerpt “*Discourage/prohibit the indiscriminate clearing or thinning of tree canopy and shrub understory within residential properties. Actively educate the public about the detriments of this type of clearing and the benefits of preserved forest stratification……..” “implement a sound forestry policy that protects and enhances biodiversity.”*

Action Item #2) Ongoing work on the preservation of horizon lines and viewsheds

DOT broken bridge at New Preston Falls/Acquire this property for the falls and enhance it

Nothing new to report other than First Selectman Lyon said he is in favor of cleaning up the falls.

LID Regulations and Horizon Line/Viewshed Protection – Linda Frank and Dirk Sabin

Still awaiting report from Sean Hayden

Lake Environmental Issues – Ann Quackenbos

No report for this meeting

2017 Meeting Calendar/Member Resignations

The clerk distributed the 2017 Conservation Commission Meeting Calendar approved by Ms. Payne.

Phil Markert and Betsy Corrigan have resigned. Linda Frank will remain as Vice Chair.

Miscellaneous

Ms. Payne suggested that the Washington Conservation Commission support the NW CT Regional Planning Organization and the members present agreed.

Subcommittee Reports and Assignments

No reports for this meeting

###### Submitted subject to approval,

Janice Roberti

Janice Roberti, December 14, 2016