Conservation Commission

MINUTES September 5, 2018

5:00 p.m. Bryan Memorial Town Hall

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

ALTERNATES PRESENT: Ms. Rawson, Mr. Sabin

ALSO PRESENT: Mrs. Branson

Mrs. Payne called the meeting to order at 5:00 p.m. and noted Mrs. Branson had been invited to attend because she is interested in serving on the Commission. Her experience with conservation issues, having served as director of Steep Rock Assn., was noted.

Consideration of the Minutes

Mrs. Payne noted the motions in these minutes were now accurate.

MOTION: To accept the July 11, 2018 minutes as written. By Ms. Dupuis, seconded by Ms. Dupuis, and passed 5-0.

Cricket Valley Power Plant: Mrs. Frank and Mrs. Payne reported on the work of the Western Ct. Clean Air Action group (WCCAA), headed by Mr. Benjamin of the Kent Land Trust. On 9/26/18 Mr. Klee, DEEP commissioner, will attend a WCCAA meeting to address questions concerning air quality and how Ct. air quality will be monitored when the power plant is in operation. More information and further updates will be forthcoming. Mrs. Payne said the Commission will man a booth at the Town’s fall festival on Saturday, October 13 and will have handouts available. More information on the Cricket Valley power plant can be found online under Cricket Valley.

New Preston Open Space Phragmites Update: Mr. Bernard reported that Mr. Birch had rescinded his permission to travel over his property to access the area to be treated. This meant that All Habitat could not reach all areas to be treated with the herbicide. Mr. Bernard confirmed that the All Habitat maps were accurate and presented a Google map with tracks indicating where All Habitat had worked and which sections had not yet been cut and sprayed. Possible alternate access over property formerly owned by Mr. Berry was discussed and also the possibility of meeting with Mr. Birch to again get permission to use his property for access and to show him how the phragmities removal could benefit his property. It was suggested that perhaps the Town owns a vehicle that could whack through the vegetation to give All Habitat access to the pond. It was also noted that problems with the proposed treatment had been encountered due to the rainy weather and the high water level in the pond, which further limited access. Mr. Bernard stated the native vegetation has rebounded in the areas where the phragmities has been treated. It was agreed that after the access problem has been resolved and further treatment completed, the Commission would publicize the success of the project in Voices and the Town newsletter. Mr. Sabin volunteered to write the article. Ms. Rawson said she supported the conservative use of herbicides balanced with the public benefit, adding that although the battle against invasive species had been lost regionally, this property was a good one to target. Mrs. Payne recommended the commissioners inspect the site and take photos.

New Preston Falls: Mrs. Payne noted the 8/8/18 letter from Atty. Marcus on behalf of Ms. Albritton, owner of a portion of the Falls. Ms. Albritton had concerns about the recent work that had been completed; cutting of saplings that put the old foundations at risk and trimming of overhanging branches, mainly because it reduced her screening. In response to points made in the letter regarding required permits, Mr. Sabin stated the Inland Wetlands Commission had approved the project, DOT had approved the work done, and the DEEP had reviewed the plans and had made recommendations, which the Commission had incorporated. Additional work would require review by both the Planning and Zoning commissions, but Mr. Sabin said he would finalize the site plan before presenting it to those commissions. He said flood plain permits were not required because no filling was proposed. Mrs. Payne said fencing and official Town of Washington signs had previously been requested, and she would ask the First Selectman for them again. She listed the work still to be done; completion of the DOT bridge, creation of the path and boardwalk, construction of stairs, and installation of a terrace. Mr. Sabin said the terrace would be constructed on grade and would have a 2 ft. tall wall to serve as a bench and keep people from reaching the ruins. There was a lengthy discussion regarding whether these improvements would open the area up for misuse, whether having stairs in such a steep area would be safe, whether making the improvements would lead people to believe this was a park, etc. Mr. Sabin said any stairs would be wooden with railings and so would be safe. He said they were needed due to the danger people face when walking along the road to access the Falls from Rt. 202. He stressed that the site is truly spectacular and he would be very disappointed if the opportunity for public access was missed due to “misguided worry” about the stairs. Ms. Rawson noted the Commission should 1) be prepared to handle all nuisances, 2) design the stairs with the youngest and oldest users in mind, 3) study comparable stairs before deciding on the design, and 4) consider signage. Mr. Sabin said the Town would have to make a commitment to keep the area clean. The possibility of posting signs in the parking lot behind Pergola was discussed. Some thought since there was limited parking in the village that business owners would not want to encourage visitors to the Falls to use their parking areas. Mrs. Payne stated the next step would be to meet with the New Preston business owners both to give them an update on the project and to get their input. She encouraged the commissioners to inspect the site.

Old Town Garage Site/16 Titus Road: Mrs. Payne noted the stunning job that had been done to clean up the property. She noted that trails had been mowed to the GW Tavern, municipal parking had been improved, greenway signs were posted, and chairs were placed by the river. She thanked Mr. Talbot for his work on the sculpture walk and urged everyone to visit there.

Sustainable CT: Mrs. Payne reported that Planning commissioner, Ms. Gager, will serve as chairman of this committee. Other members are Mrs. Payne, Ms. Rowe, Mr. Armstrong, Mr. Charles, and Ms. Gils-Rogers.

Subdivision Regulations: Mrs. Payne reported the Planning Commission is working to revise its Regulations and the Conservation Commission would comment in the future on the proposed revisions.

Zoning Regulations on Nonconforming Structures: Mr. Sabin asked if the Zoning Commission had continued with revisions to its Regulations (Section 17) as had been discussed last year. He noted that around Lake Waramaug where the slopes are steep there is no opportunity for the installation of rain gardens. He recommended that should the Regulations be rewritten, they should include requirements for dry wells, buffer plantings, etc.

Ridgeline Protection and Tree Clearing: Mrs. Payne had recently obtained a copy of the revised Kent Zoning Regulations and said she would review them regarding requirements for ridgeline protection.

Tree Arboretum: Mrs. Frank spoke about the beauty, wonder, and importance of old trees, which are disappearing throughout Town. She suggested that the Commission begin to think about the replacement of these trees. Mr. Sabin agreed there are amazing trees in Washington and recommended their locations be documented and a long term plan for their maintenance and replacement be carried out by the Tree Warden. He thought this could be the start of a townwide arboretum. Mrs. Payne thought this might be a good project for the Green Club at The Gunnery or a Region 12 Senior Project. Mrs. Frank will contact Region 12.

Historic District Commission: Mrs. Payne reported this Commission will continue to work on a delay of demolition ordinance and will look into Village District legislation as a means to protect New Preston.

Land Use Minutes: Mrs. Payne urged the commissioners to read the Inland Wetlands, Zoning, and Historic District minutes to keep up to date regarding their current activities.

Conservation Land Map for Washington: Ms. Rawson presented the map to the Commission. She reported that as of this year Washington has 26% open space. Mrs. Payne noted the goal is 30%. It was noted Town conservation lands were not included, so the percentage of total conserved land will be higher. Several commissioners took copies of the map to review.

Membership: There was an informal unanimous motion of approval for Mrs. Branson’s appointment to the Commission.

Mrs. Payne adjourned the meeting at 6:40 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Janet M. Hill, Land Use Administrator