

# December 1, 2010

5:00 p.m. Land Use Mtg. Room

**Members Present:** Susan Payne, Phil Markert, Kelly Boling, Linda Frank, Betsy Corrigan, Alt., Phil Dutton, Alt.

**Absent:** Diane Dupuis, Dirk Sabin, Advisor

**Staff Present:** Shelley White

**Others:** First Selectman, Mark Lyon, Chris Charles

Chairman Susan Payne called the meeting to order at 5:05 p.m.

Seated: Susan Payne, Kelly Boling, Phil Markert, Linda Frank, Phil Dutton, Alt.

## **Consideration of the Minutes**

The Minutes of the November 3, 2010 Conservation Commission Meeting were considered.

Corrections:

Page 2: under Town Plan of Conservation and Development, 9th sentence, should read: Mr. Boling suggested that the zoning regulations could be modified to require applicants to submit viewshed impact analyses when proposing major improvements in important viewshed areas.

15th sentence, should read: Mr. Boling suggested that baseline documentation would be an important component of any tree clearing regulations the town might consider.

Under Other Business, 2nd sentence, should read: Mr. Boling suggested that he would like to talk about the Enhancing Village Centers portion of the current Plan of Conservation and Development at this meeting.

Motion:

to accept the November 3, 2010 Regular Meeting Minutes of the Conservation Commission as amended, by Ms. Frank, seconded by Mr. Boling, passed by 5-0 vote.

## **Discussion With First Selectman Lyon**

### Former Texaco Station

First Selectman Lyon stated that the gas station on the corner of Green Hill Road and River Road has been excavated and all contaminated materials have been removed. He stated the excavated area would be filled in and covered with gravel. Two monitoring wells will be installed between this property and Bryan Memorial Plaza, which will monitor the site for a couple of months to make sure it is clean.

### Town Garage

Mr. Lyon stated that the Town has received all necessary approvals to construct the materials storage area at the Town Garage site on Blackville Road. Once the construction is done most of the materials at the Old Town Garage site will be moved to this new storage area. Mr. Dutton stated that the Eagle Electric property that is adjacent to the Town Garage property on Blackville Road is on the market. He stated that it is his opinion that the Town should purchase this 2-acre property as part of a long term planning strategy. He stated that he knows the Town does not have the funds to purchase this property but they will need more space for storage and it would be preferable to consolidate the Town Highway Department in one area. First Selectman Lyon stated that it has been considered.

### New Preston Open Space

There was a brief discussion regarding maintenance of the Town's 31-acre parcel at 108 New Milford

Turnpike. The areas disturbed in connection with pre-purchase remediation work will be stabilized and seeded.

### Cell Towers

First Selectman Lyon stated that he talked Attorney Cari Olsen, of Murtha and Cullina. Mr. Lyon stated that he reviewed the list of points that the Town would like to include in the discussion/negotiations of the lease for the proposed cell tower at the Town Garage site. Atty. Olsen told him that these are reasonable to have in the lease and the Town may also want to consider a requirement that the carriers that are on the tower keep current with Federal technical regulations. Mr. Lyon stated that the Town has not hired an attorney to this date and that he would like to consult with Dick Comi of Municipal Solutions Consultants before the Town makes their decision.

Mr. Lyon stated that he talked to Atty. Chris Fisher who is representing AT&T for the proposed site at 17 Warren Road. He stated that Atty. Fisher would like to do a balloon float test sometime in December for the proposed 180 ft. tower. There was a discussion regarding when a balloon test should take place as well as the public information meeting. Mr. Markert asked the First Selectman if he discussed AT&T's strategy for this area. Mr. Lyon stated that their proposal for the Warren site is to address the gap between the Underwood Tower and Bantam. He stated the proposed tower at 17 Warren Road is in Washington and accessed from Route 341. The Commission and the First Selectman looked at a map titled Abutters Map, Sheet CO1, by CHA for AT&T, dated 9-17-10 and an a photo titled Aerial Photo, dated 9-17-10 by CHA for AT&T. The Commission and Mr. Lyon discussed when would be the best time for a balloon float test for residents as well as parents and staff of the contiguous Montessori School. Mr. Lyon stated that Atty. Fisher stated that AT&T would like to do the balloon float test before Christmas and that they would also be willing to do an informal balloon float test in January before the public informational meeting. He stated that the CC should put together a list of what locations they would like pictures taken from for the visual impact study. There was a brief discussion regarding the Zoning Regulations for telecommunication facilities. Mr. Lyon stated that AT&T is required to publish a public notice for the balloon float test and that he would request that the balloon floats be scheduled for 12/11 or 12/18. Mr. Lyon stated that he was advised that the property owner on which a tower is located usually is compensated 40% of the lease money that the owner of the tower receives.

### **Referrals / New Projects**

Chris Charles was present to discuss the possibility of a Conservation Easement at 135 Bee Brook Road.

Mr. Boling and Ms. Corrigan recused themselves as both have worked with Straw Man LLC, the owner of the property.

Mr. Charles and the Commission looked at the drawing titled Conceptual Development Plan prepared for Straw Man LLC, by Trinkaus Engineering, dated 3-4-10. Mr. Charles discussed the topography of the 13.86-acre site. Mr. Charles suggested that he would schedule a site visit with the Conservation Commissioners if they were interested. There was a brief discussion regarding possible cluster development of this property.

6:10 pm Mr. Charles leaves

It was the consensus of the Conservation Commission that they would like to have a site visit. They discussed that they would prefer at least 5 acres. Mr. Markert stated that the Commission should wait to see a more solid plan as to how the units will be located. Ms. Payne stated that she would call Mr. Charles and ask if the area could be staked out and if the site visit could be scheduled sometime in January.

### Streetlights for Possible Decommissioning

Ms. Payne submitted her results of her observation of streetlights. She suggested that the other members of the commission have theirs in by January so a report can be produced and a recommendation could be made. There was a brief discussion regarding who makes the decision as to what lights are necessary. It was agreed that the opinions of property owners abutting any streetlights proposed for decommissioning should be considered.

**Other Business** Ms. Payne stated that there was a screening of the documentary, Full Signal, in Great Barrington. She stated that she would like to find a venue to show the documentary to the residents of Washington. She stated that the Conservation Commission could buy a copy of the documentary and donate it to the Gunn Memorial Library after the screening so that it would be available to the public.

Mr. Dutton emailed Ms. Payne with information regarding stonewalls. The Commission discussed how stonewalls could be protected by binding regulations rather than voluntary guidelines. Mr. Dutton suggested that best practices information should be put on the Town website under the Conservation Commission. The Commissioners agreed that eventually the goal is to have regulations to protect these natural resources.

Motion: to adjourn by Ms. Payne, seconded by Mr. Markert

Ms. Payne adjourned the meeting at 6:40 pm

Submitted subject to approval,  
Shelley White, Land Use Clerk,