

December 4, 2007

Present: Susan Payne Chairperson, Linda Frank, Joe Gitterman

Alternate: Elizabeth Corrigan, Diane Dupuis

Guests: Peter Litwin Esq., Marc Shaw, Chris Charles, Sandra Canning

The Chairperson, Susan Payne called the meeting to order at 5:00pm.

Elizabeth Corrigan and Diane Dupuis were seated as alternates.

Ms. Payne began the meeting by stating that Dan Sherr has resigned from the Conservation Commission and Open Space Committee.

In reviewing the minutes Susan Payne noted the following corrections: page 1, under Abella, 44 Scofield Hill Road, line 6 and page 2, under Myfield, Mygatt Road, line 2, replace recluse with *recused*. Ms. Payne also added: on page 2, under Larsen Farm, West Shore Road, line 2, for no consideration so no *open space* set aside...

MOTION: Joe Gitterman made a motion to accept the minutes of the November 7, 2007 meeting of the Washington Conservation Commission as amended, Linda Frank seconded the motion which passed unanimously.

Referrals or new projects:

Young Elliot's Farm, 110 Calhoun Street: Peter Litwin Esq. and Marc Shaw were present to speak about the proposed conservation easement. Mr. Litwin began by displaying a map and distributing copies of the easement language, he stated that the conservation easement language allows the parcel to retain farming and wildlife management. Susan Payne addressed members on the importance of reading through the easement language, adding that Steep Rock Association declined this easement. Mr. Litwin continued by stating that two easements already exist on the property: one along the east side running along Calhoun Street for .827 acres and one on the west side for 5.028 acres, both are shown on the map presented. The two new proposed easements: both boarder Calhoun Street and are open fields, one being 2.96 acres and the other being 2.719 as noted on the map.

Kelly Boling entered the meeting at 5:15pm, as an observer only and was not seated.

Ms. Payne asked about baseline documentation, which Mr. Litwin said it would be a visual/photo portfolio for now with more work done in 2008. Kelly Boling noted that he hopes that there will be more eased property in this area and perhaps Steep Rock Association will eventually take over this easement area. In addressing the easement language it was noted that language should be included to address stone walls, that they remain intact and if repaired be done so in an appropriate farm/historical/traditional fashion. In 3.4 the word *commercial* is to be removed. There was a discussion on the intent that the eased areas be maintained as open/mowed fields. Fencing should be traditional/historic, avoid interference with the historical aspect of the area. In 3.5 remove the word *shells*. Susan Payne asked about environmental hazards on the parcel, Marc Shaw answered that a Phase I visual and water test has been done. Mr. Litwin stated that a mylar map will be recorded with the conservation easement document. He will edit the easement language to reflect the changes discussed. Members agreed to have Susan Payne edit the final document and forward it to Town Council.

MOTION: Linda Frank made a motion to accept the Conservation Easement for Young Elliot's Farm, 110 Calhoun Street, with amendments made to the easement language as reflected in the minutes of this Conservation Commission meeting, to be subject to final review of the Conservation Chairperson Susan Payne and Town Council, Diane Dupuis seconded the motion which passed unanimously.

Susan Payne will be going out of town, so members agreed that Kelly Boling will edit the final document and forward to Town counsel.

Kelly Boling left at 5:45pm.

Sandra Canning, 119 Calhoun Street: Chris Charles and Sandra Canning were present to address the proposed conservation easement. Mr. Charles presented a map and Deed of Conservation Restriction document for the proposal, which showed the eased area along Calhoun Street on the east side of the parcel, being 2.11 acres. He went on to say that Ms. Canning is also proposing a Deed Restriction area to the west of the proposed easement area. Ian Branson will be doing a photo record and baseline for this proposal. Ms. Canning stated that the lot is mowed twice during the summer. Betsy Corrigan noted that in this situation a small parcel is beneficial and spoke about migrating birds. Members asked that the same language be used to address stone walls as with the Young Elliot's Farm easement. In section 4.5 the references to a (30) day time period be changed to (60) days. Mr. Charles will record a mylar with the Deed of Conservation Restriction.

Motion: Linda Frank made a motion to accept the Conservation Easement for Sandra Canning, 119 Calhoun Street, a 2.11+/- acre parcel, with easement language as amended, reflected in the minutes of this Conservation Commission meeting and subject to the final review of the Conservation Commission Chairperson Susan Payne and Town Council, Diane Dupuis seconded the motion, which passed unanimously.

Joe Gitterman and Betsy Corrigan recused themselves from the following discussion on the Myfield LLC, 7 Mygatt Road.

Myfield, 7 Mygatt Road: Chris Charles was back before the Conservation Commission seeking their approval for the change in easement area on the Myfield LLC parcel at 7 Mygatt Road. The proposal is to remove a section of eased property along the Mygatt Road side of the property to accommodate building 3 in that area. Mr. Charles spoke about the proposal for planting in the open field area. Susan Payne felt it would be preferable to plant a variety of trees for a more natural look. There still remains the question of the process to legally amend the easement. Mr. Charles's next step is at the Zoning Commission. Secretary, Pamela Osborne noted that at present only the Conservation Restriction document is recorded, there is no mylar on record. Members felt that both mylars should be filed, what originally existing and the changes that are to be made to the easement. Susan Payne added that an amended Conservation Easement document would have to be filed to reflect the changes. Chris Charles agreed to file both the original and amended mylar maps for this parcel.

MOTION: Linda Frank made a motion to accept the amendments made to the easement area for Myfield LLC, 7 Mygatt Road, as shown on map by William W. Worcester dated 3/26/2006, revised 11/28/2007; Diane Dupuis seconded the motion which carried with a vote of 3-0.

Walker Brook Subdivision: Susan Payne referenced an email from David Hay, saying that the case is continuing to December 10th, she did say that Charles LaMunier had put together documents that were submitted for record.

Report on the November 26th Zoning Commission meeting: Susan Payne reported that the proposed

change to Section 13 pertaining to accessory apartments was tabled. Ms. Payne went on to complement the Zoning Commission on the changes to Sections 11, 12 and 21 pertaining to fences and stonewalls; this is a step toward protection of Washington's rural character.

Report on the December 1st "Logjam" workshop sponsored by NW Conservation District: Susan Payne attended this workshop which she felt was very informative, they spoke about development patterns and regulations accomplishing what we want. There were several interesting speakers.

Subcommittee reports

Cell Tower: Diane Dupuis reported that a letter dated November 30, 2007 confirms that Verizon will be installing a cell tower at 6 Mountain Road in New Preston.

Scenic Road: Susan Payne noted that scenic road designation for Whittlesey Road is on the Planning Commissions agenda tonight.

Archaeological Resource Protection: Betsy Corrigan stated that she would like to help Susan Payne with this project; they hope to meet in January 2008.

Open Space Committee: Will meet on December 13th at 4:30pm.

Greenway: Susan Payne reported that Greenway met on December 3rd, adding that there is a need for updated mapping to show the link to Macricostas Land Preserve.

Other Business:

Michael Ajello, Wetlands Enforcement Officer shared with the commission a letter pertaining to Lake Waramaug shoreline management relating to seawalls. Betsy Corrigan spoke about the need to have back up information on step slope clearing of upland vegetation affecting the protection of water quality.

Members were given a Meeting date schedule for 2008. Susan Payne asked about meeting in the second floor area "the grange room". Pam Osborne will check into the availability and make the appropriated scheduling changes.

Adjourned at 6:55pm.

Submitted subject to approval,

Pamela L. Osborne, Secretary