

# December 6, 2006

**Present:** Susan Payne, Kelly Boling, Linda Frank, Phil Markert

**Alternates:** Diane Dupuis, Dan Sherr

**Guests:** First Selectman Dick Sears, Valerie Anderson, Press

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

Dan Sherr was seated as an alternate.

**MOTION: Dan Sherr made a motion to accept the minutes of the November 1, 2006 Conservation Commission minutes with the following amendments:** page 1, under Open Space Committee, last sentence replace income with increase; page 2 last paragraph, fourth sentence should read Kelly Boling added that some members felt...**Linda Frank seconded the motion which passed unanimously.**

## **Referrals or new projects:**

**Boat Launch Project:** Dick Sears was present with a map of the Boat Launch Project, which he stated has DEP and DOT approval. The Inland Wetlands Commission has closed the public hearing on this project. The existing boat house will be removed; a seawall will be installed as well as 9 parking spaces one of which is handicapped. Mr. Sears explained that the Lake Waramaug Agreement gives access to 20 non residents, 13 from the State Park and 7 other non resident day boaters. Dick went on to say that at present there are no parking spaces and the 9 new spaces will be first come first serve. The entire town parcel is 1.03 acres. The Boat Launch Project needs to go before the Zoning Commission and Zoning Board of Appeals. Susan Payne commented that the Conservation Commission would like to see the Town use native plantings and attractive fencing in the buffer zone. Dan Sherr asked if there would be any restrictions on parking. Mr. Sears stated that an attendant is on duty that will inform and direct the launchers. Phil Markert asked what the procedure was when aquatic plants were found on a boat and/or trailer. Mr. Sears stated that the attendant has the person remove the vehicle from the area to be cleaned and comes back to be reinspected. Susan Payne asked about funds for improvements to the beach area. Diane Dupuis voiced concerns about losing the green area where the new boat launch is going and the condition of the beach area. First Selectman Sears stated that this is Phase I of a larger project, this project has to be done, and there is no choice. Phase II is a building approximately 30x50 which will house the compressor for lake health, boat storage, police storage, caretaker maintenance equipment, the air and rescue boats. The final phase is the beach area and caretaker's cottage which houses the caretaker, beach offices and bathroom facilities for the beach, this phase will be done with Town funds. Kelly Boling suggested constructing one two-story single structure to incorporate the needs of both buildings. Diane Dupuis suggested asking Warren for use of its Town beach for Washington residents. Dick Sears stated that the Town is committed to preserving and keeping their Town Beach, the boat launch is a necessity and has DEP approval they want to move ahead. He went on to say that the boat launch will cost \$216,000 (\$100,000 from the State of Connecticut - \$100,000 is authorized from the capital budget). Dick will be meeting with the towns of Warren and Kent about contributing to the project. Replacement of the boat house will be funded by private donations. The caretaker's cottage will be in the \$200,000 range. Susan Payne reminded members that the Conservation Commission's concerns are with the plantings and fencing. Valerie Andersen addressed the commission, she began by stating that she is looking at this as a whole project all three phases and is concerned about funding. Ms. Andersen read a prepared statement addressing her concerns with funding and conflicts with the Heritage Lake Act. She urged the Conservation Commission to do their homework and asked if there is a better way. Some discussion

continued. Susan Payne reminded members that the Conservation Commission's job is advisory. Dan Sherr will research the Heritage Lake Act. It was reaffirmed that the Conservation Commission would like to see the Town use native plants and attractive fencing (such as split rail) in the buffer zone, also consideration of consolidating the boat house and caretakers cottage into one structure. Secretary Pam Osborne will deliver a hard copy of the minutes to the First Selectman's office.

**Potter Project:** Susan Payne made some observations about the Town meeting held on November 28th. She felt the meeting was excellent and people asked good questions. Susan went on to clarify that the Plan of Conservation and Development was never voted on at a Town Meeting, it was approved by the Planning Commission. Ms. Payne made reference to an article she wrote for the Town Times in October 2004 which addressed open space; a survey was done in which 98% of respondents wished to retain the "rural character" of Washington. The Potter Project will have an impact on the Route 109 and Shearer Road area, 94.5% of respondents were in favor of preserving farmland; this project does not preserve farming. 57% opposed residential development and 46% were in favor of "clustered single family housing". Susan feels that with the wetlands on the affordable housing lots building will be costly. Dick Sears reiterated that Brian Neff has documented that two affordable units can be built off of Route 109, one unit can be built on the corner of Shearer Road and Route 109 and two units can be built on the property between Shearer Road and Route 109. Kelly Boling has had conversations with John Potter; Kelly feels that John is open to clustering the houses on one property which would provide for more open space. Mr. Sears is unaware of these negotiations; he went on to say that people are coming up with "this is a better plan". Mr. Boling felt that the visual impact of five lots could increase over time. Phil Markert interjected that clustering the houses would reduce building costs. Susan Payne wanted to comment on the easement in general. The Conservation Commission will be monitoring the easements she would like to require baseline documentation, hazardous material assessment and no floating building envelopes. Ms. Payne went on to say that including 490 lands the Town is 65% preserved and land trusts are seeing a tremendous increase in the amount of people donating. Diane Dupuis is concerned that the agreement doesn't hold the Potter's accountable for remediation. There was discussion and it was decided that remediation would only affect the Town on the affordable housing unit lots; the easements were not a problem. Dick Sears spoke with Nick Solley about the pesticides and nitrate left in fields being farmed, Nick stated that the pesticides and nitrates are gone in a year and a half. Linda Frank feels the water should be tested. Members were reminded of the meetings on December 14th at St. Andrews Church in New Preston and January 6th at the Town Hall. The Planning Commission has appointed a two person subcommittee to study the Potter Project.

**Review of proposal for Rural Roadscape Zone Regulations:** Kelly Boling received feedback from the Planning Commission and has referred the proposal to Dan McGuiness; his next stop will be with the Zoning Commission.

### **Subcommittee Reports**

**Open Space Committee:** Dan Sherr stated that the Open Space Committee will meet next in January. Dan will be discussing the following items: is a goal of 30% permanently preserved open space the right goal, discussion of the 2006 legislation concerning tax abatement for permanent easements and getting involved in the use of maps and mapping. Members went on to talk about the computer set up in the Land Use Room, the existing arc view program and other available programs.

**MOTION:** Linda Frank made a motion to fund the installation of internet access in the Land Use Room, not to exceed \$250.00; Susan Payne seconded the motion which passed unanimously.

**Cell Tower Update:** Diane Dupuis reports that EBI representing Version is looking at two locations in the New Preston/Marbledale area. The proposals are a 120' monopine at 167 New Milford Turnpike and a

150' monopole at 16 Mountain Road. A letter was sent to the Historical District Commission. Diane went on to say that these applications go straight to the Siting Council.

**Management and Monitoring of Town properties:** Linda Frank is going to contact First Selectman Dick Sears to see if some of the Town properties could be dropped from the monitoring process and have members focus on monitoring the easements. Phil Markert expressed concern with locating defined boundary lines and possible encroachments.

### **Other Business**

Susan Payne reminded members that elections will take place at the January meeting.

Ms. Payne also noted that she read in a Gunnery mailing, a proposal for two new athletic fields and two family residences for the South Street property. As of yet no environmental class room has not been built.

Adjourned at 7:00pm.

**Next scheduled meeting of the Conservation Commission is January 3, 2006 at 5:00pm.**

Submitted subject to approval,

Pamela L. Osborne, Secretary