

February 6, 2008

MEMBERS PRESENT: Mr. Boling, Mrs. Frank, Mr. Markert, Mrs. Payne

ALTERNATE PRESENT: Mrs. Corrigan

STAFF PRESENT: Mrs. Hill

ALSO PRESENT: Atty. Fisher

Mrs. Payne called the meeting to order at 5:01 p.m. and seated Members Boling, Frank, Markert, and Payne and Alternate Corrigan.

Mrs. Payne noted the resignation of the Commission's clerk, Mrs. Osborne. She said Mrs. Osborne had done a great job for the Commission and would be missed very much.

Consideration of the Minutes

The 1/2/08 Regular Meeting minutes were accepted as amended. On page 3, first full paragraph, 4th line: Mr. Markert asked that "perhaps solicit opportunities" at the end of the sentence be deleted. Mr. Boling thought this might be a reference to the statement he had made that the Commission should be proactive in open space issues.

MOTION: To accept the 1/2/08 Regular Meeting minutes

as amended. By Mrs. Frank, seconded by Mr.

Boling, and passed 5-0.

Bowles/52 Carmel Hill Road/2 Lot Subdivision/Review of Open Space and Proposed Conservation Easement Language: Mrs. Corrigan recused herself because she is a neighbor. The map, "Site Analysis Plan," by Mr. Alex, revised to 1/2/08 was reviewed. Mrs. Payne noted this had been discussed at the last meeting and the Commission had determined that 1) the proposed open space was not contiguous to other open space, 2) the proposed location of the open space was not beneficial; it would serve a better purpose if located along the road as a buffer, and 3) a fee in lieu of open space would be appropriate in this case. Atty. Fisher did not agree. He said the proposed open space at the rear of the property was close to, although not adjoining, the open space on the Davenport property. Instead of open space along the front, he said Mr. Bowles proposed a deed restriction there so that anything other than a driveway would have to be located further back on the property. He added that the Planning Commission had agreed to this proposal. Mrs. Corrigan pointed out that there was a huge wetlands system at the rear of the property, so that it made sense biologically to protect that portion of the lot. Atty. Fisher also stated that Mr. Bowles was not a developer and could not afford to pay a fee in lieu of the open space requirement. Mrs. Payne pointed out that open space would be in perpetuity, but a deed restriction would not. She asked who would be responsible for monitoring the deed restricted area. Atty. Fisher said the owner of the adjoining property would have the right to enforce it. Mr. Boling asked if the deed restriction would be in place at the time the subdivision mylar was filed. Atty. Fisher offered to add the deed restriction as a note on the mylar and the commissioners agreed that this should be done. Mrs. Payne voiced her concern that since the front of the property would not be covered by the conservation easement, the traditional landscaping and existing stonewall would need protection. She asked if protective language could be added to the deed restriction. Atty. Fisher noted that the stonewalls in the front and between the two lots were boundary lines and so he thought the addition of such provisions was not necessary. Mrs. Payne noted

that the Commission did not want to create a hardship for the property owner.

MOTION: Regarding the Bowles/52 Carmel Hill Road/2 Lot

Subdivision application; that the Washington

Conservation Commission is satisfied with the

boundaries and configuration of the proposed

open space as shown on the map, "Proposed Site

Development Plan, by Mr. Neff, revised to 1/3/08,

and with the additional deed restriction as

discussed at its 2/6/08 meeting subject to the

following conditions:

1. that the Commission review the proposed

conservation easement language and

2. that a note concerning the deed restriction

be placed on the mylar to be recorded on

the Town Land Records.

By Mr. Boling, seconded by Mrs. Frank, and

passed 4-0.

Mrs. Corrigan had recused herself because she is

a neighbor.

Atty. Fisher noted he had attempted to simplify the conservation easement language normally used by Steep Rock, Weantinogue, and others. Mrs. Payne and Mr. Boling advised him that they are working with members of the Planning Commission to draft model easements to simplify the process in the future. Mrs. Payne noted the proposed Bowles conservation easement language would be discussed later in the meeting.

Mrs. Corrigan was reseated.

Environmental Task Force: Mr. Davis, Washington Environmental Council President, spoke at length about the environmental task force being established in Town and he circulated an organizational draft sheet dated February 2008. He stated that the goals of the task force would include advising the Board of Selectmen and the Town on public environmental policies and coordinating the efforts of existing organizations in Town. He informed the Commission that the Board of Selectmen had set the following issues as its priorities: smart power, green architecture, recycling, night lighting, and invasive plants. Each of these topics was discussed and information presented on each. This included: 1) smart power:

The goal will be to get 200 homes in Town to sign up to buy clean energy from clean vendors. The Town will receive a free solar panel valued at \$10,000 when 100 homes have signed up. 2) green architecture: Mr. Davis said the flagship project could be the Primary School, but that this effort would encompass more than just school buildings. 3) recycling: Mr. Davis said recycling has stagnated at only 15% participation in Washington, while other surrounding towns have much higher percents. Opening the transfer station on Sunday afternoons, picking up trash weekly instead of bi weekly, trying experimental recycling bins such as those being tested elsewhere in the state, getting the schools to participate, and installing recycling containers in prominent locations around Town were ideas suggested to try to improve participation in Washington. All present thought the Town government and the schools should have a 100% participation rate. 4) night lighting: Mr. Boling noted that \$17,000 had been spent on street lights last year and he recommended that the Town decommission all street lights not in commercial districts. Mr. Davis also recommended that caps and timers be used, which he noted would be expensive, but would pay off in only a few years. 5) invasive plants: Town projects to control invasives such as the recent efforts in New Preston along the river would be supported. Mr. Davis asked for a representative from the Conservation Commission to serve on the task force. Anyone with ideas or who would like to serve may contact Mr. Davis at elliott@nextwavefunds.com.

Water Resources Monitoring and Protection: Mr. Markert said he would continue to work with Mr. Davis on water testing.

Mr. Markert left the meeting at 5:57 p.m.

Bowles/52 Carmel Hill Road/2 Lot Subdivision/Conservation Easement Language: The following revisions to the proposed language were discussed. Page 3, 3b: Mrs. Frank asked that the phrase, "such as traditional, rural New England farm stonewalls" be added. Page 3, 4b: Mr. Boling said this point should be deleted. Page 3, 4c: Mr. Boling asked that the following phrase be added: "subject to review and approval by the grantee." Page 3, 4c: Mrs. Corrigan asked that the following be added: The right to plant and otherwise grow "native species that are indigenous to the region" Mrs. Payne read a section from the Canning conservation easement, which Mr. Boling thought could replace 3b and 4b here. It was agreed that the right to use chemical herbicides for the removal of invasive species as defined by the State of Ct. should be permitted providing all regulations regarding their use would be complied with. Mrs. Hill was requested to forward these requested revisions to Atty. Fisher. Mr. Boling asked if the revised document would be sent to Atty. Miles for review. Mrs. Payne said it would.

New Preston Falls Project: Mrs. Payne noted the Village Improvement Society had plans to make improvements at the falls. The planting plan, "Town of Washington, 5 East Shore Road," by Mrs. Rabinowicz, dated 9/12/07 was reviewed. Mrs. Payne asked Mrs. Corrigan to review the proposed plant list. It was noted the plans call for getting the knot weed under control, taking out the trees growing in the dam, opening up a view of the falls, and doing a general clean up of the area, but that a manicured landscape was not the goal. It was thought that possibly a state grant and/or money from the greenways fund could be used for the herbicide application and tree removal.

Town Beach: Mrs. Payne reported that the plans are available in the Town Hall for public review and that a recent article in **Voices** had given a good summary of the proposal.

Nettleton Hollow Road Culvert Replacement: Mrs. Hill reported that the plans called for the placement of a natural bottom in the culvert, the restoration of the rip rapped portion of the streambanks to natural vegetation, and the installation of root wads to improve the habitat for fish. The commissioners voiced their concern about the new guardrails to be installed. Mrs. Payne recommended guardrails like those on Judd's Bridge Road in Roxbury. Mrs. Frank said that in the Kent Hollow Road/Rt. 341 area there were burnished square metal guardrails that would be appropriate to use on Nettleton Hollow Road. Mrs.

Corrigan noted there are archeological sites along the Sprain Brook corridor and asked since the project is state funded, if the state archeologist would be present when the project was underway. She will contact the state archeologist.

Conservation Easement Process: Mrs. Payne reported that she and Mr. Boling had met with Mr. Frank and Ms. Gager from the Planning Commission to begin work on draft conservation easement forms.

Possible Mundy Property Consolidated School Site: Mrs. Payne thought that because Washington is part of the regional school district, it would be appropriate for the Conservation Commission to voice its opinion about the Mundy site. She thought it was an environmentally sensitive site that would be severely compromised by the construction of a school. Mrs. Corrigan agreed. She circulated copies of the editorial that had run in the **Spectrum**. Mr. Boling said he was concerned that a statement concerning this particular site could be misconstrued as a position on consolidation. It was the consensus not to issue a formal opinion at this time.

Cluster Development: Mrs. Payne, Ms. Gager from the Planning Commission, and a representative from the Zoning Commission will begin researching the issue of cluster development. Mrs. Payne noted this is referenced in the Plan of Conservation and Development as a method to manage growth.

Archeological Resources: Mrs. Payne and Ms. Gager will meet with the state archeologist on 2/29 to discuss how the protection of archeological resources can be written into the land use regulations.

Scenic Road Designation for Rt. 202: The Commission will discuss this matter at its next meeting.

"Kilowatt Ours": The Garden Club is sponsoring a seminar on smart power on 2/16 at the library and 2/21 at the Town Hall.

MOTION: To adjourn the meeting. By Mrs. Frank.

Mrs. Payne adjourned the meeting at 6:41 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Janet M. Hill, Land Use Coordinator