

# March 4, 2009

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

**Members Present:** Susan Payne, Linda Frank, Kelly Boling, Diane Dupuis, Ric Sonder, Alt., Betsy Corrigan, Alt., Dirk Sabin, Advisor

**Absent:** Phillip Markert, Phil Dutton, Alt.

**Guests:** Mark Lyon, First Selectman

**Staff Present:** Shelley White

Susan Payne called the meeting to order at 5:04 p.m. and seated members Kelly Boling, Linda Frank, Diane Dupuis, Ric Sonder, Alt., and herself.

## Executive Session

Ms. Payne invited Mark Lyon, First Selectmen, to join them in executive session.

5:05 pm

Motion: to go in to executive session to discuss potential parcel for acquisition for Open Space, by Ric Sonder, seconded by Linda Frank, by 5-0 vote.

5:12 pm

Motion: to come out of executive session to discuss potential parcel for acquisition for Open Space, by Linda Frank, seconded by Ric Sonder, by 5-0 vote.

Motion: to recommend that a town meeting be scheduled for the consideration of the purchase of the property discussed in executive session using the Conservation Commission's Open Space funds, by Kelly Boling, seconded by Linda Frank, by 5-0 vote.

## Subcommittee Reports

### Cell Tower Update:

Ms. Dupuis stated SBA/Optasite sent in an application and a color block map describing a new proposed site on the Tanner Farm property. Ms. Dupuis stated the site is on top of the hill, directly on the ridgeline. The Towns of Washington and Warren requested a proper technical report from Attorney Carrie Larson (representing SBA Towers II, LLC formerly Optasite Towers, LLC). Ms Dupuis stated they have received what she thinks could be a proper technical report. The Towns of Washington and Warren have notified Atty. Larson and the Connecticut Siting Council that according to Statute 16-50 the towns have 60 days to review a proper application. Ms. Dupuis stated this is a test case because SBA is trying to locate a tower on farmland that development rights have already been sold and paid for with taxpayer's money. Atty. Larson had stated, in recent communications, she does not represent a telecommunications company. Ms. Dupuis stated the Telecommunication Act refers to telecommunication companies not real estate brokers or corporate real estate companies. Mr. Boling stated this site would have a greater impact on the view shed compared to the previously proposed site on the Tanner property. Mr. Lyon asked if a town meeting should be scheduled. Ms. Dupuis stated that a letter should be sent to Atty. Larson acknowledging the receipt of her letter and that the town is waiting to be advised on Statute 16-50 from the CT Siting Council, before considering scheduling a town meeting. Ms. Dupuis stated designated scenic and historic areas surround the proposed site and the view shed needs to be preserved. Mr. Boling

stated he would push to get a date from the D.O.T. as to when they will be coming out to look at the section of Route 202 for the Designated Scenic Road application. He stated Mt. Tom is one of the first State Parks in Connecticut and the view shed should be protected. (subcommittee reports continued below) Ms. Frank stated there is a cell tower at the Gooseboro on Route 202 and that should provide enough cell phone coverage. Ms. Dupuis stated she would like to contact an R. F. Engineer to discuss the height of the tower at Gooseboro and see if the tower were to be raised if it would communicate with the existing tower in New Preston.

5:35 pm, Ms. Dupuis and Mr. Lyon exit.

#### Conservation Easement Procedures: permanent marking

Ms. Payne discussed the importance of finding a system for permanently marking the conservation easements. She asked for input on her memo 'Conservation Easement Acceptance Process', draft, dated 3/2/09. Mr. Sabin stated iron pins can easily be lost or driven into the ground but a metal detector could easily find iron pins. He stated concrete monuments should be considered. The members discussed the cost of these. Ms. Frank asked if the C.C. would have the G.P.S. reading for the pin locations. Ms. Frank stated the C.C. would also benefit from a smaller 11''x 17'' map or similar size that could be folded and put in the monitoring book for ease of access out in the field. A larger copy of the map could be held in the Land Use Office files. Ms. Payne stated she would add 1) Smaller (possibly electronic) copy of the map, and 2) G.P.S. coordinates on maps as a requirement. Ms. Payne stated C.C. should have a set list of requirements in order for the grantor to know up front what was expected of them in this process. Mr. Sonder asked if there has been any discussion about contributions for the care and monitoring of these properties. Ms. Payne stated that currently volunteers monitor the easements. Mr. Boling stated that fees should be considered if there comes a time in which the town would have to pay somebody to monitor the easements. Ms. Corrigan stated a topographical map or an aerial photo with marks showing the location of the easement would be a helpful layer of information for monitoring. Ms. Payne suggested those members that did not have the chance to read the draft could do so and come back to her with any comments or suggestions. Ms. Payne informed the commission her current calculation of permanently protected parcels is at 21% and the C.C. has a goal of 30%.

#### Stream Buffers Mailing Update

Ms. Payne stated a mailing would be too costly. She suggested putting the Rivers Alliance brochure on Stream Buffers in the Town Newsletter and having the brochures out in Town Hall on April 26th, Earth Day. Phil Dutton and Betsy Corrigan drafted a letter from the Conservation Commission. Members discussed revisions and Ms. Corrigan stated she and Mr. Dutton would work on it and get back to the commission.

#### **Subcommittee Reports (cont.)**

##### Scenic Road

Mr. Boling stated that he would keep trying to get a date for the Scenic Road Advisory Committee of the D.O.T. to come out in April.

#### **2009 Goal Setting**

##### Conservation Design Subdivisions:

Ms. Payne stated this subcommittee is to reconvene this coming Monday. She will keep the Conservation Commission in the loop.

##### Historic New England Stonewall Protection:

Ms. Corrigan stated she is ready to have a meeting with Nick Bellantoni but he has to meet with the Planning Commission first to answer their questions. Ms. Payne suggested that someone from each land

use commission attend this meeting.

Model Easement:

Mr. Boling has sent this to Town Counsel.

**Old Business**

The commission agreed that Ms. Corrigan should bring in her ecological sensitivity map for their review.

Ms. Payne stated that W.E.C. is involved in an Adopt a River program, working locally with school groups and general clean up, some water & macro invertebrate testing, and invasives identification. The Greenway Committee has agreed to participate and Mr. Elliot is planning on going to the Greenway Committee meeting in April.

Earthday is Sunday April 26th.

Mr. Sabin brought up the discussion of a Farm Lease Program for the Town of Washington. The commission discussed what different towns are doing. Ms. Payne suggested this subject be added to the agenda of the C.C.

**Consideration of the Minutes** The Minutes of the February 4, 2009 meeting were accepted with the following amendments:

Page 1 -Ric Sonders should read Ric Sonder

Page 2 -3rd Motion should read to nominated Kelly Boling Vice Chairman of the Conservation Commission, moved and seconded, by unanimous vote.

Motion: to accept the February 4, 2009 Regular Meeting Minutes of the Conservation Commission as corrected, by Kelly Boling, seconded by, Susan Payne, by 5-0 vote

6:25 pm

Motion: to adjourn by Ms. Frank, seconded by Ms. Payne

SUBMITTED SUBJECT TO APPROVAL,

Respectfully submitted,

Shelley White

Land Use Clerk

3-12-09