

# April 1, 2009

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

**Members Present:** Susan Payne, Linda Frank, Diane Dupuis, Ric Sonder, Alt., Betsy Corrigan, Alt., Phil Dutton, Alt.

**Absent:** Kelly Boling, Phillip Markert, Dirk Sabin, Advisor

**Guests:** Mark Lyon, First Selectman

**Staff Present:** Shelley White

Susan Payne called the meeting to order at 5:02 p.m.

Seated: Susan Payne, Linda Frank, Diane Dupuis, Betsy Corrigan, Alt. & Ric Sonder, Alt.

## Consideration of the Minutes

The Minutes of the March 4, 2009 meeting were accepted with the following amendments:

Page 1

Under the first, second and third motion:

\*by 5-0 vote should read: passed by 5-0 vote.

Under Cell Tower Update:

\*1st sentence should read: Ms. Dupuis stated SBA/Optasite submitted an application to the siting council with a new proposed site on the Tanner Farm Property.

\*2nd sentence should read: Ms. Dupuis stated the sit is on top of the hill, directly on the ridgeline and feels this is a significantly different site that site A.

\*5th sentence should read: Ms. Dupuis stated they have received what she thinks could be a proper technical report from Attorney Carrie Larson (representing SBA Towers II, LLC formerly Optasite Towers, LLC) in the full application to the siting council but not before.

\*7th sentence should read: Ms. Dupuis stated this application is a test case...to locate a tower on 422A farmland on which development rights have already...

\*8th sentence should read: Atty. Larson had stated...does not represent a telecommunications company, which was news to Selectman Lyons and the Conservation Commission.

\*9th sentence should read: Ms. Dupuis thought the Telecommunication Act refers to telecommunication companies not telecom real estate brokers.

Page 2

Under Cell Tower Update (cont.):

\*5th sentence down should read: He stated Mt. Tom is one of the first State Parks in Connecticut and the view shed may be adversely impacted by the proposed cell tower.

Under Conservation Easement Procedures: permanent marking:

\*13th sentence should read: Mr. Boling stated that fees should be considered if there comes a time at which the town would pay....

\*Last sentence should read: Ms. Payne informed the commission her current calculation of permanently protected parcels is at 21% and the Town Plan of Conservation and Development and the Open Space Plan has a goal of 30%

Page 3 Under 2009 Goal Setting:

\*Heading of Historic New England Stonewall Protection should read: Archaeological Resource Protection in Town Regulations: Motion: to accept the March 4, 2009 Regular Meeting Minutes of the Conservation Commission as corrected, by Betsy Corrigan, seconded by, Diane Dupuis, by 5-0 vote

### **Open Space Fund Project**

Ms. Payne informed the commission that The Board of Selectmen has scheduled a site visit for 108 New Milford Turnpike, on Saturday April 4, at 9:30 a.m. The Planning Commission has also scheduled a special meeting and site visit at this time so they are able to proceed with the 8-24 Report on the project. There will be an informational meeting following the site visit, at 10:30 a.m. at the New Preston Congregational Church. Ms. Payne stated this proposal is the first item on the agenda at the Town Meeting scheduled for Wednesday, April 8.

### **Subcommittee Reports**

Cell Tower Update:

Ms. Dupuis submitted displayed pictures of the balloon test that were done for both the 'upper' and 'lower' proposed cell tower sites on Rabbit Hill. She stated it is her sense that the Towns of Warren and Washington have been denied the 60day review of the new site as there has been no response and the Public Hearing has been scheduled for May 21st in the Town of Warren. Ms Dupuis stated she would be producing a formal report to submit to the Siting Council at their meeting on April 7, 2009. Ms. Corrigan obtained a National Diversity Database from the D.E.P. Ms. Corrigan explained the information indicated on the database and the importance of this eco-system. She stated amphibians and insects are sensitive to radiation. Ms. Dupuis stated the photos of the balloon test conflict with the photos in the application provided by SBA/Optasite. She stated the application contains a large amount of inaccurate information. She stated the trees at the location of the proposed cell tower are approximately 60 ft. tall and the tower will be an additional 100 ft. above the trees and will be a back drop to 6 historic houses in the Town of Washington. Ms. Dupuis has recommended a resolution letter. She submitted a Resolution of the Conservation Commission of the Town of Washington, Connecticut (on file in the Land Use Office), which she composed. Ms. Payne read the resolution to the commission and they discussed a list of the environmental and conservation areas that will be impacted which should accompany this letter.

Motion: to accept the Resolution of The Conservation Commission of the Town of Washington, CT and the supporting documentation, by Linda Frank, seconded by Susan Payne, passed unanimously.

Mr. Lyon stated he sent a letter to Derek Phelps, the Executive Director of the State of Connecticut, Siting Council, to inform him the correspondence would come through the Board of Selectmen's Office and they wanted to maintain their party status and retain the right to file as an intervener, if they wanted to, at a later date. He told Ms. Dupuis the Office of the First Selectman would send out her correspondence and any reports on behalf of the Conservation Commission and would be cosigned by the Conservation Commission Chairperson so that their rights as a party would be maintained. Ms. Payne stated the information should be ready to send out by Friday, April 3. Ms. Dupuis asked Selectman Lyon if he would add his signature to the letter of Resolution along with Ms. Payne. Mr. Lyon stated he would sign it.

Status of Route 202 Designation:

Conservation Commission is waiting for a response from Colleen Kissane to schedule the visit from the D.O.T. Ms. Payne stated she has sent a letter to Senator Andrew Roraback and is waiting to hear from him.

Earth Day – April 26th

Mr. Dutton stated he was happy to help get the word out about Earth Day. He stated he has not seen any mailings. Ms. Payne stated the Greenway Committee Members would be out to support Earth Day. Mr. Lyon stated he would talk to the Board of Selectmen about having a press release in the Voices and putting a notice on the Town Website. The commission and Selectman Lyon discussed putting a sign out at the entrance of Bryan Memorial Plaza to raise awareness for Earth Day. Ms. Payne stated the Chairman of the Greenway Committee had worn out ski poles sharpened and gave them to people on the committee to help aid in rubbish pick up along the streets.

#### Conservation Design Subdivisions:

Ms. Payne stated the people of the committee have been talking, there is nothing to report, and she will keep C.C. updated as things progress.

#### New England Stonewall Protection:

A brief discussion occurred. Ms. Payne stated it would be worthwhile to do some more research and find out more about the UCONN initiative.

#### Best Development Practices Brochure:

Mr. Dutton volunteered to start working on a Best Development Practices Brochure under the assistance of an advisor. Ms. Payne stated she would get in contact with David Thompson, who had expressed an interest, also, and get back to Mr. Dutton. Mr. Dutton stated it would provide some back up to the regulations of the town and provide information to the residents that have questions about issues concerning New England Stonewalls, for example.

### **Old Business**

#### Archaeological Resource Protection in Town Regulations:

Nick Bellantoni, State Archaeologist, will be attending the Conservation Commission Meeting on May 6th.

#### Conservation Easement Process:

Ms. Payne stated the easement process has been submitted to the Planning Commission.

#### Resource Map Update and Copy:

Ms. Corrigan displayed a draft of a map titled, Critical Habitats, Town of Washington, Known and Potential Areas, by Betsey Corrigan. She explained the data shown on the map and stated she still needs to include text. Members of the commission discussed map, asked questions and made suggestions of possible additions.

6:30 pm

Motion: to adjourn by Ms. Frank, seconded by Mr. Dutton

SUBMITTED SUBJECT TO APPROVAL,

Respectfully submitted,

Shelley White  
Land Use Clerk  
April 8, 2009