

May 6, 2009

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

Members Present: Susan Payne, Kelly Boling, Phillip Markert, Linda Frank, Diane Dupuis, Ric Sonder, Alt., Betsy Corrigan, Alt., Phil Dutton, Alt. **Absent:** Dirk Sabin, **Advisor Staff Present:** Shelley White **Guests:** Nick Bellantoni, State Archaeologist, Dick Carey, Paul Frank, Addie Roberts, Janet Hill, Dimitry Rimsky, Chris Charles,

Susan Payne called the meeting to order at 5:05 p.m.

Seated: Susan Payne, Diane Dupuis, Phil Markert, Linda Frank & Betsy Corrigan, Alt.

Archaeological Resource Protection in Town Regulations:

Ms. Corrigan introduced Dr. Bellantoni, Connecticut's State Archaeologist. She stated Dr. Bellantoni was here to answer any questions and explain how other towns in the state use regulations to protect their archaeological and historical resources. Dr. Bellantoni stated the State of Connecticut provides enabling statutes to the municipalities for the protection of cultural resources and the municipalities decide what they want to do within their communities. He explained the State of Connecticut would work with municipalities to help establish procedures and regulations that fit with that specific town's needs in order to protect and preserve the historical and archaeological resources in the town. Dr. Bellantoni stated that 55 Connecticut municipalities now have procedures and regulations in writing to help protect these resources and that the procedures are different for each town. He stated approximately 80% of the projects he reviews from the towns do not need work because they do not fall into sensitive areas of archaeological or historic significance. He stated approximately 20% of the projects require that a procedure be invoked to allow the project to continue and avoid and protect the resource. He stated it would be most cost efficient to review the project before the design phase so the project could be designed to avoid the area of sensitivity. Dr. Bellantoni explained the state archaeologists 3-phase survey process. A Phase 1 Survey would require shovel test pits. The test pits would provide information as to whether the site is archaeologically significant and the boundaries of the site. Then there would be a Phase 2 Survey if there were significant findings. The Phase 2 survey would entail larger areas of excavation around the test pits and the perimeter of the entire site to determine if it is a significant site. That would be based on the criteria of the National Register of Historic Places. The Phase 3 would entail data recovery. If the project could not be moved or the area could not be avoided the State would excavate a sample of the site to have a record of the historical activities and the project could resume. Dr. Bellantoni stated archaeological sites 'are like endangered species' because the state is losing them due to the lack of regulation. He stated Washington, CT has 28 archaeological sites listed in the State files. He stated there is already a database for Washington, CT and the G.I.S system could overlay the environmental & topographic information and the areas of known archaeological significance and quantify this information to produce a map that would indicate levels of potential archaeologically sensitive areas. This map could serve as a tool for the town and the applicant. Dr. Bellantoni recommended whatever procedure is put to use that it be clear to the applicant as to how the procedure works. Dr. Bellantoni state the Town of Washington has the oldest radiocarbon dated archaeological sites in the state. He suggested that the Town of Washington consider including protection of cemeteries. Ms. Hill stated the town does not have the authority to enforce an applicant to go to the State Archaeologist Office before there is an application. Dr. Bellantoni explained he was referring to the fact that in his years with the State, he has found that people, such as developers, will come to him during the planning process and then go to the town. Ms. Hill asked Dr. Bellantoni if he would prefer that all subdivision applications get forwarded to his office or that the applicant use a sensitivity map in the Land Use Office and they could determine whether a portion of the property is in a sensitive area and then send it to the State. Dr.

Bellantoni stated it would be up to the Town to decide its procedure. He stated his office could look at the plans and have a decision within two weeks. The other alternative would be to direct the applicant to send a copy to the state archaeologist as part of the application process and the State would be able to determine whether it was in a sensitive area using the most current and updated database. Mr. Boling asked if a list of characteristics of archaeological significance is available exists to provide a developer some guidance when developing a site. Dr. Bellantoni stated he could provide this. Ms. Frank asked how the procedure would work for a person that would be building a single house. Dr. Bellantoni stated that some towns have regulations for subdivisions but can also be written for general development. Dr. Bellantoni stated a map showing low, moderate and high sensitivity could be used. Mr. Carey asked for the definition of an archaeological site. Dr. Bellantoni stated that it is a concentration of artifacts, features and eco-facts that indicate some activity in the past that is most likely not seen above ground anymore. Mr. Frank asked who would pay for the survey(s). Dr. Bellantoni stated the applicant would pay for it. Dr. Bellantoni stated that the only time construction is required to stop is if human remains are discovered. There was a discussion about stonewalls as a cultural resource and how other towns are addressing the preservation of stonewalls.

5:50 p.m. - Dr. Bellantoni exits.

Ms. Payne asked if any of the members of the Planning Commission had anything else they would like to discuss. Mr. Carey asked the Conservation Commission if there were any updates with Road Discontinuances and he asked for the support of C.C. with helping to continue this process. Mr. Boling stated he had a list of discontinued roads and would be happy to work with Mr. Carey on this matter.

Consideration of the Minutes

Seated: Susan Payne, Diane Dupuis, Phil Markert, Kelly Boling & Phil Dutton, Alt.

The Minutes of the April 1, 2009 meeting were accepted.

Motion: to accept the April 1, 2009 Regular Meeting Minutes of the Conservation Commission as submitted, by Ms. Payne, seconded by, Ms. Dupuis, by 5-0 vote.

In reviewing the Minutes of April 15, 2009 meeting, Ms. Payne stated that SBA raised a question regarding the motion on page 2. Ms. Payne and the C.C. wanted to clarify their intentions.

Motion: to affirm our intention to have Diane Dupuis as the Conservation Commission's chief cell tower spokesperson on this issue and in addition authorize any member of the Conservation Commission to speak before the Connecticut Siting Council as a representative of the Town of Washington in the matter with respect to the pending application by SBA Towers II, LLC for a cell tower, Docket 378, by Kelly Boling, seconded by Phil Markert, by 5-0

Motion: to accept the April 15, 2009 Regular Meeting Minutes of the Conservation Commission as submitted, by Mr. Dutton, seconded by Mr. Boling, by 5-0 vote.

Open Space Fund Project

Ms. Payne informed the commission that Russ Dirienzo was hired by the 1st Selectman to do an environmental review on the property. Ms. Payne stated Mr. Dirienzo has offered to meet with the Conservation Commission to discuss his review.

Subcommittee Reports

Cell Tower Update:

Ms. Dupuis stated Governor Rell is on the record as being opposed to siting cell towers on 422A

Farmland. She reminded the commission that the hearing would be on May 21st at the Warren Town Hall at approximately 2:00 pm. Ms. Dupuis stated a balloon test would be performed on May 21st and will start at 8 am. She encourages anyone to take pictures from where it could be seen and submit them to the Conservation Commission so that she may add them to the Town of Washington's argument against this siting of a tower on Rabbit Hill.

Status of Route 202 Designation:

Mr. Boling stated the D.O.T. is tentatively scheduled to come to the Conservation Commission Meeting on June 3, 2009.

Conservation Design Subdivisions:

Ms. Payne stated the people of the committee are trying to schedule a meeting.

Best Development Practices Brochure:

Ms. Payne stated Ms. Corrigan and Mr. Carey have volunteered to help with the project. Mr. Dutton stated he would start with drafting a letter. Ms. Payne stated the Conservation Commission could contact the Connecticut Conference of Municipalities to find examples of existing regulations or types of procedures used for preservation of stonewalls.

Greenway Committee Activities:

Ms. Payne stated the Greenway Committee would meet May 11 at the Old Town Garage site. They will go over the work that has been done and upkeep.

Old Business

Conservation Easement Process:

Ms. Payne stated the easement model is with Atty. David Miles.

Review of Malkin Conservation Easement

Mr. Boling recused himself.

Seated: Susan Payne, Diane Dupuis, Phil Markert, Phil Dutton, Alt. & Betsy Corrigan, Alt

Mr. Chris Charles was present to review the Malkin Easement, 177 Roxbury Road. Mr. Charles stated the easement was moved away from the barn, which slightly reduces the acreage of the easement. There was a discussion of the size and shape of the easement. Mr. Charles stated they are trying to keep the easement contiguous to existing or future easements in order to create a corridor of protected land. The commission and Mr. Charles examined the plan titled Regional Corridor Plan – Open Space Equity, LLC, by Arthur H. Howland, PC, dated 3/9/07. The Conservation Commission was in favor of the new boundaries.

6:55 pm

Motion: to adjourn by Ms. Payne.

Ms. Payne adjourned the meeting.

SUBMITTED SUBJECT TO APPROVAL,

Respectfully submitted,
Shelley White
Land Use Clerk

