**TOWN OF WASHINGTON**

**Bryan Memorial Town Hall**

**Washington Depot, CT**

**PLANNING COMMISSION**

**MINUTES**

July 6, 2016

7:30 p.m. Main Level Meeting Room

**Members Present:** Mr. Frank, Mr. Hileman, Mr. Carey, Mr. Rimsky, Ms. Jahnke

**Alternates Absent:** Mr. Bedini, Ms. Ryland

**Staff Present:** Mrs. Hill

**Others Present:** Atty. Kelly, Atty. Coploff, First

Selectman Mark Lyon

**Public Hearing:**

Mr. Frank called the public hearing to order at 7:35 p.m.

**Seated:** Mr. Frank, Mr. Hileman, Mr. Carey, Mr. Rimsky,

Ms. Jahnke

**Scenic Road Designation/Portions of New Preston Hill and Findley Roads:**

Atty. Coploff stated that he was informed that the Tollmans neither support nor object to this application. Mr. Frank stated that he had asked First Selectman Mark Lyon to attend the meeting to address any questions on the Town’s behalf. Mr. Lyon stated that the Town's main concern is with Findley Road due to the work that they have preliminary designs for and they hope to do in the near future. He noted the engineering was completed two years ago. Mr. Lyon stated there is a significant drainage issue that will require a lot of work. In reviewing the Scenic Road Ordinance (SRO), he stated that the Town does not plan to make any dramatic changes to Findley Road. Mr. Lyon stated with regard to Section F of the SRO which speaks to routine maintenance (removal of brush, correction to drainage problems, etc.), the Town will be doing installation of drainage that is necessary for safety reasons. He explained that this is an area open to interpretation and if the Town makes a decision to work outside what is permitted under the SRO, it will require the Town to hold a Public Hearing.

Mr. Hileman stated that he understands the improvements needed on Findley Road to make it safe. He asked Mr. Lyon who makes the decision as to what crosses the line with regard to maintenance and alterations. Mr. Lyon stated they haven’t been placed in that position as yet. He did state that when the Town paved a small section of the dirt road on Findley Road, people did object to this. Mr. Lyon stated that this paving had been necessary to stop the road from washing out. Mr. Hileman inquired as to whether or not the SRO has language that would stand in the way of safety improvements. Mr. Frank referenced the SRO where it states that repairs are allowed to correct areas that are a safety concern. Mr. Hileman clarified that with a Scenic Road designation, the Town would be required to go through a Public Hearing process only if it intended to make certain types of alterations or improvements that would alter the character of the road.

Mr. Lyon stated that the Findley Road drainage work will take a full summer to complete.

Mr. Frank asked if there were any further questions. None noted.

**MOTION:** To close the public hearing to consider the application for scenic road designation for sections of Findley and New Preston Hill Roads. By Mr. Rimsky, seconded by Mrs. Jahnke, passed 5-0.

**Regular Meeting:**

Mr. Frank called the Regular Meeting to order at 8:03 p.m. Seated were Mr. Frank, Mr. Hileman, Mr. Carey, Mr. Rimsky and Ms. Jahnke.

**Consideration of the Minutes:**

The Commission considered the minutes of the June 1, 2016, Planning Commission meeting.

**MOTION:** To accept the June 1, 2016 public hearing/regular meeting minutes as amended. By Mr. Hileman, seconded by Mrs. Jahnke, and passed 5-0.

The first correction is on page 2, first sentence, “He stated not of the road widths are under 20 ft. …” and should read “He stated not all of the road widths are under 20 ft. …” The second correction is on page 4 under the Ingrassia/292 Bee Brook Road/6 Lot Subdivision, stating “She informed members that the Conservation Commission has concerns that not all of the Wetlands in the northwest corner” and should read “She informed members that the Conservation Commission has concerns that not all of the Wetlands in the northeast corner”.

**Ingrassia/292 Bee Brook Road/6 Lot Subdivision:**

Mr. Frank asked Commission members if they all felt ready to come to a decision on this application. Members stated they were. Mrs. Jahnke did want more clarification on the fee in lieu of/open space. Mr. Frank advised her that this will be discussed at this meeting.

Mr. Brian Neff had submitted an updated Site Development Feasibility Plan dated 06-30-16 to indicate the area of the proposed conservation easement. This was reviewed by members. Mr. Hileman noted one correction will be needed with regard to the 1500 gallon cistern indicated on this plan. It should be 15000 gallons and located in an area that conforms to Fire Department specifications.

The Commission members reviewed conditions in the draft motion Mr. Frank had prepared. Mr. Hileman stated this draft is straight forward, covers all issues that have been discussed and is very thorough. Mr. Frank stated that the applicant has raised questions with regard to the documents and instruments referred to in the motion. These included the bridge and driveway maintenance agreement and the conservation easement language.

Atty. Kelly stated that the Site Development Feasibility Plan was based on the A-2 survey map. The A2 survey will be updated and will reflect the approved driveway locations and corners will be pinned, as well as the corners of the easement area.

Mr. Frank referenced Regulation 3.9.2 which clarified questions from Atty. Kelly with regard to the 45 day time limit to have all required documents submitted. Atty. Kelly requested a change in language of condition 3 to provide that all required documents are subject to the final approval of the Commission and its counsel. This amendment included the change in language this change was acceptable to Commission members. Mr. Hileman read the amended condition 3 aloud.

Att. Kelly also requested a change in condition 1. This change was in regard to the Conservation Easement along Bee Brook and was to include metes and bounds descriptions. Commission members were in agreement and the change was made. Mr. Hileman read the amended condition 1 aloud.

The Commission discussed the Open Space requirement of Section 5.8 of the Subdivision Regulations. They also discussed waiving the requirements of Section 10.2.3.B and Section 10.2.3.C of the Subdivision Regulations regarding location of cistern and the cistern being deeded to the Town.

Regarding the determination of the fair market value of the property so that the fee in lieu of open space could be fixed, the Commission and applicant agreed to the effective date of appraisal being October 1, 2015, the date of the most recent Grand List.

Mr. Frank asked if there were any further questions. None noted.

**MOTION:** To approve the application submitted by Timothy and

Stephanie Ingrassia for a 6 lot subdivision at 292 Bee Brook Road based on the “Final Subdivision Plan,” prepared by James M. Farnsworth & Associates, dated November 4, 2015, revised to December 30, 2015, and the “Site Development Feasibility Plan,” prepared by Brian E. Neff, P.E., dated August 24, 2015, revised to June 30, 2016, subject to the following conditions:

**1.** The “Final Subdivision Plan,” shall be further revised to

Include the area of the Conservation Easement along Bee Brook

shown on the June 30, 2016 revision of the “Site Development Feasibility Plan,” along with metes and bounds descriptions of all lot lines and rights of way.

**2.** The Mylar of the “Final Subdivision Plan” shall contain

notes that a) lots #1, #2, #4, #5, and #6 require engineered

septic systems, b) a 15,000 gallon fire protection

cistern is required to be installed on lot #6 as a precondition to the issuance of a building permit for either lot #6 or lot #2, such installation and access to conform to

the specifications of the Washington Volunteer Fire

Department/Fire Marshal, and the maintenance thereof

to be the joint and several responsibility of the

owners of lots #6 and #2.

**3.** Within 45 days of this approval with conditions,

the applicants shall deliver to the Commission, in

recordable form a) an instrument or instruments

creating the rights of way and driveway easements

shown on the “Final Subdivision Plan” and “Site

Development Feasibility Plan,” b) a Driveway and

Bridge Maintenance Agreement, and c) a Deed of

Conservation Restriction for the area along Bee Brook

as shown on the “Final Subdivision Plan.” After

final approval by the Planning Commission and its

counsel, the approved documents shall be filed on

the Washington Land Records, and proof this was done

shall be submitted to the Land Use Office prior to

the signing of the “Final Subdivision Plan” by the

Chairman of the Commission.

By Mr. Rimsky, seconded by Mr. Carey, passed 5-0.

The Commission then discussed the Open Space requirement of Section 5.8 of the Subdivision Regulations and determined to accept the applicant’s offer of a combined conservation easement and payment of a fee in satisfaction of this requirement.

**MOTION:** Regarding Ingrassia/292 Bee Brook Road, 6 Lot

Subdivision: To accept, in satisfaction of the Open

Space requirement of Section 5.8 of the Subdivision

Regulations, 1) a Deed of Conservation Restriction

granted by the applicants to the Town of Washington

conveying to the Town a Conservation Restriction on the

7.919 acres as shown on the June 30, 2016 revision of

the “Site Development Feasibility Plan,” together with

2) a fee equal to 10% of the pre subdivision fair

market value of the land to be subdivided, determined

by appraisal and payable as provided in Section 5.8.3

of the Subdivision Regulations. The effective date of appraisal shall be October 1, 2015.

By Mr. Frank, seconded by Mr. Hileman, and passed 5-0.

**MOTION:** Regarding Ingrassias/292 Bee Brook Road, 6 Lot

Subdivision: To waive the requirements of 1) Section

10.2.3.B of the Subdivision Regulations that cisterns

be located in, or adjacent to, a road right of way as

the location of the cistern required by the Fire

Department is a considerable distance from a road, but

adjacent to a driveway accessible to emergency vehicles;

and 2) Section 10.2.3.C of the Subdivision Regulations

that cisterns shall be deeded to the Town, as such transfer

is not required by the Town.

By Mr. Frank, seconded by Mr. Rimsky, and passed 5-0

**Scenic Road Designation/Portions of New Preston Hill and Findley Roads:**

Mr. Frank asked the Commission members if they had any comments or questions regarding this application. Mr. Hileman acknowledged the important concerns the Town has with regard to public safety and maintenance. Mr. Rimsky stated he has no objection to the Scenic Road Designation, but felt it would have better served the applicant if they had applied to establish a Historic District.

Discussion took place regarding the proposed drainage work on Findley Road and compliance with Section V of the SRO.

Mr. Rimsky recommended the Commission review and possibly revise Section V of the SRO regarding maintenance, alteration, and reconstruction of scenic roads.

**MOTION:** To approve the designation as a scenic road of

Sections of Findley Road and New Preston Hill Road: from

126 New Preston Hill Road continuing to and including 62 New Preston Hill Road and from the intersection of New Preston Hill Road and Gunn Hill Road continuing down Findley Road to that point where Findley Road meets the end of the Findley Road side of 101 New Preston Hill Road.

By Mr. Frank, seconded by Mr. Rimsky, and passed 4-0. (Mrs. Jahnke had left the meeting prior to the discussion of this application.)

**New Applications:**

N/A

**Other Business**:

**Plan of Conservation and Development:**

Sustainability Subcommittee Report**:**

No one was present to report on this subcommittee.

Economic Development Advisory Committee Report:

Mr. Hileman reported that CERC attended its last meeting. CERC has crafted a town-wide on line survey that will go out to both part time and full time residents. Mr. Hileman stated that it is structured in a specific way and has different questions for part time residents and full time residents. He stated the survey will be active online later this month and run for about six weeks. Mr. Hileman stated that with this survey, it is hoped to gather good feedback from residents regarding economic and community issues.

Plaza Improvement Committee Report:

Mr. Rimsky reported that there is a public information meeting on the proposed plan for Bryan Memorial Plaza scheduled for July 20, 2016 at 7:00 p.m. at Town Hall.

Mr. Carey inquired if there was any feedback regarding the angled parking. Mr. Rimsky stated there have been no real problems and no complaints received. He stated that this angled parking has demonstrated that it is a success so far, especially with the additional parking it has allowed. Mr. Rimsky discussed future plans regarding parking.

**Communications:**

Mrs. Hill distributed the Draft Regional Transportation Report prepared for the Northwest Hills planning region.

Of particular interest to Washington, she said the report recommended an increase in vehicle electric recharge stations in the area, improvements to bicycle lanes and bicycle traffic, and the drafting of a Complete Streets manual, which is a new concept for streets that can accommodate pedestrians, bicycles, businesses, etc. She urged the Commissioners to contact either Rick Lyon at the NWHCOG or Fitzgerald and Halliday, the Plan consultants, with any comments or recommendations they might have.

**MOTION**: To adjourn the meeting at 9:25 p.m. By Mr. Rimsky.

**By:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Donna Pennell/Land Use Secretary

July 13, 2016