

June 28, 2004

MEMBERS PRESENT: Mr. Fitzherbert, Ms. Friedman, Mr. Martin, Mr. Owen

ALTERNATES PRESENT: Mr. Brinton, Mr. Shapiro

STAFF PRESENT: Ms. Osborne

ALSO PRESENT: Tim Cook, Dick Sears First Selectman, Sigrid Hildmann & daughter, Edwin Whitehead, James G. Kelly, Esq., Dan Whalen, Barbara and Richard Carey, Kirk Sinclair, John Millington, Press

PUBLIC HEARINGS

Town of Washington/11 School Street/ Special Permit: Section 4.4.9/Restroom-Kitchen Addition to Pavilion.

Mr. Martin called the public hearing to order at 7:35pm and seated Members Fitzherbert, Friedman, Martin, Owen and Alternate Brinton for Ms. Page. Ms. Friedman read the legal notice published in Voices on June 13 and 23, 2004.

Mr. Martin had a note from the ZEO stating she had no major concerns with this application.

Tim Cook spoke on behalf of this application as a member of the Town of Washington Park and Recreation Department. Mr. Cook stated that a high number of people use the athletic fields and pavilion, this area receives a lot of use. There is a town ordinance which regulates hours of activity, which state the pavilion closes at dark. There will be security lighting on the proposed addition; the entrance for the facilities is located on the side facing the Washington Primary School.

Mr. Martin noted that this application has Inland/Wetland and Health approval. At this point Mr. Martin asked for public comment.

Ms. Friedman was concerned with the hours of operation. Mr. Cook informed her that the facilities will probably be open from 7:00am to dark, March through November. Mr. Cook went on to state there will be male and female bathrooms, which will be handicapped accessible. The proposed kitchen/storage area will be enclosed. There will be lighting on the outside of the building and inside lighting as well. Mr. Martin asked that the lighting be kept as low wattage as possible keeping in mind safety and security and be aimed downward.

Mr. Fitzherbert asked about the other "old" building existing on the property. Mr. Cook answered that at a future date they would like to rebuild this building with garage doors for storage of maintenance equipment and the gator (which is housed at the Old Town Garage).

First Selectman, Dick Sears was present he stated the Board of Selectmen support this project.

MOTION: To close the public hearing to consider the Special Permit application: Section 4.4.9 submitted by the Town of Washington to construct a restroom-kitchen addition to Pavilion at 11 School Street. By Mr. Owen, seconded by Ms. Friedman, and passed 5-0.

Hildemann/34 Popple Swamp Road/Special Permit: Section 4.4.3/Commercial Horseback Riding Establishment

Mr. Martin called the public Hearing to order at 7:45pm and seated Members Fitzherbert, Friedman, Martin, Owen and Alternate Brinton for Ms. Page. Ms. Friedman read the legal notice published in Voices on June 13 and 23, 2004.

Mr. Martin had a note from the ZEO stating she had no major concerns with this application. Mr. Martin also noted for the record that this application had Health and Inland/Wetland sign off as well as an endorsement from the Professional Horseman's Association of America. He noted that this was a special permit application for a change in usage. There will be no external changes to the site.

Mr. Martin read a letter dated May 19, 2004 from James G. Kelly, Esq. which characterized how the property is to be used. Mrs. Hildmann and her daughter were present. Ms. Hildmann gave a brief family history. She mentioned that their closest neighbor is Mr. Whitehead, there would be no outdoor lighting, noise and there is ample parking. Edwin Whitehead was present; he endorsed this application adding the Hildemann's have built a fine facility and are a credit to agriculture.

Ms. Friedman asked about the noise from voice commands during training. Ms. Hildmann answered that there is no yelling and no sound system will be used. Ms. Hildemann went on to explain the feeding schedule for the horses. The horses are feed four times a day 6:00am, 1:00pm, 6:00pm and 10:00pm.

There was much discussion on the number of horses to be kept at any one time on the property. This includes the Hildemann's horses and boarders. Mr. Kelly's letter stated the capacity is (24) horses, at present the Hildemann's have (7) and they could have an additional (6) to (8) boarders, the total number of students is (8) to (12). Ms. Hildmann said (6) to (8) students is realistic and fun, they are retired and are turning a hobby into a business for their daughters to make a living. She also stated that a high of (20) horses including their own is acceptable. Mr. Martin stated that the points in Mr. Kelly's letter, as modified by the applicant in this public hearing are part of the application and help to gage the impact on the neighborhood that the special permit would allow.

At this point members reviewed the usage perimeters discussed in Mr. Kelly's letter and the applicant's request for modifications as follows:

- a. A maximum of 20 horses including boarders and their own.
- b. A total of 8 to 12 students will be taken on with no more than 4 on site at any one time.
- c. Training will occur between 6:00am and 8:00pm 7 days a week.
- d. & e. eliminated
- f. Training will occur both indoors and out. Any outdoor training will be in the back ring.
- g. There will be no lighting at outdoor riding ring.
- h. No sound system at the outdoor ring.

Ms. Hildemann stated that she had a verbal endorsement from the Lovelace's who are neighbors. Tim Cook spoke in favor of the application stating that Washington used to have 22 dairy farms and is down to 2. Dan Whalen spoke in support of the Hildemann's. He felt it was a clean and low impact establishment. Barbara and Richard Carey presented a letter of endorsement for this application which specified the (6) to (8) boarders. Mr. Carey went on to state that the barns are beautifully constructed, he's delighted to see the animals. Mr. Martin asked if Mr. Carey's point of view would change now that the maximum number of horses is (20). Mr. Carey asked if the application goes with the land similar to a ZBA application. Mr. Martin stated that the application is just for this applicant, the Hildemann's. Mr. Carey said he would be concerned if it was not the Hildemann's applying for the special permit. Mr. Whitehead added that he also has no problem with the (20) horses, he believes they need that number to be a successful facility.

MOTION: To close the public hearing to consider the Special Permit application: Section 4.4.3 submitted by Hildemann to permit a commercial horseback riding establishment at 34 Popple Swamp Road, By Mr. Fitzherbert, seconded by Mr. Brinton, passed 5-0.

REGULAR MEETING

Mr. Martin called the meeting to order at 8:25pm and seated Members Fitzherbert, Friedman, Martin, Owen and Alternate Brinton for Ms. Page.

Consideration of the minutes; members were missing page 7 of the minutes. Approval of the minutes will take place at the next meeting.

Pending Matters

Town of Washington/11 School Street/ Special Permit: Section 4.4.9/Restroom-Kitchen Addition to Pavilion.

Ms. Friedman was concerned with the lighting, the understanding is there is no overall lighting, and any new lighting is low wattage, aimed down and is located on the side away from School Street. Ms. Friedman added that there are Town Regulations in place to address the hours of operation.

MOTION: To approve the Special Permit application: Section 4.4.9 submitted by the Town of Washington to construct a restroom-kitchen addition to Pavilion at 11 School Street. By Ms. Friedman, seconded by Mr. Fitzherbert, and passed 5-0.

Hildemann/34 Popple Swamp Road/Special Permit: Section 4.4.3/Commercial Horseback Riding Establishment

Mr. Brinton felt the applicant had the support of their neighbors. Members went over the (7) stated changes in Atty. Kelly's letter, all points remained as stated in the public hearing except (b) which was changed to: A total of 8 to 12 students will be taken on with no more than 4 students in active training at one time.

MOTION: To approve the Special Permit application: Section 4.4.3 submitted by Hildemann to permit a commercial horseback riding establishment at 34 Popple Swamp Road as defined in the letter on file dated May 19, 2004 from James G. Kelly, Esq., as modified during the public hearing and as modified during the regular meeting. By Mr. Martin, seconded by Mr. Fitzherbert, and

passed 5-0.

Implementation of Plan of Conservation and Development

Preservation of Scenic Resources: Kirk Sinclair, GIS manager of Housatonic Valley Association gave a power point presentation on protection of scenic resources. The outline for this presentation was: doing background work, setting criteria, creating horizon belts, using the results. After Mr. Sinclair's presentation discussion ensued. Mr. Owen stated the hard part is determining what to protect. Mr. Martin asked members if they felt creating horizon belts could work to help define areas to regulate. Mr. Owen felt you need to define what you want to protect first. Ms. Friedman suggested looking at the states definition for ridgeline protection. Mr. Martin made reference to the vistas identified in the Natural Resource Inventory Report where did they originate? John Millington, of Steep Rock Association offered their help. Mr. Sinclair interjected that there needs to be logic in identifying areas of preservation. Mr. Martin suggested a bus ride, by members to view the town. **Members will continue to discuss how to identify the priority views at next months meeting with the goal of utilizing Mr. Sinclair's approach once the commission has made progress on the prioritizing.**

Housing Diversity: Members were given a letter dated June 22, 2004 from Mr. & Mrs. Robert F. O'Brien in support of the commission's work. Mr. Shapiro initiated discussion on this topic with a handout on the pros and cons of Senior-Only versus Wide-Open housing. The discussion included Mr. Sears comment that zoning help maintain diversity and affordability and Mr. Millington who stated there is also a need for units over and above affordable. There was much open ended discussion and viewpoints. **Mr. Brinton felt the commission should move forward cautiously toward senior housing for 55 and older, with a project scale smaller than 40 units. This will help alleviate the immediate problem. To do nothing is ignoring the problem. Five of the members present support this view.** This information can then be communicated to the Housing Diversity Committee.

Revision of Regulations/Section 14/Development plans: Mr. Martin will modify the revisions to reflect Mr. Oley's recommendations in his letter dated June 17, 2004.

New Applications

Public Hearings will be set up for the (3) new applications.

Other Business

Proliferation of Signs: Ms. Friedman asked members to be aware of signage through out town i.e. sandwich boards, flags etc. To be discussed at next months meeting.

Communications

A. 5/27/04 letter from Mr. Sears re: email communications to be discussed at next month's meeting.

MOTION: To adjourn the meeting at 11:07pm

Submitted subject to approval,

Pamela L. Osborne, Acting Secretary