

## MINUTES

February 5, 2020

5:15 P.M.

Bryan Memorial Town Hall

MEMBERS PRESENT: Ms. Payne, Ms. Frank, Ms. Branson, Mr. O'Hazo, Ms. Dupuis

ALTERNATES PRESENT: Mr. Conroy, Ms. Rawson

RESIDENTS PRESENT: First Selectman Mr. Brinton, Mr. Schlosberg, Mr. Furse, Mr. Charles

CLERK: Ms. Gallagher

With a quorum present, Ms. Payne called the meeting to order at 5:17 p.m. and seated Ms. Payne, Ms. Frank, Ms. Branson, Mr. O'Hazo and Ms. Dupuis. Ms. Rawson and Mr. Conroy arrived a few minutes after the meeting was called to order.

### **CONSIDERATION OF MINUTES:** 3:37

Ms. Payne asked the Commission to review the minutes. Ms. Branson asked for the following correction, page 2 Ms. Branson proposed a walk from the DOT Bridge to the Falls and Mr. Conroy and Mr. O'Hazo agreed to go.

Motion: To approve the minutes from the January 8, 2020 meeting with the following correction, Page 2 Ms. Branson proposed a walk from the DOT Bridge to the Falls and Mr. Conroy and Mr. O'Hazo agreed to go by Ms. Frank seconded by Ms. Dupuis passed 5-0.

Ms. Payne welcomed the guests that were present at the meeting.

### **Alternate Vacancy:** 5:10

This item was tabled until next month.

### **New Preston Falls Project:** 5:15

Ms. Payne received an email from Arbor Services stating that trees were taken down at the New Preston Falls site. Ms. Payne was not sure how many trees were removed and asked the Commission Members to drive by the site.

Ms. Payne asked First Selectman Mr. Brinton for an update about a meeting he had with the State DOT Department. Mr. Brinton informed the Commission he met with two State DOT representatives and they seemed willing to have the Town of Washington take over the right of way and have the Town of Washington maintain those areas. Mr. Brinton was given the contact information to start the paperwork for the Town to take over those areas. Mr. Brinton stated he wanted to speak with the Conservation Commission before he started the paperwork.

Ms. Branson shared a couple of emails that she received from Mr. Bedini, regarding the ADA compliance issues with the New Preston Falls Bridge because this is State and Municipal property. Mr. Bedini explained some of the ADA compliance regulation that would need to be addressed such as parking, railings, width of trails, pitch of slope and width of bridge.

The Commission had a lengthy discussion on how to proceed with the DOT Bridge. They discussed the ADA regulations, the parking issues in the area, the hazards that are on the site and how to keep the public away from these areas, along with possible hazards signs being installed for safety.

The Commission had a brief discussion about the Fishing Bridge. They discussed why fishing from bridges is not advisable and how a lot of bridges have no fishing signs on them.

Mr. Brinton suggested he would go to Inland/Wetlands for a permit to have the town remove the bridge. The Commission does want to continue to remove invasive plants around site and maintain the lawns. . The Commission would like to remove the DOT Bridge and keep the area as natural as possible. The existing permit covers the maintenance of the site.

**Motion:** The Conservation Commission formally requests the Town of Washington to remove the DOT Bridge, stabilize the banks with native plantings and remove invasive plants. This was a decision the Commission made due to the ADA compliance regulations and its cost factors, by Ms. Branson seconded by Ms. Payne passed 5-0.

Ms. Branson asked the Commission if she could be the contact person for the Commission regarding The New Preston Falls Project. There are various departments that are involved with the New Preston Falls site.

Mr. O'hazo volunteered to organize a March clean- up of litter on the New Preston Falls site.

#### **Solar Regulations:** 46:30

Ms. Payne informed the Commission that Ms. Hill, Zoning Commission Vice -Chair, would like a subcommittee to be formed regarding solar panel regulations. She would like someone from the Zoning Commission, Conservation Commission, Mr. Furse and others on the subcommittee.

Mr. Furse gave the Commission members a handout regarding solar projects, the Clerk was asked to provide a copy of the handout to Ms. Hill. He spoke about the size of solar panels that an average residential use. He explained how the rules for solar are changing, the current Green Bank gives the residential customers incentives based on their previous year's usage. This system is going away and a feed in tariff is going to in place. The feed in tariff is currently being used in Germany. This system is not based off of the homes residential usage. Mr. Furse is concerned about how to regulate the size of residential solar units once this new feed in tariff starts. Mr. Furse is a partner for Litchfield Hills Solar, board of directors, Solar Connecticut, Vice-Chair for Northwest Conservation District, Vice -Chair for Zoning Board of Appeals in Warren. Ms. Dupuis volunteered to be the Conservation Commission contact person.

The Commission would like to have a public event were Mr. Furse could speak to the public about solar panels and regulations. They would also like Ms. Hill informed.

**Western CT Clean Air Action Report January 13, 2020 Meeting:** 58:08

Ms. Frank said they did facetime with Dr. Wagstrom from Uconn, at their last meeting, they're hoping she will be monitoring the data. Cricket Valley is not online as of yet. The monitors in Washington are collecting data and working well.

**Tree Cutting Regulations:** 59:19

The proposed tree regulations are with the Zoning Commission, Ms. Hill made two comments. The Tree Regulations were not submitted with a petition which would have made them act immediately. She also stated that most of the regulations are already in place in the towns existing subdivision regulations. The Zoning Commission decided to use our submission of the Proposed Tree Regulations as a catalyst to begin a discussion of low impact development in tune with conservation. The Zoning Commission formed a subcommittee Mr. Werkhoven and Ms. Smith are on the newly formed subcommittee.

**Rabbit Hill Bridge:** 1:01:44

Ms. Payne discussed the DEEP report that she received today, it was about the water quality.

Ms. Dupuis informed the Commission that there is a public information meeting on February 18, 2020, 7:00 p.m. at Town Hall.

The residents are signing a petition. Ms. Dupuis read some of the scenic road regulations that are stated in the Scenic Roads Ordinance. She listed some on the State endangered species list that could be effected by the work being done to the bridge. She reviewed the Army Core of engineer's approval which is to raise the bridge one foot, the proposal that was put together is to raise the bridge two feet.

Ms. Dupuis wrote a letter and read it to the Commission. She mentioned the width of the road, the speed limit of the road, the State listed endangered species that she wants to ensure stay protected, the fact that Rabbit Hill Road is a Scenic Road, and the bridge sits over our largest aquifer. Ms. Dupuis would like the Commission to endorse her letter, as a private citizen.

Mr. Brinton said that the Commission should go to the meeting on February 18, 2020, to get all the facts regarding the bridge. Mr. Brinton would like to have the community and the engineers come to a compromise regarding the design of the bridge. The Commission would like to submit a letter after the public meeting and submit to the Board of Selectmen. Mr. Brinton said no decision would be made at the Board of Selectmen's meeting in February regarding the Bridge.

The Commission advised Ms. Dupuis to contact the Northwest Conservation District Environmental Council to get information regarding the impact on wildlife and the aquifer. Ms. Dupuis will give the DEEP reports to the clerk

**Update of Natural Resource Inventory Maps:** 1:27:29

Ms. Payne spoke to Mr. Wayne Hileman about updating the Open Space Maps, Permanently Protected Map, 409 Map and Ms. Betsy Corrigan is working on the Vernal Pools Map. Ms. Rawson would like to have a presentation on Weantinog's GIS conservation model, showing high-conservation value

landscapes including climate resilient lands. The mapping helps show where in a community topography changes have happened. The Commission all agreed this would be very helpful for all land use Commissions and staff.

**NWCOG Feb 4 meeting with Attorney Zizka on land Use Decisions:** 1:32:27

The members that attended said it was a very informative seminar and very well attended. Attorney Zizka has written a couple of books on land use. They gave a packet out and there is a summary page, Ms. Branson will send the summary to the clerk so she can send to the other commission members that were not able to attend the seminar.

**WED: Ct Pesticide Preemption law repeal campaign:** 134:51

Ms. Payne asked the Commission members to review the minutes from the Board of Selectmen meeting. The Environmental Council addressed the Board of Selectmen regarding pesticide use.

**Cell Tower/ Kent:** 137:54

The Commission reviewed the visibility maps of the proposed Cell tower for South Kent. Ms. Rawson explained the mapping and what the colors on the map mean. It appears that one of the towers will be visible from the lake. The maps are of the proposed cell tower areas on Bald Hill Road and Richards Road. The Commission would like to request if there are alternate proposed sights for the towers. They will also check the Kent minutes to see if there are alternate sights.

**Other and Old Business:**

**Hill Side Farm:**

Ms. Payne advised the Commission the State Open Space bond has been approved, the amount that will be granted is not yet known.

**Inland/Wetlands:** 1:49:35

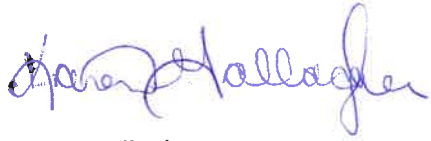
Ms. Payne informed the Commission that there was a special meeting of the Inland/Wetlands Commission on January 29, 2020 regarding fines. The Commission would like more substantial fines for violations.

**Other and Old Business:** 1:50:24

Mr. Schlosberg asked if he could address the Commission, he is concerned about invasive plants in the Town. He expressed his concern about the loss of native plants and habitat that has been destroyed. He stated that restoration is not effective, we need prevention. He asked if the Commission would support a tax for property owners if invasive plants are on their private property. The Commission has no authority over taxes. He also asked if the Commission could work with Inland/Wetlands to try to help prevent the spread of invasive plants. The Commission suggested he go to the Board of Selectmen meeting.

**Motion:**                    **To adjourn the meeting at 7:10 p.m. By Ms. Payne seconded by Ms. Dupuis 5-0**

Respectfully Submitted,



Karen Gallagher

Conservation Commission Clerk

02-12-2020

