

**TOWN OF HEBRON
PLANNING & ZONING COMMISSION
October 28, 2008 – Regular Meeting
Town Office Building**

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2008 NOV -3 P 3: 34
Ann E. Podell
HEBRON TOWN CLERK

Members Present: L. Hinman, F. Zitkus, J. Podell, N. Wood

Member Absent: B. Raymond

Alternates Present: T. Piggott, B. Casoni

Staff Present: M. O'Leary, Town Planner

Guests: G. Gotowala

The meeting was called to order at 7:00 p.m.

L. Hinman seated T. Piggott for B. Raymond.

Approval of Minutes – October 14, 2008 Regular Meeting: F. Zitkus moved and N. Wood seconded a motion to approve the minutes of October 14, 2008 Regular Meeting as presented. The motion passed unanimously.

October 14, 2008 Public Hearing: N. Wood moved and F. Zitkus seconded a motion to approve the minutes of October 14, 2008 Public Hearing as presented. The motion passed unanimously.

October 18, 2008 Special Meeting: It was noted on Page 1 the address for the Site Walk should be 190 West Main Street. On Page 3, 1st paragraph, sentence should read, "...66 would be public open space and the remainder of the open space would be private."

N. Wood moved and F. Zitkus seconded a motion to approve the minutes of October 18, 2008 Special Meeting as amended. The motion passed with J. Podell abstaining.

New Business:

Set Public Hearing Date:

Petition 2008-19 Amend Zoning Regulations – Section 8.11 – Special Accessory Use Regulations: It was decided to hold a public hearing on 12/9/08.

PZC 2009 Meeting Schedule: F. Zitkus moved and N. Wood seconded a motion to accept the 2009 meeting schedule as proposed (see attached). The motion passed unanimously.

PZC 2007/2008 Annual Report: The Commission reviewed the draft report prepared by M. O'Leary and made minor revisions.

F. Zitkus moved and N. Wood seconded a motion to accept the 2007/2008 Annual Report as amended. The motion passed unanimously.

October 21, 2008 Letter from Town Manager re: Mohegan Land Trust: F. Zitkus noted that many of these properties are in the future open-space-greenways map. Most of them have gone through the Town to the Mohegan Land Trust. M. O'Leary noted that he thought there were just two properties that did not come through the subdivision process.

N. Wood stated that these are properties of value and felt that the Town should retain them.

There was some discussion regarding who would maintain these properties. It was suggested that this could be done through community service with high school students. The Parks and Recreation Dept. could be in charge of the maintenance and scheduling. The Conservation Commission could also be involved.

It was decided that the Commission would inform the Board of Selectmen that they feel the Town should consider the transfer of the Mohegan Land Trust properties. In addition, inform the Board of Selectmen that there will be maintenance needs on these properties and possible insurance costs involved. Perhaps they could utilize the school community services, religious community services, etc. F. Zitkus noted that these properties would have been town owned eventually.

F. Zitkus passed out copies of some information he prepared regarding this issue.

F. Zitkus moved and N. Wood seconded a motion that the Planning and Zoning Commission recommends to the Board of Selectmen, pursuant to CGS 8-24, that open space and conservation easements owned and held by the Mohegan Land Trust within the Town of Hebron be conveyed to the Town of Hebron due to the impending dissolution of the Trust. The motion passed unanimously.

October 16, 2008 letter from Naek Construction re: Construction Schedule: M. O'Leary stated that the binder course of pavement was defective. M. O'Leary indicated that some of this has to do with the fact that it has been sitting there for five years and construction equipment has been riding on it and some of it is very thin. The bad areas of pavement have been saw cut and are ready to be replaced. In the next week and a half they will remove the bad pavement and do the final course of pavement.

M. O'Leary suggested amending the October 30, 2008 date to November 21, 2008. M. O'Leary noted that this will be more than enough sufficient time to get this work done.

F. Zitkus moved and J. Podell seconded a motion to amend item #5 of the one year extension of Petition 2003-03 by extending the date to complete remediating the pavement, curbing work and final pavement to November 21, 2008. The motion passed unanimously.

CIP Requests – 2009/2010 FY: M. O’Leary passed out copies of the PZC’s previous CIP requests regarding the sidewalks. M. O’Leary indicated that he spoke to J. Clark and other departments. There will be a request to CIP for a document management system and the plotter will be part of this overall request.

PZC Workshop Discussions: It was decided to invite N. Ellis to the 1/13/09 meeting to discuss the possible farmer’s market and windmills.

It was decided to discuss the Hebron Green Master Plan at the 11/12/08 workshop meeting.

The meeting adjourned at 8:20 p.m.



Tricia Schiavi
Board Clerk

**Hebron Planning and Zoning Commission
October 28, 2008 – Regular Meeting**

**Connecticut General Statute (CGS) 8-24 Referral
Proposed Mohegan Land Trust Transfer to the Town of Hebron**

The Mohegan Land Trust (MLT) wishes to convey all open space properties and conservation easements that it holds within Hebron to the Town of Hebron at this time as trust intends to dissolve as soon as practical. The MLT owns over 200 acres of open space and conservation easements in Hebron with a substantial number of acres included within the town's Future Open Space (greenways) Map. This Map is included in the town's Plan of Conservation and Development (Plan of C & D). A significant portion of open space and conservation easements owned and held by the Trust were the result of dedications of open space, required by the Town's Subdivision Regulations, and transferred from the Town to the Trust over the years.

At the October 16, 2008 meeting the Hebron Board of Selectmen referred the proposed conveyance of these MLT holdings to the Planning and Zoning Commission for their recommendation as required by CGS 8-24.

The Open Space Land Acquisition Committee at their September 10, 2008 meeting recommended "that the Board of Selectmen consider taking ownership of all Mohegan Land Trust owned properties within the Town of Hebron including all conservation easements held by the Trust on properties within the Town of Hebron".

The PZC finds that the conveyance of such open space and conservation easements from the MLT to the Town is consistent with the Town's Plan of C & D.

Specifically, retaining these lands as open space in town ownership fulfills the following goals and objectives of the Plan of C & D:

Section 2. B. Stream Corridors and Bodies of Water

Goal: "To protect the natural functions of stream corridors and surface waters and to maintain them in their natural state. To prevent the degradation of water quality and habitat that aquatic systems provide, and to maintain natural water flow to and from all aquatic systems".

Objective 5: "As part of the Town's Greenway concept, encourage the dedication of open space and conservation easements along corridors of significant value".

Objective 8: "Work with... non-profit groups..., to acquire and protect land adjacent to stream corridors and water bodies".

Section 2. F. Wildlife, Plant Life and Other Significant Natural Features

Goal: "Preserve natural systems and their functions in order to protect the Community's indigenous wildlife and plant life".

Objective 1: "Maintain large undisturbed and contiguous blocks of land to sustain diverse wildlife habitat".

Objective 2: "Protect forested watercourses and hilltops, which serve as corridors for wildlife movement".

Section 2. J. The Open Space Plan

Goal: "Maintain the open, rural character of Hebron by preserving the existing systems of natural resources, natural features and significant ecological systems. These open space resources include forests, fields, meadows, marshes, swamps, wetland soils, floodplains areas, watercourses and bodies of water".

Objective 13: "Work with...the Mohegan Land Trust...to further conservation...efforts regarding the Town's open space systems".

Motion: The PZC recommends to the Board of Selectmen, pursuant to CGS 8-24, that open space and conservation easements ~~owned and held~~ by the Mohegan Land Trust within the town of Hebron be conveyed to the Town of Hebron due to the impending dissolution of the Trust.

Note: This referral may include any other assets (MLT cash, for example) of the Trust that is required (or desired) to be transferred to the Town from the Trust to properly dissolve the Trust and convey property and conservation easements to the town.