

**TOWN OF POMFRET – MINUTES
TOWN MEETING – OCTOBER 22, 2009**

Meeting opened at 7:00 PM by First Selectman James Rivers. There were approximately 160 citizens present.

Article 1: **To choose a Moderator for said meeting** – Nora Johnson motioned to nominate Walter Hinchman as moderator. Tim McNally seconded. No discussion. Sherry Grist moved to close nominations. Tim McNally seconded. No discussion. All in favor to close nominations. All in favor of Walter Hinchman acting as moderator.
To consider a summary overview and presentation regarding the possible purchase of land and/or development rights of properties enumerated in Articles Two through Eight. W. Hinchman read remainder of Article 1 to record. James Robbins with the Conservation Commission then gave a brief slide and historical presentation. He noted that Pomfret's Plan of Conservation and Development noted preservation of open space as a priority. James Rivers spoke briefly regarding past properties purchased by the Town of Pomfret.

Article 2: **To see if the Town will approve the expenditure of \$ 791,000.00 from, and in accordance with, the \$4,000,000.00 appropriation approved by Town Meeting at referendum held on February 5, 2008 and the purchase and acquisition of Development Rights by the Town of Pomfret, as purchaser, and William F. and Martha MacLaren and Tyrone Farm Management, Inc. as sellers, for certain parcels of land as follows: 9 Tyrone Road depicted as Pomfret Assessor's Map 9, Block G, Lot 1.0 comprised of approximately 35.71 acres; 86 Tyrone Road depicted as Pomfret Assessor's Map 14, Block B, Lot 15 comprised of approximately 59.10 acres; 89 Tyrone Road depicted as Pomfret Assessor's Map 14, Block C. Lot 1.0 comprised of approximately 39.40 acres; 107 Tyrone Road depicted as Pomfret Assessor's Map 14, Block C, Lot 1.01 comprised of approximately 24.49 acres; and 81 Putnam Road depicted as Pomfret Assessor's Map 9, Block E. Lot 5.0 comprised of approximately 14.70 for a total of approximately 173.40 acres of land, all in accordance with the terms and conditions of the Purchase and Sales Agreement between the Town of Pomfret, as Purchaser and said parties as Sellers and to authorize the Board of Selectmen to take all such further necessary action to execute said Agreement** – W. Hinchman read Article 2 into the record. Nora Johnson motioned to approve Article 2. Margie Huoppi seconded. Discussion. Jim Rivers presented aerial view of 5 parcels under consideration. Bill Hull stated that while he was in favor of the purchases he had concerns about a mil increase during a recession. J. Rivers addressed past bonds that have been retired and capital money for land acquisition. The amount is adequate to service debt on 4 million at current rates. Richard Hall asked about the percentage of wetlands on each property. J. Rivers stated he believed the overall wetlands in town were about 22% and the average of these land purchases is lower than that. Carolyn Gerrity, Board of Finance member, stated that the \$100,000 committed in the budget to land acquisition could be looked at next year as a tax relief. A man asked that development rights be clarified and the tax impact on purchases. Also if the purchase of them meant citizens had the right to use the land. J. Rivers clarified that typically there is no public access. Tonight's parcels are in Section 490 and would remain as such. The total properties presented tonight would amount to a combined tax loss of \$5,533.00. Bev Champany stated that these purchases would save money in the long run. Margie Huoppi asked about how the price was established. All properties had one or more appraisals done. Maria Santiaglo stated that while she was a conservationist she was concerned about the new school budget and how this may affect a possible new school. The current building was maxxed out. J. Rivers noted some of the capital money designated for school repairs but noted that a school building was a stand alone decision and separate from anything before the Town tonight. Charles Boster asked if the owner could still use the land if the development rights were purchased. J. Rivers stated that protections are build in to the agreements for some types of use. Barry Eck asked if the Town could sell the development rights. They could be sold by a Town Meeting agreement. John DiIorio stated that development rights separate a right to own versus a right to develop. Fred Bigeloe asked for clarification. Are the MacLaren's waiving their rights or does the Town actually purchase. The MacLaren's would continue to own the land. They would be selling their right to develop it to the Town. This does not mean the Town could then build. Richard Hall asked if other properties were much wetlands as the MacLaren piece is high ground. A woman asked about the development risk factor. If the owners want to farm the land what is the risk of development. Dennis Morrisette asked if the State was involved in this purchase. J. Rivers stated that while the State is involved with some of these purchases, this is not the case here. Barbara Mann stated that this property and Tyrone Farm is synonymous with Pomfret beyond the Town. Equestrians from all over New England know of the Pomfret Hunter Pace and Tyrone Farm. Bill Hull motioned to move the question. Nora Johnson seconded. Approved unanimously. A show of hands was counted for Article 2 with ayes carrying.
Ayes: 146 Nays: 1 Article 2 approved.

Article 3: To see if the Town will approve the expenditure of \$ 125,000.00 from, and in accordance with, the \$4,000,000.00 appropriation approved by Town Meeting at referendum held on February 5, 2008 and the joint purchase and acquisition of Development Rights by the Town of Pomfret and State of Connecticut, as purchasers, and Phillip A. and Irma J. Allegretti, as sellers for certain parcels of land located at 36 Freedley Road depicted as Pomfret Assessor's Map 9, Block E. Lot 3.0 comprised of approximately 39.0 acres and 47 Freedley Road depicted as Pomfret Assessor's Map 9, Block D, Lot 9.0 comprised of approximately 70.34 acres for a total of approximately 109.34 acres of land, all in accordance with the terms and conditions of the Purchase and Sales Agreement between the State of Connecticut and Town of Pomfret, as Purchasers and said parties as Sellers and to authorize the Board of Selectmen to take all such further necessary action to execute said Agreement and complete such borrowing – W. Hinchman read Article 3 to the record. J. Rivers provided a brief overview stating that 75% of these development rights are to be purchased by the State of Connecticut and the Town of Pomfret would purchase 25%. Nora Johnson moved to approve Article 3. Tim McNally seconded. There was no discussion. It was motioned to move the question and duly seconded by Bill Hull. A show of hands was counted for Article 3 with the ayes carrying.
Ayes: 149 Nays: 0 Article 3 approved.

Article 4: To see if the Town will approve the expenditure of \$ 290,000.00 from, and in accordance with, the \$4,000,000.00 appropriation approved by Town Meeting at referendum held on February 5, 2008 and the purchase and acquisition by the Town of Pomfret, as purchaser, and Christian G. and Rachel L. Sarantopoulos, as sellers, for certain parcels of land located at 343 Wrights Crossing Road depicted as Assessor's Map 25, Block B, Lot 2.02 and a portion of 339 Wrights Crossing Road depicted as Assessor's Map 25, Block B, Lot 2.01 comprised of approximately 45.89 acres in total, all in accordance with the terms and conditions of the Purchase and Sales Agreement between the Town of Pomfret, as Purchaser and said parties as Sellers and to authorize the Board of Selectmen to take all such further necessary action to execute said Agreement and complete such borrowing – W. Hinchman read Article 4 to the record. Nora Johnson moved to approve Article 4. Maureen Nicholson seconded. Discussion. J. Rivers provided overview of property. This purchase by the Town would allow for public access. David Flath asked about the description in the Legal Notice being different than the call. J. Rivers stated that the street address was corrected and that a corrected Legal Notice was published in the Norwich Bulletin. A man asked if cost per acre was considered. Mr. Southam asked about the narrow frontage. J. Rivers stated that more frontage could have been reconfigured. Mike Geary asked about the urgency of this property as it did not appear to be farmed. There is some hay on the property and a reconfiguration could have created more house lots. Mr. Sarantopoulos stated that the prior renter of the property had proposed six house lots. One reason he moved to Pomfret is that these types of purchases keep taxes low. He encouraged use of the land by townspeople. The property borders State of CT property. Bill Hull moved the question and Nora Johnson seconded. Motion approved unanimously. A show of hands was counted for Article 4 with the ayes carrying.
Ayes: 142 Nays: 8 Article 4 approved.

Article 5: To see if the Town will approve the expenditure of \$ 225,000.00 from, and in accordance with, the \$4,000,000.00 appropriation approved by Town Meeting at referendum held on February 5, 2008 and the purchase and acquisition, of Development Rights by the Town of Pomfret, as purchaser and Jean Williams and George Gregory, as sellers, for certain parcels of land located at 492 Taft Pond Road depicted as Pomfret Assessor's Map 11, Block A, Lot 7.0 comprised of approximately 43.50 acres and 512 Taft Pond Road depicted as Pomfret Assessor's Map 11, Block A, Lot 6.0 comprised of approximately 5.80 acres for a total of approximately 49.30 acres, all in accordance with the terms and conditions of the Purchase and Sales Agreement between the Town of Pomfret, as Purchaser and said parties as Sellers and to authorize the Board of Selectmen to take all such further necessary action to execute said Agreement and complete such borrowing – W. Hinchman read Article 5 to the record. Nora Johnson moved to approve Article 5 and Maureen Nicholson seconded. Discussion. J. Rivers provided an overview. This property is not entirely farmed. There is much frontage and little wetlands. No further discussion. Tim McNally motioned to move the question and Margie Huoppi seconded. Approved unanimously. A show of hands was counted for Article 5 with the ayes carrying.
Ayes: 138 Nays: 6 Article 5 approved.

Article 6: To see if the Town will approve the expenditure of \$270,000 from, and in accordance with, the \$4,000,000.00 appropriation approved by Town Meeting at referendum held on February 5, 2008 and the purchase and acquisition of land by Town of Pomfret, as purchaser, and Elaine R. Baker, as seller, for a parcel of land

located at 312 Pomfret Street depicted as Pomfret Assessor's Map 19, Block A, Lot 2.0 comprised of approximately 45.0 acres all in accordance with the terms and conditions of the Purchase and Sales Agreement between the Town of Pomfret, as Purchaser and said party as Seller and to authorize the Board of Selectmen to take all such further necessary action to execute said Agreement and complete such borrowing – W. Hinchman read Article 6 to the record. Nora Johnson moved to approve and James Robbins seconded. J. Rivers provided an overview. This Town purchase could be used for passive recreation. Hunting is not allowed on Town-owned land. Dave Howe asked if the old cemetery was on this property. It is not. Michael Baum asked if the gas line easement limits development. Only within the easement. Some discussion regarding this gas line. Carolyn Gerrity stated that the high risk repeatedly mentioned was the building of homes. Many town volunteers have built new homes in town and then become active volunteers. No further discussion and Walter Hinchman called for a vote on Article 6. A show of hands was counted with the ayes carrying.
Ayes: 136 Nays: 11 Article 6 approved.

Article 7: To see if the Town will approve the expenditure of \$50,000 from, and in accordance with, the \$4,000,000.00 appropriation approved by Town Meeting at referendum held on February 5, 2008 and the purchase and acquisition of land by Town of Pomfret, as purchaser, and Magdalena Churko, as seller, of a parcel of land located at 555 Mashamoquet Road depicted as Pomfret Assessor's Map 28, Block A, Lot 14.0 comprised of approximately .81 acres all in accordance with the terms and conditions of the Purchase and Sales Agreement between the Town of Pomfret, as Purchaser and said party as Seller and to authorize the Board of Selectmen to take all such further necessary action to execute said Agreement and complete such borrowing – W. Hinchman read Article 7 into the record. Nora Johnson moved to approve and Margie Huoppi seconded. J. Rivers provided an overview of property. The building will be demolished. The property could possibly be used for a commuter lot which would allow for some money to be recovered through the State. Surrounding property is all swamp. A man asked if any unusual means were used to establish the price. This was not viewed as open space protection. Richard Hall asked about set-back requirements and the proximity of the wetlands. James Rabbitt, Town Planner stated that upland review requirement can be relaxed due to configuration of lot if there was no degradation to the wetlands. There are currently no guaranteed plans for this property. It was motioned and duly seconded to move the question. Approved unanimously. A show of hands was counted for Article 7 with the ayes carrying.
Ayes: 100 Nays: 38 Article 7 approved.

Article 8: To see if the Town will approve the expenditure of \$ 610,000.00 from, and in accordance with, the \$4,000,000.00 appropriation approved by Town Meeting at referendum held on February 5, 2008 and the purchase and acquisition, of Development Rights by the Town of Pomfret, as purchaser and Mary Eliza Kimball and Mary Eliza Kimball, as Trustee , as sellers, for certain parcels of land located 21 Page Road depicted as Pomfret Assessor's Map 39, Block F, Lot 2 comprised of approximately 36 acres; and 74 Seth Kimball Road depicted as Pomfret Assessor's Map 39, Block F, Lot 3 comprised of approximately 107 acres for a total of approximately 143 acres, all in accordance with the terms and conditions of the Purchase and Sales Agreement between the Town of Pomfret, as Purchaser and said parties as Sellers and to authorize the Board of Selectmen to take all such further necessary action to execute said Agreement and complete such borrowing – W. Hinchman read Article 8 into the record. Nora Johnson moved to approve Article 8 and Margie Huoppi seconded. J. Rivers provided overview. This purchase is development rights on two parcels. There is much frontage on Kimball Road and the land is level. There are wetlands in areas. The airline trail runs along one edge. David Howe stated that one family has owned this property for over 200 years. Dave Flath asked why so many wetlands on the Page Road piece is included. J. Rivers stated that much was wet but not all. The wetlands were appraised accordingly. Mr. Southam stated that N.E. Forestry is adjacent and asked if they were approached as possible purchaser. They were not for this piece. A man motioned to move the question and Tim McNally duly seconded. Approved unanimously. A show of hands was counted for Article 8 with the ayes carrying.
Ayes: 123 Nays: 3 Article 8 approved.

Article 9: To see if the Town will approve the expenditure of \$ 400,000.00 from, and in accordance with, the \$4,000,000.00 appropriation approved by Town Meeting at referendum held on February 5, 2008 and the purchase and acquisition, of Development Rights by the Town of Pomfret, as purchaser and Robert E. Miller, Sylvia M. Miller and Barrett Brook Associates, as sellers, for certain parcels of land located 202 Searles Road depicted as Pomfret Assessor's Map 42, Block A, Lot 2.02 comprised of approximately 14.50 acres and 228 Searles Road depicted as Pomfret Assessor's Map 42, Block A, Lot 2 comprised of approximately 135.54 acres for a total of approximately 150.04 acres, all in accordance with the terms and conditions

of the Purchase and Sales Agreement between the Town of Pomfret, as Purchaser and said parties as Sellers and to authorize the Board of Selectmen to take all such further necessary action to execute said Agreement and complete such borrowing – W. Hinchman read Article 9 into the record. Nora Johnson moved to approve Article 9 and Margie Huoppi seconded. J. Rivers provided an overview. This property connects to other property of State owned development rights. Any wetlands are reflected in the price. Bill Hull moved the question and it was duly seconded. Approved unanimously. A show of hands was counted for Article 9 with the ayes carrying.
Ayes: 123 Nays: 0 Article 9 approved.

Article 10: **To do any other business proper to come before said meeting –** W. Hinchman read into record. Nora Johnson moved to adjourn and motion was duly seconded. Motion approved unanimously and Meeting was duly adjourned at 9:35 PM.

Duly Recorded: _____
Bonnie Ryan, clerk

Attest: Cheryl A. Grist, Town Clerk