



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

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SIMSBURY BOARD OF SELECTMEN
Special Meeting – July 1, 2020 – 3:30 p.m.

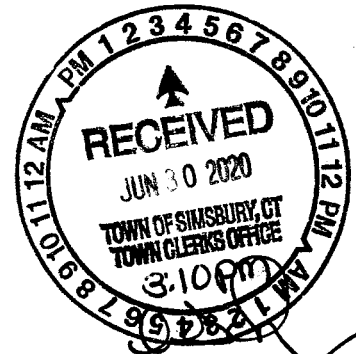
PLEDGE OF ALLEGIANCE

PUBLIC AUDIENCE

SELECTMEN ACTION

a) Submission of Open Space and Watershed Land Acquisition Grant Application

ADJOURN





Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Submission of Open Space and Watershed Land Acquisition Grant Application

2. **Date of Board Meeting:** July 1, 2020

3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Mike Glidden, Director of Planning and Community Development

4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports applying for the OSWA Grant, the following motion is in order:

Move, effective July 1, 2020 to submit the FY 2020/2021 OSWA application and to authorize Maria E. Capriola, Town Manager, execute the grant application.

If this grant is awarded to Simsbury, I will bring it back to the Board of Selectmen at a later date for final authorization due to items still needing to fall in place regarding the potential acquisition.

5. **Summary of Submission:**
This grant is an item that the Trust for Public Land has flagged as a possible revenue source to assist in funding for the Meadowood property. From the DEEP Website:

"The Open Space and Watershed Land Acquisition (OSWA) Grant Program provides financial assistance to municipalities and nonprofit land conservation organizations to acquire land for open space"

The application assumes fair market value for the property. Currently that is roughly \$2.96 million but the appraisal is currently being conducted. This application is requesting \$1.3 million from the OSWA program.

The following is a breakdown of the expected funding for the open space component of the project, which is the subject of this application:

- George Dudley Seymour Trust: \$280,000 – Committed

- Department of Economic and Community Development (by way of the State Historic Preservation Office) Good to Great Grant: \$500,000 – Committed
- Open Space and Watershed Land Acquisition Grant: \$1,300,000
- US Fish and Wildlife Service Highlands Conservation Grant: \$650,000 – to be submitted in summer 2020
- Town of Simsbury Referendum: \$230,000 or some other portion of \$2,175,000 – to be voted on in November, the amount needed may fluctuate due to success of other grant programing

The OSWA Grant program can contribute up to 65% of the fair market value, but it is more competitive to offer more local match. All lands or interest in lands acquired under this program must be preserved in perpetuity, predominantly in their natural, scenic, and open condition;

A permanent conservation easement will be provided to the State of Connecticut, Department of Energy and Environmental Protection to ensure that the property remains in a natural and open condition for the conservation, open space, agriculture, green space or water supply purposes for which it was acquired. The easement will include a requirement that the property be made available to the general public for passive recreational purposes.

6. Financial Impact:

None

7. Description of Documents Included with Submission:

- a) Open Space and Watershed Land Acquisition Grant Application
- b) Resolution for grant application and assignment of conservation restriction: Meadowood parcels

OPEN SPACE AND WATERSHED LAND ACQUISITION GRANT PROGRAM

Grant Application for:

Meadowood Open Space

Simsbury, CT



**Application Submitted Jointly by:
The Trust for Public Land and the Town of Simsbury
July 1, 2020**

Property Title: Meadowood Property
Applicant: The Town of Simsbury
Applicant Address: 933 Hopmeadow Street, Simsbury CT 06070
Name and Title of Chief Executive Officer: Maria Capriola, Town Manager
Name and Title of Preparer: Honor Lawler, The Trust for Public Land, Project Manager
Phone: 203-903-3144
Purchase Price: \$2,960,000 (current estimate)
Acquisition: In-Fee
Total Acres: 140+/-

Grant Application Summary

Meadowood Property -

A collaborative effort to preserve ecologically significant forestland and prime farmland, protect the town aquifer, and memorialize the place where a young Dr. Martin Luther King, Jr. worked as a young adult in Connecticut Simsbury, CT
Grant Request: \$1,300,000

- 1. Eligibility:** Municipality
- 2. Conservation, Climate, and Recreation Value:** Describe your proposal's resource conservation, climate, and recreation initiatives.

The Meadowood Open Space project presents an extraordinary opportunity to protect a ±138-acre property, in north Simsbury, CT, and secure a crucial building block in an extensive greenway connecting the 4,400-acre McLean Game Refuge with Massacoe State Forest (see map in Appendix A-7). The subject property—which is currently permitted and approved for 296 units, both single family residential homes and cluster housing with common ownership, was historically part of a much larger landscape of farmland, punctuated by early succession forest and wetlands. The property is owned by Griffin Industrial Realty, a public company based in Bloomfield and New York. The requested OSPA grant, in combination with municipal and other public funding, will facilitate a fee-simple land purchase that will protect approximately 140 of the parcel's ±288 acres. The remaining 148+/- acres will be purchased by the town, with separate conservation easements on the farmland portions, an area reserved for future athletic fields, and parking for both the open space and athletic fields. The project will protect a place of incredible historical significance: the farm where Martin Luther King, Jr. lived and worked during two summers in his early adult life. The property will commemorate this significance, offer a site for reflection and contemplation, enable public access on two ends of the property for walking, nature-viewing, and other passive recreational and educational activities. The property will be held by the Town of Simsbury and managed by its Parks and Recreation department.

Will the proposed project:

- A. Provide a linkage, create or contribute to a developing or existing greenway? Does this greenway offer opportunities for recreation or non-motorized transportation? If so,**

please describe such opportunities and plans to develop such recreational or transportation options. The property will connect McLean Game Refuge to Massacoe State Forest (Great Pond), both of which offer extensive hiking and pedestrian trails open to the public. This property will link the trail systems, creating over 25 miles of trails that link north Simsbury with Granby and Canton via off-road non-motorized transportation. The Town of Simsbury will both utilize former and existing farm roads for trail connections, and build new trails to access other parts of the property. Through funding from the State Department of Historic Preservation, The Trust for Public Land will be the recipient of a large grant, part of which is earmarked for trail creation, interpretive signage, and programming. This grant is linked to the property's historical significance, which is described more fully in section 3J.

B. Protect or complement existing preserved open space or preserved agricultural land, especially if such protection will aid wildlife migration?

As noted above, the property adds significant value to a landscape of protected open space and preserved farmland, including a patchwork of town-owned open space, the 4,400-acre McLean Game Refuge, and Massacoe State Forest. From those protected lands, there is connectivity to Enders State Forest, watershed land around the Barkhamstead Reservoir, and further protected land in Massachusetts. Both Massacoe and McLean are known for their wildlife value and position as migratory corridors for both terrestrial and avian species. The McLean Refuge is the only protected area in Connecticut that has 3 of the 4 state geo-morphic regions: western and central highlands and trap rock ridges, and also contains significant old growth forest areas 200 years old or more. An ongoing bird survey that began last year has so far generated over 100 species with expected totals near 200. Included are the (CT) threatened or special concern species of Northern Parula, Cerulean Warbler, American Bittern, Northern Harrier (CT endangered), American kestrel, and Broad-winged Hawk. In addition, the sightings include Yellow-billed Cuckoo, Indigo Bunting, Prairie Warbler, and Field Sparrow. Of these, firsthand observations on the Meadowood site include several of those species, notably the harrier and kestrel. The Refuge has also identified 2 Connecticut listed reptiles, and 4 listed plants, with a total of 286 plant species. Other interesting species found throughout the property within the forested area, pond and marshes include wood frogs, common merganser, Canada geese, green herons, cooper's hawks, red-tailed hawks, barred owls, and countless other small birds. Black bears, coyotes and white deer have also been sighted on the property. Considering the proximity to this Refuge and habitat, it's likely that this property is currently serving to facilitate wildlife migration and buffering both terrestrial and avian species and their habitats from incompatible uses.

C. Provide for high-quality, passive recreational uses? Please describe such uses and plans to develop such uses, if needed. This acquisition will provide valuable resources for passive recreation, including walking, cross-country skiing, snowshoeing, sledding, bird watching, outdoor education and wildlife viewing. The Town of Simsbury will maintain the trails for the public, while the interpretive signage, focusing on both natural resource values and the historical significance of the property will offer an important educational opportunity. The open space will likely get a great deal of use for nature-related programs and walks, and as an outdoor classroom for local youth. Concurrently, the State Historic Preservation Office has just received an American Civil Rights Grant to facilitate placing the property on the National Register of Historic Places, which will further distinguish it as an important site in our State's history.

D. Provide a valuable resource for recreation, forestry, fishing, wildlife habitat or other natural resources initiatives?

Recreation: As noted, this property will be available to the public for passive recreation, including walking, picnicking, birding, and passive winter sports. Primary access would be from a small parking area off of Firetown Road and a larger parking area off of Hoskins Road. The Meadowood Open Space project will enhance recreational access opportunities by expanding trails and access for thousands of people who live in the neighborhoods near the property—less than 3 miles from Simsbury Center. Recently, the Town of Simsbury commissioned a comprehensive outdoor recreation plan that will assist the town in implementing greater pedestrian linkages between parks, open space, schools, downtown, etc.

Wildlife Habitat

This property is one of the few large, undeveloped parcels left in the area, and, as such, provides important wildlife habitat in an otherwise highly fragmented and developed landscape. Notably, the open fields provide important bird habitat to support the expansive forestland habitats of McLean Game Refuge and Massacoe State Forest/Great Pond. Furthermore, the continuous patchwork of habitats from Great Pond/Massacoe State Forest to the Game Refuge is ideal for supporting a wide range of wildlife species, many of which require two or more habitats to mate, raise their young, and forage. To develop the land would permanently remove key habitats for countless animal species. The continuity of protected land from Great Pond/Massacoe through the Game Refuge to Holcomb Farm and Enders State Forest is crucial for migrating bird species that fly along the edge of the Western Uplands. Development of forest/agricultural land inevitably alters surface and groundwater hydrology and provides prime vectors for the introduction of invasive plants and animals. These problems will certainly spill over to neighboring protected lands, as has been repeatedly observed within the Game Refuge. Great Pond is also Simsbury's largest open water body. Participants in eBird (a service managed by the Cornell Lab of Ornithology) reported in 2019 many of the same species discussed above at McLean Refuge. The property's fields have been used for more passive agricultural products, like barley and hay, while the forests and wetlands have been relatively undisturbed. The mosaic of forests, wetlands, and open fields are important for wildlife habitat and critical for fledglings learning to fly in the spring. This property, together with a few farms in the area, encompass some of the last remaining opportunities to protect this critical open habitat for migrating bird stop-overs close to the Farmington River in Simsbury. The early succession shrublands on this parcel also offer other bird species nesting habitat. Species dependent on shrubby fields and thickets are increasingly imperiled by a lack of adequate habitat.

E. Protect lands that preserve high-quality natural waters, drinking water resources, and core forests?

Drinking Water Resources:

This project will protect 32 acres of both primary town aquifer protection areas and aquifer recharge areas. Aquifers are an essential natural resource and a major source of public drinking water for the State of Connecticut. Use of groundwater will increase as the population grows and opportunities for new surface water supplies diminish due to the rising cost of land and increasingly intense development. At the same time, numerous drinking water wells have been contaminated by certain land use activities, and others are now threatened. An award of OSHA funds will enable protection of these important watershed resources, and prevent the likely alternative of 296

residential units, which would most certainly increase stormwater runoff, increase water turbidity, and introduce significant impervious surface coverage, collectively impairing water quality, aquatic habitats, and the integrity of the aquifers. The eastern edge of the entire 288-acre property falls within the DEEP protected aquifer. This area will be owned by the town and protected by a separate conservation easement.

F. Provide for protection of habitats most at risk from climate change, including forested swamps, lands adjacent to freshwater and tidal wetlands, riparian lands adjacent to cold water streams, beaches and dunes, and areas of potential tidal marsh migration?

Large forest block conservation is incredibly important, supporting a wide-range of microclimates that offer migration corridors for wildlife in the face of changing climates.

G. Protect a naturally-occurring feature such as a shoreline, river, stream, mountainous territory, ridgeline, inland or coastal wetland, estuary, or geological feature?

The early succession forest type on this property is quite uncommon in this part of Connecticut, as it usually results from farmland falling out of cultivation or major blow-down storm events. This habitat type is critical to songbirds and rabbits, and these species have been imperiled by habitat-loss in much of the state. The property also contains roughly 5.9 acres of Freshwater Forested/Shrub Wetlands, a 1.2-acre Palustrine freshwater pond, another .4-acre Palustrine freshwater pond and 2.5 acres of freshwater emergent wetlands. These wetlands connect to those of Great Pond/Massacoe State Forest, which offer important bird habitat. Impairment of these wetlands and watercourses would seriously diminish the water quality for this important birding and wildlife area.

H. Protect a habitat of a plant or animal species that is either threatened, endangered, or of special concern? Only species that are represented by the Natural Diversity Data Base (NDDDB) should be reported, unless a qualified specialist has identified such species.

There are three distinct NDDDB areas, encompassing an expansive portion of the property. One of the NDDDB areas extends onto the property from Massacoe State Forest/Great Pond. There have been firsthand sightings of northern harrier (CT endangered) and American kestrel (CT special concern).

I. Protect a native ecological community that is unique or uncommon?

Portions of the property which were formerly used for agricultural purposes, especially in the interior forested portion near the old tobacco barns, has reverted to early succession meadow and shrub habitats, which are especially conducive to supporting ground-nesting birds and native songbirds, including species of concern, such as the bobolink.

J. Enhance or conserve the water quality of the State's lakes, rivers and coastal water.

Protecting the property as open space will help reduce impairment of the watershed by preventing a water-quality-diminishing regime typical of large-scale residential property.

This property is situated just a mile from the Farmington River, which, in turn, joins the Connecticut River downstream. Conservation of this property will protect this watershed by eliminating stormwater loads from new impervious surface coverage residential uses that would degrade water quality.

K. Please provide any other information pertinent to your proposal.

a. Preserve local agriculture heritage and create a new cultural landmark

There are approximately 63+/- acres of prime and statewide important farmland soils located on the property, or roughly 45% of the land area. Beyond the soils, the agricultural heritage of this land is significant. This farm was one of many in the Connecticut River Valley owned by Culbro, a large tobacco grower which eventually was sold to Swedish Match. This farm was retained as a real estate holding by the current landowner, and in 2008, received full development approvals and permits. This farm's agricultural history involves a number of key contributors to the American Civil Rights movement, notably Martin Luther King, Jr. Along with others from Morehouse College in Georgia, he spent two summers working and living on this farm with other students. It was here that he came to appreciate the difference between the desegregated north, and a more oppressive southern social climate. Concurrently to our land protection effort, the State Historic Preservation Office received an American Civil Rights Grant to facilitate the listing of this property on the National Register of Historic Places. The Trust for Public Land is the recipient of a grant from the Department of Economic and Community Development to facilitate the development of creating an authentic sense of place associated with this tangible piece of history. By preserving this land, we can create a place that celebrates and memorializes the heroes of the American Civil Rights movement, and offers an outdoor destination that is welcoming and engaging to the Black community. "Preserving Black history and culture within our public realm has been shown to foster pride in one's identity and transmit heritage to younger generations—a critical social function as our education system continues to prioritize some histories over others. It serves to dispel myths and destructive stereotypes about people of color, strengthen social mobility and cohesion among diverse groups, and make evident the harms caused to marginalized communities. These benefits are about more than just physical tweaks to our public realm: They are about correcting past injustices, uplifting underrepresented groups, and preserving history that may otherwise be lost. But more people and places need the chance to experience these benefits" (Brookings Institute, "Making Black History Matter in Public Space"). Within the area excluded from the easement area, TPL and SHPO will partner with the Connecticut Center for Nonviolence. The co-founder at CTCN is Victoria Christgau, a Master Teaching Artist for the Connecticut Office of the Arts. Christgau, who has led Peace-Arts Residencies in schools across Connecticut for more than 20 years, directs a community-based nonviolence mural project that depicts the six principles of nonviolence in Hartford. For two of the murals, CTCN collaborated with the Design Global Change class from University of Hartford. During the collaboration, students met with community members of all ages to have dialogues about how they would like nonviolence to be depicted. After multiple

meetings and several draft designs, the two murals were created. CTCN is seeking collaboration partners for the next four murals. Ideally, one mural would be installed at this newly established park.

b. Develop new partnerships

This dynamic project opens up opportunities for new, meaningful partnerships. The Trust for Public Land is currently reaching out to the Center for Nonviolence (mentioned above) and looks forward to carrying out substantial historical research with the help of academic institutions and historical societies. In partnership with these institutions, The Trust for Public Land will form a committee of community members and stakeholders who care about all aspects of the project and expects that this diverse coalition will advance the advocacy for open space, environmental protection, local agriculture, black history, and historic preservation.

L. Supporting Material:

- a. Topographical Map – Roads and topography (Appendix _____)**
- b. Property Survey (Appendix _____)**
- c. Public Access and Recreation Map (Appendix _____)**
- d. High Resolution Photos (Appendix _____)**

3. Property Cost Estimates-Acquisition:

The Fair Market Value of the property is estimated to be \$2,960,000. One Yellow Book appraisal is being performed to value this property, along with a review of this appraisal to confirm its compliance with Yellow Book. Based on a restricted report of the 288 acres, we estimate that the value of 140 acres is roughly \$2,960,000. Rich McDermott's appraisal considered the contributory values of the structures located on Firetown Road (three tobacco barns) and within the interior of the parcel (7 additional tobacco barns), and determined the value of the underlying land value, less the structures, to be \$2,900,000.

A. Supporting Material:

X One Yellowbook appraisal and one Yellow Book appraisal review (to be delivered by August 1, 2020)

4. Other Considerations:

A. Who is the current property owner?

Griffin Industrial Realty c/o Riverbend Development LLC

B. Has the owner previously sold or donated other permanently protected land?

Yes. The town-owned property along both sides of Barndoor Hills Road was land that was sold to the town during the course of the subdivision approval process/settlement. Griffin has also sold conservation easements on other former tobacco land to the Department of Agriculture (East Windsor) and then subsequently sold the restricted fee to a private farmer at the agricultural value.

C. Has a title search been conducted on this property?

Yes

D. Is the property free from any lien, claim, encumbrance or easement that would prevent the land from being used for open space purposes?

Yes

- a. If there is a lien or encumbrance, how will it be resolved prior to the property purchase?** There are open space set-asides related to the subdivision that will be subordinated by the Attorney General prior to recording this easement. Both

the town attorney and Griffin's attorney have agreed to the process and facilitating this for the greater public good.

E. Is the current property owner a willing seller?

Yes

F. Is the site on the market?

Yes

G. Has a Purchase & Sale Agreement been executed?

Yes

H. Is there a signed and certified Letter of Intent to sell?

Yes

I. Do the seller and applicant intend to close within one year?

Yes.

J. Are there any reserved rights, restrictions or environmental impacts (power lines, landfills, structures, roads, etc.) on or near the proposed site?

Yes

- a. **If yes, please give details.** There is a water tower located within the interior forest area, which is not part of the parcel, but is only accessible by a ROW held by Aquarion Water Company. There are certain historic barns on the property that will be retained by the town, outside of the conservation easement area, and restored with funding from the State Historic Preservation Office.

K. Is the site free from environmental contamination? Yes

L. What physical changes are required to make the site suitable for passive outdoor recreation?

None

M. Will the purchase of this property displace any businesses, homes or other establishments?

No

N. Supporting Material:

- a. **Copy of deed/lease:** X
b. **Copy of Title Search:** To be delivered by August 1st, 2020
c. **Copy of any lease, lien, encumbrance, agreement or interest in the property:**
NA
d. **Letter of Intent:** X (Affidavit)
e. **Purchase and Sale Agreement:** X (Affidavit)

5. Agricultural Use: Agricultural uses that do not diminish the public's use of a grant-funded property are permitted. The DEEP Commissioner reserves the right to reduce grant awards for properties that don't provide full public access

A. Is there currently any agricultural use or forest management on the property? If so, will these activities continue to occur after purchase and to what degree?

Currently, the area on the south side of Firetown Road is occasionally leased by the landowner to O.J. Thrall, an agricultural producer with land holdings in several Connecticut River Valley towns growing both tobacco and barley for Connecticut's beer brewers. Once under town ownership, it's more likely that the town will only contract to have the area mowed or hayed once/year to keep the area open and as habitat for grassland bird species. The area will have continuous public access, aside from times of minimal habitat maintenance.

B. Will agricultural use impede public access in any way? If so, how and to what degree?
No, the Town will likely have only very occasional agricultural activity, preventing public access for 1-5 days/year for maintenance/mowing/haying.

C. Will any structures (barns, sheds, etc.) be excluded from the preserved area?
Yes – there is an area on Firetown road, as shown on the map titled “Public Access and Recreation Map,” that depict the 3-acre area containing historic tobacco barns, which will be excluded from the easement area. These barns have historical and aesthetic significance to the community, and will be restored with funds from the State Department of Historic Preservation. They will be an integral interpretive component of the larger project, showcasing the landscape as it was in the earlier part of the 20th century, when MLK Jr., along with many others involved in the American Civil Rights movement, worked on this farm. Many of the other farms have since been lost to development. The above-mentioned structures will be placed within a surveyed envelope, encompassing approximately 3 acres in aggregate, which will be excluded from the conservation easement being granted over the property to the State. While these envelopes will not generally be subject to the easement’s restrictions, they will not be subdividable from the underlying property, so as to ensure that no uses incompatible with the surrounding open space emerge. Accordingly, the size and configuration of these building envelopes doesn’t constitute conforming building lots under local land-use regulations, as the underlying parcel, including any structures retained by the Town, will remain under Town ownership and management.

D. Does the property contain prime or important agricultural soils? If so, what percentage?
Yes, the property contains roughly 45% prime and statewide important farmland soils.

E. Supporting Material:

a. **Indicate on a map where agriculture use currently takes place and where it will continue**

Refer to Public Access and Recreation map, Appendix 1

b. **Soils map showing prime or important agricultural soils**

Refer to Soils Map, Appendix 1

6. Public Access/Recreational Resources

A. What recreational resources exist on the property currently? Please indicate, on a map where these resources are located.

The property is currently in private ownership, but there are ample farm roads which will be serve as recreational trails once protected. This is described further in Section 2C.

B. Will recreational resources need to be developed? If so, on the required map, please indicate where, and to what extent these resources will be developed.

There are several former farm roads that connected the various fields to the many tobacco barns and other parts of the farm. These trails will be turned into pedestrian trails and utilized for public access. Our mapping estimates that there are roughly 2.5 miles of farm roads/future trails.

C. Supporting Material

a. **A map showing how the public will access the property and what recreational resources exist and/or will be developed**

See Public Access and Recreation Map, Appendix 1

7. Accessibility for People with Disabilities: Accessibility for people with disabilities is a civil right defined, for these purposes, as equal opportunity for the use and enjoyment of

recreational resources. Such consideration is relevant to such elements as parking, gates, viewing platforms, and pathways, and under certain circumstances, trails.

A. Define how accessibility is to be integrated into the design of the project.

Much of the property on Firetown Road is generally flat, and will allow the open space to be accessible to both wheelchairs and children in strollers. Given the historical significance of the property, and the number of people that will likely visit this site for this purpose alone, it will be important to have both accessible parking and access for people with disabilities. As part of the funding from the State Historic Preservation Office, appropriate pathways and parking is planned for parts of this site. Additionally, there will be multiple parking spaces for people with disabilities in the larger parking area on Hoskins Road which will be maintained by the Town for its multipurpose use (ballfields and open space).

B. If accessibility for people with disabilities cannot be incorporated, please explain why.
N/A

8. Community Impact: The DEEP strives to provide public access to open space in every community. Describe the need for passive recreation areas in the municipality where this purchase will take place.

A. Is the property in close proximity to an urban area or population center?

Simsbury is a suburb of Hartford, approximately 10 miles to Hartford center.

B. Please identify the major service area(s) neighborhood(s), city(s), region(s) that would be affected by this proposed acquisition.

This new recreational amenity will be important for the surrounding neighborhoods in North Simsbury and south Granby by protecting the aquifer and wildlife habitat, providing new trails, and preserving the rural and scenic character. Perhaps more importantly, the property holds a tangible, unique history and association with Martin Luther King, Jr. and will serve as a regional tourist destination, finally garnering the respect it deserves. The six extant tobacco farms along Firetown Road will be rehabilitated and used to tell the influential story of Dr. King's time at the location. Each of the five barns on the south side of the ride will reflect each of the five letters he sent home from Simsbury. The sixth barn on the north side of the road (on town-owned property) will establish the historic context. Walking trails connecting with existing systems will be added with additional interpretive signage about the tobacco industry and the Morehouse College Students.

C. What is the population density of the municipality (per square mile)?

Simsbury is approximately 34 square miles, with a population of approximately 22,364 as of 2020. The population density as of 2019 is 717 people per square mile.

D. Is this proposed acquisition in an area where significant growth/development has occurred or is planned?

Yes

a. If yes, please expand upon the level of growth and the intensity of the development and how this project may compliment that development.

As evident from surrounding land uses, the property sits in the middle of hundreds of residences, cul-de-sacs, and apartment complexes, in an area that has been intensively developed. Some of the last remaining unprotected open space in Simsbury consists of lands situated on the Farmington River, in the floodplain, and these corporate land holdings of former tobacco fields. There are very few constraints on the subject property, and it is currently slated for

296 units. This development would add significant strain to the local school systems, and result in the loss of an important scenic, cultural, and recreational amenity to the community and to the State.

E. How does this acquisition align with the applicable Council of Government's regional trail assessment, regional recreational plan, or regional plan of conservation and development?

9. Local Support: Explain what support this proposed acquisition has received and how the public has been involved in the planning and design process.

A. How and when was the decision to purchase this property made? What kind of interest has the community expressed in the acquisition?

The narrative around the Meadowood development goes back to the early 2000s. When the original subdivision was proposed, neighborhood coalitions and the Town fought hand in hand to prevent it from being approved, during a time when the town was facing a great deal of development pressure. Finally, in 2008, the landowner gained approval and permits to develop the site with 296 units. The Trust for Public Land connected with Griffin Industrial Realty in 2019, to discuss their various land holdings along the CT River Valley. This property, and all of its history came to light soon thereafter. Given that the Town had long fought to lose this important cultural site, The Trust for Public Land negotiated a purchase and sale agreement with the landowner in early 2020. The Simsbury Board of Selectman unanimously supported the acquisition at town meeting (zoom) on 5/12/2020, and voted to refer it to the local land use commissions to gauge their support. The BOS then referred the motion to all land use boards within the town. To date, the following commissions have voted a positive referral back to the Board of Selectman; Historic District (unanimously supported on 6/4/2020), Planning Commission (unanimously supported on 6/23/2020), and Conservation Commission/Inland Wetlands Commission (unanimously supported on 6/2/2020), and Open Space Commission (unanimously supported on 6/2/2020). The positive referral by these land use commissions and referral back to the Board supports the Board of Selectman's effort to put a town-wide referendum allows the select board to put forth a referendum to voters later this year, which will ask residents whether they support a municipal allocation of \$2.175M towards the acquisition of the entire 288 acres (138 of which is being discussed in this application). The zoning board was split.

Within the general public, we're hearing a great deal of enthusiasm not only from within the community, but at a statewide level. This overall dynamic land conservation effort will provide passive recreation opportunities through trails and open space, a historic site that is accessible to all levels of ability and dedicated to an underrepresented part of American history, athletic fields, and preserved farmland.

B. Provide support letters from municipal, regional or executive boards and land trusts that identify how the proposed acquisition addresses an identified need/goal in the local and/or regional Open Space Plan or Plan of Conservation and Development.

a. Support Letters: *Provide only one letter of support from each.*

- ✓ municipal planning commission (to be delivered before August 1st, 2020)
- ✓ Conservation and inland wetland commission (Appendix___)
- ✓ open space committee (to be delivered before August 1st, 2020)

- ✓ **Capital Region Council of Governments (to be delivered before August 1st, 2020)**
- ✓ **State Representative (to be delivered before August 1st, 2020)**

10. Alignment with State & Local Conservation Goals

A. How is the proposed acquisition consistent with the Municipal Plan of Conservation and Development?

The proposed acquisition is consistent with the goals in Simsbury's POCD. Since the property is a fully permitted and approved subdivision, the property itself is not specifically referenced as a priority for acquisition. However, the attributes of this acquisition fit with many of the priorities and goals outlined in the POCD; protecting prime farmland (entire property contains 75% prime and statewide important farmland soils), connecting trail systems (this has the ability to connect trails on Massacoe State Forest to McLean Game Refuge), maintaining and enhancing community character (the tobacco barns and fields on this property are specifically noted in the list of current and former character resources – page 41). Furthermore, the town conducted a town-wide survey in 2016, which asked participants to identify priorities for the town. Protecting new open space and maintaining current open space topped the list of high priorities.

B. Has the Municipal Plan of Conservation and Development been completed and approved within the last 10 years? (See eligibility)

Yes – Simsbury's POCD was completed and approved in 2017.

C. Is the proposed acquisition consistent with or identified in other municipal or regional plans such as Water Quality, Recreation and/or Open Space Plans?

Currently, the town is finalizing a Parks and Open Space Master Plan. Open space in Simsbury is over 30% of the total land area and highly valued by the Town's citizens and visitors. Protected lands include recreation areas; farmland; different types of parks; trails, corridors and connections; historical features; a wide variety of different habitats, including the Farmington River, ponds, wetlands, grasslands, thickets, shrub lands and forests. This large amount and diversity of open space protects the water and air quality, supports biodiversity, recreation and the cultural history. The Parks and Open Space Master Plan project will seek to incorporate current and future parks and open space needs of the Town, energy efficient strategies, accessibility, cost effective improvements and maintenance strategies, and opportunities to reuse municipal and/or non-municipal sites for passive recreation.

D. Is the proposed acquisition consistent with the State's Plan of Conservation and Development (available from the Office of Policy and Management) and applicable State conservation and recreation plans (e.g., Statewide Comprehensive Outdoor Recreation Plan [SCORP], and State's Wildlife Action Plan/Comprehensive Wildlife Strategy)?

Yes - this land acquisition is consistent with both the State's POCD, as well as the SCORP and Wildlife Action Plan/Comprehensive Wildlife Strategy. The first goal of the SCORP is to protect, conserve, and manage Connecticut's natural, cultural, and historical resources as they support outdoor recreation. This site brings elements of natural, cultural and historical significance into one open space amenity offering accessibility to people with a range of abilities. Furthermore, the project gives the State of CT an opportunity to forge new relationships with other state resources, a strategy noted in the SCORP (SCORP, page 52). By working with the State Historic Preservation Office, and upon its listing on the National Register of Historic Places, this creates

opportunities to partner with a number of historic groups, the Connecticut Office of Tourism, non-profits associated with the cultural ties on the property, and various other stakeholders.

Goal #4 of the SCORP is to maximize public access to outdoor recreation resources. The acquisition of the Meadowood property will advance this goal by providing a new opportunity to access open space. Furthermore, the acquisition by the town of this property is an example of how “the state contributes significant funding in support of municipal actions to develop and improve municipal resources.”

The effort is consistent with the State Wildlife Action Plan – protecting land that supports threatened and endangered species and important wildlife corridors as noted in section 2.D.

E. Is the proposed acquisition consistent with the State’s 2016-2020 Green Plan (Comprehensive Open Space Acquisition Strategy, available at www.ct.gov/deep/greenplan)? Explain/provide supporting justification that this proposed acquisition meets one or more of the four land acquisition priorities and targeted goals as address in the 5-year Action Strategy Section.

The plan lists considerations that will be used to prioritize the properties that come to the State’s attention for potential protection. This acquisition will support the following considerations of the plan:

“Natural Resource-based Outdoor Recreation: One of the highest goals of the State’s Green Plan strategy is to bring people of all ages, abilities, and socio-economic makeups onto open space and into nature. It is important to ensure the public has adequate, equal opportunities to participate in fishing, hunting, wildlife-viewing, and other passive, natural-resource based outdoor activities on open space funded with state conservation dollars.” (page 19)

“To strategically meet community demands for passive outdoor recreation activities, and effectively steward lands for such purposes, project and funding selection should give priority to lands: In close proximity to densely populated areas...” (p. 20)

Recreation: Trail-based activities. These include:

Multi-use trail development (provision of new or enhancement of existing) as part of an existing or planned greenway, trail or linear park, particularly in areas of significant or unique geologic or biologic interest;

Elimination of gaps in individual trails or within the state’s trail network;
Connectivity of trail systems; and

Trailhead facilities including sufficient parking, restroom facilities (p. 8)

More specifically, the Meadowood acquisition is consistent with 3 of the 4 land acquisition priorities in the State’s Green Plan, as follows;

- a. Natural Waters and Drinking Water Resources; The Meadowood property lies within both the Town's primary aquifer and recharge areas, as depicted in the "Natural Resource Values Map, Appendix ___." According to the Green Plan, *"...There are many ecosystem benefits to protecting other high-quality natural water resources, such as headwater stream areas, recharge areas for groundwater aquifers, and floodplains. Development in these areas have the greatest impact on statewide water quality and in-water habitat...Protection of these ecologically sensitive areas also maintains habitat supportive of a diversity of fish and wildlife species"* (Action Strategy, page 9). The property also abuts a designated DEEP Aquifer Protection Area (Tariffville). These areas are delineated for active public water supply wells in stratified drift that serve more than 1000 people, in accordance with Sections 22a-354c and 22a-354z of the Connecticut General Statutes. This acquisition fits both the priority to protect important drinking water resources, and meets *both* of the "Project and Funding Selection" criteria which gives preference to projects that *"...protects recharge areas for groundwater aquifers, and floodplains; or in close proximity to public water supply wells..."* (Action Strategy, page 12).
- b. Areas Significant to the Coast; NA
- c. Natural Heritage Resources; The Meadowood property also meets the Green Plan's priority *"to the acquisition of lands that support important elements of the state's natural heritage, including State endangered and threatened species, non-game species of Greatest Conservation Need, and Connecticut key and Critical Habitats"* (Action Strategy, page 17). The property contains four distinct Natural Diversity Database areas, representing approximate locations of endangered, threatened and special concern species and significant natural communities in Connecticut. Furthermore, it buffers and connects two important conservation land areas managed for both critical habitat and important species (McLean Refuge – Dry subacidic forest (cedar woodland, ash/hickory glade, etc.), Massacoe SF – Coastal Plain Pond). Under the project selection component for this action strategy, the Meadowood acquisition meets 3 of the 4 criteria: *"project selection should also give priority to lands that serve to: •Protect Federal or State Endangered, Threatened, or Special Concern species; •Protect habitat corridors for species disproportionately affected by barriers and habitat fragmentation; or •Expand the size of existing areas managed for natural heritage resources"* (Action Strategy, page 20).
- d. Natural Resource-based Outdoor Recreation; The Meadowood acquisition meets this priority's overarching goal to bring people of all ages, abilities and socio economic opportunities into the outdoors and nature. The project's cultural enhancement component will have adequate parking and trails that will accommodate access for a wide range of abilities. The acquisition meets two of the components listed under the project funding and selection criteria: *"project and funding selection should give priority to lands: 1. In close proximity to densely populated areas; 2. Capable of providing multiple recreational activities of significant demand or unmet need as identified in the Connecticut Statewide Comprehensive Outdoor Recreation and/or Coastal and Estuarine Land Conservation Program Plans;..."* (Action Strategy, page 22). This overall project will create an important historic site, a need that came in second for highest recreational need among CT households (56% of households cited this

need in the 2017 responses to Recreational Facilities survey) (SCORP, page 134). Additionally, unpaved trails, birding areas, and picnic areas all topped the top 1/3rd of the recreational needs list, all of which will be incorporated into this project.

F. Provide supporting justification that this proposed acquisition complies with a documented need as addressed in a local or regional open space conservation & development plan (please provide written analysis).

While Simsbury's Open Space and Conservation Master Plan is still in draft form, the director of Parks, Recreation, and Culture has confirmed that the acquisition is consistent with the goals of the plan. As documented in responses from the town during the survey portion, the survey responders voiced the need more for open space.

G. Supporting Material (Do not attach the entire plan or whole chapters of the plan. Provide only relevant excerpts)

a. Municipal Plan of Conservation & Development and/or Recreation Plan

Setting Open Space Preservation as a Priority:

*"As part of the community meeting (November 2016) and the online survey, participants were asked to identify the issues most important to them as part of the POCD update. If the results of these separate exercises are combined (300 participants), the following priorities emerged among the various elements typically addressed in a POCD...business development, community character, transportation, **open space**, and Simsbury Center / villages."* (page 18)

"As part of the various meetings and workshops conducted as part of the planning process, residents expressed the following thoughts and concerns:

- *Open space provides a number of benefits*
- *Preserving the open space we already have and **acquiring more open space should be a high priority for the community...**"* (page 32)

Achieving the goal and where to prioritize:

"Seek to interconnect open spaces to the greatest extent possible to establish an overall greenway system." (page 35)

Goal: To Promote Places with a Sense of Place

Goal: To Support the preservation of working farms and the availability of farmland soils

Goal: Maintain And Enhance Community Character

b. Regional Conservation Plan

The proposed acquisition is consistent with the recent plan for the region, which was updated to cover 2014-2024 for the Capitol Region Council of Governments, prepared by Jonathan Rose Companies. The project has a great deal of local significance. Regionally, the project advances several goals of the Capitol Region POCD, including Natural Resource Conservation, Open Space and Farmland Preservation, and Food Systems and Food Security (by integrating exercise-related education with recreational opportunities. Relevant excerpts follow.

"Policy Recommendations

1. *Encourage linkage and the development of greenways to connect existing and proposed open space areas to riverfronts.*

2. *Encourage use of existing floodplain protection areas and natural resource buffers along rivers for passive recreation.*
3. *Support efforts to expand access to recreational opportunities on rivers.*
4. *Support maintenance and expansion of Riverfront Recapture's riverfront park system, including connections from Hartford and East Hartford to neighboring communities.*
5. *Work with other organizations and regional planning agencies to develop bi-state programs to improve the environment, water quality, recreation and public access on the Connecticut River.*
6. *Support recommendations in the Lower Farmington River/Salmon Brook Management Plan for managing and preserving river corridor lands*
7. *Support Wild and Scenic River designation for the Lower Farmington River and Salmon Brook.*"(Page 60)

c. Other Municipal or Community Plans; NA

11. Funding Mechanism: All funding sources for acquisition must be disclosed. There must be reasonable anticipation that funds will be available within one year of grant award. It will be to the applicant's advantage to have funding firmly in place.

A. Explain how match funds will be provided. Will the applicant apply for other grant funds?

This 140+/- acre community open space amenity is part of a larger 288-acre land protection opportunity. The remainder of the property that is not included as part of this application will serve as town-owned protected farmland, a 24-acre area reserved for future athletic fields, a town-owned historic site with restored tobacco barns, and additional town-owned trails connecting the Hoskins Road parking area for both the open space and active recreation components. The purchase price for the entire 288 acres is \$6M. A restricted appraisal conducted in early 2019 concluded that the value of 288-acres was \$6.1M. The total purchase price for roughly 140+/- acres is likely to be roughly **\$2,960,000**, which will be confirmed by an appraisal conducted this June-August 2020 by Rich McDermott of R.P McDermott Associates. Our funding strategy is well established, and we anticipate to receive match funding for this component purchase from three additional public sources:

- a. **Municipal:** As a result of the COVID-19 pandemic, Gov. Lamont allowed municipalities to pass their budgets without physical town meetings. Originally, the Meadowood allocation was going to be part of the capital expenditures line item in the annual May budget referendum. Given the circumstances, the proposal was postponed until November, where it will be a town-wide referendum. The municipal leadership felt that it would be more prudent to vote on such a large expenditure when voters had an opportunity to participate. For the 140-acre open space area, the town will allocate approximately \$500,000 to \$700,000 towards the conservation easement area and 3 acres containing the historic structures excluded from the easement area.
- b. **State Historic Preservation Office – Good to Great Grant:** The Trust for Public Land was awarded an \$800,000 grant for the combined 140-acre open space along with the envelopes containing the historic barns, which are excluded from the State's easement area. Roughly **\$500,000** will be available for purchase

capital, while \$300,000 will go towards interpretive signage, programming, and barn restoration.

- c. **Highlands Conservation Act:** The Trust for Public Land intends to work with the State to secure a Highlands grant for part of the purchase. The funds would be allocated towards the State's easement interest in the acquisition, which will be determined in the before and after appraisal that we're conducting for this application. Depending on the value of the easement, our request to Highlands will be for approximately **\$650,000**. While we have not received a commitment from the State regarding the request, we have had conversations with DEEP staff and anticipate that this funding source would fit well with this project, and could allow more municipal funding to be allocated towards the preservation of the other 150+/- acres. We hope to be in receipt of a Highlands award by the end of 2020.

B. Supporting Material

- a. **Resolution authorizing the expenditure of funds (municipal or corporate):** NA
- b. **Budget line items where funds are held or committed:** NA
- c. **Statement showing funds available in an open space acquisition account:** NA
- d. **Show commitment, amount and sources related to creative/alternative funding proposals:** See Appendix ____ "Award Letters"

12. Operation, Maintenance, and Stewardship Capabilities

A. Provide evidence of the applicant's capability to operate and maintain the property.

The Simsbury Culture, Parks and Recreation Department is currently responsible for the maintenance and development of 535 acres of parks, 2,400 acres of open space, 40 athletic fields and seven playgrounds. The Department has a full-time staff of 18 employees and approximately 100 part-time, seasonal, and contractual employees. The Town's primary recreational facility is the Simsbury Farms Recreation Complex. This facility consists of an 18-hole golf course, four swimming pools, a covered ice skating rink, four outdoor lighted tennis courts, two lighted paddle tennis courts, a wheel chair accessible playground, two basketball courts, ropes challenge course, fitness trail, and picnic area. This multi-use park exemplifies the town's ability to manage large parks and open spaces and provide an array of community benefits.

B. What organization(s) will manage the property and what is their management expertise? Will the maintenance of this property be a cooperative effort between a municipality, a land conservation organization(s) and/or a local community groups?

The Town of Simsbury will manage the property through the Culture, Parks, and Recreation Department. The Town has an Open Space Committee, Conservation Commission, and Inland Wetlands Commission, all of which will likely have some input as to management recommendations to the Parks and Recreation Department. Furthermore, given that the State is working to have the property listed on the National Register of Historic Places, there will likely be funds available from the State Historic Preservation Office and the National Trust which will dedicate funds towards signage, local and statewide outdoor education, programming, maintenance, curated exhibits within the barn space, etc. Finally, we are in the process of engaging the Simsbury Land Trust to see if there is a management role for them with regard to the trails, wildlife conservation, and programming.

C. Does stewardship funding exist or when will it be in place?

The Trust for Public Land will assess the opportunity to fundraise for additional dollars

for stewardship. In other large-scale projects, TPL has been successful in raising substantial stewardship funds, including a \$450,000 for The Preserve in Old Saybrook, \$100,000 for Page Pond Community Forest in New Hampshire, and many others.

13. Past Grant Compliance

- A. In order to be considered for a grant, applicants must show that they are in compliance with past grant funded properties. (See eligibility)**
- B. Has the applicant received an OSWA grant in the past? If so, provide a brief update on the property(s).**

Yes. The Town of Simsbury has received several OSWA awards, including the projects listed: Village Water Company, George Hall Farm Development Rights, Tulmeadow Farm, Christensen Farm Development Rights, Laurel Hill, and several parcels of the Ethel Walker Open Space.

Village Water Company Property: Research underway

Tulmeadow Farm Forest: There is a trail leading from Tulmeadow Farm store that passes through the farm and to the back woodlot. It is open to public access and complies with the OSWA easement. Tulmeadow Farm is a historic working farm whose agricultural character is permanently protected by a Simsbury Land Trust conservation easement. The farm road trail takes you through the middle of 60 acres of uninterrupted fields of corn and hay, affording a view of surrounding hills and a view of Heublein Tower on Talcott Mountain. Informational signs along this portion of the trail explain the surrounding geology and the importance of this farmland. Leaving the open fields, the trail continues through the center of Tulmeadow's 73-acre woodlot. In consultation with a professional forester and a long-term forest management plan, the farm harvests mature timber every 10 to 15 years to make space for new growth that replaces it (from Simsbury Land Trust website).

Christensen Farm Development Rights: The Town purchased the development rights in 2001. Also known as Flamig Farm, according to their website - the farm's mission is to be the premier demonstration and education center in New England, focusing on local food production, energy conservation and efficient energy production, and personal wellness and nutrition. They offer school programs, farm tours, weddings, school tours, and a petting zoo.

Laurel Hill: Laurel Hill abuts the town's open space known as the Gersten property, which contains a network of publicly accessible trails. The easement area granted through OSWA

George Hall Farm: The Town purchased the development rights in 2001. The original farm parcel abuts Simsbury Land Trust's Wagner Woods, which abuts Great Pond State Forest. The Simsbury Land Trust created a trail around the edge of the farm fields connecting trails at Wagner Woods and the state forest, thus providing a new hiking route across town. The farm offers Community Supported Agriculture (CSA) shares, sells produce at local Farmers Markets, and offers an internship program for those who are interested in learning about farming and organic practices.

Ethel Walker Open Space: The Ethel Walker Woods property received a \$500,000 OSWA award in 2013 to complete the final phase of the 423-acre town acquisition, which was facilitated by The Trust for Public Land. At the time, this property acquisition was among the largest tracts of land purchased by a Connecticut municipality. The property includes the Stratton Brook Aquifer and encompasses a significant proportion of aquifer recharge area which is a source of 70 percent of Simsbury's drinking water.

The grant was for the last 45 acres, priced at \$1.1M. The property is also contiguous to 1400 acres of undeveloped land and is noted for an exceptional diversity of wildlife habitat and is home to more than 350 species of wildlife.

C. How has each site been maintained? How has the public reacted to the acquisition(s)?

Village Water Company Land: Research underway

Tulmeadow Farm Forest: There is a trail leading from Tulmeadow Farm store that passes through the farm and to the back woodlot. It is open to public access and complies with the OSHA easement.

Christensen Farm Development Rights: The farm continues to be a destination in town for outdoor farm experiences, allowing the public to interact with animals and learn about local food production. While there isn't traditional open space trail access, the farm is open to the public with regular hours, offering nature and farm-based educational opportunities which offer a public benefit to residents and visitors.

Laurel Hill: Laurel Hill abuts the town's open space known as the Gersten property, which contains a network of publicly accessible trails. The easement area granted through OSHA....

George Hall Farm: The original farm parcel abuts Simsbury Land Trust's Wagner Woods, which abuts Great Pond State Forest. The Simsbury Land Trust created a trail around the edge of the farm fields connecting trails at Wagner Woods and the state forest, thus providing a new hiking route across town.

Ethel Walker: Ethel Walker Woods was a hugely popular acquisition led by The Trust for Public Land and the Town of Simsbury. There were a number of community groups and conservation groups that supported our collaborative effort. The property is preserved open space, with a network of trails, consistent outdoor education and programming for the local community. Ethel Walker properties now serve as the cornerstone of over 1,400 contiguous acres of open space, recreation and agricultural land, with connectivity to an additional 5,200 acres of open space.

Supporting Material:

___A photograph demonstrating public access or, in the case of water companies, a photograph demonstrating valuable resource protection for each OSHA funded property (JPEG)

___A photograph of the parking area for each OSHA funded property (JPEG)

___A photograph of the permanent sign or plaque recognizing OSHA funding for each funded property (JPEG)

END OF APPLICATION _____

APPENDICES ATTACHED HERETO:

APPENDIX 1: MAPS

1. Public Access and Recreation Map
2. Natural Resource Values Map
3. Town Road Map
4. Topographic Map
5. Soil Map
6. Regional Map

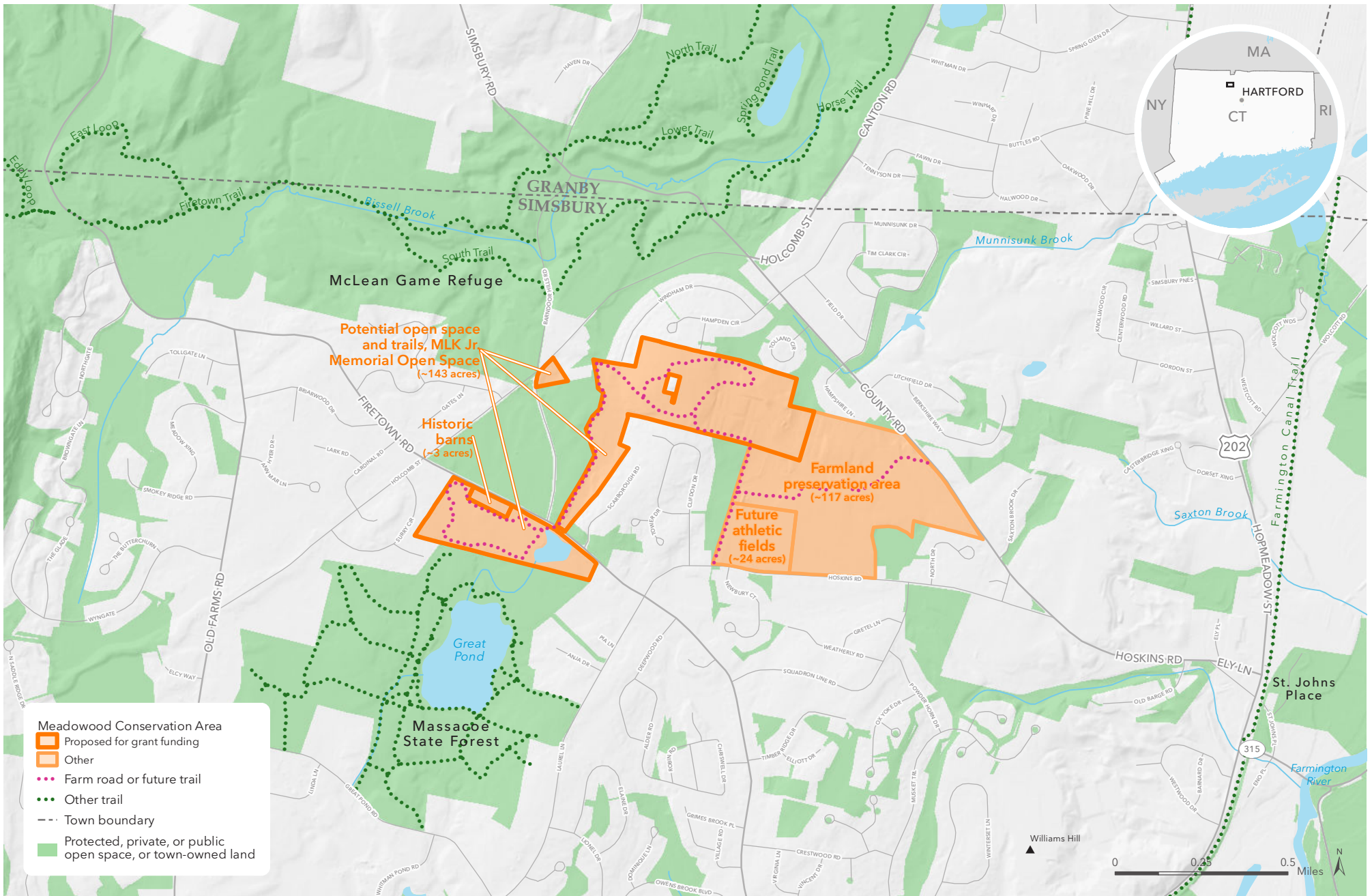


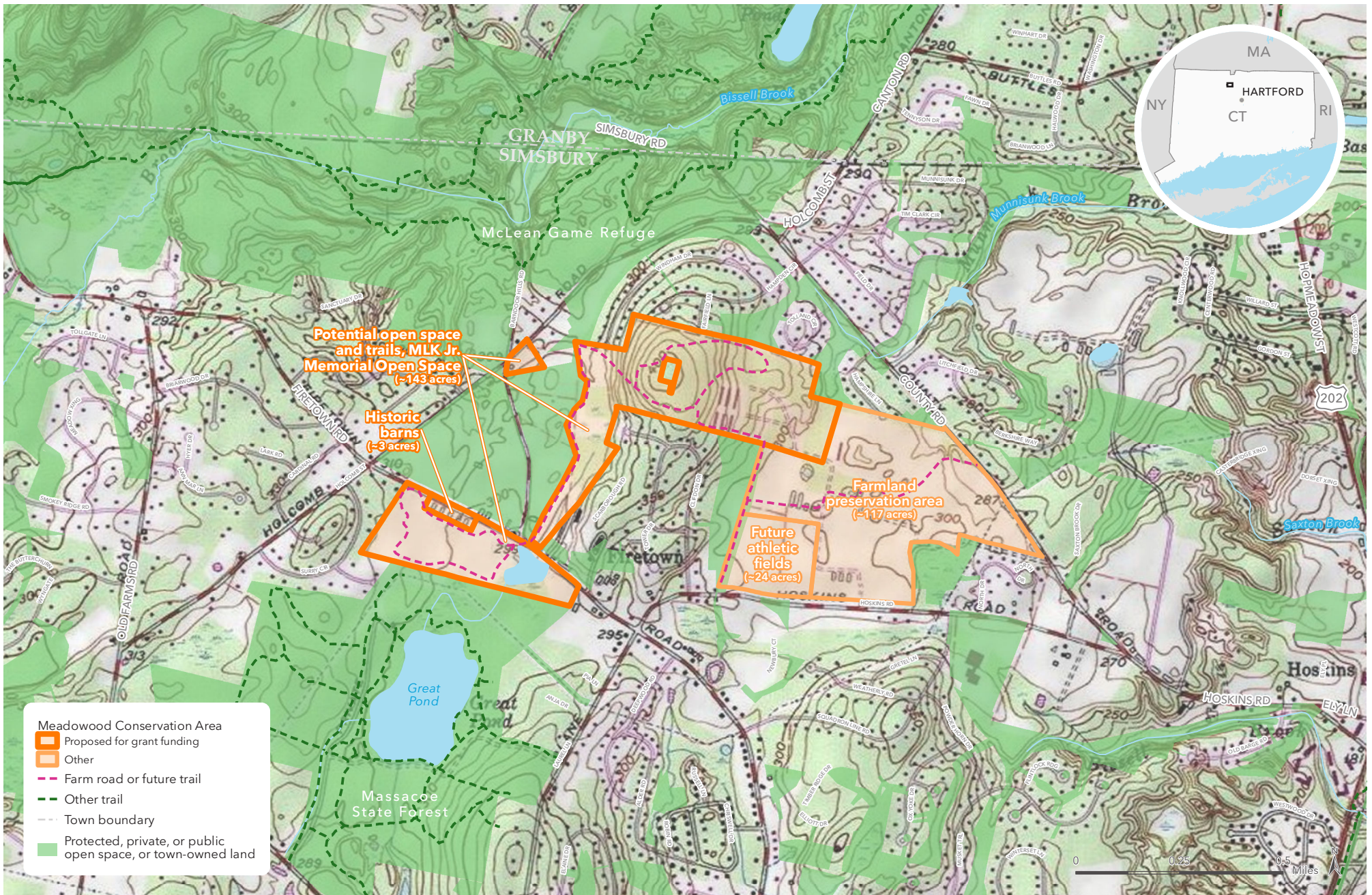
Public access and recreation map

MEADOWOOD CONSERVATION PROJECT, SIMSBURY, HARTFORD COUNTY, CONNECTICUT

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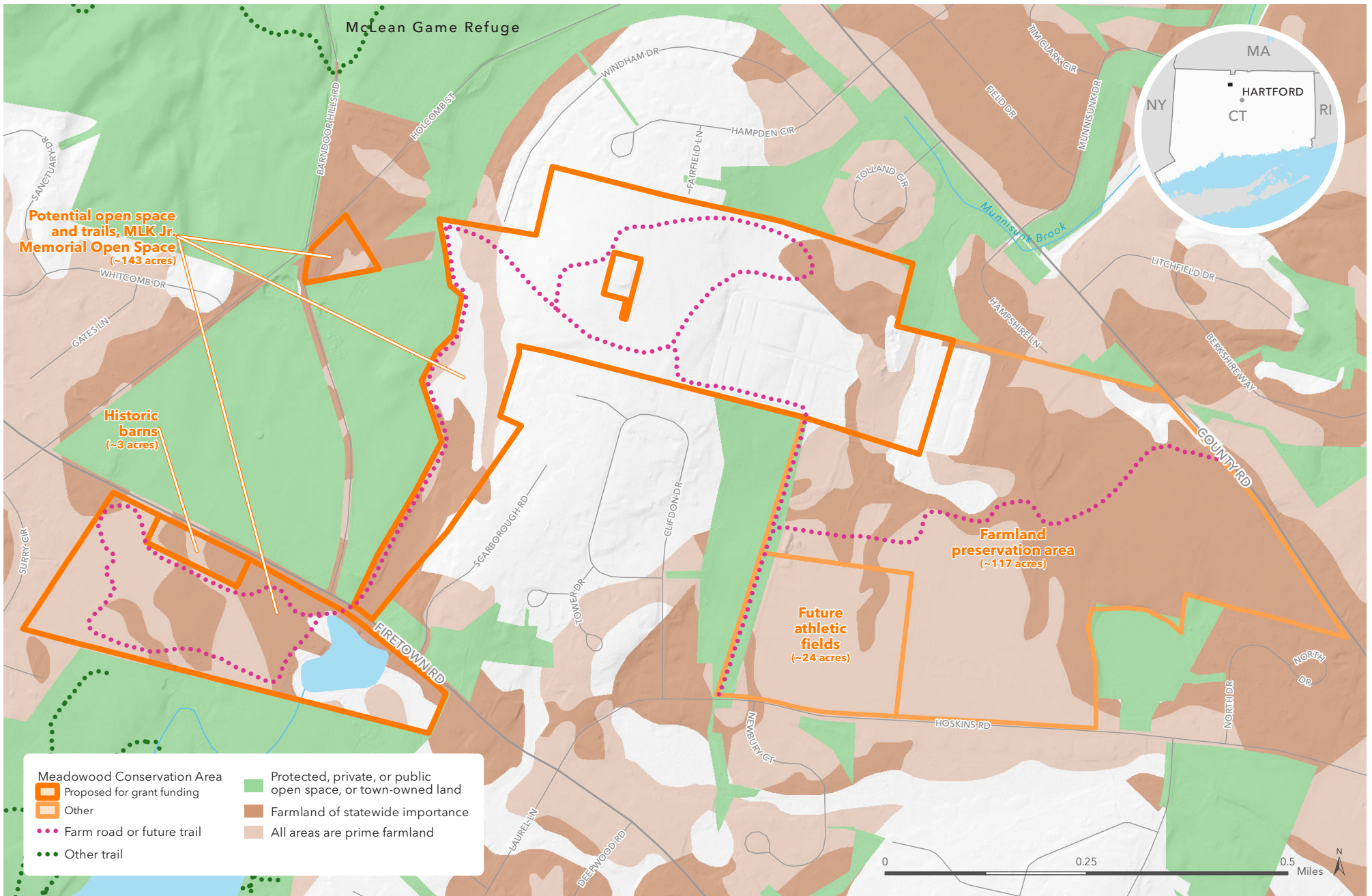


Topo map

MEADOWOOD CONSERVATION PROJECT, SIMSBURY, HARTFORD COUNTY, CONNECTICUT

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Soil map

MEADOWOOD CONSERVATION PROJECT, SIMSBURY, HARTFORD COUNTY, CONNECTICUT

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APPENDIX 2: Affidavit

1. Affidavit of Option Agreement

AFFIDAVIT OF AGREEMENT

(Meadowood)

On oath, the undersigned deposes and states that in connection with the purchase of approximately 288 +/- acres in Simsbury, Hartford County, Connecticut (such real property, together with any and all improvements located thereon, all rights, tenements, hereditaments, members, privileges, licenses, easements and appurtenances thereto, including, without limitation, all utility reservations, strips and gores of land, rights-of-way, fixtures located thereon, all timber, mineral interests, grazing rights, access rights, development rights, governmental licenses, permits and certificates applicable thereto, and all of the right, title, and interest in and to all public and private ways adjoining or serving the same, and all riparian rights and interests in waterbodies and the beds of waterbodies, on or adjacent to the described lands, is referred to, collectively, as the “*Subject Property*”).

1. In consideration of and pursuant to the terms, conditions, covenants and agreements set forth in that certain Option Agreement by and between The Trust for Public Land (“*TPL*”) and Riverbend Development CT, LLC, (the “*Landowner*”), dated February 3, 2020, (the “*Option Agreement*”), Landowner has agreed to convey the Subject Property to TPL.

2. Pursuant to the Option Agreement, the purchase price for the Subject Property shall be no less than Six Million and 00/100’s (\$6,000,000.00) Dollars (the “Purchase Price”) and is contingent on TPL’s ability to raise sufficient funding.

3. Pursuant to the Option Agreement, TPL must exercise its option by February 3, 2020 with the right of TPL to extend the term for an additional six (6) months. TPL is required to then convey the Subject Property which shall be at such date of TPL’s choosing but no later than the sixtieth day following such exercise (“*Closing*”).

4. The Option Agreement includes a contingency for TPL’s reasonable satisfaction of its due diligence prior to TPL’s acquiring the Subject Property.

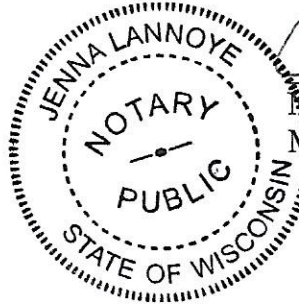
Executed as a sealed instrument as of this 30th day of June, 2020.

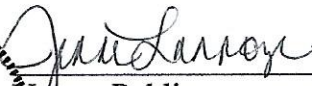
The Trust for Public Land

By: 
Denise K. Mullane
Legal Director

State of Wisconsin
Dane County

On this 30th day of June, 2020, before me, the undersigned notary public, personally appeared, Denise K. Mullane, Legal Director for The Trust for Public Land, provided to me through satisfactory evidence of identification, whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose on behalf of the corporation.




Notary Public:
My commission expires:
11/29/23

APPENDIX 3: Property Photos









APPENDIX 4: Letters of Support

1. Conservation and Inland Wetlands Commission



Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

Conservation Commission / Inland Wetlands Regulatory Agency

June 22, 2020

Connecticut Department of Energy and Environmental Services
Office of Constituent Affairs/Land Management
79 Elm Street, 6th Floor
Hartford, CT 06070

Dear Ms. Clarke,

At the Conservation Commission meeting of June 2, 2020, the Commissioners unanimously voted to send a positive referral to the Board of Selectmen for of the acquisition of the Meadowood property.

This property is a vital habitat connector between Great Pond / Massacoe State Forest and the McLean Game Refuge. Such connections are a recommendation in the upcoming Parks and Recreation, Open Space Management Plan, and a core component of the Town's existing Plan of Conservation and Development. Managed as a grassland or meadow this property also has the opportunity to provide enhanced habitat for either nesting birds or for pollinators. Currently grasslands are among the most threatened and rare habitats in Connecticut and, as a result, grassland birds and many pollinating insects are on the decline in our state.

The opportunity for additional passive recreation trails through this property also meets with the goals of the upcoming Parks and Recreation, Open Space Management Plan. Such grassland hikes are also rare in Simsbury and would aid the public's appreciation for this habitat and its wildlife.

The Meadowood plan also calls for agricultural use on a portion of the property, along with the preservation of historic tobacco barns. Our POCD calls for maintaining and enhancing community character, and these barns and fields are specifically noted in the list of current resources that contribute to the character of the town. Furthermore, as the State of Connecticut is losing farmland faster than any other state in our country and soil is one of the least recognized national resources, the preservation of this land for farming is in the interest of the Town and its residents.

Although the Commission recognizes that these are challenging times for the Town, this is a rare opportunity to acquire such a valuable property for the future of the town.

Sincerely,

Margery Winters, Chair
On behalf of the Commission

APPENDIX 5: Past OSWA Projects

SIMSBURY BOARD OF SELECTMEN

RESOLUTION

**GRANT APPLICATION AND ASSIGNMENT OF
CONSERVATION RESTRICTION: MEADOWOOD PARCELS**

RESOLVED, that Maria E. Capriola, of the Town of Simsbury is hereby authorized to execute on behalf of the Town of Simsbury a Grant Application to fulfill the requirements for the submission of a grant application for financial assistance to be received by the Town of Simsbury through the State of Connecticut Open Space and Watershed Land Acquisition Program (“OSWA”) to acquire permanent interest in a parcel or parcels of land known as the Meadowood Parcels, and to manage said land as open space land pursuant to Section 7-131d of the Connecticut General Statutes.

BE IT FURTHER KNOWN that Maria E. Capriola, M.P.A. is the Town Manager and as Town Manager she serves as the Chief Executive Officer for the Town of Simsbury and is duly authorized to enter into agreements and contracts on behalf of the Town of Simsbury.

Dated at the Town of Simsbury, Connecticut this ____ day of July, 2020.

CERTIFICATION OF TOWN CLERK

I, Ericka Butler, do hereby certify that I am the Town Clerk of the Town of Simsbury, a municipal corporation organized and existing under the laws of the State of Connecticut having its principal place of business at 933 Hopmeadow Street, Simsbury, Connecticut, that I am the keeper of the corporate records and seal. That the following is a true and correct copy of the resolutions duly adopted and ratified by the Simsbury Board of Selectmen on July 1, 2020 in accordance with the constituent charter of the Town of Simsbury, and that the same has not in any way been modified, repealed or rescinded, but is in full force and effect.

Ericka Butler