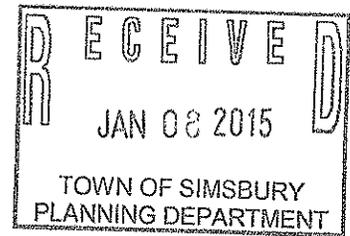


MEMORANDUM



To: Planning Commission
From: Conservation Commission *AS*
Date: January 6, 2015
RE: Ellsworth Property Re-subdivision

Purely from a conservation point of view, and setting aside any regulatory matters relating to the Conservation Commission's role as the Inland Wetlands and Watercourses Agency, we offer the following comments:

- The Ellsworth's Tanager Hill property is an outstanding open space asset. It is to be regretted that town funds were not available to assist in its conservation and that sufficient private moneys could not be raised to conserve the entire parcel. If the needed funding had been raised, the land to be occupied by Talcott Estates would have been a valued part of the conserved land.
- In that regard, it is our strongly held view that this is not a case in which fee-in-lieu of open space is appropriate.
 - Protecting part of this land as protected open space would be consistent with Section 15 of the Subdivision Regulations. It would be part of an open space tract connected to the Open Space Corridor shown in the Plan of Conservation and Development. It would provide further protection for desirable wetlands and watercourses, including Lucy Brook, a tributary of the Farmington River. It would connect with existing protected open space and would, along with the adjacent Simsbury Land Trust and State of Connecticut property, be suitable for public passive recreation. This would not be a case of an isolated parcel of orphaned open space; it would fit into a contiguous stretch of open space from East Weatogue Street through Penwood State Forest.
 - If we are correct in thinking that the open space calculation is based on the 91 acre existing parcel, one would look to protect at least several acres of land. One option for protection in the vicinity of the development would be to protect portions of the 5 Talcott Estates plot and at least the easterly portion of the land identified as to be deeded to 116 East Weatogue Street.
 - The Subdivision Regulations allows open space to be deeded to the Simsbury Land Trust which is an abutter to the Tanager Hill property (Section 15,

subsection 8.a.iii). The Open Space Committee inquired of the Land Trust if they would be willing to (1) accept a deed for the open space if that were the town's desire or (2) take management responsibility for open space if the town retained ownership of an open space on this property. The Conservation Commission's representative to the Open Space Committee has advised us that the Land Trust would be willing to accept either of these options and would be willing to manage any open space in a similar manner to its adjacent holdings. This would need to be confirmed, but suggests that there are alternatives to the Town's owning or managing open space set aside as part of this subdivision.

- It is the Commission's understanding that the Simsbury Land Trust has an ongoing negotiation for the purchase of another portion of the Tanager Hill Property. The Conservation Commission would recommend that if open space is set aside related to the subdivision application, that access for pedestrians and maintenance vehicles be maintained from Talcott Mountain Road to that proposed Simsbury Land Trust holding.