

CALL TO ORDER

The Public Hearing of the Board of Selectmen was called to order at 6:07 p.m. in the Main Meeting Room of the Simsbury Town Offices. Present were: First Selectman Lisa Heavner; Board members Michael Paine, Cheryl Cook, Christopher Kelly, Elaine Lang, and Sean Askham. Others in attendance included Attorney Robert DeCrescenzo, Thomas Cooke, Director of Administrative Services and other interested parties.

PLEDGE OF ALLEGIANCE

Some members of Troop 76 lead everyone in the Pledge of Allegiance.

PUBLIC HEARING

To receive public comment concerning the proposed Amendment to Chapter 21 of the Simsbury Code of Ordinances; the Agricultural Land Preservation and Land Acquisition Fund, inserting a new section 21-8 Process and Criteria for Disposition of Open Space Land.

Ms. Heavner said the new section, 21-8, has been posted online and is available at the Town Clerk's office. She said the purpose of this new section is to add protection for open space as there is no process for disposition of open space.

Ms. Heavner said this was brought to the Board by five revisions by the Open Space Committee. She introduced the members in attendance. She said they also received comments from the Board of Finance and Tariffville Water Company.

Attorney DeCrescenzo said the Town owns certain parcels of land. This amendment to the ordinance only relates to those parcels of land that have been designated as open space. This amendment has no effect on any conservation restrictions that may already be in place.

Attorney DeCrescenzo explained all the rules of the sale of land when needed. He said the proposed revision in Section 8 is not enough.

Attorney DeCrescenzo said there may be instances in the future that by selling a small piece of open space land the Town can get a bigger piece of land at a higher value. He said this revision would give the Board of Selectmen some rules it must follow in evaluating open space. This proposed amendment gives the criteria for open space land sale.

Attorney DeCrescenzo said under the Simsbury Town Charter the Board of Finance is the final budget authority for the Town. This will give guidance to the Board of Finance as to what to do with the sale of open space land.

Helen Peterson, 20 Longview Drive, said she is in support of the proposed amendment. She said the Town has 33% of land deemed valuable open space now. The citizens have clearly stated their thinking of preservation time and time again by these actions. The residents respect life and beauty and she puts her trust in them.

Susan Masino, 41 Madison Lane, said she applauded the initiative and the policy of this proposed policy. She said the State is going through some issues with State open space. She thinks this new policy has some clear benefits and has also shed some light on some other important issues. She feels the Town needs to address public trust, the Character of the Town and economic tangibles. She said there needs to be long term goals for public good and the process needs to be completed. She did want other changes made.

John Schaefer, 16 Lostbrook Road, said he supports the amendment to add Section 21-8 to the Code. He said open space and farmland are critical parts of the Town's character. If the proceeds from the sale of open space or farmland were put back into the general fund, they may reduce everyone's taxes. He feels the land should be sold only under extremely unusual circumstances. He feels if we sell Town owned open space or farmland, we are selling the soul of the Town. Mr. Schaefer said it is extremely important to protect what Town owned open space or farmland there is. This amendment may not be strong enough, but it is better than what is there now.

Linda Schofield, 3 Ryan Circle, said the Board of Finance did discuss amendment and they did have some drafting/language issues. She said they also questions on Section 4, the issue of "should". When the Town spends money it needs to be approved by the Board of Finance also.

Diane Nash, 4 Merrywood, said she is in favor of protecting open space. However, she will reject the amendment due to the placement of the ordinance, which is in the protection policy. There is a legal principal of understanding when buying property. She feels the verbiage needs to be modified. She feels the land needs more protection. She feels this document is very flawed as presented.

Joan Coe, 26 Whitcomb Drive, said the sale of the land should be put back into the general fund. She spoke about the property at Ethel Walker School and the Eno Trust. There should be no sale of restricted land. She is against the special fund for open space and feels it should be eliminated. The Town should not be allowed to expand the ordinance. She against this ordinance.

Robert Kalechman, 971 Hopmeadow Street, showed his medal from the Republic of Korea. He said about 5-8 years ago there was a controversy in the State Legislature to give prime river said leave something to the Town it has a purpose and the Town is the trustee to that property.

Sally Rieger, 9 Stodmor Road, said she supported the proposed amendment to the Town code which defines a process that must be followed should the Board of Selectmen be asked to make a decision on whether an open space property should be disposed of. This amendment does not replace any existing requirements that the town code may already impose on the Board of Selectmen, it would add to it. This proposed ordinance is a longer and more complex process, which gives citizens more opportunities to express their opinions. She feels it would also likely increase trust in local government.

Don Rieger, 9 Stodmor Road, said of the 230 parcels of Town owned open space, there are probably a few that might not be serving a public purpose and may need protection. This Board has the ability to sell these parcels and we have to work with the law. This proposal is intended to help this Board make good decisions. He also feels Section 3 is a “tool kit” of options for the Board to consider for sale of parcels. He is reluctant about the 60 day provision and the wording shall/should be and would like those issues to be looked in to further.

Anita Mielert, 57 E. Weatogue, said applauded the Board for taking this issue on. Protocol is needed. She said she was ok until the last sentence with the “should”. She said all open space is not created equal. She would like the Board to take another look at a few issues to make sure the language is correct.

Jim Miller, 22 Talcott Mountain Road, supports this proposed amendment and he feels the Board is setting a good example by going ahead with this proposal. He lives off of E. Weatogue Street and goes by the Dewey Farms. He loves watching what is going on there – it is very interesting. He wants everyone to think about the good things in Town.

Dagney Griswold, 21 Corey Road, has lived in Town for 31 years. She believes that Dewey Farm is designated as part of a scenic road, which is very important.

Dee Ryeson, 98 Holcomb Street, said she moved here in 1991, across from the tobacco field. She pushed the Town to make the tobacco land open space. The Board does need guidance for open space. She said the triangle needs to be kept in perpetuity in open space as long as other pieces of Town.

Wanda Coleman, said she lives in Simsbury because she thinks it’s beautiful. She is in favor of the proposed amendment. She feels the Board should, before selling any open space, consider recommendations from the Open Space Committee, the Conservation Commission, Culture, Parks and Recreation, Planning and Zoning and hold public hearings before the sale.

Ms. Heavner said there are no plans to sell open space right now.

Attorney DeCrescenzo answered some questions that were raised. He said a revision to the language about the 60 day issue can be made. There was some discussion about putting the

money from the sale of the land back into open space and not the general fund. There was also some discussion on modifying language to add another Public Hearing. There was discussion on public land trust sales and a few other issues also.

There were no further comments, Mr. Askham made a motion to adjourn the Public Hearing at 7:37 p.m. Mr. Paine seconded the motion. All were in favor and the motion passed.

Sincerely,

Kathi Radocchio
Clerk