

Open Space Commission
Tuesday, June 2, 2020
4:30PM- Via Zoom Video Conference
REGUALR MEETING MINUTES - DRAFT

PRESENT: Margery Winters, Susan Masino, Timothy Walczak, Helen Peterson, Bill Rice, Anne Erickson

ALSO PRESENT: Maria Capriola, Town Manager, Tom Tyburski, Director of Culture, Parks and Recreation, Mike Glidden, Planning Director, Jeff Shea, Town Engineer, JT Horn, Trust for Public Land, Honor Lawler, Trust for Public Land, Tom Fitzgerald, Management Specialist

Absent: David Bush, Eric Wellman

Call to Order

Ms. Winters called the meeting to order at 4:30PM

1.) Public Audience

Ms. Winters read public comments that were submitted in advance of the meeting.

Danielle D'Ermo commented to her support of the purchase of Meadowood as it is very important to the Town to compensate for all the space that has been lost over the last 5 years due to over building. She believes selling open space has an adverse impact on the Town and is a bad precedent to set.

Diane Nash requested a postponement of the Public Hearing on the sale of an open space parcel. She stated that the restraints under the Covid-19 guidelines preclude open and fair participation, and though meeting the legal standard, it does not meet the standard of transparency and fairness. She also believes that there should be no consideration of the sale of any parcel, until the Open Space Committee has completed the current study and report for stewardship of open space.

Additionally she requested that the committee educate on the value of even the smallest parcels ecologically, and reverse the uninformed view that the 'random' parcels are economically neutral or even an economic drain as these parcels have value both as natural spaces and a revenue source.

2.) Approval of Minutes

a) Ms. Peterson requested an amendment to the agenda to include a discussion of the present calendar of meetings. Mr. Rice made a motion to add a discussion of the present calendar of meetings as agenda item number 5. Ms. Masino seconded the motion. All in favor and the motion passed.

b) Ms. Masino requested that the March 4, 2020 minutes be amended to reflect additional comments she made. The minutes were tabled until the next meeting.

3.) Open Space Referral on Meadowood Acquisition

JT Horn and Honor Lawler were present from Trust for Public Land, Honor Lawler, a non-profit conversation organization with Land for People mission.

Mr. Glidden shared that the project is an affordable housing development which was approved by the Court in 2008, approval plan calls for construction of 296 single family homes, approvals valid through March 20, 2022. Pursuant to the court settlement, environmental remediation was required in order to “clean” site to residential exposure standards. Simsbury has engaged the services of a licensed environmental professional to review files and inspect site.

Mr. Horn shared on the Meadowood attributes including the opportunity for 6 new multi-purpose athletic fields, connectivity to McLean game refuse, historic resources- Martin Luther King, Jr., agricultural soils and opportunity for continued farming, preserving history tobacco barns to the extent possible on Firetown Rd.

Mr. Horn discussed the landowner contract; owned by a subsidiary of Griffin Industrial Realty, fully permitted for 296 unit subdivision. Trust for Public Land has a signed contract for fee purchase at 6 million. The initial term is until February 2021, if things are on track an extension until July 2021 is possible. TPL contract envisions Griffin pursuing an 18 month permit extension as a backup plan if the conservation purchase does not move forward.

Phased conversation outcome- 138 acres of open space w/ State DEEP recreational access easement, 24 acres for future athletic fields, 117 acres of farmland preservation w/ State Dept. of Agriculture easement, 3 acres w/ historic barns & MLK interpretive displays

Tentative capital funding model (subject to agency approvals and successful fundraising)

2,175,000- town of Simsbury

820K- Deep via Open space grant

600K- DEEP via land and water conservation fund

1,755,000- CT Dept. of Agriculture

500K- state historic preservation office

150K- sale of private lot at 129 Holcomb Street

6,000,000 total capital

Simsbury action items

1. Allocate 2.175-2.2 million towards land purchase and other costs
2. Request technical assistance of Trust for Public land
3. Develop a memorandum of understanding with TPL outlining roles and responsibilities
4. Zoning, planning and conservation commission to review landowners request for resubmittals of approved plans for 18 month approvals
5. Collaborate with TPL on due diligence- title, survey, environmental, appraisal

Mr. Tyburski spoke to the impact on the Culture, Parks and Recreation Department stating that although there is not an immediate need for the athletic fields, the Town is still growing and it would be worthwhile for future need and prudent to set something aside. The fields would be multipurpose at this point. The concept plan put together with the Engineering Department was shown.

Ms. Masino questioned if there were any specific grants for that 24 acres. Mr. Tyburski stated there are not at this time.

Ms. Masino questioned if the deal precludes building any buildings or infrastructure on the property. Mr. Tyburski stated that there are no DEEP restrictions tied to the purchase and believes you could put an outbuilding on the property.

Ms. Masino stated her opposition to artificial turf fields should that issue arise in the future.

Mr. Bush stated that he unequivocally supports the Meadowood property acquisition and believes that it is a rare opportunity to preserve this valuable open space. He believes the property would provide both recreational and agricultural opportunities to the town and its residents. He stated that it also makes good fiscal sense as a residential development on a property of this size will put a strain on the existing town resources and services. In particular the burden on the school system would be significant and costly.

Mr. Shea stated that they retained the services of an environmental professional who recommended we complete a review of the remediation plan, recon of all the property and barns. And at this point there are no red flags.

Ms. Peterson shared that she feels that it is a wonderful opportunity, a win/win, and an opportunity for the Commission to send forth a positive referral.

Mr. Walczak asked what fundraising looks like on our end. Mr. Horn said that due to the timing, they have been laying low on the community fundraising front. Right now all efforts are going into public grant writing.

Ms. Peterson asked if there was any leeway with the original timeframe and extensions. Mr. Horn believes that they will get it done within the timeframe they have negotiated with Griffin.

Ms. Winters shared her sentiments that she feels it is a phenomenal project.

Mr. Walczak made a motion for the Open Space Commission to provide a positive referral to the Board of Selectmen to support the acquisition of the Meadowood property. Ms. Masino seconded the motion, the motion passed all in favor.

Mr. Glidden stated this item will now go to the land use commissions, it will go to the Historic District Commission on Friday then Planning, Zoning and Conservation.

Ms. Capriola stated that she expects it to go to the Board of Selectmen this summer.

4.) Updates

Parks and Open Space Master Plan – Mr. Tyburski stated that at the committee meeting back in April, a rough draft was provided that was given a lot of feedback. Their team is currently working on a pre-final draft which they hope to receive back in mid-June with presentation to the Board of Selectman in mid-July.

Ms. Peterson asked Mr. Tyburski when the Open Space Commission gets to see the rough draft. Mr. Tyburski stated hopefully next week and that would give them about ten days to review.

Ms. Masino encouraged the Commission to think about that one of the goals of the Parks and Open Space Master Plan was to pull together the information they have on different parcels so they have a repository on our policies, bio-diversity surveys, stewardship stuff, even if those items aren't 100% finalized, she wants to make sure they are at least reflected in an appendix so the stuff doesn't keep getting lost and the plan can be used as a hub.

CT Statutes and Recreational Liability– Ms. Masino shared that there was a big push in Connecticut in 2010/2012 to essentially exempt towns from liability for anything that happens on open space land, as long as the town isn't putting up a purposeful danger or hazard. This would be a good type of appendix to be on the Open Space Master Plan. She also discussed a statute she found related to disposing of open space and stated these type of statutes regarding open space would be helpful to have at hand.

Mountain Biking in Nature Preserves– Ms. Masino shared that one thing that has come up on the Land Trust listserv is that if you mountain bike in an area, there are a lot of documented evidence that wildlife leave and don't come back. What are appropriate uses for certain properties might be something to put into the Open Space Master Plan.

Pollinator Pathway Program Possible Grants– Mr. Tyburski updated the Commission that Mr. Casiano put in two wildflower gardens at Simsbury Farms this spring. The Drake Hill Bridge Committee put in another pollinator pathway garden as well.

5.) Current meeting calendar

Ms. Peterson stated that she feels that if the Commission could meet monthly, everybody could plan for it and it wouldn't be so difficult to get us together and if there weren't even items to warrant a regular meeting then it would be easy to cancel that meeting.

Ms. Masino shared her support of meeting monthly, especially because a lot of things are going on and getting held up. We could have a monthly standing meeting but if we don't need it for the full board maybe it could be used as subcommittee work.

176 Ms. Peterson made a motion to change the Open Space Commission's calendar to monthly meetings.
177 Ms. Masino seconded the motion. The motion passed, all in favor.

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179 Ms. Capriola confirmed that these would still be held the first Wednesday of every month at 4:30 p.m.

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181 **ADJOURN**

182 Ms. Peterson made a motion to adjourn the meeting, seconded by Mr. Walczak. All voted in favor.

183 Motion passed. Meeting adjourned at 5:47pm.

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185 Respectfully submitted,

186 Heather Taylor

187 Commission Clerk