

EAST LYME BOARD OF SELECTMEN
MEETING OF SEPTMEBER 18, 2013
MINUTES

FILED IN EAST LYME
CONNECTICUT
Sept 19 2013 AT 3:45 AM EM
Dorothy A. Blais
EAST LYME TOWN CLERK

PRESENT: Paul Formica, Mark Nickerson, Holly Cheeseman, Kevin Seery, Rob Wilson,
Rose Ann Hardy.

ALSO PRESENT: Town Attorney Tracy Collins.

Mr. Formica called the meeting to order at 7:21 p.m. and noted that the Pledge had been recited in the previous Special Town Meeting.

1b. Additional Agenda & Consent Calendar Items
There were none.

1c. Delegations

Barbara Wingardner of 95 Walnut Hill Road voiced numerous concerns about the solar farm being constructed in the area of her home. She said she has contacted the Siting Council and although they said they would come and visit to listen to concerns, they have not. She said that she and her neighbors are suffering from the effects of noise, dirt, muddy roads and worry about what is happening. She said that each person she talks with at the site has a different idea of what is happening and what will be done. She added that she now has concerns for the potability of her well.

Tom Wingardner of 95 Walnut Hill Road said that this project is destroying the nature of the property in this area. He said that the town did not look after the residents best interests when they approved this project. He questioned if the Tinker House would be taken care of as planned.

Bob Hudyma of 41 Grassy Hill Road noted he is the adjacent property owner to the north of the solar project. He said that he has been refused the right to view the new plans on file with the town for the solar panel farm and the town is in conflict with the Right to Know Act. He said that the fire departments have had no training of how to handle a fire with solar panels involved and added that water cannot be used since firemen could be electrocuted. He said that all the trucks are entering and exiting through Grassy Hill Road.

LuAnne Lange of 160 Pennsylvania Avenue said that she had been informed that the Siting Council has special jurisdiction over this project and the town cannot do anything about it. She said that it was the Siting Council who determined that entrance would be through Grassy Hill Road. She added that the Tinker House is to be renovated as part of this project. She also stated that the report regarding the Samuel Smith House is ready to go forward and that Town Attorney Collins has drafted an ordinance in preparation of moving forward. She said the report will be sent to the Planning and Zoning Commissions and to the State.

Mike Shultz of 14 Lovers Lane said that perhaps the solar farm project should be given a "Cease and Desist" order and asked where all this information was before the project was approved. He thanked the town for finding the water leak near his property.

Mr. Formica noted that he had visited the solar farm property this afternoon and he will step in to see what he can do to assist the residents.

1d. Approval of Minutes, Meeting of July 17, 2013 (tabled from previous meeting)

Ms. Hardy noted on Page 3, 2c., near Mr. O'Neill's comments, she would like to insert the following language:

"Ms. Lange, Chair of the Historic Properties Commission, also spoke stating that the Commission already has most of the materials in place, knows the procedure and this would not be difficult to accomplish."

Mr. Formica inquired of Town Attorney Collins if this insertion to the minutes would be permissible.

Attorney Collins suggested that Ms. Hardy propose the language she would like inserted and then the Board of Selectmen could accept or reject the additional language as proposed.

MOTION (1)

Mr. Nickerson moved to approve the minutes of the meeting of July 17, 2013 with the suggested insertion of language on Item 2c.

Seconded by Mr. Seery. Motion passed 6-0.

1e. Approval of Minutes, Meeting of September 4, 2013

Ms. Hardy noted on Page 4, Item 2d, second paragraph, corrections should be made to state that she was "Ex Officio to the Commission of Natural Resources". She also noted on page 7, Item 5a., Ms. Hardy's Report; should state that she was serving as "Ex-officio for the month of September for the Board of Education."

MOTION (2)

Mr. Nickerson moved to approve the minutes of the meeting of September 4, 2013 as amended.

Seconded by Ms. Cheeseman. Motion passed 6-0.

Mr. Formica suggested adding the approval of the Special Meeting Minutes of September 4, 2013 to the agenda to permit action.

MOTION (3)

Ms. Hardy moved to add Item 1g, Approval of Minutes, Special Meeting of September 4, 2013 to the September 18, 2013 agenda.

Seconded by Mr. Wilson. Motion passed 6-0.

1f. Consent Calendar

MOTION (4)

Mr. Nickerson moved to approve the Consent Calendar in the amount of \$5592.06.

Seconded by Mr. Seery. Motion passed 6-0.

1g. Approval of Minutes, Special Meeting of September 4, 2013

MOTION (5)

Mr. Nickerson moved to approve the minutes of the Special Meeting of September 4, 2013 as submitted.

Seconded by Ms. Hardy.

Aye: Mr. Formica, Mr. Nickerson, Mr. Seery, Ms. Cheeseman, Ms. Hardy.

Nay: None.

Abstain: Mr. Wilson. Motion passed 5-0-1.

2a. Parks and Recreation Update – Beach Status and Special Revenue Fund

Director of Parks and Recreation Dave Putnam said that the new beach had been staffed Fridays, Saturdays and Sundays plus holidays this summer. He said the feedback on the boardwalk and the new beach was extremely favorable and there had been an increase in revenues in the amount of \$15,000 which was a direct result of the new beach at Cini Park.

Mr. Formica noted that initially there had been a problem with many about dogs being allowed on the new beach. He said after some discussion, they created a parallel walkway to the far area of the beach and this was set aside for a dog beach equipped with plastic bags for cleanup.

Mr. Putnam said that signage is coming to designate the dog area.

Mr. Seery offered kudos to the Parks and Recreation staff for this well managed resource and added that the new beach was a fantastic resource to the town.

Ms. Hardy noted that there had been some concerns about adequate parking being available.

Mr. Putnam responded that the only day that we came close to problems was July 4th.

Ms. Hardy asked if the increased income would cover the additional coverage (Monday – Thursday) of the new beach next year.

Mr. Putnam responded in the affirmative.

Mr. Putnam reviewed the Special Revenue Fund (identified as Attachment A).

Mr. Nickerson commented that the Parks and Recreation department expended a remarkable amount of effort and that they were involved not only with the sport fields, but with Celebrate East Lyme and Winterfest and it was appreciated.

Ms. Cheeseman asked if Phase II of the playscape was the end of the project.

Mr. Putnam responded that eventually there would be a Phase III, but this would finish all that had already been planned for.

Mr. Formica congratulated Mr. Putnam on an excellent job.

2b. Commission on Aging - \$473.67 Expenditure from Parahus Fund – 90+ Tea

Mr. Formica noted that the Commission on Aging had approved the following expenditures for the 90+ Tea from the Parahus Account:

\$ 62.97 to CVS for photo development

210.70 to Michaels for frames for photos

200.00 to Signcraft for creation of a collage to hang at the Senior Center.

Mr. Formica noted that any expenditure from this account had to be approved by the Selectmen.

MOTION (6)

Mr. Nickerson moved to approve the listed expenditures from the Parahus Account in the amount of \$473.67 for the 90+ Tea.

Seconded by Mr. Seery. Motion passed 6-0.

2c. Parks and Recreation - \$911.38 – Expenditure from McCook Trust Fund – Playscape

Mr. Formica noted that the \$911.38 expenditure was requested by the Parks and Recreation Commission and it too, needed Board of Selectmen approval to have funds expended from the McCook Trust Fund.

MOTION (7)

Mr. Nickerson moved to approve the expenditure of \$911.38 from the McCook Trust Fund to help offset the total cost of Phase II of the Playscape enhancements at McCook Point Park.

Seconded by Mr. Wilson. Motion passed 6-0.

Mr. Formica suggested acting on Item 3c. before Mr. Ellis offered his presentation.

3c. Registrar's – Emergency Contingency Plan for Elections of East Lyme

Registrar Carol Marelli noted that the only change to the document that the Board previously had approved was a housekeeping change which was requested by the State. She added that the changes were underlined.

MOTION (8)

Mr. Nickerson moved to approve the Amended Emergency Contingency Plan for Elections for East Lyme.

Seconded by Mr. Wilson. Motion passed 6-0.

2d. Woodsman Trust Discussion

Attorney Mark Block suggested scheduling an Executive Session to discuss the proposal in more detail however, Mr. Ellis could present an overview of the matter.

Mr. John Ellis, on behalf of the Woodsmen Land Trust made a presentation to the Board in regards to the possible purchase by the Town of certain land to be dedicated to open space in the area of the Darrow's Pond and the Gurley Brook Preserve. Mr. Ellis' written presentation is attached to these Minutes as Exhibit B.

3a. Bamboo

Mr. Formica noted that he had sent a letter to the Natural Resources Commission to see if they would act as a committee and review the bamboo issue.

3b. Veteran's Service Contact Person

Mr. Formica noted that Commissioner Swartz had attended the Council of Government's meeting that morning and reviewed and explained the intent of the legislation that was passed requiring towns to have a contact person available to answer veterans' questions and to refer them to resources and opportunities for counseling. He said that many of the towns had concerns with this unfunded mandate which was scheduled to start October 1st. He said that there had also been discussion about a regional contact person. He suggested tabling this item until the October 2nd agenda and noted that per the Commissioner, there would be no penalty if everything was not all set up by October 1st.

The consensus of the Board was to table this item and act at the October 2nd meeting.

5a. Ex-Officio

Mr. Wilson had no report.

Ms. Cheeseman attended the Library Board meeting of September 9th. She said that the Children's Room had been heavily used this summer and that the Library is offering e magazines to those who have mobile devices at no cost. She noted that their first swing dance had been a great success and that they had talked about replacing the rugs but due to the cost, were concentrating on cleaning the carpets.

She attended the Zoning Commission meeting where several CAM reviews were done and Attorney Harris confirmed that the net square foot print for Cosco was within the regulatory parameters and it was.

Mr. Seery attended the Harbor Management Commission meeting. He acknowledged the resignation of Harbor Master Joe Hitchery and noted that only one person was interested

in this position (Dick Morris). He said that the Commission is required to submit 3 names to the State for possible appointment as Harbor Master.

Mr. Formica noted he spoke to Mr. Morris and he also requested an itemized list of duties from the Harbor Master to see if there would be any conflicts. He said he is satisfied that there would not be a conflict if Mr. Morris was appointed.

Ms. Hardy noted that at the recent Board of Education meeting, parents from Dārrows Ridge voiced concern about school bus safety since the roads in this development have not been accepted by the town as yet. She added that students are waiting for the bus on the corner of Mostowy Road and some people are driving across the road and leaving kids on Rocco Drive. There appears to be no other solution until the developer finishes the road and has the town approve them.

Ms. Hardy stated that the developer approached the Planning Commission to finish the roads and noted that this development was designed to prevent buses from driving into the development. He noted that even if the roads were brought up to town standards, buses couldn't get around some of the cul de sacs and make the turns. She added that the developer wants to remove these grass islands and pave them so that the buses can cross them and make the turns. She noted that the residents were not amenable to this change since they believed the grass islands offered a more pleasing appearance. She said that at a previous meeting, this developer requested that he be relieved of maintaining the right of way.

Mr. Nickerson had no report.

5b. First Selectman's Report

Mr. Formica noted that he had attended a bridge project meeting with DOT and they were planning to replace the bridge on Route 1 and Upper Pattagansett Road, right across from Ron's Guns. The project is slated for 2015/16.

He attended the Change of Command at Camp Niantic and welcomed Colonel Lukowski.

He attended the Senior End of Summer picnic.

He attended Jeffrey's Run.

He hosted a Department Head meeting where he had Lucira Nebelung offer a leadership seminar. She did this without charging a fee and said that this was her way of paying back the Town.

He met with F. Kent Sistare and noted that Mr. Sistare would be tendering his resignation from the SEAT Board after his attendance at the next meeting.

He attended a Council of Government meeting today.

He noted that he had spoken to John Bysiewicz and noted that the Marathon was cancelled for this year.

He said after this evening's town meeting and the appropriation of the \$500,000 STEAP grant that he had sufficient funding to build the boardwalk. He added that we are working on the final design and negotiating with Amtrak for the permit.

He said that the regional interconnection water project was 50% finished.

He noted that he was still monitoring the fuel spill at York and would be attending a meeting in the Warden's Office next week.

He said that Phyllis Wienski had resigned from the Board of Ledge Light and would be looking for a replacement, hopefully with a financial background.

He noted that he had told the Board at the previous meeting about the hiring of Gordon Richardson who was filling the field services position for the last month. He noted that he did not have the skill set that was needed for this position and they agreed to terminate employment.

He noted that the state legislature had passed an extension for all open subdivisions to finish roads, but that the expiration of this extension was nearing. He noted that the Inland Wetlands Commission had extended the permit for work to be done.

6. Public Comment

Mike Shultz asked why the Veteran's Service contact wasn't the VFW or the American Legion. He noted that Dick Morris is the Fire Marshal and the Director of Emergency Management. He asked if the Harbor Master was a paying position.

Mr. Formica noted that the State pays \$500 per year for this post.

Mr. Shultz said it seemed like a lot for one person and did not seem appropriate. He noted that the area where the bus couldn't come up the road could be fixed if they put in a covered bus stop.

Ms. Hardy said that when the Solar Farm developer was reviewing the project she asked if the panels would be made in China but could not remember his response.

Ms. Cheeseman agreed that Ms. Hardy had asked the question and the developer had responded that the cost was so great that everyone purchased the panels from China.

MOTION (9)

Mr. Nickerson moved to adjourn the September 18, 2013 meeting of the East Lyme Board of Selectmen at 9: 24 p.m.

Seconded by Mr. Wilson. Motion passed 6-0.

Respectfully submitted,
Darlene C. Stevens, Recording Secretary



**East Lyme Parks and Recreation
Special Revenue Fund (SRF)
Year in review for FY 2012-2013**

- The Special Revenue Fund was established on July 1, 2010
- Contribution from the SRF that offset direct cost to the Town's operating budget include;
 - All FICA/Medicare payments for program employees are paid out of the SRF totaling \$12,832.53 over the past two fiscal years the SRF has saved the Town's General operating budget a total of \$23,630.90.
 - All credit card merchandizing fees are paid out of the SRF this year totaling \$1,033.54 this includes credit card sales for McCook Point Park passes. Two year total savings is \$2,903.39.
 - Parks and Recreation Scholarships totaled \$4,125.00 for youth programs.

- Total Revenue collected and deposited into the SRF was \$311,787.01 with total expenses totaling \$296,247.04 for an overall fund balance without any carry over of \$15,539.97.
- The three core program accounts of Adult Programs, Youth Programs and the Playground Program had a fund balance of \$1,062.50.

FLEXIBILITY OF THE SPECIAL REVENUE FUND ALLOWS US TO PROVIDE UNIQUE PROGRAM OFFERINGS INCLUDING:

- Jeffrey's Rainbow Run 5K
- Niantic Bay 10K
- Flanders 5K
- Drama Camp
- East Lyme Regional Theater productions
- Free Open Center After School programming for Middle School ages (youth services)
- Horse Trail Ride
- Halloween Parade
- Summer Concerts
- Mike G Golf Tournament

All expenses and revenue generated from Celebrate East Lyme and The Light Parade/Winterfest is budgeted for in the Special Revenue account revenue exceeds \$30,000 per year including the fireworks for both events.

New programs that were added to our offerings include:

- Football Clinic (held on new Turf Field at High School)
- Girls Lacrosse Clinic (held on new Turf Field at High School)
- Women's Summer Lacrosse (held on new Turf Field at High School)
- Basketball Clinic
- Family movie night and campout at McCook
- Middle School Summer Boy's basketball league
- American Girl Doll programs (youth services)
- Sewing classes (youth services)
- Outdoor Adventure (youth services)

Handwritten signature

**PRESENTATION TO THE TOWN OF EAST LYME BOARD OF SELECTMAN
SEPTEMBER 18, 2013
PRESENTED BY JOHN ELLIS, CHAIRMAN WOODSMEN LAND TRUST**

OPEN SPACE OPPORTUNITY

INTRODUCTION

ON BEHALF OF THE WOODSMEN LAND TRUST ("WLT"), THANK YOU FOR AFFORDING ME THE OPPORTUNITY TO PRESENT THIS EXPANDED OPEN SPACE AND ENVIRONMENTAL INITIATIVE TO THE BOARD OF SELECTMAN THIS EVENING. AS YOU ARE AWARE A PORTION OF THIS OPPORTUNITY "THE GURLEY BROOK PRESERVE" HAS BEEN REVIEWED AND DISCUSSED BY THIS BOARD, THE PLANNING COMMISSION, THE INLAND WETLAND AGENCY AND THE CONSERVATION OF NATURAL RESOURCES COMMISSION EACH OF WHOM VOTED TO SUPPORT THE EFFORTS OF WLT AND EACH OF WHOM FORWARDED A RECOMMENDATION LETTER TO ACCOMPANY THE GRANT APPLICATION THAT WE HAD DISCUSSED AND WERE INTENT ON MAKING TO THE CONNECTICUT DEEP. I AM PLEASED TO REPORT THAT THE WLT GRANT APPLICATION FROM THE DEEP OPEN SPACE AND WATERSHED LAND ACQUISITION PROGRAM FOR THE GURLEY BROOK PRESERVE PROPERTY WAS APPROVED AND AWARDED IN THE AMOUNT OF \$500,000 SUBJECT TO RECEIPT OF EVIDENCE OF MATCHING FINANCIAL DONATIONS OF AT LEAST AN EQUAL AMOUNT.

AS I BEGAN TO REACH OUT TO POTENTIAL DONORS FOR THE REQUIRED GRANT MATCH I INITIATED DISCUSSIONS WITH THE HOLDER OF THE LONG TERM OPTION TO PURCHASE THE GURLEY BROOK PRESERVE PROPERTY WHOSE INTENT WAS AND IS TO RESIDENTIALLY DEVELOP THIS PROPERTY INTO AN AFFORDABLE HOUSING PROJECT. ULTIMATELY THOSE

CONVERSATIONS LEAD TO AN AGREEMENT FOR WLT TO ACQUIRE ADDITIONAL PROPERTY WHICH IN LARGE PART WAS INTENDED AND APPROVED BY THE TOWN OF EAST LYME ZONING COMMISSION TO BE USED FOR FOR A HIGH DENSITY RESIDENTIAL DEVELOPMENT. THIS EXPANDED OPPORTUNITY IS WHAT BRINGS ME HERE THIS EVENING.

WOODSMEN LAND TRUST BACKGROUND

THE WOODSMEN LAND TRUST, INC. IS A CONNECTICUT CORPORATION OPERATING UNDER SECTION 501 (C)(3) OF THE INTERNAL REVENUE CODE AS A PUBLIC CHARITY. IT PRESENTLY OWNS OR HOLDS CONSERVATION EASEMENTS LOCATED IN THE NIAN TIC RIVER WATERSHED IN BOTH WATERFORD AND EAST LYME.

THE OPPORTUNITY

AS PART OF THIS EXPANDED OPEN SPACE INITIATIVE WLT HAS CONTRACTED WITH NEW ENGLAND NATIONAL LLC TO PURCHASE THE FOLLOWING PROPERTIES;

1. THE OPTION ON THE 166 +OR- ACRE GURLEY BROOK PRESERVE PROPERTY LOCATED ON GOLD FINCH TERRACE.
2. 45 +OR- ACRES LOCATED ON UPPER PATTAGANSETT ROAD WHICH IS CURRENTLY APPROVED FOR 58 OF WHAT IS ULTIMATELY EXPECTED TO BE A 74 UNIT AFFORDABLE HOUSING PROJECT WHICH ABUTS THE TOWN OF EAST LYME'S DARROW POND PROPERTY AT ITS WESTERLY BOUNDARY.
3. 7 +OR- ACRES OF DARROW POND LOCATED ON MOSTOWY ROAD WHICH REPRESENTS THAT PORTION OF DARROW POND NOT OWNED BY THE TOWN OF EAST LYME.

IN ADDITION, AND AS A CONDITION OF THE ABOVE REFERENCED PURCHASE AND SALE AGREEMENT, WLT HAS OBTAINED THE CONTRACTUAL COMMITMENT FROM NEW ENGLAND

NATIONAL TO RELEASE AND OR RELINQUISH NUMEROUS EASEMENTS AND OTHER RETAINED PROPERTY RIGHTS THAT ENCUMBER AND EFFECT THE TOWN'S DARROW POND PROPERTY WHICH INCLUDE BUT ARE NOT LIMITED TO;

1. "THE ACCESS" EASEMENT WHICH AMONGST SEVERAL OTHER THINGS³ ALLOWS NEW ENGLAND NATIONAL LLC AND THEIR AFFILIATE NIANTIC REAL ESTATE LLC ACCESS BY FOOT OR MOTOR VEHICLES ON AND ACROSS THE DARROW POND PROPERTY OWNED BY THE TOWN

2. THE MUTUAL USE AND MAINTENANCE EASEMENT WHICH AMONGST OTHER THINGS PREVENTS PUBLIC USE OF DARROW POND

3. THE SO CALLED "BUFFER EASEMENT" WHICH PREVENTS PUBLIC OR MUNICIPAL USE OF APPROXIMATELY 6.5 ACRES FRONTING DARROW POND AT ITS NORTHEASTERLY BOUNDARY.

IT ALSO REQUIRES NEW ENGLAND NATIONAL TO RELEASE THE EXISTING EASEMENT OR OTHERWISE PROVIDE FOR THE PUBLIC'S ABILITY TO USE DARROW POND FOR THE RECREATIONAL PURPOSES ENVISIONED BY THE DARROW POND OPEN SPACE COMMITTEE WHICH IS PRESENTLY PROHIBITED AND TO RELEASE ITS RETAINED RIGHTS TO USE DARROW POND IN ITS ENTIRETY FOR COMMERCIAL PURPOSES.

BASED UPON PRELIMINARY CONVERSATIONS BETWEEN LEGAL COUNSEL TO THE TOWN AND WLT IT WOULD BE OUR INTENT TO ASSIGN OR OPTION THE LAND PURCHASE AGREEMENTS AS WELL AS LAND USE RIGHTS AGREEMENTS TO THE TOWN OF EAST LYME IN A SIMILAR OR IDENTICAL MANNER THE TOWN RECENTLY UTILIZED WITH THE TRUST FOR PUBLIC LAND IN THE DARROW POND/WEBSTER BANK PROPERTY PURCHASE WITH THE SIGNIFICANT

DIFFERENCE BEING WLT'S ABILITY TO ASSIGN THE \$500,000 DEEP GRANT AND OTHER FINANCIAL COMMITMENTS IT HAS RECEIVED TO THE TOWN.

THE COST TO ACQUIRE THESE PROPERTIES AND PROPERTY RIGHTS AFTER APPLICATION OF THE DEEP GRANT IS APPROXIMATELY \$2,300,000.

IN CONSIDERING PROVIDING THIS OPPORTUNITY TO THE TOWN OF EAST LYME WLT HAS REVIEWED AND FAMILIARIZED ITSELF WITH THE TOWN OF EAST LYME'S;

- * PLAN OF CONSERVATION AND DEVELOPMENT
- * LAND OF UNIQUE VALUES STUDY
- * 2007 COMMUNITY SURVEY
- * OPEN SPACE PLAN DATED MAY 19, 2009
- * THE LONG RANGE CAPITAL PLANS APPROVED BY A MAJORITY OF THE VOTERS IN THE 2012/2013 AND 2013/2014 BUDGET REFERENDUMS.

AS A RESULT WE MAKE THE FOLLOWING OBSERVATIONS:

* THIS OPPORTUNITY PROVIDES FOR THE EXPANSION OF THE DARROW POND PROPERTY INCLUDING OWNING THE ENTIRETY OF DARROW POND AND 45 ACRES ABUTTING THE PROPERTIES WESTERLY BOUNDARY WHICH IS CONSISTENT WITH EAST LYME'S COMMUNITY SURVEY WHICH ENDORSED LARGE UN-FRAGMENTED FORESTS AND NETWORKS OF FOOT PATHS CONNECTING OPEN SPACE. THE DARROW POND PROPERTY SCORED #1 IN THE REVISED OPEN SPACE VISION PLAN TABLE WHICH WAS UPDATED BY THE COMMISSION FOR THE CONSERVATION OF NATURAL RESOURCES.

* IT PROVIDES FOR THE ADDITIONAL PROTECTION OF NIAN TIC BAY, LATIMER BROOK AND THE PATTAGANSETT AQUIFER AS WELL AS THE PATTAGANSETT WATERSHED AND

FURTHER PROVIDES FOR, AND IS CONSISTENT WITH, INITIATIVES INVOLVING THE WATER QUALITY OF THE NIAN TIC RIVER, NIAN TIC BAY AND LONG ISLAND SOUND FOR CURRENT AND FUTURE GENERATIONS THROUGH THE EXTINGUISHMENT OF DEVELOPMENT RIGHTS ON THE PROPERTIES BEING ACQUIRED.

* IT PROVIDES FOR THE RELEASE OF EASEMENTS ON THE DARROW POND PROPERTY THAT ARE ENTIRELY INCONSISTENT WITH THE TOWN AND THE DARROW POND OPEN SPACE COMMITTEE'S VISION FOR THE PROPERTY.

* IT PROVIDES FOR THE ABILITY TO APPLY FOR AND OBTAIN AT LEAST TWO ADDITIONAL GRANTS, ONE BEING THE PROPERTY PROPOSED TO BE ACQUIRED ABUTTING THE TOWN'S DARROW POND PROPERTY AND THE SECOND BEING THE DARROW POND PROPERTY ITSELF. AS YOU KNOW THE ASSIGNMENT AGREEMENT BETWEEN THE TRUST FOR PUBLIC LAND AND THE TOWN OF EAST LYME DATED AUGUST 5, 2011 PROVIDES FOR THE IMPOSITION OF A CONSERVATION EASEMENT TO THE STATE OF CONNECTICUT THROUGH THE DEEP OPEN SPACE AND WATERSHED PROTECTION GRANT PROGRAM, SHOULD FUNDS BECOME AVAILABLE. IT IS THE INTENTION OF THE DEEP TO ANNOUNCE ANOTHER FUNDED GRANT ROUND IN 60 DAYS. IT WOULD BE WLT'S SUGGESTION TO REQUEST A TWELVE MONTH EXTENSION FROM THE TRUST FOR PUBLIC LAND TO PLACE 200 ACRES INTO PERMANENT CONSERVATION. THIS WOULD ALLOW A CONSERVATION EASEMENT TO BE DRAFTED THAT WOULD COMPLY WITH THE DEEP REQUIREMENTS. THIS PROPOSED GRANT APPLICATION WOULD HAVE AN EXISTING 7 TO 1 MATCH BASED ON THE TOWN'S FINANCIAL COMMITMENT TO DATE.

* IT PROVIDES FOR THE TOWN OF EAST LYME TO APPLY FOR CARBON CREDITS AND FORESTRY INITIATIVES WITH VALUES IN EXCESS OF \$300,000.

THIS OPPORTUNITY IS ALSO CONSISTENT WITH THE FIRST SELECTMAN'S OFTEN MADE STATEMENT "THAT WHILE NONE OF US WILL BE HERE IN 100 YEARS THE TOWN OF EAST LYME WILL BE."

I UNDERSTAND, APPRECIATE AND AM SENSITIVE TO THE COST OF THIS TRANSACTION, THIS IS A TIME SENSITIVE OPPORTUNITY GIVEN THE FACT THAT MY CONTRACT WITH NEW ENGLAND NATIONAL EXPIRES AT YEAR'S END AND WAS AGREED TO BY THE SELLER PRIMARILY BASED UPON CERTAIN TAX INCENTIVES RELATED TO THE SALE OF OPEN SPACE LANDS THAT EXPIRE ON DECEMBER 31, 2013.

MANY TOWNS IN OUR REGION HAVE BEEN AND CONTINUE TO UTILIZE THE DEEP OPEN SPACE PROGRAM, PRIVATE FOUNDATIONS AND PHILANTHROPIC DONORS TO FINANCE A SUBSTANTIAL PERCENTAGE OF THESE TYPES OF OPEN SPACE ACQUISITIONS. EAST HADDAM, SALEM, OLD LYME, LYME, GROTON AND STONINGTON ARE A FEW EXAMPLES OF TOWNS THAT HAVE CONSISTENTLY MADE MULTIPLE APPLICATIONS TO THE DEEP. AT PRESENT TO THE WEST OF US IN OLD SAYBROOK, WESTBROOK AND ESSEX, THE TRUST FOR PUBLIC LAND IS EMBARKING ON AN APPROXIMATELY \$11,000,000 FUND RAISING CAMPAIGN TO PLACE 1,000 ACRES INTO CONSERVATION. ADDITIONALLY, TO OUR EAST IN MYSTIC, THE TRUST FOR PUBLIC LAND AND THE DENISON NATURE CENTER RECENTLY ANNOUNCED THE SUCCESSFUL ACHIEVEMENT OF RAISING \$3.1 MILLION TOWARD A \$3.5 MILLION GOAL TO PURCHASE A 34 ACRE PARCEL CONTIGUOUS TO THE NATURE CENTER.

IT IS WLT'S HOPE THAT THIS PUBLIC/PRIVATE PARTNERSHIP IS THE TEMPLATE FOR ADVANCING THE TOWN'S OPEN SPACE, WATER QUALITY AND AQUIFER PROTECTIVE GOALS.

COST OF COMMUNITY SERVICE STUDIES, BUILD OUT ANALYSIS AND FISCAL IMPACT PROJECTION PERFORMED IN AT LEAST 13 TOWNS IN CONNECTICUT AND SIMILAR STUDIES ACROSS THE COUNTRY HAVE FOUND THAT RESIDENTIAL GROWTH OVER TIME INCREASES THE COST OF SERVICES GREATER THAN THE ACCOMPANYING INCREASED REVENUE, RESULTING IN A MILL RATE INCREASE TO BALANCE THE BUDGET.

MANY PROGRESSIVE AND FORWARD THINKING TOWNS HAVE ADOPTED AN AGGRESSIVE AGRICULTURAL LAND AND OPEN SPACE ACQUISITION POLICY TO OFFSET THE FISCAL IMPACT OF GROWTH. THIS IS ONE OF THE RARE OPPORTUNITIES WHERE ENVIRONMENTAL INTEGRITY AND FISCAL PRUDENCE CAN COME TOGETHER FOR THE BETTERMENT OF A COMMUNITY.

AS IT HAS IN THE PAST THIS REQUIRES THE LONG TERM VISION THAT THE TOWN AND ITS ELECTED OFFICIALS HAVE REPEATEDLY TAKEN ADVANTAGE OF. AS YOU ALL ARE AWARE THE RESIDENTS OF EAST LYME HAVE REPEATEDLY AND OVERWHELMINGLY APPROVED THE TOWN'S ACQUISITION OF OPEN SPACE AND I BELIEVE WHEN EDUCATED ABOUT THE MERITS AND THE ENVIRONMENTAL AND OTHER ASPECTS OF THIS OPEN SPACE OPPORTUNITY, AS THEY HAVE IN THE PAST, THE RESIDENTS OF EAST LYME WILL SUPPORT THE ACQUISITION I AM PROPOSING. ACCORDINGLY, I AM RESPECTFULLY REQUESTING THAT THE BOARD OF SELECTMAN REQUEST TOWN COUNSEL REVIEW MY PURCHASE AND SALE AGREEMENTS PRIOR TO THEIR OCTOBER 2, 2013 MEETING AT WHICH TIME I WOULD REQUEST THIS BOARD VOTE ON A RESOLUTION TO FORWARD THIS MATTER TO THE BOARD OF FINANCE AND PLANNING COMMISSION FOR APPROVAL AND THEREAFTER IF SUCCESSFUL SCHEDULE A TOWN MEETING FOR FINAL APPROVAL.