

**EAST LYME ZONING COMMISSION
SPECIAL MEETING
DARROW POND SITE VISIT
TOUR OF DARROW POND PROPERTY
Tuesday, JULY 26th, 2011
MINUTES**

The East Lyme Zoning Commission held a Special Meeting on Tuesday, July 26, 2011 commencing at 6 PM at Town Hall, taking visitors to the Darrow Pond property on Mostowy Road for a site tour and returning to Town Hall on or about 7:30 PM.

PRESENT: Marc Salerno, Chairman, William Dwyer, Alternate

ALSO PRESENT: Darci Schofield, Project Manager from The Trust for Public Land
Paul Formica, First Selectman
Michael Giannattasio, Public Works Director
Brad Kargl, Municipal Utility Engineer
Anna Johnson, Finance Director

The assembly of Board and Commission members and visitors left the Town Hall at 6 PM and arrived at the Darrow Pond property just as a violent thunderstorm hit. After a brief introduction to the property, everyone went back to the Town Hall meeting room to continue the presentation session.

Mr. Formica thanked everyone for coming and apologized for the unfortunate weather. He then gave an overview of the property stating that it was approved for a 600 unit Special Use Elderly Master Plan project with wells to be dug on site by the developer and then turned over to the Town. There are many gallons of water in the bedrock wells on site and they have looked at this property for the location of a water storage tank which is part of the regional interconnection project and also as a way to conserve the property. The Trust for Public Land has worked with Webster Bank who foreclosed on the property in 2008. The hope is to purchase and preserve some of the land for open space, to place the water storage tank here and use the well field for additional water.

Mr. Kargl said that this property offers the possibility of having tanks at various elevations and provides them with options.

Ms. Schofield of the Trust for Public Land thanked everyone for coming and said that they are a national non-profit organization designed to protect the land for people and aid the cities and Towns in so doing. The aim here is for conservation of the land and the well and tank use. She said that she has been out to this property many times and has seen many people already using this land for passive recreation. The property sits between the Yale Sheffield property and the Nehantic State Forest allowing for a contiguous open space parcel. This parcel is also part of the Towns' Open Space plan and part of a 50 mile walking trail. It is adjacent to the aquifer protection area and also protects the water quality of Darrow Pond. This is an exciting opportunity. She said that the property is 301 acres and as they were not able to walk the property due to the rain, she said that they are having a 'Community Tour Day' on Saturday, August 13, 2011 where people can stop in and walk the property, ask questions and enjoy and learn about the area. She said that she would be happy to answer any questions that they might have.

Mr. Hart asked if they were looking to put three tanks on the property.
Mr. Formica said that they are contemplating one tank.

Mr. Hart asked the size of the water tank.
Mr. Kargl and Mr. Formica said that it would be a 1.5M gallon tank.

Mr. Mingo asked if the State Review Commission did a review of the property.

Ms. Schofield said that there are no endangered species on the land.
Mr. Mingo asked if there was evidence of Indians.
Ms. Schofield said that she would check the information.

Mr. DiGiovanna asked if the walking trails were marked.
Ms. Schofield said no, and added that there is the opportunity with a small amount of clearing to have noted paths.
Mr. Carlson noted that the reason why this property was not listed in the first open space plan was because it was actively being developed. It has been added as it is no longer under development.
Ms. Schofield said that the acquisition of this property would provide for the only park on that side of I-95.

Mr. Formica explained that they would propose to divide the 301 acres with 40-70 acres for the utility side and the rest as open space.

Mr. DiGiovanna asked what type of recreation could be put there; ball fields? Stands?
Ms. Schofield said yes, quite possibly but that would have to be negotiated prior to the easements along with the transmission line for the water. There could also possibly be a dog park here. People have asked her about a school being built here and one could not be located here.

Mr. Salerno asked about pond access and potential uses.
Ms. Schofield said that the property is encumbered with an easement stating that the public cannot enter the water or use it so there would not be any fishing or canoeing. The easement is split amongst the neighboring property owners. If they were to purchase this property, they could look at it as they would be one of the owners.

Mr. Larcen asked who the easement belongs to.
Mr. Formica said that there are forty individuals.

Mr. Larcen asked how many of the 301 acres is taken up by the pond.
Ms. Schofield said that there are 35 acres and added that the burden of maintaining the dam is the responsibility of the easement holders. She added that this is a DEP Class A pond which is one of high quality.

Ms. Johnston asked who put the easement on.
Ms. Schofield said that it was the previous property owner and that it runs with the title forever unless it is extinguished.

Mr. Formica asked Ms. Schofield about grant possibilities.
Ms. Schofield said that they work with communities to try to obtain grants to help supplement the purchase price. She said that they have evaluated many however the bank would like to close on this property as soon as possible and with the current economy the timing is off. They will continue to look.

Mr. Larcen asked who pays their fee.
Ms. Schofield said that they are funded as a non-profit organization.

Ms. Bodenhofer asked Ms. Schofield what was meant by moving 'quickly'.
Ms. Schofield said that the bank wants to close by the end of October as there are others interested in the property.
Mr. Formica outlined the potential sequence of events – this would go to the Board of Selectmen on August 3; a Public Hearing on August 10; a public site walk on August 13; Town Meeting on August 17 where it would go to referendum for a vote. He said that this would bring them before Labor Day.

Ms. Picarazzi asked how many appraisals were done on this property.
Mr. Formica said that the bank is required to do one annually. In 2009 it was appraised at \$6M; and in November of 2010 it was appraised at \$4.3M and the Trust for Public Land will get one.

Ms. Picarazzi asked if it would be prudent to get another appraisal as the prices have changed with the economy.

Mr. Formica and Ms. Schofield said that the Trust would be getting one.

Mr. Harney asked if they were having it appraised as open space or land for 600 living units.

Ms. Schofield said that the last appraisal was not for 600 units as there is no market for that. It was appraised as a large parcel of land. They are buying land and it is based on the fair market value and comparable sales of large parcels of land of this type.

Mr. Schutt asked how deep the water in the pond is.

Mr. Mingo said that it is 12' to 15' deep.

Mr. Schutt commented that it is deep enough for passive recreation.

Ms. Lozanov asked what type of accessibility improvements would be done for the public to have access – such as parking lots, rest rooms.

Mr. Formica said that there would be some gravel roads for access to the tank. He noted that there are a lot of trails there that are already established.

Ms. Lozanov asked if they had looked into ADA funding for the property.

Ms. Schofield clarified that they are there to aid the Town in being able to purchase the property and that after that, the Town could apply for potential ADA money.

Ms. Johnston asked if the property has been divided on paper yet as she thinks that the price could be a potential shock at a Town Meeting.

Ms. Schofield said that the opportunity that they have with the bank is for the property in its entire form.

Mr. Formica said that he does not think that the bank is interested in dividing the property.

Ms. Schofield noted that in discussions with the bank that there are other people who are interested in this property in its entirety – so this is a one time opportunity.

Mr. Larcen said that the tank would not require 300 acres – he asked what other alternatives they have and what that cost would be.

Mr. Formica said that he would provide that at a later time.

Mr. Larcen noted that Stonington recently announced that they are getting some grant money.

Ms. Schofield said that was from last year's available money. She added that they do investigate all arenas and also that this property is not along the coast and therefore does not qualify for many of the grants.

Mr. Formica and Ms. Schofield thanked everyone for coming.

Ms. Schofield said that they would be conducting site walks on the property on Saturday August 13, 2011 and answering any questions that the public might have.

This session adjourned at 7:20 PM.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary, Pro Tem