

**TOWN OF POMFRET – MINUTES  
TOWN MEETING – DECEMBER 15, 2011**

In Attendance: First Selectman James Rivers, Selectmen Maureen Nicholson, Peter Mann.  
Approximately 75 citizens

**Article 1:**        **To choose a Moderator for said meeting** – J. Rivers opened at 7:30 PM and asked that all stand for Pledge of Allegiance. Maureen Nicholson then gave a brief presentation of the volunteerism that took place during Tropical Storm Irene and read the list of names of citizen volunteers.  
John Folsom then moved to nominate Walter Hinchman as moderator. Nick Gardner seconded. Nora Johnson moved to close nominations and Jim Robbins seconded. All in favor to close nominations and all in favor to nominate Walter Hinchman.

To consider a summary overview and presentation regarding the possible purchase of land and/or development rights of properties enumerated in Articles Three through Eight – J. Robbins gave a brief slide presentation compiled by the Conservation Commission regarding Open Space in Pomfret.

**Article 2:**        **To appropriate \$ 608,000.00, in grant funding awarded to the Town by the United States Department of Agriculture Natural Resource Conservation Service; for costs related to acquisition by the Town of one or more parcels of land, or of easements, development rights or other interests in or rights related thereto, for open space, agricultural, passive or active recreational uses or related municipal purposes, or any combination thereof, provided that no portion of the appropriation shall be expended for the acquisition of a particular parcel of land or interest in or related thereto, other than for costs preliminary to such acquisition, until such acquisition: (1) has been submitted to the Planning and Zoning Commission of the Town for review pursuant to Section 8-24 of the Connecticut General Statutes, Revision of 1958, as amended; (2) has been approved by the Board of Selectman upon recommendation of the Board of Finance; and (3) has been approved by the Town Meeting. Said appropriation will be utilized to pay portions of the costs attributed to the proposed acquisitions set forth and described in Articles 3, 4 and 5 set forth below** – W. Hinchman read Article 2 to record. Sarah Heminway moved to approve and Nora Johnson seconded. Mary Smutnick asked if the properties in question would be voted on separately. There were no further questions. Article 2 approved with unanimous vote of aye.

**Article 3:**        **To see if the Town will ratify, amend and reapprove the expenditure of \$ 791,000.00 from, and in accordance with the \$4,000,000.00 appropriation approved by Town Meeting at referendum held on February 5, 2008, as approved by Special Town Meeting vote on October 22, 2009; with \$ 400,000.00 of said expenditure to be paid from the \$ 608,000.00 grant funding appropriation set forth in Article 2, and the balance of \$ 391,000.00 from said \$ 4,000,000.00 appropriation; and confirming that the acquisition will be the purchase of a Deed of Conservation Restrictions by the Town of Pomfret, as Purchaser, and William F. and Martha MacLaren and Tyrone Farm Management, Inc. as Sellers, pertaining to areas of certain parcels of land as follows: that parcel depicted as Pomfret Assessor's Map 9, Block G, Lot 1.0 comprised of approximately 27.38 acres; that parcel depicted as Pomfret Assessor's Map 14, Block C, Lot 4 comprised of approximately 1.81 acres; that parcel depicted as Pomfret Assessor's Map 14, Block C. Lot 1.0 comprised of approximately 29.94 acres; that parcel depicted as Pomfret Assessor's Map 14, Block C, Lot 1.01 comprised of approximately 18.25 acres; that parcel depicted as Pomfret Assessor's Map 14, Block B, Lot 15 comprised of approximately 57.35 acres; and that parcel described as Pomfret Assessor's Map 9, Block E, Lot 5 comprised of 14.7 acres for a total of approximately 149.43 acres of land, all in accordance with the terms and conditions of the Purchase and Sales Agreement between the Town of Pomfret, as Purchaser and said parties as Sellers, dated as of September 28, 2011 and to authorize the Board of Selectmen to take all such further necessary action to execute said Agreement** – Walter Hinchman read to record and Tim McNally moved to approve Article 3 and motion was duly seconded. Jim Robbins provided a brief slide presentation of the property. Sally Johnson asked if the town's portion is still from the approved 4 million. It is. Mary Smutnick asked about use restrictions. J. Rivers stated that NRCS added some detail to language. There is still some large poultry farm restrictions. The property would not be open to public access. It was asked why the State funding was not involved with this property. The State is more restrictive in terms of agricultural soils and therefore passed on this piece. Call for vote – Article 3 approve with unanimous vote of aye.

**Article 4:**        **To see if the Town will approve the expenditure of \$ 250,000.00 from, and in accordance with, the \$4,000,000.00 appropriation approved by Town Meeting at referendum held on February 5, 2008; with \$ 125,000.00 of said expenditure to be paid from the \$ 608,000.00 grant funding appropriation set forth in Article 2, and the balance of**

**\$ 125,000.00 from said \$ 4,000,000.00 appropriation; and the purchase and acquisition of Development Rights by the Town of Pomfret, as Purchaser, and Louis C. Terricciano, as Seller, pertaining to parcels of land located at 183 Chase Road depicted as Pomfret Assessor's Map 11, Block A, Lot 8 comprised of approximately 58.50 acres, and 195 Chase Road depicted as Pomfret Assessor's Map 16, Block A, Lot 1 comprised of approximately 8.1 acres, for a total of approximately 66.60 acres of land, all in accordance with the terms and conditions of the Purchase and Sales Agreement between the Town of Pomfret, as Purchaser and said Louis C. Terricciano Seller, and to authorize the Board of Selectmen to take all such further necessary action to execute said Agreement and complete such borrowing -** Walter Hinchman read Article 4 to record and Tim McNally moved to approve. Jim Robbins seconded. J. Robbins then provided a brief slide presentation of the property. There were no questions. Article 4 approved with a unanimous vote of aye.

**Article 5:** To see if the Town will approve the expenditure of \$ 166,000.00 from, and in accordance with, the \$4,000,000.00 appropriation approved by Town Meeting at referendum held on February 5, 2008, with \$ 83,000.00 of said expenditure to be paid from the \$ 608,000.00 grant funding appropriation set forth in Article 2, and the balance of \$ 83,000.00 from said \$ 4,000,000.00 appropriation set forth in Article 2; and the purchase and acquisition of Development Rights by the Town of Pomfret, as Purchaser, and Sandra L. Flath and David E. Flath, as Sellers, pertaining to a parcel of land located at 300 Hampton Road depicted as Pomfret Assessor's Map 22, Block D, Lot 2.0 comprised of approximately 26.65 acres of land, all in accordance with the terms and conditions of the Purchase and Sales Agreement between the Town of Pomfret, as Purchaser and Sandra L. Flath and David E. Flath as Sellers, and to authorize the Board of Selectmen to take all such further necessary action to execute said Agreement and complete such borrowing – Walter Hinchman read Article 5 to record and T. McNally moved to approve. Motion was duly seconded. Jim Robbins then provided a brief slide presentation of the property. There were no questions. Article 5 approved with a unanimous vote of aye.

**Article 6:** To see if the Town will approve the expenditure of \$ 180,000.00 from, and in accordance with, the \$4,000,000.00 appropriation approved by Town Meeting at referendum held on February 5, 2008 , and the purchase and acquisition of Development Rights by the Town of Pomfret, as Purchaser, and Nora V. Johnson, as Seller, pertaining to a parcel of land located at 200A River Road depicted as Pomfret Assessor's Map 25, Block B, Lot 8 comprised of approximately 37 acres of land, all in accordance with the terms and conditions of the Purchase and Sales Agreement between the Town of Pomfret, as Purchaser and Nora V. Johnson, as Seller, and to authorize the Board of Selectmen to take all such further necessary action to execute said Agreement and complete such borrowing – Walter Hinchman read Article 6 to record and Tim McNally moved to approve. J. Robbins seconded. J. Robbins then provided a brief slide presentation of the property. Mary Smutnick asked if there would be the same restrictions on this piece or if they would be varied. Basically they would be the same. Sally Johnson asked why no grant money was applied here. The grants are primarily for farmland and much of this property is wooded. There were no further questions. Article 6 approved with a unanimous vote of aye.

**Article 7:** To see if the Town will approve the expenditure of \$ 325,000.00 from, and in accordance with, the \$4,000,000.00 appropriation approved by Town Meeting at referendum held on February 5, 2008 , and the purchase and acquisition of Development Rights by the Town of Pomfret, as Purchaser, and James D. Carter, as Seller, pertaining to parcels of land located at 173 Babbitt Hill Road depicted as Pomfret Assessor's Map 23, Block C Lot 2 comprised of approximately 96.5 acres, and 174 Babbitt Hill Road depicted as Pomfret Assessor's Map 23, Block D, Lot 2 comprised of approximately 10.46 acres for a total of approximately 106 acres of land, all in accordance with the terms and conditions of the Purchase and Sales Agreement between the Town of Pomfret, as Purchaser and said James D. Carter Seller, and to authorize the Board of Selectmen to take all such further necessary action to execute said Agreement and complete such borrowing – Walter Hinchman read Article 7 to the record and Tim McNally moved to approve. Motion was duly seconded and Jim Robbins provided a brief slide presentation of the property. A man asked if this is for the entire piece. It is except for a small piece for the home and buildings. This area is typically about 2 acres. A woman asked how long a Development Right purchase is good for. It stays in place unless otherwise voted by the Town. The rights go with the property – not the individual. Descendants cannot take back without Town approval. Gail McElroy asked about the trailers and residents on the property. Some of the residents have left. As that happens they cannot go back to the nonconformance. Trailers and residents will then no longer be grandfathered. Call for vote and Article 7 was approved with a unanimous vote of aye.

**Article 8:** To see if the Town will approve the expenditure of \$97,200.00 from, and in accordance with, the \$4,000,000.00 appropriation approved by Town Meeting at referendum held on February 5, 2008 and the purchase and acquisition of land by Town of Pomfret, as Purchaser, and Daniel F. Blackmore and Francene Blackmore,

as Sellers, of a parcel of land comprised of 27.03 acres and located on Jericho Road, which is depicted as Parcel ‘2’ on a certain plan on file in the Pomfret Town Clerk’s Office as Map No. 962, entitled: “ Plan of Land Prepared for Daniel F. Blackmore and Vernon S. Gray, III, Jericho Road, Pomfret, Conn., Scale: 1”=100’; Date: December 1989, Normandin Associates”, all in accordance with the terms and conditions of the Purchase and Sales Agreement between the Town of Pomfret, as Purchaser and Daniel F. Blackmore and Francene Blackmore, as Sellers and to authorize the Board of Selectmen to take all such further necessary action to execute said Agreement and complete such borrowing – Walter Hinchman read Article 8 to record and T. McNally moved to approve. Motion was duly seconded and J. Robbins gave a brief slide presentation of the property. Mr. Hinchman pointed out that this is for the outright purchase of the land – not only the development rights. Michael Baum asked how this purchase will benefit the average person. J. Rivers stated that it links other trail properties and will benefit any hikers, bikers, horseback riders, etc. in trail access. M. Baum asked about the tax implications and it was thought it would be a tax revenue loss of a few thousand dollars. Hunting is not allowed on Town-owned properties. Call for a vote and Article 8 passed with an overwhelming vote of aye with one nay heard.

**Article 9:** To see if the Town will formally rescind the approval of Article 8 of the call of the October 22, 2009 Special Town Meeting, which pertained to the contemplated acquisition of land from Elaine R. Baker, said transaction having not been executed – Walter Hinchman read Article 9 to record. So moved by Tim McNally and Nick Gardner seconded. Some discussion about possible repercussions if this was not approved. The owner of the property, however, is no longer interested in the sale. Article 9 passes with a unanimous vote of aye.

**Article 10:** To do any other business proper to come before said meeting – There was no other business presented. Jim Rivers thanked all and stated that these pieces mark the end of the approvals for the 4 million in bonding that was approved a few years ago. J. Robbins then moved to close the meeting and Bill Lewis seconded. All were in favor and meeting duly adjourned at 8:40 PM.

Duly Recorded: \_\_\_\_\_  
Bonnie Ryan, clerk

Attest: \_\_\_\_\_  
Cheryl A. Grist, Town Clerk