

**OPEN SPACE COMMITTEE  
TOWN OF EAST HADDAM  
LAND USE OFFICE  
Special Meeting Minutes  
April 28, 2008  
(Not yet approved by the Committee)**

**1. CALL TO ORDER:** Chairman Will Brady called the meeting to order at 7:05 p.m. in the Town Annex.

**2. ATTENDANCE:**

**Present:** Will Brady – Chairman (HDC), Robert Bennett (BOF)(arrived 7:22 p.m.), Bernard Gillis (P&Z), Mary Augustiny (IWWC), Emmett Lyman (BOS), Rob Smith (Land Trust), Harvey Thomas (EDC), Cynthia Matthew (Conservation Commission)(arrived 7:27 p.m.)

**Absent:** Brad Parker (Parks & Rec), Bryan Perry (BOE)

**Others:** James Ventres and approximately 10 townspeople

**3. DISCUSSION**

**A) Criteria for the determination of potential open space purchases**

Mr. Brady explained that the purpose of this component of tonight's meeting was to discuss how the Committee came up with the open space committee, ordinance, etc. This meeting came about because there were questions about from where the criteria originated. He explained that many of the documents used for the basis of the open space were not available online, as they came from UCONN. He asked Mr. Ventres to prepare some information regarding this at the last meeting, which he did. Mr. Ventres sent this information to a few people who had voiced interest. There were copies of this information available this evening. Mr. Brady asked Mr. Harris if he received this informational packet via mail, to which Mr. Harris responded affirmatively.

Mr. Ventres gave everyone a brief history of the open space creation. In the 1980's and 1990's, there was no budget for open space. Around the same time, Mr. Jim Gibbons of UCONN was giving presentations on open space, planning, etc. Mr. Ventres has asked Mr. Gibbons if this information was available online, to which Mr. Gibbons stated they were not.

Mr. Ventres explained some of the criteria they look for, such as contiguous areas, areas that are adjacent to other existing open space land, riparian corridors, areas with recreational uses, historical/archaeological aspects, etc.

They began formulating a fund in 1997. They used the purposes and goals from the UCONN information. He went before the Board of Finance, and the Board approved the creation of a \$50,000 budget line. An ordinance was written and brought forth to the Town. The townspeople looked at these presentations and what the State was doing. Much of the open space ordinance mimics the State grant requirements, the Jim Gibbons presentations, etc.

Mr. Ventres explained that when this began, there was some opposition to open space acquisition. Some people did not want to write an ordinance, even though there is balance to this ordinance. At the time, they went through different variations of purchasing properties. Some people thought there was not enough protocol, so they worked on it. A few years ago, they looked at a parcel, and some people from the Board of Finance asked how a determination was made if there were two parcels available, so they asked for criteria. Criteria were written at the direction of the Board of Finance.

Mr. Ventres explained that the Open Space Committee is comprised of one representative from every board that has land use interests. The Committee worked for approximately four months on a sheet for assessing potential properties. Mr. Ventres distributed the criteria sheets to the Committee and to the audience. He noted that page 2 mimics goals 1-10 of the State. He explained that each Committee member evaluates a property, and then the Committee makes a decision.

Mr. Ventres noted that conservation corridors are important in an evaluation. If the water quality is good, then the surrounding habitat is likely good as well. He stated it is a known fact that the bottom of the Eightmile River watershed, Hamburg Cove, and up through to Marlborough is one of these corridors. He displayed presentation boards that showed the various watersheds. He explained that this answered some of the BOF's questions about how the Committee prioritizes properties. He added that this evaluation worksheet was put into place approximately in 2005.

Mr. Brady noted that when the Committee was putting together easements, one property the BOF asked for an evaluation of was the Gelston easement.

Mr. Bennett arrived at this time.

Mr. Ventres stated when he originally went to the BOF and asked for money for open space, he asked for \$3 Million. The BOF approved \$50,000, which opened up the budget line.

Mr. Brady stated that the Eightmile River watershed was given top priority for several factors. The Nature Conservancy identified the Eightmile River as one of the last great places. In addition, UCONN has also identified the Eightmile River. All of the other factors also favor that particular watershed. For those people who came to the Committee with concerns about other areas, he stated the Committee would welcome hearing about criteria for other areas.

Mr. Brady stated the regular meeting of the Committee was scheduled to begin at 8:00 p.m., but there was time for everyone to talk now. He opened the discussion to the public.

Mrs. Nancy MacKinnon stated she appreciated all of the efforts of this Committee, as the open space program was near and dear to her heart. She stated she was speaking on behalf of her mother as well, who could not be here. Mrs. MacKinnon believed the open space program should be a living program that changes as the needs change. She spoke to the benefits of sustainable living and promoting local foods, etc.

Ms. Matthew arrived at this time.

Mrs. MacKinnon believed they should level the playing field for all of the watersheds. She stated that the Connecticut River was another great place, in addition to the Eightmile River watershed. She believed the open space process should be made more transparent to others, who might be thinking of selling their land or even for easements. She stated there needs to be a network and outreach program with other organizations that could strengthen this. Mr. Brady responded that this was why the Land Trust was made part of this committee. He asked if Mrs. MacKinnon was suggesting a publicity budget. Mrs. MacKinnon stated that might be a possibility. Mr. Brady explained that the Committee could not lobby for the creation of this. The Land Trust helped the Committee in getting publicity in a way the Committee could not do by themselves. He agreed that outreach was very important.

Mrs. MacKinnon believed the criteria needs to be very clear, and it was important to identify who interested parties could contact, and how they could get information. She believed many people in Town were still unsure of their options when it came to selling property.

Mr. Thomas suggested, since the regular portion of the meeting was scheduled to begin at 8:00, that the Committee limit this part of the meeting to collecting input, as opposed to trying to analyze each comment on the spot.

Ms. Barbara Bloomberg stated she liked Mrs. MacKinnon's idea of leveling the playing field for all of the watersheds in town. She showed everyone a map, on which she had outlined all of the parcels of land over 50 acres. She stated this was interesting, because these parcels were not just in one area, but they were all over town. She stated she was not trying to belittle the Eightmile River watershed, as she believed it was a great area, and important, and she had done a lot of lobbying for it. However, she suggested maybe the Committee could re-evaluate how the criteria are used, because she felt a lot of the other areas were equally important.

Mr. Brady stated the Town had been rebuffed by some people with available land. Ms. Bloomberg stated she understood this. Mr. Brady added that the Committee cannot immediately give a property owner a check to buy land if they are interested in selling quickly. Ms. Bloomberg suggested that maybe the ultimate goals could be that the Committee could look at all of these areas. Ms. Bloomberg suggested that possibly criteria could be developed more so they were really just working from goals with a more extensive list. She also suggested they might possibly exclude the rating for the watershed.

Ms. Bloomberg referred to the minutes of the last meeting. She stated other factors could possibly keep other properties from being considered. She suggested maybe the criteria could be all-encompassing.

Mr. Todd Gelston stated if anyone has been around the countryside, they would realize that East Haddam is very fortunate. He stated that we should take advantage of every opportunity to preserve land. In his experience, the most influential people are the landowners. If they believe that you think their land is valuable, they will be more interested. The message would be that everyone values their property. He likened the key properties within a watershed to large jewels, but he stated there are also many smaller jewels as well. In addition to large areas, he stated there must also be a number of smaller areas where wildlife can live, just like for people.

Mr. Gelston stated the second most important thing to remember is the public. Many people now can only afford to own small parcels of land, but they still enjoy more land. He stated these two things should get the Committee to a point where people come to it. Mr. Brady commented that some people do come to them.

Mr. Gelston stated that a successful program would sell itself. He believed the mechanisms of the criteria presented tonight make sense, but he cautioned the Committee not to box themselves in, as smaller parcels could serve to support other parcels. He stated the Committee might not get all of the big parcels, or that they might not get them soon. He suggested they might get bargain sales of smaller parcels sooner than the larger ones. He believed the Committee must convince people that they care about all of the properties in town.

Mr. Gelston stated he did not see vistas listed in the criteria, but he stated people wanted to see what they were paying for. Mr. Brady clarified that the evaluation form does include scenic views.

Mr. Gelston referred to a parcel on Routes 82 and 151. He stated a brook flows to the east toward Shagbark, and it is wooded to the west. A few years ago, there was a proposal for this area to be developed. He stated this was a small vista, but it was an important one, and that was key. Mr. Thomas informed Mr. Gelston that the person who owned that property would not sell it to the Town. He stated they worked for two years to preserve it as well as they could. It was not that the Committee did not try. Mr. Gelston remarked that they tried too. He told the Committee not to be discouraged by a turndown, and to keep trying. He stated when they build a program where everyone knows what it is, people will begin donating, allowing bargain sales, etc., and there will be fewer refusals. Mr. Gelston stated that timing was everything. Right now, land prices are down. When the economy turns around and we come out of this recession, the money won't go far.

Mr. Paul Stuhlman reiterated Mrs. MacKinnon's comments that this open space criteria should be a living document. He suggested every five years, the Committee step back and look at the bylaws for the Committee, how it is organized, etc. He stated he appreciated Mr. Ventres' comments that the criteria mimics the State's criteria; however, he stated we are all here to maintain the Town's quality of life. He believed open space should be weighted toward greenbelts, not just green ways.

Mr. Ventres commented that we do mimic the State's criteria because they give us money to help preserve open space. If they can get 40-60% of the cost of a parcel funded, it makes sense. He presented a map and stated the open space parcels are not just in one spot, but there are several locations throughout the Town. He explained that everything they have submitted to the State has been awarded grant money. They don't want to send in applications for parcels that the State would not award.

Mr. Stuhlman suggested the criteria might have some forward-thinking language about the land around East Haddam-Colchester Turnpike and Town Street. He asked if it would be possible to have the criteria weighted to certain areas. Mr. Brady asked if Mr. Stuhlman was asking about identifying target areas, to which Mr. Stuhlman responded affirmatively. Mr. Stuhlman added that this would bring more balance,

not just 5 years down the road, but 50-100 years down the road, just like Mr. Ventres said. Mr. Brady stated that the Committee is looking far down the road.

Mr. Scott MacKinnon stated he was here to speak about smaller parcels. In his experience of talking with people, he believed people would like it if the Town made a more strenuous effort to keep smaller neighborhood areas. He suggested as an application goes through P&Z, IWWC, that they set aside some prime area. He stated he grew up in Darien, CT, and as a child, he played in a 5-acre patch of woods, and came to appreciate it.

Mr. Michael Harris stated he looked through the ordinance and could not find anything about frequency of review. Mr. Brady stated there was not. Mr. Harris agreed with Mrs. MacKinnon about weighting different watersheds equally. He stated he was speaking for smaller parcels. He asked how they could choose one watershed over another.

With regards to transparency, Mr. Harris asked if the minutes of the Open Space meetings could be posted on the Internet. He noted there were none listed for 2006 or 2007. Mr. Brady explained that many of the meetings have been held in executive session, because they were focused on potential purchases of properties. Mr. Harris asked if there were rules about how executive sessions could be held. Mr. Brady stated the rules for executive session were governed by statute. Mr. Harris asked what statute. Mr. Brady responded by State statutes. Mr. Ventres explained that executive session can be held for discussions about potential purchases of properties and contracts, pending litigation, and/or review of staff. Ms. Augustiny added that no decisions could be made in executive session.

Mr. Harris believed it might be helpful to have this information available. Mr. Thomas stated there was a brochure from the State available. Mr. Ventres suggested they could also type in Freedom of Information into the Internet to obtain information.

Mr. Harris asked about the rules for the committee itself. Mr. Brady explained that the rules were governed by the ordinance. Mr. Brady read from the ordinance, that it would be comprised of one representative from each board/commission, and that they would follow the political balance in accordance with State statutes.

Mrs. Charlotte Gelston asked if there were limits on terms for the members. Mr. Brady explained that the liaisons do change occasionally. Mrs. Gelston stated then that there is nothing specific for term limits, unless someone chooses they don't want to be the representative any longer. Mr. Ventres stated there is no mandated turnover. Mr. Gillis asked what the specific issue with this was, if someone thought there was a fiefdom. Mrs. Gelston stated she was just asking for clarification.

Mr. Harris stated he was just asking questions about what was written. He stated that Section 2 of the goals seems to confuse the objective. He commented that it was not consistent with everything else the Committee was about. Mr. Ventres stated in 1997 when this Committee was formed, if there had not been a balance, they would have had a tough time getting through the process. At that time, some people thought open space was just because some others didn't want development.

Mr. Harris stated that life is about change too. He stated what was written in 1997 might not be right for today. He asked, in terms of the criteria, about his experience with open space evaluation. Mr. Brady stated the Committee could not speak about particular parcels, as there were open hearings, and they could not prejudice any members. Mr. Harris wished to look at the goals for preservation of a parcel. Mr. Brady stated if they discussed particular parcels, he would have to ask some members of this Committee to leave.

Mr. Ventres asked if Mr. Harris would agree that he attended the meetings when particular properties were discussed. Mr. Harris stated he was standing here today to talk about the results. Mr. Thomas explained that he, Mr. Gillis, and Ms. Augustiny would have to leave if a particular property was discussed. There are open public hearings, and they cannot prejudice themselves. Mr. Thomas recommended that Mr. Harris put any questions he had in writing, and to submit them to Mr. Ventres for screening. Mr. Harris was amenable to this.

Mr. Harris stated he had one more question. Regarding maintaining the intent of rural character, he knew that money was important, but when parcels are identified, as attractive as a parcel might be to State money, they are giving away their open space. He stated that many people want to see our town take control. He has heard a number of times about parcels being based on State money. He questioned how they could disconnect from that.

Mr. Harris stated when he and a group of people talked about this, they decided that the Committee needs to develop expertise in five areas: 1) Process; 2) Clarity of what we want to preserve in town; 3) Methods of acquiring open space and not just jumping into it, but using creativity to allow us to become less dependent on other funds; 4) Cultivating land owners; 5) Outreach through programs to attract and involve the community. He stated these were some of the themes they thought were important.

Mr. Smith asked if Mr. Harris was going to put information together and submit it to Mr. Ventres. Mr. Harris responded affirmatively.

Mr. Brady indicated that the State has certainly been a large purchasing partner with the Town; however, the Land Trust, The Nature Conservancy, etc. have been partners as well. The Town has also said they would pursue some parcels alone if they could not get partners.

Mr. Smith stated the Land Trust has conducted many outreach programs over the past few years, and they would continue to do so.

Mr. John Matthew stated that he personally was a very strong proponent of open space. A lot of areas on the eastern side of town have been served well by open space. However, he stated when he looked at this from the average taxpayer's perspective, they should not just be spending a lot of time on the east side of town. He believed they should bring a little more balance, and consider smaller parcels. He stated when someone drives to the pharmacy, for instance, that it should still feel rural. Mr. Brady explained this was exactly why every parcel goes to a Town Meeting for acceptance or rejection.

Mr. Matthew believed there was an ecological benefit to contiguous open space. However, to the average person, he/she might want something closer. He believed it would benefit everyone to consider this.

Mr. Ventres explained that the Committee has looked at open space parcels as small as 11 acres. For some, they have been unable to get the owner to the table. Mr. Matthew believed it would be helpful if the criteria stated that. Mr. Ventres stated the criteria is set up with a section for intangibles, views, etc. He stated that much of this discussion occurs in executive session. If a parcel is not rated highly, there are probably several reasons.

A property owner on Norwich Road, asked if there were any stats to help in the purchasing of parcels. Ms. Augustiny explained that type of information has helped the Committee's process. Mr. Brady explained such information has been immensely helpful in going to the Board of Finance. It was suggested if the process ever gets changed again, there should be feedback.

Mr. Scott MacKinnon asked if the Committee was allowed to discuss several parcels in executive session. Mr. Ventres stated they absolutely were allowed to do so. Mr. MacKinnon stated when they looked at land for the new school; they reviewed a lot of properties very quickly. He asked if discussing many properties would incite landowners. Mr. Ventres explained that the Land Trust has the ability to send out flyers to property owners with 50 or more acres. Mr. MacKinnon asked if there was a selector for discussion, if this would not incite people. Mr. Ventres stated they were asked during a public hearing if they could identify parcels in which the Committee was interested. They said no, because this would immediately alert developers about potential properties.

Mr. Ventres noted that the Committee has never been looking at two 50-acre parcels in two different watersheds, with exactly the same attributes. Mr. Brady noted that he is on the HDC. Properties with a lot of historic value probably would not be big parcels of land. He stated that historical pieces are easy to identify. However, there are some sites with archaeological interests, that if identified, people might remove pieces.

Mr. Stuhlman referred to a comment Mr. Brady had made about looking at the ordinance, etc. He asked if the Committee was taking a fresh look at this. Mr. Ventres stated they were doing so right now.

It was noted that the time was well beyond 8:00 p.m., when the regular meeting was to begin. Mr. Thomas stated the Committee had collected a fair amount of input, with a couple of general themes. One was about the way properties get prioritized. The other was to take a look at the ordinance to see if it needed any adjustments. He asked if anyone would be interested in assembling a work group, with some people from the Committee and some people from tonight's audience to talk about these issues, and then come back for discussion. Ms. Augustiny suggested this work group could review a couple of parcels that have already been designated as open space for discussion purposes.

Mrs. Gelston asked if there was ever a property that had 100 acres, but it was not near a brook or a stream, and that had nothing really fascinating except that it was not covered with houses. She asked if such a property would be approached. Mr. Brady stated they Committee could not speculate on this. Mr. Ventres did not believe there would be a 100-acre parcel that could not fit the criteria.

Ms. Matthew stated that the agenda tonight listed the open space criteria. However, there was talk about the makeup of the Committee, and diversity in the group. Mr. Brady stated the Open Space Committee is a Town committee, and it is comprised of one member from each board and commission. Ms. Matthew stated she heard people asking questions about amending the ordinance. She believed the Committee should give careful consideration to the themes. Mr. Ventres suggested the Committee look at the minutes, the information Mr. Harris submitted, and then talk at the next regular meeting. He stated he could also bring the rules for meetings, etc.

Mr. Gelston stated that this open space program takes a lot of work. He liked Mr. Thomas' idea of getting people involved. Mr. Brady stated this was only limited to the Committee here tonight. However, if people were interested in being part of a subcommittee, they should contact Mrs. Lombardo in the Land Use office, at 873-5031. Mr. MacKinnon volunteered, and suggested that people who might want to do this could fill out volunteer forms, which are found in the Selectman's office. Mr. Michael Marsden volunteered. Mrs. Gelston noted that Mr. Harris had left, but he would probably want his name added to this list.

Ms. Sue Barnhardt stated she was a new resident to East Haddam. She asked how she could find out about upcoming meetings. Mr. Brady informed her that all Town meetings are posted in the Town Clerk's office. Ms. Matthew stated this meeting should also be posted on the website.

Ms. Augustiny responded to the comments about changing the ordinance. She stated that changing the ordinance would not be the responsibility of this Committee. It would be the Board of Selectmen's responsibility to change the ordinance. This Committee simply enacts the ordinance.

Ms. Bloomberg voiced her appreciation for all of the work done by this Committee behind the scenes to preserve open space. She stated this Committee was a valuable asset to the town. Looking at the criteria, she believed it could be developed further.

Mr. Brady concluded this portion of tonight's meeting at 8:45 p.m.

**Motion by Mr. Thomas to approve the minutes of the March 24, 2008 special meeting as presented. Seconded by Mr. Smith, and carried by unanimous vote.**

#### **4. EXECUTIVE SESSION**

##### **A) Potential property purchase**

**Motion by Ms. Augustiny to enter executive session at 8:50 p.m. for the purposes of discussing potential properties. Seconded by Mr. Lyman, and carried by unanimous vote.**

**Motion by Mr. Smith to exit executive session at 9:45 p.m., seconded by Mr. Lyman, and carried by unanimous vote.**

**NO MOTIONS WERE TAKEN, AND NO DECISIONS WERE MADE.**

**5. ADJOURNMENT**

**Motion by Mrs. Augustiny to adjourn at 9:46 p.m. Seconded by Mr. Smith, and carried by unanimous vote.**

Respectfully submitted,

Holly Pattavina