

TOWN OF COLUMBIA
SPECIAL TOWN MEETING
MAY 5, 2015

A Special Town Meeting of the electors and citizens qualified to vote in the Town of Columbia, Connecticut was held in the Adella G. Urban Administrative Offices Conference Room, 323 Route 87, Columbia, CT on Tuesday, May 5, 2015 at 6:45 p.m.

Present were First Selectman Carmen Vance, Selectman Steven Everett, Selectman Robert W. Hellstrom, Selectman Robert J. Bogue, Town Administrator Natasha Nau and Town Attorney Henry Beck Jr.

MODERATOR: Mark Vining
TOWN CLERK: Robin M. Kenefick
CITIZENS: 80+/- Present

The meeting was opened by First Selectman Carmen Vance at 6:45 p.m. In consideration of the large audience that had gathered, a motion was made by Carmen Vance to adjourn the meeting to Yeomans Hall. The motion was seconded by Robert Bogue, passed and the meeting moved. Carmen Vance opened the meeting again at 6:47 p.m. and turned it over to the Moderator who read the legal notice and explained the procedures and who may vote at this meeting.

CLAUSE 1: Motion was made by Carmen Vance.

“I move to approve the sale of a portion of town land, approximately 50’ by 230’ beyond the southeastern terminus of Robert Drive to Nancy Tabor for the consideration of \$6,000 per the fully executed agreement entitled “AGREEMENT FOR SALE AND PURCHASE REAL ESTATE” dated April 9, 2015.”

The motion was seconded and the floor opened to C. Vance to speak on the motion.

Carmen Vance relinquished her time to speak over to Paula Stahl, Town Planner, to describe very specifically what it is we are talking about so that everyone understands where we are and what we will be voting on. P. Stahl presented a partial history of this part of town, using a map to show and describe the location of the property. The Town Planner explained the area was all farmland at one time and in 1993, Paul Randazzo received approval from the Planning and Zoning Commission to subdivide his property into multiple lots and created Randazzo Road. A few years later, he created another subdivision, which created Robert Drive. In 1996, the Town accepted the improved portion of Robert Drive. At the end of the cul-de-sac there is a small strip of land, 50’ by 230, retained by the Town as a result of the Town’s planning process to be able

to extend the road in the future. In 2000, Nancy Tabor purchased a parcel of 93 +/- acres extending from Route 87 to the Lebanon town line as a working farm. In 2013, Nancy Tabor, received funds from the Natural Resource Conservation Service for a Grassland Reserve Program Conservation easement on approximately 30+/- acres of the farm land, those areas being marked out on the map. The development rights for those acres belong to the Federal Government. Last fall, Walter Tabor talked to the Building Department/Town Planner to inquire about putting a barn on his property in the back and wanted to access the property off of Robert Drive on the strip of land, currently owned by the Town. The Town Planner said in order for Walter to improve the land for access he would have to get permission from the Town in the form of an easement or purchase the strip of land from the Town outright.

Richard Nassiff, 11 Webster Lane, spoke in favor of the sale and noted that the Tabor farm is a working farm in a residential/agricultural zone and that the Town tries to do everything possible to enhance the ability of farmers to farm in Columbia.

The floor was opened for discussion. Shirley King, 31, Woodland Terrace also spoke in favor of the sale. As a member of the Open Space Committee, it is important to keep a rural atmosphere in Columbia.

Jim Knight, 11 Robert Drive, stated his concern on how the Town handled this proposed sale without informing the public and property owners who this affects, not allowing the opportunity to raise questions. The property owners have no problem nor want to interfere with Nancy Tabor on the farm but they still have concerns they would like addressed. The property owners are looking to protect their front yards. Jim Knight stated that after a discussion with Walter Tabor, who was speaking on behalf of his wife Nancy Tabor, the purchaser, Walter gave him his word that the following would be written into the deed and abided by Nancy Tabor after the purchase of the property.

- No storing vehicles or parking would be allowed on the land
- They will try to limit the gates for fencing to prevent trespassing
- The road would be improved to accommodate his farm equipment (25' maximum)
- Aside from the road improvement, no other area would be developed
- No sheds would be built on it
- Graydon Godfrey would have use of the road to access his property
- Trees will be trimmed but not cleared

Graydon Godfrey, 12 Robert Drive, stated that the neighbors are very upset they didn't get the information or the chance to research this as he was able to this past week. G. Godfrey stated that Walter and Nancy are good people and it is not his intention to stop them from farming or having access to their land. He is in favor of the sale.

Walter Tabor, 544 Route 87, spoke to the fact that he and his wife have purchased additional land in Lebanon next to this land in Columbia and plan to keep them as working farms. They have been working on preserving the properties with programs offered from the Department of Agriculture designed for grasslands, pasturelands. They reserved narrow strips of land around the preserved areas to be able to put in irrigation and utilities. When approached by the Department of Agriculture, they had to think quickly on where the preserved areas would be because they could not do anything in those areas once they are in place. W. Tabor stated they are looking for access to the back of the farm through Robert Drive. They are committed to the neighbors and their intention is to change as little as possible to obtain access to their property.

Jason Guilbeault, 3 Robert Drive, asked why W. Tabor would not want a hay storage barn closer to your home. W. Tabor stated that the hay in the barn near the house is about one half of what they produce. The back field has become more productive and more storage is needed closer to the field. The plan for the barn out back would be used for spring and fall sales of hay and for shelter/feed for their livestock. J. Guilbeault wanted clarification on “preservation of property”, and whether it was perpetual; the answer was yes. Additionally, he also wanted to know why the public has not heard of this sale until now. (Notice was placed on the Town website and in the local newspaper which is required). Paula Stahl assured the group that in the future an effort will be made to involve the neighbors earlier. The sale was advertised and a courtesy notice went out to all addresses on Robert Drive and Randazzo Road.

Ann Dunnack, 103 Lake Road, wanted clarification on whether the conservation easement is just in place on the property while the Tabor’s own it or if it stays with the land in perpetuity. P. Stahl stated it follows the land.

Steve Dumont, 10 Randazzo Road, asked if the Tabors would be setting up farm stands to sell produce /blueberries because this would cause traffic issues on the access road. W. Tabor stated no to setting up farm stands/pick your own blueberries.

Victor Almeida, 7 Robert Drive, had concerns about when the driveway excavation would begin, how many barns would be built and when construction would begin, how many feet set back and drilling wells. Walter Tabor addressed those concerns. They have a well, but would only drill a new well if the current one could not produce enough water. He would notify the Almeida’s as to when the building and excavation would approximately take place.

Carmen Vance, after hearing all the concerns, proposed an amendment to the motion on the table. She proposed that the motion be amended and the guarantees made by the Tabor’s at tonight’s meeting be added to the sales and purchase agreement and deed restrictions related to the purchase of this property. The motion was seconded by Robert Bogue.

The Moderator stated that we were now speaking to the amendment only. The original motion will be set aside and we will be speaking to the amendment, for or against inclusion of additional considerations. C. Vance heard the concerns expressed and also the support for Walter and Nancy Tabor and feels that it is important to put as much as possible of what has been agreed upon in writing. Mr. and Mrs. Tabor indicated they would do this. If the amendment was approved, we would go back to the drawing board with the items and put them in the proper language, to see that the Tabor's and the landowners agree, before all is made final.

Town Attorney Henry Beck Jr., 41 Sleepy Hollow Road, was asked for his help regarding this process. He stated that with respect to other people's use of this land, a Town meeting is not properly called for that. We have no business talking about that. W. Tabor, if not restricted in the deed, can make other arrangements with the neighbors and those could not be part of the sale to him. That goes beyond the scope of the meeting. No other speakers stepped forward. Carmen Vance stated she would amend her motion indicating that the guarantees stated by Mr. and Mrs. Tabor be added to the sales and purchase agreement and the deed restrictions.

H. Beck Jr. requested to have the minutes of the meeting reflect the clarifications as he understood it: Allow a 25' width of improvement and no restriction on fencing. W. Tabor is a man of his word and will confer with his neighbors before putting anything up. W. Tabor will talk to the Almeida's about construction plans and none of that would be recorded in the deed.

The Moderator asked for a voice vote on the amendment to the original motion.
YES: Majority NO: 3. On a voice vote, the amending of the motion passed.

The Moderator indicated that discussion could continue on the original motion as amended. Victor Almeida, 7 Robert Drive, asked about future easements/preservation. Paula Stahl addressed V. Almeida as did W. Tabor, who stated that he and his wife are working on a method now to preserve the farm for the future. They are looking for the right program.

The Moderator re-read the original motion as amended. A voice vote was taken on the original motion as amended. YES: Unanimous NO: 0. On a voice vote, the motion passed.

The meeting adjourned at 8:05 p.m.

Respectfully Submitted,

Robin M. Kenefick
Town Clerk