

## MINUTES

### TOWN OF THOMPSON

#### ORDINANCE REVIEW COMMITTEE SPECIAL MEETING

THURSDAY, MAY 26, 2022 2 8:00 AM

2<sup>ND</sup> FLOOR CONFERENCE ROOM – TOWN HALL

PRESENT: Al Landry, Dick Trudeau, Celeste Guimont, JoAnn Hall

ALSO PRESENT: Tyra Penn-Gesek, Town Planner; Paul Hopkins, Assessor; Residents- David & Valerie Clark, Raymond Williams, Mary Eames, Angela Authier

- 1) Al Landry, Chair, called the meeting to order at 8:02 AM.
- 2) Accept Minutes  
Dick Trudeau made a Motion to accept the Minutes of the October 8, 2020 meeting with the correction noted by Celeste Guimont to change Jo Hall's name to JoAnn Hall in the minutes, seconded by JoAnn Hall. All in favor, Motion carried.  
Dick Trudeau made a Motion to accept the Minutes of the May 5, 2022 meeting as presented, seconded by JoAnn Hall. All in favor, Motion carried.
- 3) Set Next Meeting Date  
Member discussion ensued, Dick Trudeau suggested a target date of July 1, 2022, which will give time for the Board of Selectmen to review final language, town counsel time to review, hold a Town Meeting, procedural time periods, etc. to have in place for the Assessor for the September 1 application time period. Member consensus agreed, & scheduled next meeting dates as Thursday, June 2, 9, & 16<sup>th</sup> if needed.
- 4) Citizen's Comments
  - a) Valerie Clark, 105 Alm Rd. stated the Agricultural Commission expended considerable hours researching the PA490 program as well as received substantial input from the citizens of the Town. The Open Space program has been administered in Town in good faith for over 40+ years, due to the Town's procedural error, not by any fault of the applicants or citizenship of the Town, over 50% of the properties in Town are covered under the Open Space program according to the Plan of Conservation & Development, this coverage has been taken away. Valerie is imploring the members to write an ordinance which restores the program they thought they were in this whole time & the property owner shouldn't have to reset the ten (10) year penalty period. Valerie stated it's important to codify the Open Space program in Town before the end of the fiscal year, parcels of 3 acres or greater of undeveloped, unbuilt land is eligible to be covered under the program, as voted by the Zoning Commission 6-18-1979 as well as the Planning & Zoning Commission 5-16-22. Valerie stated the Agricultural Commission's recommendation to P&Z Commission, who also approved the wording that was written to reflect the way land in Thompson is currently assessed as Open Space values; the PA-490 program was specifically created to safeguard land. Paul Hopkins, Assessor,

stated the property owners that have already been classified as Open Space in the past, will not have to restart the ten (10) year recapture time period. JoAnn Hall was pleased to hear that the property owners currently in the Open Space program will remain protected until this is resolved.

- b) Dave Clark, 105 Alm Rd., stated some citizens have been in this program for close to 40 years, he urges members to implement stands to protect those landowners, who in good faith, kept their land undeveloped. If those landowners are tossed out of the Open Space program after all this time, there's sure to be an uprising.

5) Review Public Act 490 Open Space

Celeste Guimont stated she agrees with Valerie Clark's statement that acreage classified as Open Space land cost the Town considerably less than residential property that uses all the Town services. Al Landry made a list of things he thought should be allowed or not allowed to be considered as open space, Donna passed out a sheet of Al's suggestions that members reviewed & discussed. Dick Trudeau stated he doesn't want to make the ordinance overly complicated. Tyra Penn-Gesek, Town Planner, stated the function of the ordinance is to provide the language for the Assessor to have the regulatory power to govern the PA-490 program. Commission discussion ensued. Dick Trudeau proposes the committee start with bare minimum language in the POCD & use the language as a starting point. Al Landry stated the Assessor has to determine the procedural processes. Tyra Penn-Gesek noted the Ordinance Review Committee & the Board of Selectmen are creating a regulatory document. Members began reviewing the "Draft Open Space" document, they reviewed Sections 1 - Purpose & Intent, everything appears good. Section 2 – Definitions, members discussed & would like to add the verbiage "land kept in its natural state" to the 'Open Space' definition, to read "Open Space – as defined in Chapter 203, Section 12-107b of the CT. General Statutes, means any unbuilt & undeveloped acre of land, including forest land & land designated as wetland under section 22a-30, & not excluding farmland, land kept in its natural state." Dick Trudeau suggested removing all the bullet points under Open Space definition, member discussion followed, member consensus agree to remove. The 'Unbuilt' definition, members added the verbiage "as defined in Section 2 in 'Building' "; members added the verbiage "as defined in Section 2 in 'Development' to the definition of 'Undeveloped'. Section 3 – Designation of Eligible Open Space Areas in Thompson, everything appears good. Celeste Guimont has concerns with the proposal that Open Space can be designated in all zoning districts, hence, commercial & industrial properties could qualify, this should not be allowed. Tyra Penn-Gesek, Town Planner, stated that is correct, land in all districts could qualify for the Open Space program. Section 4 – Qualification Criteria, ran out of meeting time, members will begin reviewing this section on Thursday, June 2<sup>nd</sup>, 2022.

6) Citizen's Comments

- a) Valerie Clark, spoke for Raymond Williams who had to leave the meeting early due to time constraints & work commitments; his concerns are citizen comments should be taken into account, his has questions on dams & excess land.
- b) Valerie Clark feels certain outbuildings shouldn't be excluded from Open Space, the Assessor changed the program administration, this is important, the definitions are important.
- c) Al Landry asked Donna to add "Member Comments" to the agenda.
- d) David Clark, pointed out on the list that Al Landry submitted & members reviewed of what should be allowed/not allowed in Open Space, he suggested paved parking areas should NOT be allowed. Consensus of members agreed & thanked David for his input.

- e) Angela Authier, 1448 Riverside Dr., questioned if fencing is allowed?
- f) Paul Hopkins, Assessor, stated he would need to get classification on fencing. There are 30+ towns in the State of CT. that have Open Space programs, he can look to them for input for the next meeting.
- g) Dick Trudeau would like input from Paul Hopkins on fencing for review & discussion for the next meeting.
- h) David Clark, pointed out that landowners must protect their property, fences should be allowed.

7) Adjourn

A Motion was made by Dick Trudeau to adjourn the meeting at 9:30 AM, seconded by JoAnn Hall. All in favor, Motion carries.

Respectfully Submitted,

Donna M. Hall,  
Recording Secretary