

PLANNING COMMISSION SPECIAL MEETING
WEDNESDAY, JANUARY 15, 2014
TOWN HALL 7:00 P.M.

Present: Chairman Michael Orefice, Paul Roche, John Souchuns, Christina Emery, Michael Letourneau, Land Use Coordinator Polly Redmond, 1st Selectman Michael Criss and Town Atty. Michael Rybak.

Absent: Steven Criss

Agenda:

Further discussion on 8-24 Referral to Board of Selectmen to accept the gift of a remainder interest in 79 ± acres of land on Bissell Road owned by the High Riders Snowmobile Club, Inc.

Chairman Orefice called the meeting to order at 7:00 p.m. All regular members present are seated.

Atty. Rybak has submitted to the Commission a letter, dated January 15, 2014, from Atty. William Hamzy, legal counsel for the High Riders Snowmobile Club, to Michael D. Rybak that includes a letter from Mr. David Standish, President of the High Riders Snowmobile Club. The letter from Mr. Standish is addressed to 1st Selectman, Michael Criss, stating that the Club has voted to leave the property they own to the Town of Harwinton should the Club ever dissolve. They require that the land be used by the general public for motorized or non-motorized recreational purposes.

1st Selectman Michael Criss states that if the Club were ever to dissolve, the Town of Harwinton has the first option to accept the land as a gift. The land would remain as open space which is in line with the town's Plan of Conservation and Development.

Chairman Orefice notes that the Commission did discuss this at their last meeting on January 8, 2014 but made no decision because they felt they needed more information. The Commission is presented with an aerial photo of the property obtained from the Assessor's Office and also a site plan of the property presented by the Land Use office. There is a small pond on the property but no dam. C. Emery questions whether there is any contamination risk with M. Criss answering, no. Upon questioning, M. Criss states that the property contains ledge and slopes, typical of Harwinton, but that it is a nice walk-thru from the State property of Roraback. P. Roche questions why the State of CT doesn't take the property since it abuts Roraback State Forest with M. Criss explaining that the Club would rather offer it to the town first. M. Letourneau questioned whether there would be shooting allowed on the property with M. Criss stating that it would depend on insurance. M. Criss states that this is all dependent on whether the Club disbands. A new deed will be filed that states, "land to be given to the Town of Harwinton when and if the Club ever dissolves." Atty. Rybak states that there will be a warranty deed accompanied by a title certificate to the Town of Harwinton along with an owner's affidavit and conveyance tax return. Title insurance will not be required as this is a contingent remainder interest, i.e., conditioned on future events which may or may not happen within given time period. Chairman Orefice recommends that John Fredsall, Highway Supervisor, walk the property prior to the town meeting on January 21, 2014.

Other points of discussion involved liability, which is the reason John Fredsall will inspect the property; and taxes paid by the Club.

P. Roche motioned to give a positive 8-24 Referral recommending the Town accept the gift of a remainder interest in 79 ± acres of land on Bissell Road owned by the High Riders Snowmobile Club, Inc.

M. Letourneau seconded the motion and it passed unanimously.

P. Roche motioned to adjourn the meeting at 7:20 p.m., seconded by C. Emery. Motion passed unanimously.

Respectfully submitted,

Polly Redmond, Land Use Coordinator