

**Town of East Windsor  
Conservation Commission  
Minutes**

Thursday, February 25, 2021  
Location:  
Zoom meeting due to Covid-19

Agenda

I. CALL TO ORDER – ZOOM meeting 7:32pm

II. ESTABLISHMENT OF QUORUM

1. Attended by: Albert Grant, Donna Grant, Fran Neill, Kurt Kebschull,  
Selectman Alan Baker, Town Planner Clark Chapin  
Received resignation from Jamie Sydoriak

III. ADDED AGENDA ITEMS

IV. APPROVAL OF MINUTES OF PREVIOUS MEETING

Motion to approve minutes of 1-28-21 made by Albert Grant, 2<sup>nd</sup> Kurt Kebschull  
Motion passed.

V. NEW BUSINESS

VI. OLD BUSINESS

1. Albert Grant presented the Commission's budget request of \$500 at the budget hearing and gave an overview of the Commission's focus.

Discussion regarding public outreach. We did a mass mailing in 2017 in the form of a survey. Reviewed the survey.

2. Clark Chapin presented the draft ordinance; Classification of Land as Open Space under Section 12-107e of the Connecticut General Statutes. This ordinance would reduce taxes on open space in East Windsor. The ordinance was approved unanimously.
  - Draft Ordinance is attached.

VII. MISCELLANEOUS

1. General Discussion.

VIII. REPORTS OF STAFF

VIX. PUBLIC PARTICIPATION

IX. ADJOURMENT 8:10pm

Respectfully Submitted by Donna Grant

## **TOWN OF EAST WINDSOR**

### **CLASSIFICATION OF LAND AS OPEN SPACE UNDER SECTION 12-107e OF THE CONNECTICUT GENERAL STATUTES**

- I. Definitions: Definitions in this ordinance shall have the same meaning as those definitions contained in Section 12-107b of the Connecticut General Statutes.
- II. Classification of Land as Open Space Lands: The Planning and Zoning Commission of the Town of East Windsor in preparing the Plan of Development for the Town of East Windsor may designate in such plan areas which it recommends for preservation as open space lands. Land included in any area so designated upon such plan as adopted may be classified as open space land for the purposes of property taxation if there has been no change in the use of such area which has adversely affected its essential character as an open space land between the date of the adoption of such plan and the date of such classification.
- III. Qualification Criteria: For the purpose of assessment, and pursuant to the provisions of Section 12-107e of the Connecticut General Statutes as amended, all land in the Town of East Windsor located in any zone may be designated as open space land provided it meets the criteria in this section. Upon application by the property owner(s), parcels which qualify may be classified as such by the Assessor subject to the following provisions:
  1. The designated open space shall be any site or area of undeveloped land equal to or in excess of four (4) acres and may include any undeveloped land indicated as open space on an approved subdivision map. Undeveloped land means land without buildings, roads, driveways or other permanent structures or active mineral extraction activities.
  2. When determining the acreage of said undeveloped land, the assessor will not include the minimal special requirements, or lot size required by the zone.
  3. Contiguous parcels within a zone having the same title owner may be aggregated for the purpose of determining the area which is eligible. Parcels which are intersected by a town or state road are considered contiguous parcels of land.
  4. Effective on the date of approval as a subdivision or re-subdivision, any land which had been designated as open space by the Assessor shall be removed from such designation, and a conveyance tax paid, if required under Section 12-504a of the Connecticut General Statutes.
- IV. Application Procedure: The following procedure shall be followed in filing the application for designation of open space lands by the Assessor.

1. Written Application: The owner of the proposed open space parcel shall submit a written application to the Assessor's office requesting designation of the parcel as open space.
  2. Application Form: An application for classification of land as open space land shall be made upon a form prescribed by the Commissioner of Office of Policy and Management for the State of Connecticut.
  3. Information Requested: The following information shall be placed upon the application as submitted to the Assessor's office:
    - a. Description of the land, including Assessor's Map and Lot number.
    - b. A general description of the present land use of the parcel.
    - c. A statement of the potential liability for tax under the provisions of Section 12-504a to 12-504e, inclusive of Connecticut General Statutes.
    - d. Other information as the assessor may require to aid in determining whether such land qualifies for such classification.
  4. Application Deadlines: Such application shall be filed not earlier than thirty (30) days before nor later than thirty (30) days after the date of such assessment list.
  5. Determination and Classification: Such Assessor shall determine whether there has been a change in the area designated as an area of open space land upon the Plan of Development which adversely affects its essential character as an area of open space land and, if the Assessor determines that there has been no such change, the Assessor shall classify such land as open space land and include it as such on the assessment list.
  6. Valuation: Any such land classified as open space will have an assessed value set at twenty-five percent (25%) of the excess acreage value set at the time of revaluation.
  7. Failure to Submit Application: Failure to file an application for classification of land as open space within the time limits prescribed in Subsection IV, 4 and in the manner and form prescribed in Subsection IV, 2 shall be considered a waiver of the right to such classification on such assessment list.
- V. Appeals: Any person aggrieved by the denial by the assessor of any application for the classification of land as open space shall have the same rights and remedies for appeal and relief as are provided in the Connecticut General Statutes for taxpayers claiming to be aggrieved by the doings of Assessors or Boards of Tax Review.

Draft Date: 2/16/21, 2/17/21 (incorporated all zones) CJC

