

**Ray and Mary Ellen Furse**  
26 Jack Corner Road  
Warren, CT 06777

May 21, 2009

The Connecticut Siting Council  
10 Franklin Square  
New Britain, CT 06051

**RE: Docket 378: Application of SBA Towers II, LLC  
("SBA") for a Certificate of Environmental  
Compatibility and Public Need for the Construction,  
Maintenance and Operation of a Telecommunications  
Facility at One of Two Alternate Sites at Rabbit Hill  
Road in Warren, Connecticut**

Ray and Maryellen Furse, parties in this proceeding herewith submit by hand an original and 15 copies of their hearing exhibits pursuant to the Council's Hearing Notice of April 14, 2009 and the Council's Decisions Regarding Pre-Filed Comments, dated April 28, 2009 (item number 4).

Respectfully submitted,



Ray and Mary Ellen Furse  
26 Jack Corner Road  
Warren, CT 06777  
Tel. (860) 868-7834  
Fax (860) 868-0890 (fax/phone)  
rfurse@alterisinc.com

RECEIVED  
MAY 21 2009  
CONNECTICUT  
SITING COUNCIL

I hereby certify that a complete copy of this document was served by hand on this date to all parties and intervenors present at the Warren Town Hall on May 21, 2009

---

Ray Furse

May 21, 2009

**Connecticut Siting Council  
Docket No. 378**

**RAY AND MARYELLEN FURSE HEARING EXHIBITS**

---

The following is a list of the exhibits Ray and Maryellen Furse, parties to this proceeding, presently intend to present at the public hearing on Docket No. 378.

- FURSE 1** Pre-Filed Testimony of Ray Furse.
- FURSE 2** Connecticut Commission on Culture & Tourism Film Division, Webpages: Agriculture: Nutmeg Acres, Warren: "a 300-acre dairy farm located on a hilltop above Lake Waramaug," ([www.ct.gov/CCT/cwp/view.asp?A=2194&Q=306268](http://www.ct.gov/CCT/cwp/view.asp?A=2194&Q=306268)) and Location #57 - Nutmeg Acres ([www.http://ct.reel-scout.com/loc\\_detail.aspx?id=57&g=&cid=6](http://www.ct.reel-scout.com/loc_detail.aspx?id=57&g=&cid=6)), with 2 sample photos
- FURSE 3** Artist Thomas Adkins: biography and paintings of Tanner Farm.
- FURSE 4** Artist Peter Poskas: biography and painting of Tanner Farm.
- FURSE 5** Photographer Thomas Schoeller: Photo of Tanner Farm as published in National Geographic Traveler Article, May, 2009, and artist's biography.
- FURSE 6** Warren 2009 Plan of Conservation and Development, pp. 28-29 Adopted April, 2009, with Character Resources Plan showing Rabbit Hill Road designated "Scenic"
- FURSE 7** Warren, Connecticut, Recommended Town Plan, Prepared for Warren P&Z by Connecticut Department of Community Affairs, October, 1974
- FURSE 8** Plan of Development, Warren, Connecticut Update, 1989, re-ratified 1999
- FURSE 9** State of Connecticut Press Release dated December 12, 2000: "State Bond Commission to Approve Preservation of Lands in Pomfret & Lebanon, Lt. Governor Rell Announces"
- FURSE 10** State of Connecticut Press Release dated November 5, 2004: "Attorney General Takes Immediate Action To Prevent Development On Farmland"
- FURSE 11** State of Connecticut Press Release dated November 28, 2005: "Governor Rell Announces More Than \$1.6 Million for Farmland Preservation"

- FURSE 12** State of Connecticut Press Release dated January 7, 2008:  
"Farmland Preservation Up-Date"
- FURSE 13** State of Connecticut Press Release dated June 20, 2008:  
"Governor Rell Announces Purchase of Bogus Farm Property in Bethel"
- FURSE 14** State of Connecticut Press Release dated December 11, 2008:  
"Governor Rell Announces Purchase of Development Rights to Five CT Farms"
- FURSE 15** LitchfieldEnquirer.com News Article, December 24, 2008:  
"Tanner Farm to be Preserved" by Vanessa Lynn Pinheiro
- FURSE 16** State of Connecticut Press Release dated December 4, 2008: "Governor Rell Says State Will Bond \$5 Million for Farmland Preservation Funds Expected to Buy Development Rights for 10 More Farms in 2009"
- FURSE 17** Letter of Governor M. Jodi Rell dated April 29, 2009 to Chairman Caruso, Connecticut Siting Council
- FURSE 18** The Green Plan: Guiding Land Acquisition and Protection in Connecticut, 2007-2012, Connecticut Department of Environmental Protection, Excerpts, pp. 1, 9, 13
- FURSE 19** Conservation and Development, Policies Plan for Connecticut, 2005-2010, Office of Policy and Management, Inter-Governmental Policy Division, Excerpts, pp. 55, 107
- FURSE 20** Study: Public Support for Farmland Preservation Programs: Empirical Evidence From Connecticut, by Jeremy D. Foltz [Asst. Professor, University of Wisconsin, Madison] and Bruce A. Larson, [Asst. Professor, UConn.]
- FURSE 21** Warren Land Trust, Sample Farmland Conservation Easement, pp 1-3
- FURSE 22** Conservation Options for Connecticut Farmland: A Guide for Landowners, Land Trusts, and Municipalities, pp. 8, 11
- FURSE 23** Portion of the House Session Transcripts for May 30, 2003 (cited by the Council for Environmental Quality in their letter to the Siting Council)



Testimony by Ray & Maryellen Furse, Parties  
May 22, 2009

Ray & Maryellen Furse  
26 Jack Corner Road  
Warren, CT 06777

To All Concerned with Docket 378:

Our testimony relates to Sec. 16-50k of statutes relating to the CT Siting Council's authority to:

(G) (b) (1) . . .  
examine . . . (C) whether the proposed facility would be located in an area of the state which the council, in consultation with the Department of Environmental Protection and any affected municipalities, finds to be a relatively undisturbed area that possesses scenic quality of local, regional or state-wide significance.

. . . deny an application for a certificate if it determines that . . . (iii) the proposed facility would substantially affect the scenic quality of its location and no public safety concerns require that the proposed facility be constructed in such a location.

(G) In the case of a facility described in subdivision (6) of subsection (a) of section 16-50i that is proposed to be installed on land under agricultural restriction, as provided in section 22-26cc, that the facility will not result in a material decrease of acreage and productivity of the arable land.

Our testimony consists of four parts, as follows:

I Statement of Personal Experience: Growth of Our Awareness of the Environmental Treasures of our Neighborhood

II Applicant's Failure to Investigate and to Overtly Minimize Any Environmental Impact

III Farmland Preservation and Conservation Goals: State and Private Efforts and Public Perception

IV Conclusions

## I Statement of Personal Experience: Growth of Our Awareness of the Environmental Treasures of our Neighborhood

### FURSE EVIDENCE 2, 3, 4, 5

1. My wife and I purchased our home at 26 Jack Corner Road in July of 1998. We chose it over a number of others because of the beauty of its location, on a hillside practically surrounded by a working dairy farm. It was a wonderful place to take care of my wife's elderly parents who also enjoyed it—her mom loved flowers and her dad was an avid gardener—until they passed away not too long ago.

2. Over the years we have walked hundreds of times, individually or together with our dog, "around the block" (about 3 miles, up Jack Corner, down Rabbit Hill, along a stream on the Hochberg property that flows into Meeker Swamp, up Couch Road) or over the hill, often directly across the Tanner farm, always delighting in the scenery. Driving home, we often stop our car on Jack Corner Road to watch the clouds or stars, and have often noticed other cars pulled over near the spot we enjoy; we have seen painters and photographers at work capturing the scene, even TV ads being filmed there. It is presented (through 10 pictures) as a location for filming on the website of the Film Division of the Connecticut Commission on Culture & Tourism.

3. We have also come to appreciate that the Tanner Farm and the top of Rabbit Hill not only are places of scenic beauty and rural character but are "ground zero" of an environmental resource that radiates southwestward along Bee Brook to Meeker Swamp, the Macricostas Preserve; westward over Tanner Hill Road down to Lake Waramaug; northward through Angevine farm to the junction of Routes 341 and 45, including a triangular parcel of (another) Tanner farm recently "protected" at state expense; eastward to Wyantenock State Forest and the upper and lower Shepaug Reservoirs on Waterbury Water District lands; southward along the Shepaug River (joined by Bee Brook) through water courses and greenways of the Town of Washington preserved by the Steep Rock Association

4. We have, of course, seen development over the past decade, with six new houses in our neighborhood the first several years after we moved in, and the subdivision of Rabbit Hill, with many new driveways. But we have regarded this as inevitable and have always believed that, anchored by the hilltop farm, for which Luke and Truda Tanner wisely and generously sold development rights to the state under the Farmland Protection Program, Rabbit Hill and environs would forever remain a neighborhood blessed by a protected landscape of scenic beauty and rural character.

5. Thus we were amazed to discover, at a town meeting with SBA last September 26, that a later provision in the statute Sec. 16-50p (a) (2) (G) might allow for a cell tower to be sited on "protected land," a concept not only counterintuitive but also (considering that the same amendment applies to nuclear power plants) a dangerously ironic use of the language. We object to this site for a cell phone tower because we believe that it will irrevocably mar the scenic beauty and rural character of a truly remarkable environmental treasure, one that the state has already invested heavily in preserving.

6. Finally, we did not simply presume that our opinions would be shared by our neighbors; we have since been in contact with all residents and property owners in the neighborhood and determined that with very few exceptions (Luke and Truda Tanner, of course), all are opposed to this choice of a cell phone tower site.

## II Applicant's Failure to Investigate and to Overtly Minimize Any Environmental Impact

### FURSE EVIDENCE 6, 7, 8

7. Under Part VII of its Application, Environmental Compatibility, the Applicant states:

"Pursuant to CGS Section 16-50p, the Council is required to find and to determine as part of the Application process any probable environmental impact of the facility on the natural environment, ecological balance, public health and safety, scenic, historic and recreational values, forest and parks, air and water purity and fish and wildlife. As demonstrated in this Application and the accompanying Attachments and documentation, either of the proposed Facilities will have no significant adverse environmental impacts."

8. In fact, there is no "demonstration" whatsoever of the concluding statement above, nor any reasonable support for it. On the contrary, it appears that the readily available sources from which a fair and honest evaluation might be made were ignored. With regard to scenic resources,

9. In Part VII A of its Application, the Applicant states that "As of February, 2009, The Town of Warren does not have a Plan for Conservation and Development."

10. In fact, Warren has had such a plan in place in 1974. The Town of Warren Plan of Conservation and Development, 1989, re-ratified in 1999, includes a "Community Features Map B," which indicates "Scenic Vistas and Lands of Potential Conservation Interest." Note Item 8, labeled "Panoramic vista from Jack Corner Road." The right arrow of the map points directly to the proposed locations of the towers. In fact, all three arrows radiate outward from a point which is precisely where the sign announcing the intention to construct the tower is now posted.

11. The Warren 2009 Plan of Conservation and Development identifies both Scenic Roads and Scenic Views on its "Character Resources Map." All of Rabbit Hill Road along the proposed A and B tower sites is designated a Scenic Road in this plan (p. 28-29), which further recommends considering "adopting a scenic road ordinance (as authorized by CGS 7-149a) to establish a process for protecting the scenic qualities of local roads."

12. The effort to ignore or minimize Town of Warren plans for preserving its scenic vistas continues as of this writing, with the Applicant's admission on May 13 that it has (suddenly) "managed to obtain" the Warren 2009 Plan of Conservation and Development. This document was presented for public discussion at two town meetings in the fall of 2008, one in August (prior to the Town Meeting for public discussion of the cell tower) which I personally attended. At that time an e-mail copy of the plan was offered to anyone who wanted one; the Furses asked for one and duly received a copy, as have more

than a hundred other residents. Again contrary to the Applicant's assertion, the Plan has been available in digital form from the Plan Update Steering Committee, and for others in hard copy at the Town Hall.

13. The pages of the Town Plan now cited by the Applicant under "Enhance Telecommunication Services" clearly state under "Policy Concepts - Siting Preferences" that "There should be no detrimental impact to *any* scenic area, scenic vista, designated scenic road, ridgeline, or significant geologic or natural features within Warren, **especially those noted in the Plan of Conservation and Development.**" [emphasis mine] That the area of both sites is designated as scenic in this and previous Plans of Conservation and Development dating back more than two decades is established in 10 and 11 above.

14. The Applicant attempts to obfuscate this issue by calling attention to the fact that the Warren 2009 Plan of Conservation and Development was not adopted by the town until about mid-April 2009. Since the completion of its drafting last fall, the new Plan has been subject to review and public comment. However, prior to its adoption, the 1989 plan, re-ratified in 1999, remained in effect. This is the very same plan that designates the proposed owner location as a Scenic Vista (in 2 above). To summarize: The Town of Warren, CT, has had a Plan of Conservation and Development in place and in force continuously since 1974, and for more than two decades had designated the area of the proposed tower as scenic; to not have discovered this in the normal course of site selection is not credible.

15. By its own admission or omission (VI. Environmental Compatibility B. "Solicitation of State Agency Comments"), the Applicant indicates no direct consultation with any state agencies except the State Historic Preservation Office. With respect to the information needed for the Siting Council "to determine any probable environmental impact of the facility on the natural environment," and the Applicant's assertion that, either of the proposed Facilities will have no significant adverse environmental impacts," the Applicant's efforts are clearly insufficient.

16. Had the Applicant presented the simple facts of the Application to the CT Council on Environmental Quality, for example, they might have heard comments similar to these, expressed at a recent meeting ("Review of State Agency Actions," Draft Minutes of Meeting, April 29, 2009):

"Site B is not on farmland preserved by the state, but has more scenic impact than site A, which has considerable scenic impact. Hearn added that the farm location is known locally as one of the best views in the region. There may be no place on that hill that would not have a significant aesthetic impact on the surrounding area. It also may affect views from three state parks and that an expanded view shed analysis should be added to the application. Mandyck said it should be made clear in the comments that there are objections to the negative scenic impacts of both sites."



17. The "Photoisms" prepared by Clough Harbor and Associates for the Applicant do little or nothing to clarify the visual impact that a tower at either site will have. A few examples:

#### SITE A Photoisms

Note how tower (as indicated by balloon in Existing View 16), leaps considerably to the left and hides behind a tree in Proposed View 16, supposedly as viewed from the same location.

Note how tower (as indicated by balloon in Existing View 18), again moves considerably to the left (indeed to the other side of the telephone pole!) to appear less exposed above the tree line Proposed View 18, supposedly as viewed from the same location.

#### SITE B Photoisms

Note how tower (as indicated by balloon in Existing View 2), shrinks by about 20 feet in the Proposed View 2, supposedly as viewed from the same location.

Note how tower (as indicated by balloon in Proposed View 20), shrinks by about 30 feet in Proposed View 20, supposedly as viewed from the same location.

Mr. Rodney Bascom notes in his pre-filed testimony: "Of note, the balloon at Site A was flown in the open field and photosimulations were adjusted according to the distance and ground elevation differences in the Site A balloon location. In addition, the Site B was flown at a height of 160 feet during the balloon float. The height of Site B was subsequently reduced to 150 feet and the photosimulations were adjusted accordingly."

This is an extremely convoluted way of saying that the Site A balloon float was not floated at Site A, nor was the balloon of Site B floated at the height of the proposed Site B tower. All the photographic evidence is thus false and misleading, and photoisms based on them but created later on computers lack any credibility, especially given that all of the obvious discrepancies (between actual photos showing balloons and photosimulations showing the towers) appear favorable to the Applicant (in demonstrating less visual impact rather than more). As tools for analyzing visual impact, these doctored images are inaccurate and useless; and since visual impact is a central consideration, the Application should be dismissed for these reasons alone.

18. Finally, the reputation of Rabbit Hill and environs as epitomizing the scenic beauty of rural Connecticut is well-known to many who appreciate our state's environmental treasures, including Governor M. Jodi Rell, who has written to the Siting Council:

"I question the location of this tower in an area known for its pristine and natural beauty. The location of a telecommunications facility and associated equipment, which includes a 160-foot tower, in the midst of this natural treasure will be **nothing short of an eyesore.**" [emphasis added]

### III Farmland Preservation and Conservation Goals: State and Private Efforts and Public Perception

ATTACHMENTS 1, 2, 3, 4, 5, 6, 7 also included in:

FURSE EVIDENCE 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 19, 20, 21, 22, 23

19. Much is being made of a supposed exception allowing the Siting Council to approve “a facility described in subdivision (6) of subsection (a) of section 16-50i that is proposed to be installed on land under agricultural restriction, as provided in section 22-26cc, that the facility will not result in a material decrease of acreage and productivity of the arable land.” That this is an agenda-driven misreading of the intent of this exception is clear from reading the legislative transcripts relating to its adoption (see ATTACHMENT 7), in which there was no discussion whatsoever of a broader applicability.

20. It is further clear that regardless of the decision of the Siting Council, the Applicant cannot use Site A without applying to the holder of development rights, the state of Connecticut. The state’s position on this is clear. See Attachment 1.

21. It is further clear that to situate a cell phone tower on Site B, or anywhere in the immediate vicinity, would be equally and irrevocably damaging to the goals of farmland preservation, the public perception of it, and the considerable public resources that have been devoted to it, for the following reasons:

22. The Farmland Preservation Program is highly competitive, with many applications and limited funding. Purchasing decisions are made not only with the intent of preserving arable land, but with due consideration given to other factors, including clustering (preserving properties that are close or contiguous), scenic beauty, historical associations, and recreational possibilities, among others. The following descriptions are from press releases from the Governor’s office announcing successful acquisitions, and enumerating their qualities:

McCaw Farms, 51 and 2156 acres: “located along the historic Lebanon Town Green, the largest town green in the state. They both abut the newly-established Lebanon Agricultural Museum.” FURSE 9

Cushman Farm, 13.6 acres: “contains a considerable amount of prime and important farmland soils. The area is in a rural agricultural community and a scenic area of the state,” FURSE 11

James Allen Farm, 102.2 acres: “abuts the State Rail Trail and is surrounded by other farmland and is a very scenic area.” FURSE 11

Bogus Farm, 134 acres: “features a portion of the headwaters that fed the lakes in the Huntington state park, numerous vernal pools, a trail system that interconnects with the trail system in the state park, and many interesting and unique rock formations.” FURSE 13

23. The mingling of these public benefits in press releases describing successful projects reflects deliberate, coherent, and oft-expressed concepts and policies. Based on statements in their publications, the conservation goals of Connecticut's state agencies, local conservation organizations, and land trusts may appear varied, but are ultimately complementary and mutually supportive. See Attachment 2.

24. Although state agencies may have their own designated areas of responsibility, with particular goals, and programs tailored to meet those, the public tends to lump these efforts together, perceiving them as coordinated to attain a desirable whole. For example, although one may narrowly construe the primary goal of the Farmland Preservation Program (DOAG) as securing land to maintain food production capability, the public tends to see a broader environmental benefit, including preserving rural character, scenic quality, and public access to open space. See Attachment 3.

25. This convergence of goals and benefits is acknowledged by the DEP, in its discussion of "Agricultural Land and Open Space" in *The Green Plan*. As well, this interpretation of convergence of goals and benefits appears to be subscribed to by Governor Jodi M. Rell. See Attachment 4.

26. Cooperation and coordination are professed goals of all the various entities (with no known exceptions) engaged in land conservation. Coordination between state agencies at all levels is deemed desirable and directed by the OPM's Conservation and Development and the Green Plan. See Attachment 5.

27. Consequently, when a state agency becomes a partner with local government, conservation group, or land trust, it would not be prudent or workable, perhaps not even possible, to have different standards or significantly different interpretations of what key terms like "conservation easement" or "protected land" means.

28. Under "Prohibited Uses" in the Conservation Restrictions of the Warren Land Trust, for example, is included: "any building, tennis or other recreational court, landing strip, mobile home, swimming pool, asphalt or concrete pavement, billboard or other advertising display, **antenna, utility pole, tower, conduit, line, sodium vapor light . . .**"

29. Considering the various ways these entities might cooperate utilizing the variety of programs and their combinations available (see Attachment 6), the state typically purchases from 10 to 100 percent of development rights.

30. The area of the Site A and Site B, centered on the 240-year old hilltop Tanner Farm protected by the Farmland Preservation Program, and surrounded by other state-protected lands (Wyantnock State Forest), Waterbury Water District land, the Tanner parcel at Routes 45 and 341, and the Macricostas Preserve, exemplifies all of the goals cited in these various preservation success stories. The latter Preserve, a key component in the ecosystem most impacted by the present Application, was bought with a combination of funds from the Town

of Washington, the state's Open Space and Watershed Land Acquisition Program, and the private Steep Rock Association, supported by individual contributions.

31. Naturally, the state has acted immediately to prevent any encroachment or development on lands it has protected (FURSE 10). The fact that it is doing so with respect to this Application demonstrates the seriousness in not allowing its interests, which are identified as those of the people of Connecticut, to be pre-empted.

32. If the Siting Council presumes an authority to approve Applications like the one described in Docket 378, no land trust, conservation group, local government, or public-minded donor can be confident of having a reliable partner in the state for any collaborative conservation effort. The ability of these various entities to work together for the public good would be irrevocably impaired. It is only common sense that "land protected from development" mean just that to all who are engaged in protecting it.

## IV Conclusions

### Part I Conclusion

The Rabbit Hill area chosen for either proposed tower constitutes a quintessential example of where *not* to site a tower. The proposals are so obviously inappropriate that a member of the CT Council on Environmental Quality seriously suggested “obtaining photos of the location as a ‘before’ – in case the tower is approved; these could be an example in future cases of the negative impact a badly located tower can have.” We should not need a negative example. So that the area can remain a shining *positive* example of how our state’s scenic beauty and rural character can be preserved for future generations to enjoy, the Application should be denied.

### Part II Conclusion

The Applicant’s utter failure to investigate the environmental resources at risk or to present a reasonably accurate inventory of them by which the Siting Council might plausibly determine whether the site “possesses scenic quality of local, regional or state-wide significance,” coupled with the transparent attempt to provide visually manipulated images giving a misimpression of tower impact on view sheds favorable to the Applicant, should be cause for the Application to be denied.

### Part III Conclusion

The state has invested considerable resources, provided by taxpayers, including the undersigned, to protect this land from development. Denying this Application in its entirety with respect to both Site A and Site B, is essential to preserving past, ongoing, and future collaborations of state agencies, and local and private organizations on projects designed to meet mutual goals of conservation. All entities engaged in this good work must share a common understanding of the regulations and restrictions governing the resources they assume stewardship of, and must be confident that the state is acting in good faith as a reliable partner in their efforts. For this reason the Application should be denied.

Sincerely,

Ray & Maryellen Furse

## ATTACHMENT 1

“Site A is on land on which the state has acquired development rights under the farmland preservation program. The owner has already sold the rights to use the property for any nonagricultural purpose and may not sell it again. The statute governing the Siting Council appears to allow for consideration of the site, but such consideration does not alter the fact that the applicant does not have the permission of the easement holder (the state) to build there. Members agreed that the idea of allowing the replacement of preserved farmland with farmland in another place is an extremely dangerous precedent that should not be accepted as a rationale for allowing the use of preserved farmland for a non-agricultural enterprise.

Council on Environmental Quality  
Draft Minutes of April 29, 2009 Meeting  
Review of State Agency Actions

“... relative to Parcel A, the development rights to that 182-acre parcel were sold to the State of Connecticut in 1996. It is the State that retains the exclusive rights to the property, and absent the express authorization from the State, the tower must not be situated on that property.”

Governor M. Jodi Rell  
Letter to Daniel F. Caruso, Chairman,  
Connecticut Siting Council  
April 29, 2009

## ATTACHMENT 2

“A goal of this plan is to preserve diverse landscapes that offer outdoor recreation, preserve fragile natural communities, agricultural lands, and habitats for plants and animals, protect and enhance water resources, and offer green spaces accessible to residents both in the country and in the cities. These natural, scenic, recreational, and historic areas of the state are essential to the quality of life, are important economic assets in Connecticut, and must be maintained and protected from adverse effects.”

*Conservation and Development  
Policies, Plan for Connecticut, 2005 – 2010  
Office of Policy and Management  
Intergovernmental Policy Division, p. 55*

“Why Protect Open Space? Although each protected parcel has its own unique value, open space as a whole provides a wealth of valuable “services” to Connecticut’s citizens. While the full list of benefits is too extensive to include here, these services include options for outdoor play, activity, and environmental education. Forested areas are especially adept at removing carbon from the atmosphere, which helps to minimize global climate change, and floodplains, coastal waterfront and adjacent uplands provide opportunities to respond to the anticipated effects of climate change. Other valuable open space services are the provision and preservation of scenic beauty, contributions to local sustainable economy from wood, food and fiber production, and maintenance of the diversity of Connecticut’s landscape. Open space also can provide a variety of specific ecological functions such as preserving biodiversity, habitat for rare species, stream flow and water supply protection, and flood control. Open space protection will play an expanding role in Connecticut’s economic future as businesses increasingly consider quality of life in making decisions on where to locate and expand.”

*The Green Plan: Guiding Land Acquisition and  
Protection in Connecticut 2007-2012  
Connecticut Department of Environmental  
Protection  
September 2007, p. 1*

The Warren Land Trust is an advocacy group dedicated to the preservation of the rural character of Warren. Its mission is to preserve farmland, open space, natural and endangered resources such as wetlands, forests and wildlife habitats, to encourage outright gifting of land for permanent protection and the use of conservation easements to preserve open space.

Mission Statement  
Warren Land Trust

### ATTACHMENT 3

“In addition to showing widespread support, the literature also provides information on underlying motives for household support of farmland preservation. In the Furuseth survey data, public opinions were clearly related to both agricultural objectives (food supply, farmland part of local heritage, ensure future food supply) and environmental objectives (open space is good for the environment). Kline and Wichelns (1996) conclude that Rhode Island residents believe that farmland preservation activities should focus on environmental objectives that are distinct from agricultural / amenity objectives (e.g., preserving rural character, scenic quality, and public access to open space).”

*Public Support for Farmland Preservation Programs: Empirical Evidence from Connecticut* by  
Jeremy D. Foltz, Assistant Professor,  
University of Wisconsin-Madison and Bruce  
A. Larson, Assistant Professor, University of  
Connecticut



## ATTACHMENT 4

“Agricultural lands are integral to the quality of Connecticut’s landscape and essential to the character of many towns. Working farms, pasture, tilled acreage, and associated forest are critical complements to the open space protection efforts outlined in this plan.

“Despite having to exclude preserved agricultural land from the total open space tally, one focus of the grant programs discussed in this document is the preservation of local agricultural heritage for scenic and open space amenities. Protected agricultural land preserves a “sense of place” in our more rural towns and, in many ways, the State’s open space and farmland preservation programs complement each other.

“. . . these [DOAG] efforts fulfill an important role by protecting food and fiber producing land resources. In addition to providing fresh, locally grown foods, farmland can also offer important environmental benefits including providing wildlife habitat and flood control.”

*The Green Plan: Guiding Land Acquisition and  
Protection in Connecticut 2007-2012*  
Connecticut Department of Environmental  
Protection  
September 2007  
P. 13

“There are also so many intangibles. It is what we feel as much as what we see when take a peaceful drive through the Connecticut countryside,” Governor Rell said. “The historic stone walls that cross through fields and forests remind us of Connecticut’s rich agricultural past – one certainly worth preserving for future generations. We must honor that past and safeguard our future.”

*Press Release*  
from the Executive Chambers  
of Governor M. Jodi Rell  
December 4, 2008

“I fully understand the need for telecommunications towers in our State, particularly in our more rural areas where cell phone coverage can be spotty; but those decisions cannot be made in a vacuum, without fully considering the effects on our environment, our natural habitats and our landscape. The Siting Council must consider the historic and unspoiled landscape of this scenic section of our State.”

Governor M. Jodi Rell  
Letter to Daniel F. Caruso, Chairman,  
Connecticut Siting Council  
April 29, 2009

## ATTACHMENT 5

“Integrated planning is the principal strategy for assuring that state-level development is consistent with the Plan. Horizontal coordination involves communication between state agencies for program impacts that cross agency program or geographic lines. It is important to strengthen processes for carrying out coordinated horizontal planning in order to manage intersecting state agency interests in ways that are consistent with the Plan. Vertical coordination involves communication and integration of planning processes between and among different levels of government.”

*Conservation and Development  
Policies, Plan for Connecticut, 2005 – 2010  
Office of Policy and Management  
Intergovernmental Policy Division  
p. 107*

“The State seeks out and works with partners to help in acquisition of state-owned open space land. Land trusts in particular have been key allies in land protection efforts in Connecticut. They have not only directly acquired land and easements, but have also assisted the State in protecting properties. Municipalities, private nonprofit land conservation organizations, and water companies are eligible to receive funds through the Open Space and Watershed Land grant program for the acquisition of open space lands.”

*The Green Plan: Guiding Land Acquisition and  
Protection in Connecticut 2007-2012  
Connecticut Department of Environmental  
Protection  
September 2007  
p. 9*

ATTACHMENT 6

**FARMLAND PROTECTION PROGRAMS IN CONNECTICUT**

	<b>CT Farmland Preservation Program</b> CT Department of Agriculture	<b>Joint State-Town Farmland Preservation Program</b> CT Department of Agriculture	<b>Open Space &amp; Watershed Land Acquisition Grant Program</b> CT Department of Environmental Protection	<b>Farm &amp; Ranch Lands Protection Program</b> USDA/NRCS
<b>Who may apply?</b>	Landowners	Municipalities, Landowners	Municipalities, Water companies, Non-profit conservation organizations	Municipalities, States, Non-profit conservation organizations
<b>Eligibility Requirements</b>	<p>Property must:</p> <ul style="list-style-type: none"> <li>- Be an active farm operation</li> <li>- Include a minimum of 30 acres of cropland or be adjacent to a larger parcel</li> <li>- Meet minimum program criteria that includes: amount of prime and important soils, amount of cropland, proximity to other active farms, viability of agriculture business, proximity to agricultural support services, and surrounding land use</li> <li>- Meet requirements of FRPP if federal funding will be used as part of sale.</li> </ul>	<p>Municipality must:</p> <ul style="list-style-type: none"> <li>- Have a policy in support of farmland preservation</li> <li>- Have a farmland preservation plan developed and approved by local policymakers</li> <li>- Have a fund established for the purpose of purchasing development rights</li> <li>- Have a willing applicant who has voluntarily offered to sell development rights</li> <li>- Meet requirements for FRPP if federal funding will be used as part of sale.</li> </ul> <p>Property must:</p> <ul style="list-style-type: none"> <li>- Be an active farm with 30 acres of prime or important farmland soils</li> <li>- Have a minimum gross value of annual agricultural production of \$10,000.</li> </ul>	<p>Program can be used to purchase development rights on farmland or farmland in fee. No minimum acreage or prime agricultural soils required.</p>	<p>Property must:</p> <ul style="list-style-type: none"> <li>- Be part of active farm operation</li> <li>- Have prime or important agricultural soils or have historic or archeological resources</li> <li>- Meet minimum program criteria for amounts (or percentages) of prime and important farmland soils and agricultural land use</li> <li>- Be privately-owned (non-governmental)</li> <li>- Have pending written offer with landowner.</li> </ul>
<b>Selection Criteria</b>	<p>Priority given to:</p> <ul style="list-style-type: none"> <li>- Land with high % of prime and important agricultural soils and cropland</li> <li>- Land in proximity to other active farmland, protected lands and farm services.</li> </ul>	<p>Priority given to:</p> <ul style="list-style-type: none"> <li>- Land with high % of prime and important agricultural soils and cropland</li> <li>- Projects that comply with local and/or regional open space plans or plans of conservation and development</li> </ul>	<p>Priority given to:</p> <ul style="list-style-type: none"> <li>- Land vulnerable to development</li> <li>- Projects that comply with local and/or regional open space plans or plans of conservation and development</li> <li>- Land with diverse categories of natural resources</li> <li>- Projects with pending written offer with landowners.</li> </ul>	<p>Priority given to:</p> <ul style="list-style-type: none"> <li>- Land vulnerable to development; land with high % of prime and important agricultural soils</li> <li>- Projects with high % of non-federal matching funds</li> <li>- Projects that have non-federal matching funds in hand.</li> </ul>
<b>Cost-share Requirements</b>	State may pay up to 100% of value of development rights.	State may pay 10-75% of value of development rights depending on quantity of active agricultural land within 3-mile radius of the subject farm.	State will pay up to 50% of either fair market value of development rights or purchase price, whichever is less.	The FRPP will pay up to 50% of fair market value of development rights. Applicant must provide cash match of either 25% of development rights value or 50% of purchase price. Landowner donations of up to 25% of development rights value may be considered part of applicant's match.
<b>Easement Requirements</b>	Only agricultural and compatible uses permitted. Property may never be subdivided or converted to non-agricultural use. No public access required. State easement language required. Subject to federal requirements if FRPP funding is used.	Only agricultural and compatible uses permitted. Property may never be subdivided or converted to non-agricultural use. No public access required. State easement language required. Subject to federal requirements if FRPP funding is used.	Public access required. Limited agriculture-related structures permitted on protected land. State easement language required.	USDA farm conservation plan required. USDA easement language required. USDA must be named as co-grantee in easement. No public access required.
<b>Application Period</b>	Applications accepted continuously. Applications must be approved by State Properties Review Board and State Bond Commission.	Applications accepted continuously. Applications must be approved by State Properties Review Board and State Bond Commission.	Public access required. Limited agriculture-related structures permitted on protected land. State easement language required.	Applications accepted during an annual "Request for Proposals" period. Applicants awarded FRPP funding must sign a cooperative agreement with USDA/NRCS signatory to certain easement provisions and agreeing to purchase easements within two years.



# Connecticut Commission on Culture & Tourism Film Division



George Norfleet,  
Division Director

[HOME](#)   [ART](#)   [FILM](#)   [HISTORY](#)   [TOURISM](#)

- ▶ [About Us](#)
- ▶ [CCT Committees](#)
- ▶ [Funding Opportunities](#)
- ▶ [News & Events](#)
- ▶ [Programs and Services](#)
- ▶ [Resources/Links](#)
- ▶ [Contact Us](#)
- ▶ [CCT Home](#)

[Sign up to receive the CCT eNewsletter...](#)

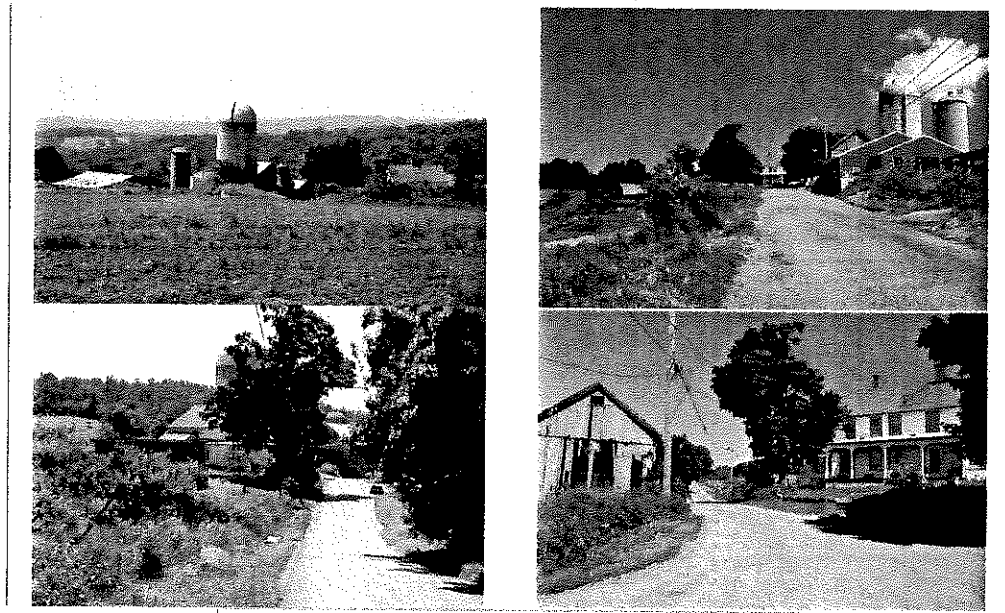
Connecticut Commission on Culture & Tourism - Film Division  
One Constitution Plaza  
Second Floor  
Hartford, CT 06103  
860-256-2800  
860-256-2811 (fax)

Connecticut Film Industry Training Program

## Agriculture

### Nutmeg Acres, Warren

**Description:** Nutmeg Acres is a 300 - acre dairy farm located on a hilltop above Lake Waramaug.



For information or a complete file on this location please contact:

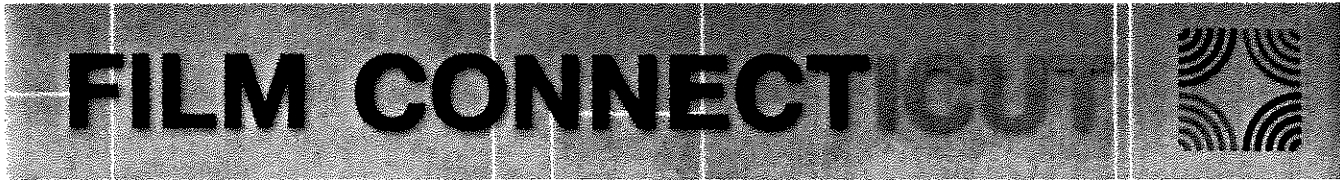
#### Film Division

Connecticut Commission on Culture and Tourism  
Phone: 860-571-7130 \* Email: [info@CTfilm.com](mailto:info@CTfilm.com)

[Browse Printable Version](#)

[Download CCT Logo](#)   [Calendar](#)   [CT.Gov](#)   [CTVisit](#)   [Staff Login](#)

© Copyright 2009 , Connecticut Commission on Culture & Tourism. All Rights Reserved.



- location search
- film office website
- production guide
- financial incentives

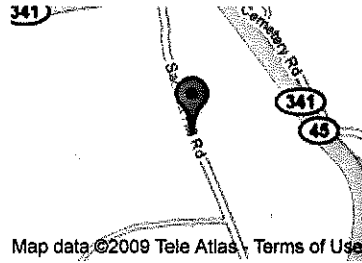
< return to search results

### Location #57 - Nutmeg Acres

print friendly

Warren, CT

county: Litchfield County  
location id: 57



Map data ©2009 Tele Atlas, Terms of Use  
[view larger google map](#)

#### photos:

To view ALL images on one page, select the print friendly version of this page. Please allow time for download.

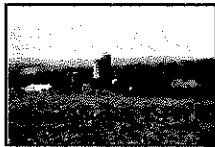


photo ID #:1001202  
medium | large



photo ID #:1001203  
medium | large

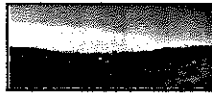


photo ID #:1001204  
medium | large

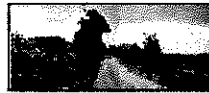


photo ID #:1001205  
medium | large

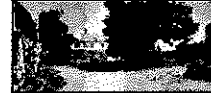


photo ID #:1001206  
medium | large



photo ID #:1001207  
medium | large



photo ID #:1001208  
medium | large



photo ID #:1001209  
medium | large



photo ID #:1001210  
medium | large



photo ID #:1001211  
medium | large



photo ID #:1001212  
medium | large



photo ID #:1001213  
medium | large

[Click here to request more info about this location.](#)



photo id: 1001202

date taken: 2/27/2007





1/12   5 sec  

photo credit:

photo notes:

done



photo id: 1001204

date taken: 2/27/2007







3/12   5 sec   

photo credit:

photo notes:

done 

THOMAS ADKINS  
BIOGRAPHY



Thomas Adkins is a Southbury, Connecticut and Maine resident and a graduate of Paier College of Art of New Haven. Also completing graduate classes at the School of Visual Arts of New York. He has worked as art director and creative director for some of Connecticut's and New York's most prestigious advertising agencies. In 1985 along with two partners opened Silverstone Adkins & Breit an advertising agency in Connecticut.

Adkins designs and illustrations, have been used by Black & Decker, Fuji, GE, IBM, Minolta, Nestlé Waters North America, Wendy's and other major corporations.

Thomas Adkins is a seasoned veteran of plein air painting. Most works begin with on location studies 16 x 20 or smaller. Adkins then composes larger works in his studio compiling sketches, additional studies and from memory. His most recent works have been in Northwestern Connecticut area along with views of the Mid Coast of Maine.

"My paintings spring from a lifelong fascination with the outdoors. This fascination, present even in my earliest memories, has greatly influenced my personal, academic and professional pursuits, and most significantly, my artwork."

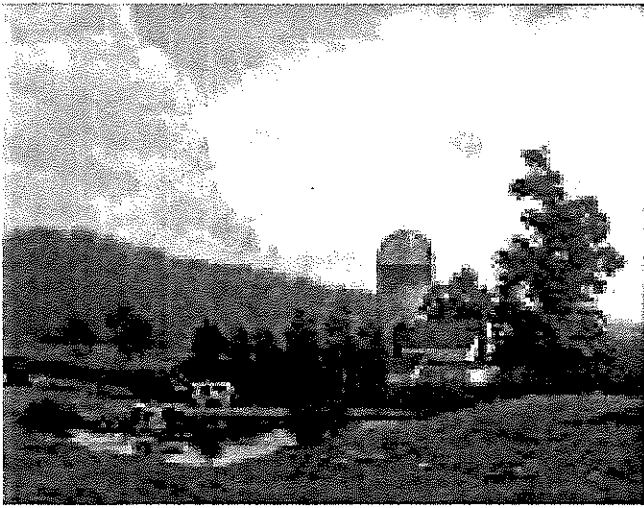
The moods, mystery, and atmosphere along with inherent design of nature intrigue me, and I seek to unveil and express those qualities in my paintings, trying to document a specific place and time. Every good landscape painting should have a sense of what the artist is feeling to a particular location. Every day and every hour there is a different reaction nature has on our senses.

It is self-evident that the single family farms and working harbors is threatened and rapidly vanishing. Still, there is a physical, emotional, and spirituality that remains evident. I choose to capture the inspiring of what still remains, rather than what has been lost.

As a contemporary painter of the New England landscape. His style and technique has developed from early influences by impressionistic painters of light on nature, such as Monet, Pissaro. Willard Metcalf and most recently Peter Poskas and Clyde Aspevig. Adkins has the rare ability to capture the subtle nuances that make up the ever changing beauty of light on the New England landscape in a realistic contemporary way.

from website: [www.thomasadkinsfineart.com](http://www.thomasadkinsfineart.com)





Thomas Adkins  
Cooling Off - Tanner Farm  
Oil on Linen  
24x30  
website of Cavalier Galleries Inc., CT

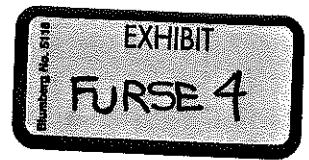


*Tanner Farm Warren*

10 x 10 oil

Thomas Adkins  
Tanner Farm  
website of Gregory James Gallery, CT

PETER POSKAS  
BIOGRAPHY



Peter Poskas is an eminent contemporary landscape painter, who for three decades has been devoted to painting realist views of the rural dairy farms and landscapes of Litchfield County, Connecticut, near where he lives in the village of Washington. He has also spent many summers on Monhegan Island, a remote rocky spot ten miles off the midcoast of Maine, where he has focused on depicting the island's fishing cottages and its jagged coastlines. With their crisply detailed execution, sensitivity to subtle gradations of light, and compositions that are taut and complex, Poskas's works are both authentic transcriptions and poetic evocations. In the tradition of Andrew Wyeth, Poskas unites seemingly dispassionate views with a personally nuanced expression that has layers of resonance. Poskas was born in Waterbury, Connecticut, a small industrial city set on the banks of the Naugatuck River. He was interested in art as a child, but on entering the University of Connecticut, his intent was to become a science major with an aim of working in forestry and wildlife management. During his college years, his interests shifted, and after three years, he had decided to try art as a career. With the encouragement of his parents, he enrolled at the Paier Art School in New Haven, where he studied commercial art. After a year, however, it was clear to Poskas that becoming a painter was his ambition, and transferred to the Hartford Art School, Connecticut, from which he graduated. He continued his training in the MFA program at the University of Massachusetts. During an era of Abstract Expressionism, realism was out of favor, but throughout Poskas remained dedicated to his craft as "a process of isolating elements of painting and working on them in a single-minded kind of way."<sup>1</sup> Among his early subjects were the streets and buildings of his native Waterbury, in which he portrayed tired, worn buildings and streets, devoid of people, with sympathy and appreciation. His low vantage points and emphasis on the facades of buildings seen from the road evoke images of a similar subject matter by Edward Hopper.

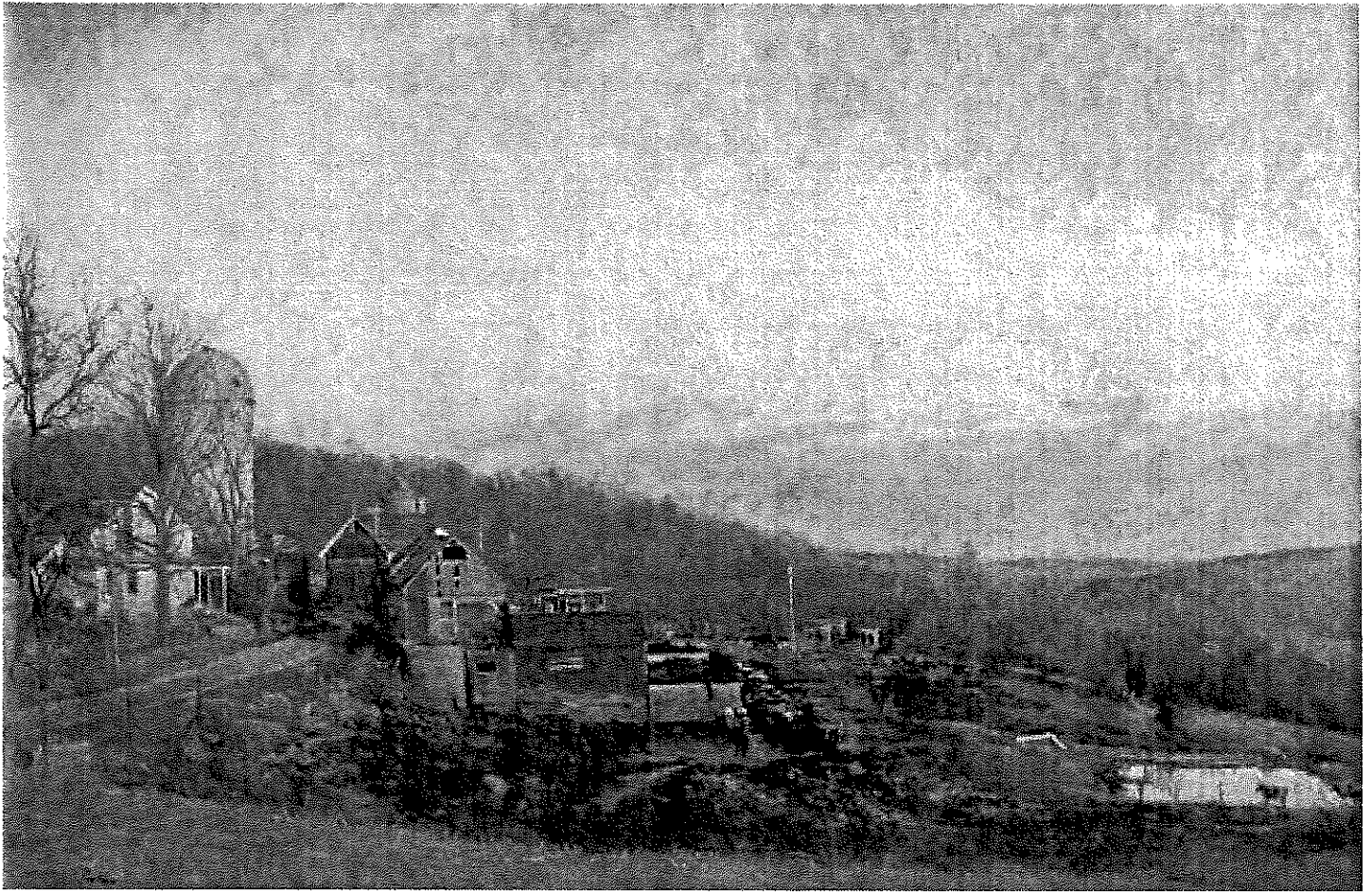
By 1975, Poskas had moved to Washington, and in that year he began to sketch a small farm at the end of his road, which would serve as the subject of much of his work for the next seven years. The farm belonged to Emily Uranus, an elderly neighbor Poskas had come to know. He perceived her as one of a vanishing species in Connecticut, a person who was self-reliant, who lived close to the land, and who knew and loved the rhythms of nature. With respectful attention, Poskas painted her house, a stocky four-square structure left unpainted for decades that had echoes of its original Greek Revival inspiration. Emily's farm was the subject for five series of paintings, featuring the pastures, stables, the orchard, the garden, and the windows and walls of the house. For each, Poskas would create several notational and finished drawings as well as a plein-air sketch on which he would draw for his finished composition. In each, shifts in angle or changes in season, weather, or time of day would affect the artist, and he would adjust his tonal schemes, compositions, and qualities of light and shadows accordingly.

After Emily's death in 1980, Poskas continued to paint her farm, but after the destruction of her house in 1982, he sought another subject, which he found upon meeting Ralph Scoville, the cousin of an artist friend, who lived in the high hills of North Cornwall, Connecticut. The Scoville farm appealed to Poskas because the house was white, and it was a small family farm. Drawn to white buildings for the way they reflect light, Poskas was able to build on a broad spectrum of color, creating complex images in which he carefully calibrated the warm/cool balance that he found in the luminous white surface. Parts of nature are incorporated in the Scoville paintings with the sky and trees often seen reflected in the transparent panes of windows, while the shadows from trees and plants cast patterns on the clapboard facades.

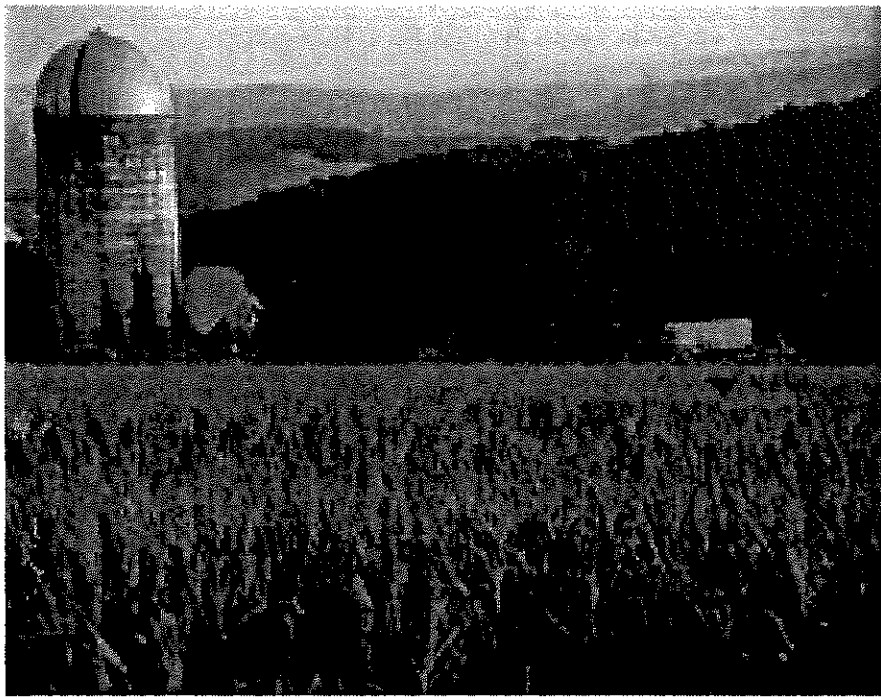
In the late 1980s and early 1990s, Poskas began to explore new and different types of lighting effects, including images of fields and farms at dawn and dusk. He often recorded these effects in winter scenes, capturing how snow-covered land provided a neutral surface that reflected the sky. He also paid attention to discrete cloud patterns, which are rare in the summer. In recent years, Poskas has continued to focus on rural themes, yet his art is in a perpetual state of evolution as he explores new facets of old subjects and new ways of approaching images he has painted many times before. His works reveal his awareness of the way the eye moves across the canvas, the texture of the soil, the movement and weight of the land, and the interplay between the shapes of his motifs and the shapes of his canvases. His Monhegan scenes capture the striking contrasts between the openness of the sea with its shimmering ever-changing, light-reflective surface and the compact masses and planar forms of rocks, boats, and buildings. His perspectives range from close ups of flowers against clapboard walls and sweeping vistas that encompass broad coastal stretches. Throughout Poskas's work is evidence of the artist's careful attention to how shape and color and light and atmosphere relieve and modify each other, and it is with these elements that he forms and gradually builds his scenes.

Poskas has had many individual exhibitions and has been included in numerous group exhibitions. Solo shows of his work were held at the Museum of Art, Brigham Young University, Provo, Utah (1997); Fairfield University, Connecticut (1995); The Quick Center for the Arts, Fairfield University (1990); The Metropolitan Life Gallery, New York (1989); Southern Alleghennies Museum of Art, Loretto, Pennsylvania (1986); William Benton Museum of Art, University of Connecticut, Storrs (1984); Mattatuck Museum, Waterbury, Connecticut (1979); Mazur Museum, Monroe, Louisiana (1972); and Mattatuck Museum (1970). His work is included in many important private and public collections. Among the museums to which his paintings belong are the Charles and Emma Frye Art Museum, Seattle; the Detroit Institute of Arts; the Farnsworth Museum of Art, Rockland, Maine; the Mattatuck Museum, Waterbury, Connecticut; the Mint Museum of Art, Charlotte, North Carolina; the Museum of Art, Fort Lauderdale, Florida; the Rahr West Museum, Manitowac, Wisconsin.

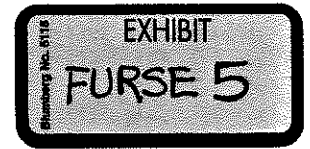
From website: Spanierman Gallery LLC ( [www.spanierman.com/Peter-Poskas-\(b.-1939\):-A-Sense-of-Place/bio/top/biography](http://www.spanierman.com/Peter-Poskas-(b.-1939):-A-Sense-of-Place/bio/top/biography))



Tanner Farm, Indian Summer, by Peter Poskas  
oil on canvas  
website of Spanierman Gallery NYC



(c) copyright Thomas W. Schoeller.  
National Geographic Traveler magazine  
April/May 2009 issue, pg. 99 in the "Best  
Short Trips in the World" article.  
also website: FLICKR



## THOMAS SCHOELLER BIOGRAPHY

Thomas Schoeller is a professional photographer who resides in beautiful Warren, Ct. Thomas began photography in 1987 as a hobby, first learning the basics on film and progressing to transparencies by 1993. Today Thomas uses Nikon D300 professional D-SLR and Nikkor professional lenses. Early on, it was a passion for "Classic American Automobiles" that created the urge to capture Detroit's finest on film the exact way he saw them presented in magazines and tabletop books. Thomas quickly adapted his skills to capturing nature and scenic landscapes which blended wonderfully with another passion for travelling. "Sharing my work with others made me realize I had a gift. I see landscapes within, details, patterns and shapes. I have unique perspectives. The actual ART of Photography is far more complex than simply pointing the camera at something and shooting. Timing, light, atmosphere all must come together for an interesting image. You capture those elements and convert those same elements to a final print."

Currently, Thomas has created his own niche and has specialized in New England photography. "A truly unique place. Seacoast, quaint villages and pastoral scenes. Vintage Americana - Covered Bridges, white church steeples, stone walls along tree lined dirt roads...It's simply amazing."

Thomas creates images of the quiet rural scenes that capture the natural elements and characteristics of New England. His work has been widely published, most recently for National Geographic Traveler Magazine (April '09) "Country Connecticut" article and for the Schmap Map Travel Guide "Key West Florida" Sixth Edition. Additionally Thomas' photography has appeared in various automotive and motorcycle publications (Hot Bike, Muscleder Review) Websites ([www.litchfieldcountyhomes.com](http://www.litchfieldcountyhomes.com) <<http://www.litchfieldcountyhomes.com>> and [www.moparwriteips.com](http://www.moparwriteips.com) <<http://www.moparwriteips.com>> ) and a Larry Schwartz book (Sterling Publications) on "The Lewis and Clark Trail" due out autumn '09.

**Types of Scenic Views**

The "Preservation & Conservation Study" (NWRPA, 1975) recognized several different types of scenic views:

- views in the foreground (within 1/4 mile from the viewer),
- views extending to the middle distance (1/4 - 1/2 mile), and
- panoramic views.

The study also stressed the importance of what is seen from the road in determining a community's appearance.

Since roadside views are most influenced by what is seen in the foreground, foreground quality conditions the total visual experience.

**Historic Resources**

Historic buildings are a significant component of Warren's character. While there are many local buildings which have historic value and character, the Warren Congregational Church is the only property in Warren listed on the National Register of Historic Places and the State Register of Historic Places.

**Protect Scenic Features**

Scenic views and scenic features are integral to the overall ambience of Warren and we should continue to identify and work to preserve high quality scenic resources. When development threatens an identified scenic resource, the Town should work with the applicant to minimize impacts.

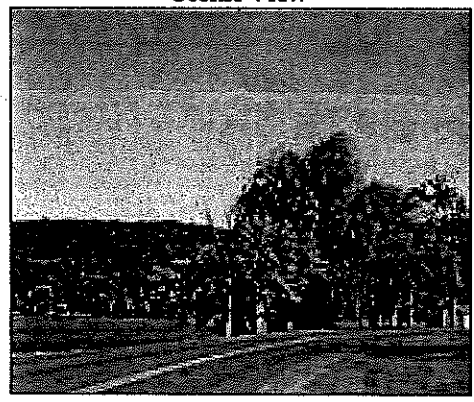
Specific observations and recommendations include:

- continuing to support local organizations (such as the Warren Land Trust and the Warren Historical Society) in efforts to preserve and protect important resources and provide educational programs and technical assistance.
- consider adopting town-wide limitations on fence height and/or opacity (not just around Lake Waramaug) in order to preserve scenic streetscapes and rural character on all roads.
- consider adopting a scenic road ordinance (as authorized by CGS 7-149a) to establish a process for protecting the scenic qualities of local roads.

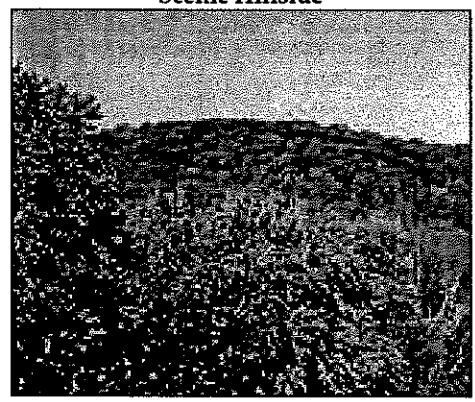
**Scenic Resource Preservation Strategies**

1. Continue to identify and preserve high quality scenic resources.
2. When development threatens an identified scenic resource, work with the applicant to minimize impacts.
3. Encourage local organizations to continue to preserve and protect important local scenic resources and provide educational programs and technical assistance.
4. Consider adopting town-wide limitations on fence height and/or opacity in order to preserve scenic streetscapes and rural character.
5. Consider designating local roads as scenic roads in order to help protect their scenic character.

**Scenic View**

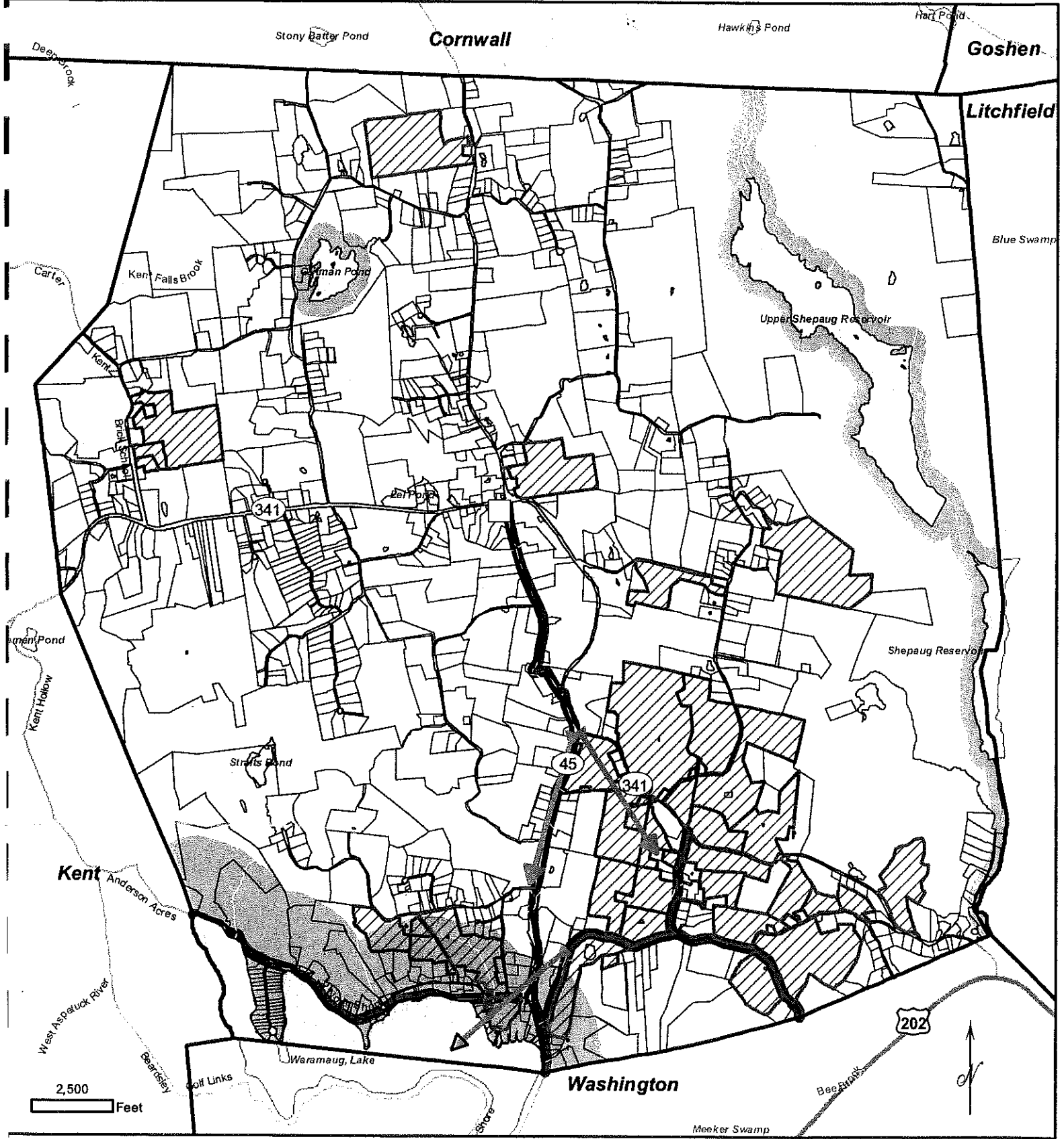


**Scenic Hillside**









I certify this is a true copy of Zoning Records of the Town of Warren, CT. Attest: Joanne C. Treisman, T. Clerk  
May 13, 2009

# Character Resources Plan



## Legend

-  Scenic Areas
-  Warren Congregational Church
-  Scenic Road
-  Scenic Views
-  Properties with Existing Farms or Farm Use
-  Water



**WARREN, CONNECTICUT**

**RECOMMENDED TOWN PLAN**

**Prepared for the Warren Planning and Zoning Commission by the  
Bureau of Local Government staff of the Connecticut Department  
of Community Affairs, Hartford, Connecticut**

**October, 1974**

**The preparation of this report was financially aided by a Federal grant from the U. S. Department of Housing and Urban Development, under the Urban Planning Assistance Program, authorized by Section 701 of the Housing Act of 1954, as amended, under the administration of the Connecticut Department of Community Affairs.**



"I certify this is a true copy of the document  
received at Warren, CT this 7<sup>th</sup> day of May  
at 12:43 p.m."

Attest:

*Joanne C. Tedmann*  
Joanne C. Tedmann, Town Clerk

Date 5/7/2009

10. Water Service: At the present time there is no public water supply for Warren residents, although approximately fifteen percent of the town area around the Shepaug Reservoir is owned by the City of Waterbury for its water supply.

11. Sewers: There is no public sewerage in Warren. Continuation of on-site septic systems is recommended as being most compatible with the soil and slope conditions provided that the population density of one family per two acres is not exceeded. At a greater density, sanitary problems may be expected from on-site septic systems.

H. Conservation, Recreation, and Open Space: Warren is among the foremost of Connecticut towns to show concern for the environment; preservation of which is of paramount importance. In Warren, there is much property that is now State park, forest land, or wetlands. The wetlands areas are protected under the recently enacted Department of Environmental Protection Inland Wetland Regulations.

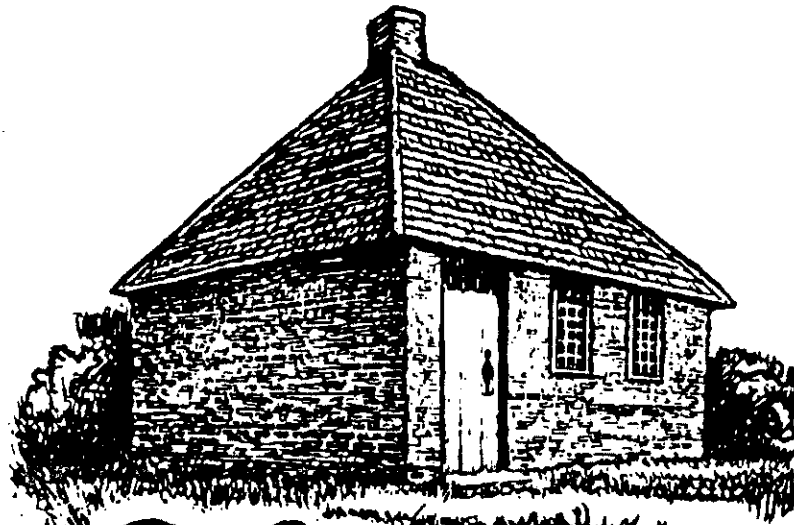
The Warren Conservation Commission of seven members, who are appointed by the Selectmen upon recommendation from the two political parties, ~~has been instructed by the town to act as the Inland Wetlands protection agency.~~ The wetlands vary in size and shape, but their number and scattered locations throughout the town are such that people wishing to use the land in any other way than that specified as their "matter of right" in the regulations should contact the Conservation Commission to check against possible violations which might entail fines. The official Soil Survey Map of the Town of Warren published by the United States Department of Agriculture Soil Conservation Service, and other maps derived from it, are the basis for determination of wetlands, soil being the final determining factor—its composition, placement, plant growth and water draining capabilities—all being carefully considered.

Not an integral part of the Conservation Commission but an important asset to nature for Warren is the Town of Warren Center Improvement Fund which has overseen the planting of shrubs and trees around the various town-owned properties.

The Warren Historical Society with its president, officers, and members, has restored and maintains Warren's Brick School and its grounds. It has restored the Academy, a building very useful for many meetings, since it is not formal or large, and lends itself to a more relaxed atmosphere.

# *Plan of Development* *Warren, Connecticut*

UPDATE  
1989



*The old*  
**BRICK SCHOOL**  
*Warren, Connecticut, 1784*

#### 4. OVERALL GOALS AND FUTURE LAND USE

##### 4.1 Relevant State and Regional Plans

The State Policies Plan for the Conservation and Development of Connecticut, 1987-1992 sets out growth, resource management and public investment policies for the state. The Plan contains a Plan Locational Guide, which is a map showing designated land uses. All lands in Warren are designated either as "Area of Environmental Concern" or "Rural Area."

In "Areas of Environmental Concern" the stated policy "is to conserve, improve and protect its natural resources and environment and to control air, land and water pollution in order to enhance the health, safety and welfare of the state."

In "Rural Areas" the State's goals include preserving and protecting the land, water, farm open space and forest resources which characterize the State's rural areas and to coordinate such preservation with the needs of rural residents for employment, housing, public services and accessibility to commercial and cultural facilities. The Plan concentrates State-supported development within Rural Community Centers; avoids densities that would require sewers in all other areas; and protects environmentally sensitive places in the surrounding areas.

The two land use-designations are subdivided in the State Plan into the categories listed below. Examples of land in Warren under each category are also listed.

##### Area of Environmental Concern

###### Existing Preserved Open Space:

Above All State Park  
Wyantenock State Forest  
Warren Woods

###### Preservation Areas:

Waterbury Water Supply Watershed Lands  
Lake Waramaug and all other major surface water bodies  
Swamps, marshes and bogs

###### Conservation Areas:

Water supply drainage areas in private ownership  
Prime agricultural land (25 contiguous acres)  
Inland wetland soils

## Rural Area

### Rural Community Center:

Generalized intersection of Routes 341, 45 and Sackett Hill Road

### Rural Land:

Balance of all land not otherwise categorized.

Lands west of Route 45; Tanner and Angevine Farmland

The Northwestern Regional Plan of Development used the State Plan as a departure point in developing consistent policies for the nine member towns. Significant environmental features and community resources were mapped, using much of the work compiled on the State Plan Locational Guide map. Policies in the Regional Plan reinforce Warren's role as a rural area to be conserved for compatible, low density self-contained residential uses and for farming. Relevant policies are listed below:

To preserve and conserve areas within the town that are of environmental, historic, archaeological and cultural significance and to encourage development occurring outside of village centers to be environmentally sound and consistent with the town's rural landscape.

To conserve critical areas from substantial land use changes through land use control and appropriate state programs.

To adopt local regulations that promote environmentally sound land use, development at a density that reflects the town's soil suitability and is consistent with the town's rural character.

The conclusion from reading the State and Regional Plans is that Warren is seen in the state context as a rural area with a natural resource base that requires protection from incompatible forms and intensity of development.

## 4.2 Findings

The 1974 Warren Town Plan recommended land uses and densities, along with subsequent regulations adopted since then, are generally consistent with the State and regional plans.

The residential density of two acres per single-family dwelling has been consistent with a sewer avoidance policy. Joining the Torrington Area Health District has provided the Town with excellent sanitarian services, ensuring safe on-lot septic disposal at the permitted two-acre density. Permitted land uses have been consistent with rural community character. Town regulations and policies have encouraged retention of preserved open spaces. The Warren Center Zone, located in the Rural

Community Center designated by the State Plan, allows more intense commercial uses that are not allowed elsewhere, which is consistent with the state plan of concentrating such uses in defined centers.

No major changes to Town regulations are considered necessary to achieve consistency with stated State and regional plans as far as overall land use and density are concerned.

#### 4.3 Conclusions

Through the Plan Update process the Town has taken the opportunity to define locally-determined features and qualities considered important. This refines the State and Regional plans, providing essential local input.

The consensus arrived at is that Warren should remain rural and low density. Overall goals are proposed to save key aspects of the rural community, while providing opportunities for safe and orderly growth.

Valued community features appear on Community Features Maps A and B and described on the accompanying tables. Several means to conserve these are outlined in Section 2 Recommendations.

Safe and orderly growth will continue to be limited by soil conditions such as suitability for on-lot septic disposal and slopes that will not present hazardous conditions. Development should be compatible with protection of the public water supply within the watershed serving the City of Waterbury. Regulations of the Inland Wetlands/Conservation Commission regarding wetlands and water courses must be followed.

Recommendations from the Warren Housing Partnership Committee may require additional Town Plan amendments and review of regulations to accommodate special housing needs.

A need which could be planned for, if not immediately constructed, is additional commercial development to serve local needs. A Town-sponsored planning process would give the Town greater control over commercial use. This is explained in the Commercial Land Use section of the Plan.

Throughout the following Plan recommendations it is clear that an active approach is supported by the Town: the Town should take the initiative to plan how it wants to grow, and should work with landowners in a cooperative way to ensure this occurs.


"I certify this is a true copy of the document  
received at Warren, CT this 2<sup>nd</sup> day of May  
at 12:44pm."

Attest:

*Joanne C. Tiedmann*

Joanne C. Tiedmann, Town Clerk

Date 5/7/2009

 State of Connecticut

Search:



[Home](#)   [Biography](#)   [Online Forms](#)   [Contact Governor Rell](#)  
[Executive Orders](#)   [Resource Links](#)   [Legislative Information](#)   [Publications](#)   [FAQ](#)   [Lt. Gov. Fedele](#)

[Printable Version](#)

### State Bond Commission to Approve Preservation of Lands in Pomfret & Lebanon, Lt. Governor Rell Announces

**Hartford** - The State Bond Commission will allocate nearly three-quarters of a million dollars to preserve farm lands in Pomfret and Lebanon, Lt. Governor M. Jodi Rell announced today.

The commission is expected to approve \$720,820 in funds for the development rights of the 61-acre Campbell Farm in Pomfret and for three properties in Lebanon.

"By purchasing the development rights to these four properties, the state is making a commitment to farmland preservation. These four farms are located near other protected farms and allow for viable agricultural clusters in Eastern Connecticut," Lt. Governor Rell said.

Besides the Campbell farm, the three sites in Lebanon are:

- \* Parrow Farm - 73.1 acres
- \* McCaw Farm - 51 acres
- \* McCaw Farm - 2156 acres

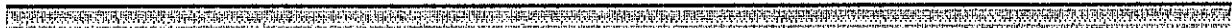
Both McCaw Farms are located along the historic Lebanon Town Green, the largest town green in the state. They both abut the newly-established Lebanon Agricultural Museum.

- end -

*Release Date: December, 12 2000*  
*Contact: 860-524-7384*

Content Last Modified on 8/27/2003 11:31:04 AM

[Printable Version](#)



[Home](#) | [CT.gov Home](#) | [Send Feedback](#) | [Login](#) | [Register](#)

State of Connecticut [Disclaimer](#) and [Privacy Policy](#). Copyright © 2002 - 2009 State of Connecticut.



STATE OF CONNECTICUT  
ATTORNEY GENERAL'S OFFICE

ABOUT US CONTACT US HOME

Attorney General Search:  GO  
Advanced Search

Connecticut Attorney General's Office

Press Release

STATE OF CONNECTICUT  
NEWS RELEASE  
ATTORNEY GENERAL RICHARD BLUMENTHAL  
DEPARTMENT OF AGRICULTURE  
COMMISSIONER BRUCE H. GRESCZYK

- >> ABOUT THE ATTORNEY GENERAL
- >> DEPARTMENTS
- >> CONSUMERS
- >> CHILDREN
- >> SENIORS
- >> INDIAN
- >> CHARITIES
- >> HEALTH
- >> OPINIONS
- >> PRESS RELEASES
- >> RFP'S
- >> LEGAL RESOURCES
- >> EMPLOYMENT
- >> HELPFUL INFORMATION

Attorney General Takes Immediate Action  
To Prevent Development On Farmland

November 5, 2004

Attorney General Richard Blumenthal today is seeking an emergency injunction in Superior Court to stop the illegal construction of a golf course on a Preston farm where the state owns the farmland development rights. Blumenthal is taking legal action on behalf of Commissioner of Agriculture Bruce H. Gresczyk.

Before his death, farmer Joseph A. Koneicko – to ensure the perpetuity of his Preston farm – sold the farmland development rights of his property to the state for \$232,603. Koneicko passed the property on to his wife Rose Y. Koneicko, who subsequently transferred it to Virginia Landis and Frederick Peacos Jr., trustees of the Rose Y. Koneicko Irrevocable Trust.

The state continues to own the farmland development rights, which prohibits the development of the farm for uses that would render the land no longer agricultural land.

Despite the state's ownership of the Koneicko Farm farmland development rights, the trustees of the Rose Y. Koneicko Irrevocable Trust have obtained local permits and plan to begin constructing a golf course on the property as soon as this week. The trustees maintain that a golf course qualifies as agricultural activity because they would be growing grass.

"The survival of our farmland preservation program is at stake, not just a single piece of land or farm," Blumenthal said. "Anyone who equates golfing with farming does a disservice to both – or seriously needs education. If growing grass is an agricultural activity, then hitting a golf ball is harvesting hay. The taxpayers own these farmland development rights – and my office will fight tooth and nail to uphold those rights."

Commissioner Gresczyk said, "The taxpayers of this state made a

Mailing Address:  
Office of the  
Attorney General  
55 Elm Street  
Hartford, Connecticut  
06106

Telephone:  
(860) 808-5318

E-ALERTS  
Receive Attorney General  
news updates by e-mail.  
>> Subscribe now or  
update your e-Alerts

>> LOGIN



significant investment in purchasing the development rights to this property and it's the Department of Agriculture's duty to protect the integrity of this land in perpetuity."

The authority to purchase farmland development rights was established under Connecticut General Statute 22-26aa.

The law says that "the growing population and expanding economy of the State have a profound impact on the ability of public and private sectors of the state to maintain and preserve agricultural land for farming and food production purposes; that unless there is a sound, statewide program for its preservation, remaining agricultural land will be lost to succeeding generations and that the conservation of certain arable agricultural land and adjacent pastures, woods, natural drainage areas and open space areas is vital for the well-being of the people of Connecticut."

In addition to the Koneicko Farm, the state owns the development rights to thousands of acres of farmland in Connecticut.

---

Content Last Modified on 7/1/2005 3:42:51 PM


[Printable Version](#)

---

[Home](#) | [Technical Questions](#) | [Email the Attorney General](#)

[State of Connecticut Disclaimer and Privacy Policy](#) Copyright © 2002 - 2009 State of Connecticut

---

 State of Connecticut

Search:



Home   Biography   Online Forms   Contact Governor Rell  
Executive Orders   Resource Links   Legislative Information   Publications   FAQ   Lt. Gov. Fedele

## Press Releases - 11/2005



M. JODI RELL  
GOVERNOR

STATE OF CONNECTICUT  
EXECUTIVE CHAMBERS  
HARTFORD, CONNECTICUT 06106

FOR IMMEDIATE RELEASE  
November 28, 2005

Contact:  
Adam Liegeot  
860-524-7313  
[Adam.Liegeot@ct.gov](mailto:Adam.Liegeot@ct.gov)

### Governor Rell Announces More Than \$1.6 Million for Farmland Preservation

Governor M. Jodi Rell today announced that \$1,647,206 to protect and preserve the development rights of six Connecticut family farms is expected to be approved when the State Bond Commission meets on December 9. Farms in East Windsor, Franklin, North Franklin, Sharon, Suffield and Woodstock will be preserved.

"I am absolutely committed to preserving the character of our state," Governor Rell said. "It is about balancing the need for development - for economic growth, for jobs and for new housing - with the need to safeguard what makes our state a special place to live and raise a family. Every year we are losing more open space and farmland to housing developments and retail centers. Connecticut has a rich and proud farm heritage, and today we are making a substantial commitment that ensures these farms are preserved for future generations.

"Today we are preserving nearly 600 acres of family farms from Sharon in the northwest to Woodstock in the northeast, and I hope these protective measures send a message to everyone in Connecticut that we are rededicating ourselves to keeping Connecticut the great state that it is. At the same time, we are rededicating ourselves to those who will inherit the land from us. For that, we should all be proud."

The bond allotments for the farms are as follows:

- \$181,935 for the Koziol-Cushman Farm at 120 Kahn Road on Route 87 in Franklin. The Koziol-Cushman Farm is a 113.6-acre dairy support farm in hay and silage corn owned by Cushman Farms Limited Partnership. Nate Cushman and the Cushman family helps run the farm. They have a large dairy farm, milking about 600 cows and manage over 1200 dairy cows. The farm contains a considerable amount of prime and important farmland soils. The area is in a rural agricultural community and scenic area of the State. The farm abuts other preserved farms and is part of a block of over 1200 acres of open space and protected farmlands.

- **\$587,456** for the Four Maples Farm on Amenia Road, Route 41, Sharon. The Four Maples Farm, owned by James Krissel, is a 173-acre dairy and beef support farm in hay and silage corn production. It contains a considerable amount of prime and important farmland soils. The area is in a rural agricultural community and scenic area of the State. The farm abuts another 78-acre preserved farm and will create a block of over 250 acres of open space and protected farmlands.
- **\$332,065** for the James Allen Farm on 1175 Copper Hill Road, Suffield: The Allen Farm is a 109.2-acre dairy and support farm in hay and silage corn owned by James Allen. The acquisition will be a joint partnership between the Town of Suffield and the State. The farm received a very good evaluation based upon farmland preservation program evaluation scoring regulations. The farm is located in Hartford County, in the West Suffield area of Suffield. It abuts the State Rail Trail and is surrounded by other farmland and is a very scenic area.
- **\$203,100** for Grant Farm on 120 Broad Brook Road, East Windsor. Owned by Philip and Selma Grant, this is a 54-acre dairy support farm in hay and silage corn.
- **\$90,280** for the Sawicky Farm on North Road, Route 187, North Franklin. This is a 53-acre alfalfa farm owned by William Sawicky and William Sawicky, Jr.
- **\$252,370** for the Valley (Eddy) Farm on Woodstock and Dugg Hill Roads in Woodstock. This is an 89-acre dairy support farm owned by the Trust for Public Lands and Timothy and Susan Eddy.

This funding will be used to purchase the development rights to the farms – placing a permanent restriction on the use of the land. The land can never be used for non-agricultural purposes. These farms will now stay under private ownership and continue to pay local property taxes.

Content Last Modified on 11/5/2007 11:00:10 AM

[Printable Version](#) [Previous Next](#)

[Home](#) | [CT.gov Home](#) | [Send Feedback](#) | [Login](#) | [Register](#)

State of Connecticut [Disclaimer](#) and [Privacy Policy](#). Copyright © 2002 - 2009 State of Connecticut.



Connecticut Department of Agriculture

- Home
- About Us
- Programs & Services
- Contact Us

- Animals
- Aquaculture
- Boards, Councils & Commissions
- Laws and Regulations
- Agricultural Business Development & Assistance
- Licenses & Permits
- Publications
- Regulation and Inspection
- Other Resources



Department of Agriculture  
 165 Capitol Avenue  
 Hartford, CT 06106

860-713-2569

toll-free  
 1800-861-9939

**Farmland Preservation Up-Date - Hartford, CT. Contact: Farmland Preservation Program, please call 860.713.2511. January 7th, 2008**

The Farmland Preservation Program continues its important work in preserving Connecticut's farmland. On December 12, 2008, the State Bond Commission approved \$5,000,000 in funds for the purchase of development rights to qualified farms throughout Connecticut.

Combined with \$10,000,000 from bonding last December 2007 and February 2008, the Program can confidently and aggressively work through its list of farmers ready and willing to preserve Connecticut's agricultural heritage.

In fact, presently there are over 50 priority farm applications in the pipeline that rank highly meeting the criteria of this competitive Program and are under negotiation at an estimated cost of over \$31,000,000. The Program works to preserve qualifying farms until dedicated funds are depleted. The majority of funds are derived from State bonding and the Community Investment Act of 2005. Supplementary funding in some cases can be derived through partnerships with the federal Farm and Ranch Lands Protection Program, municipalities and/or land trusts.


Fifty farms equates to over 5,800 acres of croplands comprised of prime and statewide important farmland soils, forest and wetlands buffers that will be preserved in perpetuity for future generations of farmers and the wellbeing of the people of Connecticut.

Of the 50, thus far in calendar year 2008, the Program closed on the development rights to seven farms comprised of 675 acres located in the towns of Suffield, Franklin, Scotland and Eastford. Another 13 farms in 1,525 acres located in the towns of Pomfret, Brooklyn, Warren, Lebanon, Salem, the Granbys, and Seymour are pending closure early this year, which will bring the 2008-2009 running total to 2,200 acres protected. This is excellent and accelerated progress for a Program that has historically been under funded, resulting in farms that have been converted to non-agricultural use in the wave of residential development over the past 30 years.

Another seven farms are under contract with the State, and in some cases, towns via a joint State-municipal project. Offers are extended on an additional five farms. An additional two farms are being appraised. And an additional 17 are scored and qualified to enter the valuation process for ultimate purchase of the development rights.

Acre by acre, the Program works towards the goal of protecting 85,000 acres of cropland on 130,000 acres of farmland in Connecticut. Since inception of the program in 1978, 254 Connecticut farms in nearly 34,500 acres have been or are pending protection. Good farmland is the raw material of producing food and farming. Preserved farmland helps give farmers the opportunity at sustaining that business or putting it in the hands of future generations of farmers. We can all help them by buying local and direct. It's good for the farmers, our agricultural business, and state economy.

For more information about the Farmland Preservation Program, please call 860.713.2511.

 State of Connecticut

Search:



- Home
- Biography
- Online Forms
- Contact Governor Rell
- Executive Orders
- Resource Links
- Legislative Information
- Publications
- FAQ
- Lt. Gov. Fedele

[Printable Version](#)



STATE OF CONNECTICUT  
EXECUTIVE CHAMBERS  
HARTFORD, CONNECTICUT 06106

M. JODI RELL  
GOVERNOR

FOR IMMEDIATE RELEASE  
June 20, 2008

Contact:  
860-  
524-  
7313

## Governor Rell Announces Purchase of Bogus Farm Property in Bethel

*134-Acre Parcel is Adjacent to Huntington State Park*

Governor M. Jodi Rell today announced that the state of Connecticut is adding to its open space holdings with the purchase of 134 acres of the Bogus Farm property, located in Bethel adjacent to the popular Collis P. Huntington State Park.

"Bogus Farm is an impressive and important purchase for us," Governor Rell said during a ceremony at the entrance to the park. "This property was one of the largest undeveloped areas in northern Fairfield County held in private ownership. It contains outstanding natural resources and a developed trail system. The property also connects to Huntington State Park and will expand the recreational opportunities available to people who visit that park. We appreciate the Schrijver family's willingness to sell this land to the state and preserve it for all of us – and for future generations – to enjoy.

"Through Connecticut's nationally recognized 'No Child Left Inside' initiative, we have been working hard to encourage families to get outside, visit our state parks and reconnect with the wonders of the natural world," the Governor said. "With the purchase of the Bogus Farm we are making Huntington State Park an even more exciting place to visit. We hope this will encourage families to come out to hike the trails and view the wonderful ponds, streams and rock formations in the park and on the farm property."

The state purchased the land from its owner, Bobbie Schrijver, for \$4 million. Funds were available through the Recreation and Natural Heritage Trust, which is managed by the Department of Environmental Protection and funded through bonding periodically authorized by the state Bond Commission.

The purchase of the Bogus Farm property is the second major open space acquisition by the state in recent months. In January, the state announced the purchase of the 308-acre Francis M. Deluca property, located

in the towns of Cornwall and Canaan. This purchase expanded the Housatonic State Forest and provided an additional 2,700 feet of frontage along the Upper Housatonic River Trout Management Area.

"These open space purchases demonstrate our continuing commitment to preserving the charm, beauty and character of Connecticut even as we seek to expand employment and housing opportunities for our citizens," Governor Rell said. "Through the principles of my 'Responsible Growth' program, we can encourage the growth we need to sustain prosperity while protecting and preserving important natural resources like the Bogus Farm and Francis M. Deluca properties."

#### **Background on Schrijver Property**

Most of the 134-acre property is in Bethel, but a portion is located in Redding. The land features a portion of the headwaters that feed the lakes in the Huntington state park, numerous vernal pools, a trail system that interconnects with the trail system in the state park and many interesting and unique rock formations characteristic of Connecticut's southwestern hills.

#### **Background on Collis P. Huntington State Park**

Collis P. Huntington State Park was primarily in agricultural use until the Luttgen family acquired the land in the late 1800s and developed the present service roads, trails and artificial ponds. Reportedly, a small steam paddlewheeler was kept on the largest pond and is now sunk somewhere under the park waters. A short, stone lighthouse still remains on one of the islands. Later, the Starratt family owned the estate until the 1930s, when the land was acquired by Archer M. Huntington, who willed the land of the homestead he called Stanerigg for a state park.

It was there that his wife, Anna Hyatt Huntington, an internationally famous sculptress, worked with clay and scaffolding in her studio. The park is named after Archer Huntington's father, railroad tycoon Collis Potter Huntington (1821-1900). Collis Potter Huntington became one of the wealthiest men in the country through his promotion and completion of the first transcontinental railroad. He also established the largest shipyard and dry dock company in the United States in the late 1800s at Newport News, Virginia.

Anna Hyatt Huntington's sculptures of bears and wolves welcome visitors at the park entrance. Also well-known in the area is her heroic statue of General Israel Putnam at the Putnam Memorial State Park entrance in Redding, which was created when Mrs. Huntington was in her 90s.

Since Mr. and Mrs. Huntington were careful to preserve the natural quality of their land, the 883-acre park is now a wonderfully tranquil place. It spreads over fields and dense woodlands and includes five ponds. The park was opened to the public in 1973 after Mrs. Huntington's death. The park is popular for a variety of activities, including hiking, horseback riding, canoeing and fishing. One well-used trail is the Blue Trail, which circles the park in a 5.7 mile loop.

Content Last Modified on 6/20/2008 3:02:45 PM

[Printable Version](#)

---

[Home](#) | [CT.gov Home](#) | [Send Feedback](#) | [Login](#) | [Register](#)

State of Connecticut [Disclaimer](#) and [Privacy Policy](#). Copyright © 2002 - 2009 State of Connecticut.

EXHIBIT  
PURSE 14



### Connecticut Department of Agriculture

Home About Us Programs & Services Contact Us

- Animals
- Aquaculture
- Boards, Councils & Commissions
- Laws and Regulations
- Agricultural Business Development & Assistance
- Licenses & Permits
- Publications
- Regulation and Inspection
- Other Resources



Department of Agriculture  
165 Capitol Avenue  
Hartford, CT 06106

860-713-2569

toll-free  
1800-861-9939

### Governor Rell Announces Purchase of Development Rights to Five CT Farms - Hartford, CT. Contact: Joseph Dippel, 860-713-2530, December 11, 2008.

Press Release in Adobe Acrobat format

Governor M. Jodi Rell announced today that the state is buying the development rights to five Connecticut farms as part of the state's Farmland Preservation Program.

The five farms being preserved are

Davis Farm in Granby (65 acres, \$739,000)

Dimmock Farm in Salem (120 acres, \$600,000)

Kent Farm in Pomfret (93 acres, \$309,318)

Tanner Farm in Warren (50 acres, \$500,000)

Wisneske Farm in Norwich and Franklin (188 acres, \$750,000)

The funds being used to purchase the rights are part of a \$5 million allocation approved for farmland preservation by the State Bond Commission on February 29, 2008.

For more information about the Farmland Preservation Program, go to the Department of Agriculture's website at [www.CTGrown.gov](http://www.CTGrown.gov) and click on "Programs and Services" at the top of the page.

Printable Version





**Bruce S. Coleman**

**From:** Bruce S. Coleman  
**Sent:** Wednesday, April 01, 2009 6:55 PM  
**To:** John Hart; dd9art@sbcglobal.net; Ray Furse; Maryellen Furse; wmjsservices@charterinternet.com  
**Subject:** Emailing: The Litchfield Enquirer - Tanner Farm to be preserved

**A new driving force is in town!**

**ctautomarket.com**

Rain 40°5 Day Forecast

**LitchfieldEnquirer.com**

News Search  
[   ]  
[Advanced search](#) **GO**

[News](#)[Classifieds](#)[Directory](#)[Shopping](#)[Jobs](#)[Real Estate](#)[Autos](#)  
Wednesday 01 April, 2009 [Home](#) > [News](#) > [News](#) > [Top Stories](#)

- [News](#)
- [Top](#)
- [Stories](#)[Obituaries](#)[Sports](#)[Weather](#)[News](#)
- [Search](#)
- [Housatonic Living](#)
- [Passport](#)
- [Photo Galleries](#)
- [CT Publications](#)
- [Classifieds](#)
- [Place Your Classified Ad](#)
- [Advertising Info](#)
- [Subscriptions](#)
- [Entertainment](#)
- [Fun and Games](#)
- [Business Directory](#)
- [Personal Finance](#)
- [Contact Us](#)
- [Litchfield Enquirer Jobs](#)

[Home](#) : [News](#) : [News](#) : [Top Stories](#)  
[Top Stories](#)

Tanner Farm to be preserved  
By: Vanessa Lynn Pinheiro  
12/24/2008

[Email to a friend](#)  [Post a Comment](#)  [Printer-friendly](#)

Gov. M. Jodi Rell announced Dec. 11 that the state is buying the development rights on 50 acres of a Warren farm to preserve the land for permanent agricultural use.

The \$500,000 acquisition will preserve a portion of the Tanner Farm, which forms a triangle with Routes 341 and 45 and College Farms Road in Warren. The funds are part of a \$5 million allocation approved for farmland preservation by the State Bond Commission on Feb. 29.

Currently, Yale University owns the land, and the Tanner family has a 999-year lease on it, according to Katherine Winslow, property agent with the state's Farmland Preservation Program, a division of the state Department of Agriculture. Yale acknowledged that the Tanners control the land and agreed that the funds should go to the family. "Farmland and open space are precious and irreplaceable pieces of our Connecticut landscape," Governor Rell said in a release. "By preserving farmlands, we also help to preserve Connecticut's rich farm heritage. Agriculture is not only an important part of our history-it is a vital part of our current economy and we must do everything possible to keep it strong."

According to a release from the governor's office, the goal of the program is to preserve 130,000 acres of farmland with 85,000 acres dedicated to growing crops. The state's Farmland Preservation Program is administered by the Department of Agriculture.

Most of the land being preserved is considered prime farmland. In many cases, the state attempts to preserve land contiguous or clustered near other farmland to create a stable farming community.

"Farmland preservation also results in many environmental benefits by conserving key wildlife habitats and providing flood control in certain areas," Ms. Winslow added.





Farmed since 1786 by generations of the Tanner family, the 50-acre parcel of corn and hayfield, a portion of the 296-acre dairy farm in Warren, has been sold to guarantee it will be farmed for much longer.

The proceeds will be used to pay Avis Parkis of Albany, N.Y., for her one-sixth ownership of the farm inherited from her parents, Eldred and Addie Tanner, according to Terry Tanner, the dairy farmer who milks about 140 of the 286 Holstein cattle he owns on the land.

"This is a good thing because it pays Avis [Parkis] and keeps her from forcing a sale to gain her assets," Mr. Tanner said of the sale.

Ms. Winslow said the 50-acre parcel the state will preserve is valued at about \$1.1 million, and added that the development rights were appraised at \$850,000.

"This makes this a bargain sale because they accepted less," she said, explaining that the development rights are being sold at a discounted rate of \$350,000 below fair market value.

"It's a very generous act on behalf of the Tanners and Yale University because this protects the land for agricultural use."

The preservation brings the total number of acres preserved to 32,300 on 245 farms statewide.

©The Litchfield Enquirer 2009

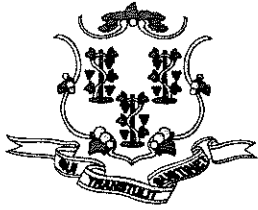
[Email to a friend](#)  [Post a Comment](#)  [Printer-friendly](#)  [Top](#)

Questions or comments? [Email the Webmaster.](#)

Interested in a career with Journal Register Company? [Click here.](#)

Copyright © 1996 - 2009 [Townnews.com](#) All Rights Reserved.

[NewsClassifiedsDirectoryShoppingJobsReal EstateAutos](#)



M. JODI RELL  
GOVERNOR

FOR IMMEDIATE RELEASE  
December 4, 2008

CONTACT: Donna Tommelleo, 860-524-7313  
donna.tommelleo@ct.gov

**Governor Rell Says State Will Bond  
\$5 Million for Farmland Preservation**  
*Funds Expected to Buy Development Rights  
for 10 More Farms in 2009*

Governor M. Jodi Rell announced today that \$5 million for farmland preservation is expected to be approved by the State Bond Commission at its meeting on December 12.

“Farmland remains one of Connecticut’s greatest resources and is critical for our economic future. That became tremendously evident this summer when record gas prices sent grocery bills soaring. Families found some relief with fresh locally grown food available at farmers’ markets across the state and at other outlets,” Governor Rell said. “Keeping farmland intact ensures that our farmers are able meet those needs while preserving our agricultural heritage and a very special way of life.”

The \$5 million is the latest lump sum allocation for the state’s Farmland Preservation Program, which is administered by the Department of Agriculture. The funds are used to buy development rights to farms – placing a permanent restriction on the use of the land. The land can never be used for non-agricultural purposes and farms will stay under private ownership and continue to pay local property taxes.

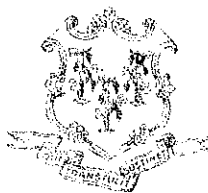
The goal of the program is to preserve 130,000 acres of farmland with 85,000 acres dedicated to growing crop. To date, the state has preserved more than 30,000 acres on nearly 230 farms. The new funds are expected to allow the state to buy development rights for 10 more farms over the next several months.

State Agriculture Commissioner F. Philip Prelli said that the majority of the acreage preserved is considered prime farmland. In many cases, the state attempts to preserve land contiguous or clustered near other farmland to create a viable farming community.

“Connecticut farmers are resourceful, innovative and have survived because they have the ability to adapt to the changing times,” Commissioner Prelli said. “Agriculture contributes more than \$2 billion to our state’s economy. Our small state continues to have a huge impact on many of the commodities grown in the Northeast. We have some of the top producing poultry farms in the nation and our orchard crops and greenhouse plant industry are consistent leaders in the New England.”

The Governor and Commissioner noted that farmland preservation also results in many environmental benefits by conserving key wildlife habitat and providing flood control in certain areas.

“There are also so many intangibles. It is what we feel as much as what we see when take a peaceful drive through the Connecticut countryside,” Governor Rell said. “The historic stone walls that cross through fields and forests remind us of Connecticut’s rich agricultural past – one certainly worth preserving for future generations. We must honor that past and safeguard our future.”



**M. Jodi Rell**  
GOVERNOR  
STATE OF CONNECTICUT

Blumberg No. 5118  
EXHIBIT  
FURSE17

April 29, 2009

Daniel F. Caruso  
Chairman  
Connecticut Siting Council  
Ten Franklin Square  
New Britain, CT 06051

Re: Application of SBA Towers II  
Docket No. 378

Dear Mr. Caruso:

It has come to my attention that an application seeking to construct a telecommunications tower at one of two alternative locations on a 106- acre parcel off Rabbit Hill Road in Warren, Connecticut has been filed with the Siting Council.

I have several concerns that I bring to your attention. First, I question the location of this tower in an area known for its pristine and natural beauty. The location of a telecommunications facility and associated equipment, which includes a 160 foot tower, in the midst of this natural treasure will be nothing short of an eyesore. Second, relative to Parcel A, the development rights to that 182-acre parcel were sold to the State of Connecticut in 1996. It is the State that retains the exclusive rights to the property, and absent the express authorization from the State, the tower must not be situated on that property. Third, although the State does not have a property interest in Parcel B, I ask that you take into consideration the scenic and rustic nature of the Warren area and the fact that the area has become a natural habitat for several kinds of wildlife in our State.

I fully understand the need for telecommunications towers in our State, particularly in our more rural areas where cell phone coverage can be spotty; but those decisions cannot be made in a vacuum, without fully considering the effects on our environment, our natural habitats and our landscape. The Siting Council must consider the historic and unspoiled landscape of this scenic section of our State. The value we place such land and our commitment to open space is evident by the State's purchase of 182 acres in February 1996 for the sum \$725,000.

I urge the Siting Council to consider an alternate site for the telecommunications facilities; one that will meet the wireless service needs of the residents in the greater Warren/Washington area and will have nominal impact on our environment and our pristine landscape.

Very truly yours,

M. Jodi Rell  
Governor

cc: Bruce Coleman, President CROWW

# The Green Plan

## Guiding Land Acquisition and Protection in Connecticut 2007-2012



Connecticut Department of Environmental Protection  
 Gina McCarthy, Commissioner  
[www.ct.gov/dep](http://www.ct.gov/dep)  
 September 2007

# The Green Plan: Guiding Land Acquisition and Protection in Connecticut 2007-2012

## BACKGROUND/OVERVIEW

Historically, undeveloped open space was common in Connecticut and its preservation was not a public priority. As time passed, Connecticut, like the rest of the country, grew economically and its population increased. The development that had been concentrated in key areas, generally along waterways, spread out as roads were built and cars became the preferred mode of transportation. Suburban development replaced rural lands and today all of Connecticut is under increasing development pressure. Poorly controlled growth (also known as sprawl) has become a significant threat to open space as areas that used to be open, undeveloped or part of our agricultural heritage are being converted to other uses, primarily residential development. With careful planning, it is possible to have economic and population growth while protecting valuable open spaces. Connecticut's citizens have both an opportunity and responsibility to decide the future of the State's landscape by permanently protecting certain undeveloped areas as open space. This plan sets forth a strategy for approaching such significant decisions.

### Why Protect Open Space?

Although each protected parcel has its own unique value, open space as a whole provides a wealth of valuable "services" to Connecticut's citizens. While the full list of benefits is too extensive to include here, these services include options for outdoor play, activity, and environmental education. Forested areas are especially adept at removing carbon from the atmosphere, which helps to minimize global climate change, and floodplains, coastal waterfront and adjacent uplands provide opportunities to respond to the anticipated effects of climate change. Other valuable open space services are the provision and preservation of scenic beauty, contributions to local sustainable economy from wood, food and fiber production, and maintenance of the diversity of Connecticut's landscape. Open space also can provide a variety of specific ecological functions such as preserving biodiversity, habitat for rare species, streamflow and water supply protection, and flood control. Open space protection will play an expanding role in Connecticut's economic future as businesses increasingly consider quality of life in making decisions on where to locate and expand.

"*The Green Plan: Guiding Land Acquisition and Protection in Connecticut 2007-2012*" is an update of the original *Green Plan* (2001). The updated plan: 1) identifies the State's future open space goals; 2) summarizes land acquisition and protection efforts to date; 3) discusses threats and challenges to open space protection; 4) identifies priorities for acquisition and protection; 5) describes the programs and funding available; and 6) outlines the process. This document is a strategic plan for land acquisition and protection for the State of Connecticut through 2012. As such, it provides general guidance for program managers, is a tool for those who want to work with the State in preserving land, and offers a basic overview for the public of the State's land acquisition and protection program.

### The Vision

A diverse landscape of protected open space that offers outdoor recreation to Connecticut's citizens, protects water supplies, preserves natural communities and habitats for plants and animals, offers green spaces accessible to all residents, whether residing in urban, suburban or rural communities, and provides a working natural landscape for the harvest of farm and forest products.

- The size and functionality of a parcel under consideration
- Whether the property contains significant amounts of contaminants, widespread invasive species, or other impediments to providing or maintaining optimum ecological value
- The degree to which a property can accommodate multiple uses with minimal conflict and optimize the extent to which recreational demands can be met
- Whether the property can advance other DEP plans and protection efforts
- The threat of development to areas specifically identified as important for their ecological characteristics or use values, or both.

## THE ACQUISITION AND PROTECTION PROCESS

### Partners

The ambitious target for land acquisition and protection established by the legislature requires the cooperation of many partners including municipalities, private nonprofit land conservation organizations, water companies, the State of the Connecticut and interested private property owners.

The **Commissioner of Environmental Protection** is charged with developing the strategy for achieving the open space acquisition goal. The Commissioner is responsible for acquiring State lands for open space purposes and submits a report annually to the General Assembly's Environmental Committee regarding the strategy and progress being made toward achieving the State's open space land acquisition goals. The Commissioner also provides technical assistance and grants to facilitate the acquisition of open space lands by municipalities, private nonprofit land conservation organizations and water companies.

The **Natural Heritage, Open Space and Watershed Land Acquisition Review Board**, established by statute<sup>3</sup>, assists and advises the Commissioner. The Board provides comments on the selection criteria, policies and procedures, and on applications for funding. It also provides general guidance and reviews land protection strategies. The Board also plays a major role in promoting public participation in the acquisition program and submits an annual report on the acquisition program. The Board makes recommendations to the Commissioner on funding specific grant projects. Please see Appendix II for a description of the Board's make-up.

**Municipalities, private nonprofit land conservation organizations and water companies** are encouraged to cooperatively pursue the acquisition of land to meet the open space goal set forth in the statutes. The State seeks out and works with partners to help in acquisition of state-owned open space land. Land trusts in particular have been key allies in land protection efforts in Connecticut. They have not only directly acquired land and easements, but have also assisted the State in protecting properties. Municipalities, private nonprofit land conservation organizations, and water companies are eligible to receive funds through the Open Space and Watershed Land grant program for the acquisition of open space lands.

The **individual landowners** interested in protecting their land are perhaps the most critical partners in this effort. Often, these individuals have exhibited careful stewardship of their land and have demonstrated a concern for the Connecticut landscape or are otherwise interested in transferring their property for protection purposes. Without them, the Department would be unable to meet the land protection goals set by the legislature.

---

<sup>3</sup> Connecticut General Statutes 7-131e, see Appendix II

## AGRICULTURAL LAND AND OPEN SPACE

Agricultural lands are integral to the quality of Connecticut's landscape and essential to the character of many towns. Working farms, pasture, tilled acreage, and associated forest are critical complements to the open space protection efforts outlined in this plan. While the Department of Agriculture has the primary role in preserving farmland (see box), the DEP has a role in protecting certain agricultural lands, generally either through out-right acquisition or the purchase of conservation easements. For lands so protected, it is not uncommon for arrangements to be made so that the farmer can continue to work the land. In some instances, modification of existing farm practices can both provide important habitat and produce marketable crops. For example, altering the schedule for mowing hay fields can preserve grassland habitat during the bird nesting season and still provide a hay crop. Future efforts by DEP will include the development of lease language to encourage farmers to maintain portions of their properties in a manner that provides wildlife habitat.

The DEP recognizes that certain farm practices can enhance the quality of habitat and provide ecological protection. Farmers are encouraged to utilize farming methods that protect the environment and provide quality habitat wherever practical. Additional outreach by the DEP to provide farmers the information necessary to consider such farm practices would be beneficial. Despite having to exclude preserved agricultural land from the total open space tally, one focus of the grant programs discussed in this document is the preservation of local agricultural heritage for scenic and open space amenities. Protected agricultural land preserves a "sense of place" in our more rural towns and, in many ways, the State's open space and farmland preservation programs complement each other.

## GOING FORWARD

It will take time and adequate funding to meet the statutorily-required land acquisition and protection goals. The DEP is committed to a long-term effort to reach the goals identified in statute and to encourage and provide assistance to cities and towns, non-governmental organizations and other entities to succeed with acquiring and protecting open space that satisfies the various needs of Connecticut. Although there is overlap, these actions generally fall into five categories: operations, data and tools, criteria and standards, outreach, and project evaluation and update. What follows are the steps DEP will take.

### *Operations*

- Fill vacancies and reinvigorate the Review Board
- Implement other DEP plans as they relate to land protection, including moving forward aggressively with the Grassland Habitat Initiative



### Farmland for Food Production

Securing farmland land to maintain food production capability is done by the Connecticut Department of Agriculture (DOAG) through their Purchase of Development Rights Program. Because the primary purpose of the program is to maintain food production capability, eligible properties must be at least 30 acres in size.

Lands where the DOAG has acquired development rights remain in private ownership and these lands are not generally available to the public for use without further agreement from the individual farm owner. Without a specific public access/recreation or wildlife habitat component, these lands cannot counted towards the 21 percent open space goal.

However, these efforts fulfill an important role by protecting food and fiber producing land resources. In addition to providing fresh, locally grown foods, farmland can also offer important environmental benefits including providing wildlife habitat and flood control.





# **Conservation and Development**

## **Policies Plan for Connecticut**

**2005 – 2010**

Office of Policy and Management  
Intergovernmental Policy Division  
450 Capitol Avenue – MS# 54SLP  
Hartford, Connecticut 06106-1308

## Growth Management Principle #4

### **Conserve and Restore the Natural Environment, Cultural and Historical Resources, and Traditional Rural Lands**



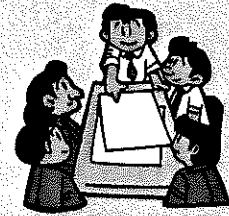
A goal of this plan is to preserve diverse landscapes that offer outdoor recreation, preserve fragile natural communities, agricultural lands, and habitats for plants and animals, protect and enhance water resources, and offer green spaces accessible to residents both in the country and in the cities. These natural, scenic, recreational, and historic areas of the state are essential to the quality of life, are important economic assets in Connecticut, and must be maintained and protected from adverse effects. Preserving this heritage is a challenge in such a small, densely populated state with a limited land and water resource base. Future development must occur in careful balance with the protection of these resources.

In recognition that the natural resources of the state were finite and precious and that a growing population and expanding economy were having a profound impact on the life-sustaining natural environment, the General Assembly declared the policy of the state "is to conserve, improve and protect its natural resources and environment and to control air, land, and water pollution in order to enhance the health, safety, and welfare of the state." It directed state government to use all practical means to improve and coordinate state plans, functions, programs, and resources to the end that the state may:

- "fulfill the responsibility of each generation as trustee of the environment for succeeding generations;
- assure for all residents of the state safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
- attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;
- preserve important historic, cultural, and natural aspects of our Connecticut heritage and maintain, where possible, an environment which supports diversity and variety of individual choice;
- achieve an ecological balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities;

## Growth Management Principle #6

### **Promote Integrated Planning Across all Levels of Government to Address Issues on a Statewide, Regional and Local Basis**



Integrated planning is the principal strategy for assuring that state-level development is consistent with the Plan. Horizontal coordination involves communication between state agencies for program impacts that cross agency program or geographic lines. It is important to strengthen processes for carrying out coordinated horizontal planning in order to manage intersecting state agency interests in ways that are consistent with the Plan. Vertical coordination involves communication and integration of planning processes between and among different levels of government. Planning for Connecticut's future as a desirable place to live and work must be coordinated on a statewide basis, while acknowledging differences in regional character, and disparate needs across geographic boundaries. Using the Plan as a foundation, OPM will seek to promote both horizontal and vertical integrated planning to address statewide, regional and local interests by:

- providing assistance and guidance to state agencies to assure consistency between individual agency plans and the state Plan;
- working with regional planning organizations to creatively develop coordinated and effective regional plans and implement projects which reflect cross-cutting and region specific needs;
- encouraging municipalities to consider the Plan when revising local plans of conservation and development. If local plans are inconsistent, reasons for the inconsistencies should be noted and addressed and efforts should be made to achieve consistency with the Plan's stated Growth Management Principles; and
- working with selected neighborhood groups, when possible, and reviewing strategic plans that are called for by Neighborhood Revitalization Zone legislation.



# **Public Support for Farmland Preservation Programs: Empirical Evidence from Connecticut**

by

**Jeremy D. Foltz**  
Assistant Professor  
University of Wisconsin-Madison

and

**Bruce A. Larson**  
Assistant Professor  
University of Connecticut

## **Abstract:**

This paper investigates the determinants of household support for a purchase of development rights (PDR) program in Connecticut. A weighted probit model is used to explain support for the current program, and an ordered probit model is estimated to investigate support with higher funding levels. The results show high levels of public support across income and geographic differences, although such support is sensitive to program funding levels. Support for the PDR program in Connecticut is positively associated with younger households with children and is strongly tied to maintaining access to locally-grown foods.

\* The authors would like to thank, without implicating, Emilio Pagoulatos, Gregory Poe, and seminar participants at the NAREA meetings for providing helpful input in this research. Address for correspondence: Bruce Larson, Department of Agricultural and Resource Economics, University of Connecticut, Unit-4021, 1376 Storrs Rd. Storrs, CT, 06269. Tel: (860) 486-1923, Fax: (860) 486-1932. Email: [Bruce.Larson@uconn.edu](mailto:Bruce.Larson@uconn.edu)

increasing property values. Pfeffer and Lapping also find this positive correlation between population growth and support for PDR programs in the Northeast. In one county in North Carolina, Furuseth reports that over 87% of surveyed residents support using public funds to purchase development rights, although only 50% would be willing to pay additional taxes to fund such programs. Furuseth concludes from cross-tabulations that such support is positively associated with higher levels of income, higher levels of education, and being female.

In addition to showing widespread support, the literature also provides information on underlying motives for household support of farmland preservation. In the Furuseth survey data, public opinions were clearly related to both agricultural objectives (food supply, farmland part of local heritage, ensure future food supply) and environmental objectives (open space is good for the environment). Kline and Wichelns (1996) conclude that Rhode Island residents believe that farmland preservation activities should focus on environmental objectives that are distinct from agricultural/amenity objectives (e.g., preserving rural character, scenic quality, and public access to open space). Not surprisingly, the relative importance of such agricultural and environmental motives tend to vary across locations depending on the relative availability of farmland.

The objective of this paper is to understand public support for Connecticut's existing purchase-of-development-rights program. To accomplish this we use survey data from a random sample of Connecticut residents to estimate econometric models of program support. The remainder of this paper is organized as follows. Section 2 introduces the data and discusses the level of support for the current PDR program at current and higher funding levels. Section 3 then develops two models to investigate household-specific determinants of support for the PDR program. For the current program, a weighted probit model is developed that allows for better



**CONSERVATION RESTRICTION**  
*(farmland)*

TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

THIS CONSERVATION RESTRICTION is made this \_\_\_\_ day of \_\_\_\_\_, 2007, by **JOHN SMITH** and **MARY SMITH**, both with a mailing address of P.O. Box 100, Warren, Connecticut 06754 (the "Grantor") in favor of **THE WARREN LAND TRUST, INC.** a Connecticut nonprofit corporation with a mailing address of 151 Melius Road, Warren, Connecticut 06754 (the "Grantee").

**W I T N E S S E T H :**

WHEREAS, the Grantor is the owner in fee simple of certain real property, hereinafter called the "Protected Property," which has ecological, scientific, educational and aesthetic value in its present state as a natural area which has not been subject to development or exploitation, which property is located in the Town of Warren, County of Litchfield and State of Connecticut, and is more particularly described in Schedule A attached hereto and incorporated by this reference; and

WHEREAS, **THE WARREN LAND TRUST, INC.** is a Connecticut non-profit corporation and a tax exempt public charity under Section 501 (c)(3) and 509 (a)(1) of the Internal Revenue Code, as it may be amended (hereinafter the "Code"), qualified under Section 170(h) of the Code to receive qualified conservation contributions, and having its headquarters in Warren, Connecticut, and its mailing address at 151 Melius Road, Warren, Connecticut 06754, whose purpose is to preserve natural areas for scientific, charitable, educational and aesthetic purposes; and

WHEREAS, the protection and preservation of the Protected Property is for "conservation purposes," defined in Section 170(h)(4)(A) of the Code as (i) the preservation of land areas for outdoor recreation by, or the education of the general public, (ii) the protection of a relatively natural habitat of fish, wildlife, or plants, or similar ecosystem, (iii) the preservation of open space (including farmland and forest land) where such preservation is for the scenic enjoyment of the general public or pursuant to a government conservation policy and will yield a significant public benefit or (iv) the preservation of an historically important land area or a certified historic structure;

WHEREAS, the specific conservation values of the Protected Property will be documented in a report, prepared by the Grantee, establishing the baseline condition of the Protected Property at the time of this grant and including reports, maps, photographs and other documentation; and

WHEREAS, the Grantor and the Grantee have the common purpose of conserving the above-described conservation values of the Protected Property in perpetuity; and

WHEREAS, the State of Connecticut has authorized the creation of Conservation Restrictions pursuant to Connecticut General Statutes Sections 47 - 42a through 47 - 42c and the Grantor and Grantee wish to avail themselves of the provisions of that law.

NOW, THEREFORE, the Grantor, for and in consideration of the facts above recited and of the mutual covenants, terms, conditions and restrictions herein contained and as an absolute and unconditional

gift, does hereby give, grant and convey to the Grantee a Conservation Restriction in perpetuity over the Protected Property of the nature and character and to the extent hereinafter set forth.

1. **Purpose.** It is the purpose of this Restriction to assure the Protected Property will be retained forever predominantly in its natural, scenic condition as farmland and open space; and to prevent any use of the Protected Property that will significantly impair or interfere with the conservation values or interest of the Protected Property described above. Grantor intends that this Restriction will confine the use of the Protected Property to such activities as are consistent with the purpose of this Restriction.

2. **Prohibited Uses.** Any activity on or use of the Protected Property inconsistent with the purpose of this Restriction is prohibited. Without limiting the generality of the foregoing, the following activities and uses are expressly prohibited except as provided in Paragraph 3 below:

2.1 There shall be no construction or placing of any building, tennis or other recreational court, landing strip, mobile home, swimming pool, asphalt or concrete pavement, billboard or other advertising display, antenna, utility pole, tower, conduit, line, sodium vapor light or any other temporary or permanent structure or facility on or above the Protected Property, except for agricultural structures, outbuildings and other improvements permitted in Paragraph 3 below.

2.2 There shall be no ditching, draining, diking, filling, excavating, dredging, mining or drilling, removal of topsoil, sand, gravel, rock, minerals or other materials, nor any building of roads or change in the topography of the land in any manner, except in accordance with Paragraph 3 below.

2.3 There shall be no use of fertilizers, pesticides or biocides, including but not limited to insecticides, fungicides, rodenticides, and herbicides, and no use of devices commonly known as "bug-zappers" except in accordance with Paragraph 3 below.

2.5 There shall be no storage or dumping of ashes, trash, garbage, or other unsightly or offensive material, hazardous substance, or toxic waste, nor any placement of underground storage tanks, in, on, or under the Protected Property; there shall be no changing of the topography through the placing of soil or other substance or material such as land fill or soil or other substance or material such as land fill or dredging spoils, nor shall activities be conducted on the Protected Property which could cause erosion or siltation on the Protected Property.

2.6 There shall be no pollution, alteration, depletion nor extraction of surface water, natural water courses, lakes, ponds, marshes, subsurface water or any other water bodies, nor shall there be activities conducted on the Protected Property or on adjacent property if owned by Grantor, which would be detrimental to water purity, or which could alter natural water level and/or flow in or over the Protected Property.

2.7 There shall be no operation of mountain or other bicycles, snowmobiles, dune buggies, motorcycles, hang gliders, aircraft, helicopters, or any other types of mechanized vehicles, except for farm equipment used for the purposes permitted under Paragraph 3 below.

2.8 The Protected Property and any portion thereof shall not be included as part of the gross area of other property not subject to this Restriction for the purposes of determining density, lot coverage, under otherwise applicable laws, regulations or ordinances controlling land use and building density. No development rights which have been encumbered or extinguished by the Restrictions shall be transferred to any other lands pursuant to a transferable development rights scheme or cluster development arrangement or otherwise; provided, however, that with prior written permission of the Grantee, this paragraph shall not preclude such transfer of development rights resulting from the destruction or demolition of any existing residential building on the Protected Property. Nothing herein contained shall be construed to prevent the Grantors from using any of the Protected Property as Property qualifying for Open Space, Forest or Farmland for tax exemption purposes under applicable statutes and laws.

**3. Grantor's Reserved Rights.** Notwithstanding any provisions of this restriction to the contrary, the Grantor hereby reserves the following rights:

3.1 The right to undertake or continue any activity or use of the Protected Property not prohibited by this Restriction, including hunting, hiking and other recreational uses not prohibited in this Restriction. Prior to making any change in use of the Protected Property, the Grantor shall notify the Grantee in writing allowing Grantee to determine whether such change would violate the terms of this Restriction.

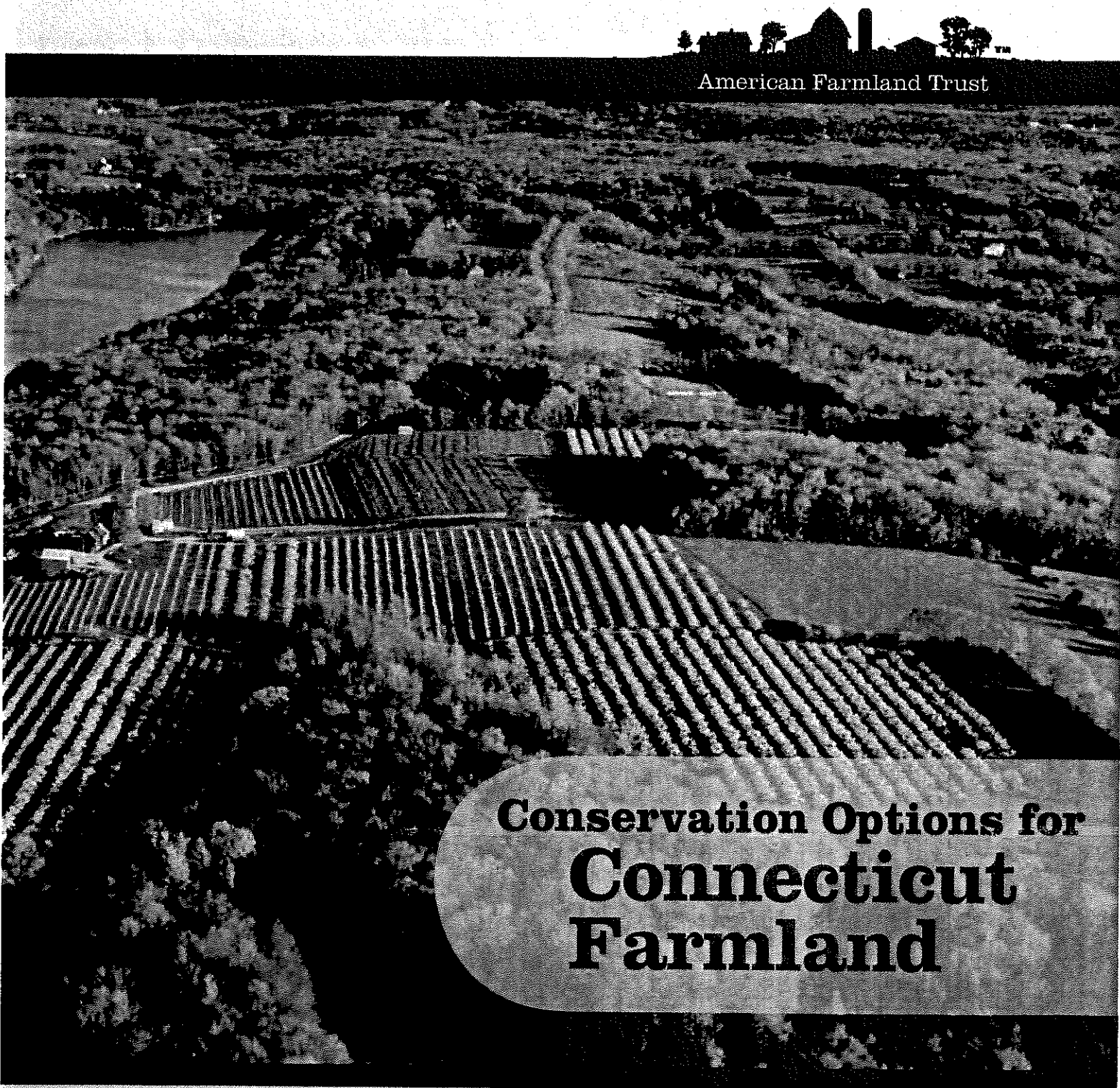
3.2 The right to sell, give, mortgage, lease, or otherwise convey the Protected Property, provided such conveyance is subject to the terms of this Restriction and written notice is provided to Grantee in accordance with Paragraph 12 below.

3.3 The right to place and construct, after notice to the Grantor, buildings, structures and improvements for agricultural purposes on the Protected Property provided Zoning and Wetland setbacks as required by the land use commissions of the Town of Warren are maintained.

3.4 The right to create and/or maintain for agricultural or wildlife use any fields, pasture or meadows including, without limitation, the right to: (1) create pasture, fields or open areas from wooded or overgrown areas of the Protected Property that are not on or within 50 feet of any wetland or watercourse; (2) clear forest trees or other growth for such purposes; (3) plow, harrow or use other sound agricultural practices to prepare land for agricultural, pasture or open meadow use; (4) seed and reseed; (5) rotate crops in accordance with sound agricultural practice; (6) trim and cut brush and trees in order to maintain clear borders around such areas; (7) temporarily store manure on a seasonal basis, but not within 150 feet of any wetland; (8) pasture and graze animals on a rotational basis, pursuant to sound agricultural practices, provided that such use shall be undertaken so as to avoid pollution, erosion, or siltation of any watercourse or wetland; (9) apply fertilizers; provided, however, all applications of fertilizers, pesticides, and herbicides shall be undertaken in accordance with environmentally sound agricultural practices in light of the actual needs of the crops or cover being grown at any time and the slope and run-off characteristics of the site, further provided, cultivation of row crops shall be restricted to areas of soils with "tolerable erosion rates," as determined by the U.S.D.A. Natural Resource Conservation Service.



EXHIBIT  
FURSE 22  
Blumberg No. 5710



American Farmland Trust

**Conservation Options for  
Connecticut  
Farmland**

**A Guide for  
Landowners,  
Land Trusts &  
Municipalities**

# FARMLAND PROTECTION PROGRAMS IN CONNECTICUT

	<b>CT Farmland Preservation Program</b> <i>CT Department of Agriculture</i>	<b>Joint State-Town Farmland Preservation Program</b> <i>CT Department of Agriculture</i>	<b>Open Space &amp; Watershed Land: Acquisition Grant Program</b> <i>CT Department of Environmental Protection</i>	<b>Farm &amp; Ranch Lands Protection Program</b> <i>USDA/NRCS</i>
<b>Who may apply?</b>	Landowners	Municipalities, Landowners	Municipalities, Water companies, Non-profit conservation organizations	Municipalities, States, Non-profit conservation organizations
<b>Eligibility Requirements</b>	<p>Property must:</p> <ul style="list-style-type: none"> <li>- Be an active farm operation</li> <li>- Include a minimum of 30 acres of cropland or be adjacent to a larger parcel</li> <li>- Meet minimum program criteria that includes: amount of prime and important soils, amount of cropland, proximity to other active farms, viability of agriculture business, proximity to agricultural support services, and surrounding land use</li> <li>- Meet requirements of FRPP if federal funding will be used as part of sale.</li> </ul>	<p>Municipality must:</p> <ul style="list-style-type: none"> <li>- Have a policy in support of farmland preservation</li> <li>- Have a farmland preservation plan developed and approved by local policy-makers</li> <li>- Have a fund established for the purpose of purchasing development rights</li> <li>- Have a willing applicant who has voluntarily offered to sell development rights</li> <li>- Meet requirements for FRPP if federal funding will be used as part of sale.</li> </ul> <p>Property must:</p> <ul style="list-style-type: none"> <li>- Be an active farm with 30 acres of prime or important farmland soils</li> <li>- Have a minimum gross value of annual agricultural production of \$10,000.</li> </ul>	<p>Program can be used to purchase development rights on farmland or farmland in fee. No minimum acreage or prime agricultural soils required.</p>	<p>Property must:</p> <ul style="list-style-type: none"> <li>- Be part of active farm operation</li> <li>- Have prime or important agricultural soils or have historic or archeological resources</li> <li>- Meet minimum program criteria for amounts (or percentages) of prime and important farmland soils and agricultural land use</li> <li>- Be privately-owned (non-governmental)</li> <li>- Have pending written offer with landowner.</li> </ul>
<b>Selection Criteria</b>	<p>Priority given to:</p> <ul style="list-style-type: none"> <li>- Land with high % of prime and important agricultural soils and cropland</li> <li>- Land in proximity to other active farmland, protected lands and farm services.</li> </ul>	<p>Priority given to:</p> <ul style="list-style-type: none"> <li>- Land with high % of prime and important agricultural soils and cropland</li> <li>- Projects that comply with local and/or regional open space plans or plans of conservation and development</li> </ul>	<p>Priority given to:</p> <ul style="list-style-type: none"> <li>- Land vulnerable to development</li> <li>- Projects that comply with local and/or regional open space plans or plans of conservation and development</li> <li>- Land with diverse categories of natural resources</li> <li>- Projects with pending written offer with landowners.</li> </ul>	<p>Priority given to:</p> <ul style="list-style-type: none"> <li>- Land vulnerable to development; land with high % of prime and important agricultural soils</li> <li>- Projects with high % of non-federal matching funds</li> <li>- Projects must have non-federal matching funds in hand.</li> </ul>
<b>Cost-share Requirements</b>	State may pay up to 100% of value of development rights.	State may pay 10-75% of value of development rights depending on quantity of active agricultural land within 3-mile radius of the subject farm.	State will pay up to 50% of either fair market value of development rights or purchase price, whichever is less.	The FRPP will pay up to 50% of fair market value of development rights. Applicant must provide cash match of either 25% of development rights value or 50% of purchase price. Landowner donations of up to 25% of development rights value may be considered part of applicant's match.
<b>Easement Requirements</b>	Only agricultural and compatible uses permitted. Property may never be subdivided or converted to non-agricultural use. No public access required. State easement language required. Subject to federal requirements if FRPP funding is used.	Only agricultural and compatible uses permitted. Property may never be subdivided or converted to non-agricultural use. No public access required. State easement language required. Subject to federal requirements if FRPP funding is used.	Public access required. Limited agriculture-related structures permitted on protected land. State easement language required.	USDA farm conservation plan required. USDA easement language required. USDA must be named as co-grantee in easement. No public access required.
<b>Application Period</b>	Applications accepted continuously. Applications must be approved by State Properties Review Board and State Bond Commission.	Applications accepted continuously. Applications must be approved by State Properties Review Board and State Bond Commission.	Public access required. Limited agriculture-related structures permitted on protected land. State easement language required.	Applications accepted during an annual 'Request for Proposals' period. Applicants awarded FRPP funding must sign a cooperative agreement with USDA/NRCS stipulating to certain easement provisions and agreeing to purchase easement(s) within two years.



## Simsbury Land Trust Working to Protect Farmland

**Simsbury Land Trust (SLT) is a model example of how a private land trust can mobilize community resources to protect farmland.**

As part of its 'Campaign for Simsbury', SLT raised over \$4 million to purchase the development rights on two farms:

- 110 acres on Rosedale Farms
- 165 acres on Tulmeadow Farm.

SLT's efforts to protect farmland began with a comprehensive look at the town, examining its history of land use as well as current town objectives and priorities.

SLT then came up with their own objectives that would mesh with the town's goals, so that they would complement each other's efforts. SLT decided to focus on properties that include ridgelines, farms or fields, and wetlands. SLT also places a high priority on lands that are adjacent to other protected lands, working towards creating a critical mass of protected landscapes and intact wildlife corridors.

**Ten years ago there were seven farms left in Simsbury; since that time five have been permanently protected through the joint efforts of the town and SLT.**

SLT's success can be attributed to their strong collaboration with both town officials and farmers. Dick Davis, President of SLT, explains: "Farmland preservation projects are very time consuming, not just because there are numerous issues to address, but because it's very important to have a strong commitment on the part of all of the parties—and you don't get that from a quick deal. Land is special, and it takes time for farm families to get

used to the idea of giving up their property rights and feeling comfortable with the folks working with them on farmland protection goals. So we feel it is important to have an awful lot of discussion, raise all the questions early on, and try to minimize problems down the road."

"I feel very lucky that our family was in a position and had the time to work this out with Simsbury Land Trust," said Don Tuller, one of the owners of Tulmeadow Farm. "We talked with them for several years before proceeding with this project, and now we're hopeful that as we move on to other phases of land protection that their good work will continue."

**In 2005, recognizing SLT's outstanding achievements advancing farmland preservation in Connecticut, the CT Trustees of the Eastern States Exposition awarded a Farmland Preservation Pathfinder Award to the Simsbury Land Trust.**

For more information go to [www.simsburylandtrust.org](http://www.simsburylandtrust.org) or call 860-651-8773.

### FUNDRAISING EFFORT

- \$1.8 million from the Federal Farm and Ranch Lands Protection Program
- \$1.2 million from state grants (including the Open Space and Watershed Land Acquisition Grant Program)
- \$1 million from individual donations
- additional funds from the Town of Simsbury and private foundations.

House of Representatives

Friday, May 30, 2003



Will the Clerk please call [illegible] number 7038, designated House "B".

CLERK:

[illegible] number 7038, House "B" offered by Representative Giuliano.

DEPUTY SPEAKER FRITZ:

Representative Giuliano.

REP. GIULIANO: (23<sup>RD</sup>)

Thank you, Madam Speaker. Madam Speaker, this is an amendment to allow the Tiffany family, Tiffany Farm of Lyme, Representative Jack Tiffany, having a long and distinguished career, legislative career in this Chamber, to allow them on property that they have seated to the State of Connecticut to erect a cell tower next to the farm silo. That particular location, Madam Speaker, is the highest point in the Town of Lyme and the Tiffany family would greatly appreciate the Legislature's approval of this as it will serve the town very well.

I move adoption.

DEPUTY SPEAKER FRITZ:

The question is on adoption of the amendment. Will you remark further on the amendment before us?

Representative Spallone.

REP. SPALLONE: (36<sup>TH</sup>)

Madam Speaker, thank you, Madam Speaker. I wish to absent myself from the Chamber regarding debate on this amendment and the underlying bill due to our rules regarding potential conflict of interest.

Thank you. Madam Speaker.

DEPUTY SPEAKER FRITZ:

Alright, we will wait until you leave, sir.

Will you remark further on the amendment before us?

Representative Backer.

REP. BAKER: (121<sup>ST</sup>)

Yes, Madam Speaker. I see this as a friendly amendment. It makes good use of existing structures and it's another good amendment that ought to pass.

DEPUTY SPEAKER FRITZ:

Will you remark further on the amendment before us? If not, let me try your minds.

All those in favor, please signify by saying aye.

REPRESENTATIVES:

Aye.

House of Representatives

Friday, May 30, 2003

DEPUTY SPEAKER FRITZ:

Those opposed, nay. The ayes have it, the amendment is adopted.

Will you remark further on the bill, as amended? If not, would staff and guests please come to the Well of the House. The machine will be opened.

CLERK:

The House of Representatives is voting by roll call. Members to the Chamber.

The House is voting by roll call. Members to the Chamber, please.

DEPUTY SPEAKER FRITZ:

Have all the members voted? Have all the members voted? Please check the machine and make sure your vote is accurately cast.

Have all the members voted? Please check the board and make sure your vote is accurately cast.

Come on, Malone, come on.

Have all the members voted? If so, the machine will be locked and the Clerk will take the tally.

The Clerk will announce the tally.

CLERK:

H.B. 6428, as amended by House Amendment Schedules "A" and "B"

Total Number Voting	141
Necessary for Passage	71
Those voting Yea	136
Those voting Nay	5
Those absent and not Voting	9

DEPUTY SPEAKER FRITZ:

The bill, as amended is passed.