

**TOWN OF COLCHESTER  
OPEN SPACE ADVISORY COMMITTEE  
TUESDAY, JULY 14, 2009  
COLCHESTER TOWN HALL – 6:00 P.M.  
REGULAR MEETING**

**Members Present:** Chairman Nick Norton, Vice-Chairman Adam Turner, Jay Gigliotti, William Hochhlozer, Jay Cohen

**Members Absent:** Liz Gillman, Rob Misbach

**Others Present:** Rosemary Coyle, BOS Liaison

1. **Call Meeting to Order:** Chairman Norton called the meeting to order at 6:00 p.m.

2. **Citizen's Comments:** None

3. **Approval of the June 9, 2009 Regular Meeting Minutes:** J. Cohen motioned to accept the minutes of June 9, 2009 amending Item 4 by deleting that A. George abstained. The motion was seconded by A. Turner. All members present voted in favor. **MOTION CARRIED.**

4. **Land Acquisitions:** In 2004 Rodney Goldberg was given approval for a 12 lot re-subdivision to be known as Gavire Estates. As part of this approval 1.6 acres was to become open space and turned over to the state. The majority of the land around it is state owned. Mr. Turner is uncertain why the state never acquired the land. The sub-division was not developed within the 5 year requirement. Mr. Goldberg has requested the open space be returned. According to legal consultants the town has the right to keep the land. It is uncertain why the applicant would like the land returned. There is concern that whatever decision is made will set precedence for any future such requests. Additional discussion included that there would be legal fees if the land were to be given back. Perhaps the land could be given back but the applicant would be accountable for all legal costs. If the applicant had given the town fee-in-lieu the money would not be returned. If the land was returned taxes could be collected on the land. W. Hochhlozer motioned to recommend to the BOS that the land not be given back to the applicant, seconded by J. Cohen. Commission members agreed that if the land is not given back a more standard policy needs to be set and known to developers. All members voted in favor of the motion with A. Turner abstaining. **MOTION CARRIED.**

5. **Farm Study Report:** Chairman Norton questioned if any publicity had been done on the farm study. Mr. Turner said that the following has been done:

- A pamphlet on uses of farm land in the town.
- Two meetings with farmers have been held.
- Study is on website in two places.
- A land use summit will be held.
- A farming open space land map is being worked on.

6. **Open Space Plan Discussion:** How legal fees would be addressed was discussed at the last meeting. If property with an easement is used the owner can be required to return the property to its original state. This could be seen as a type of fine. Chairman Norton said that he feels that this should be discussed during a different portion of the plan. A draft on the mission of the commission, as also discussed at the June meeting, still needs to be written.

- **Section II, Statement of Principals, Goals and Policies:** This section was not discussed and will be addressed at the next meeting.

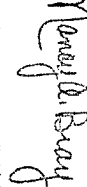
7. **Any Other Business Deemed Necessary:** None

8. **Adjournment:** A. Turner motioned to adjourn, seconded by W. Hochhlozer. All members present voted in favor. **MOTION CARRIED.**

Chairman Norton adjourned the meeting at 6:35 p.m.

  
Dawn LePage, Clerk

NANCY A. BRAY  
TOWN CLERK



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