

June 23, 2010

The Stonington Board of Selectmen held a public hearing this date at the Stonington Police Department at 6:00 p.m. Present were First Selectman Edward Haberek, Selectman George Crouse and Selectman Glee McAnanly. Also present were Attorney Nick Kepple, his client Joseph Putnam, Town Attorney Jeff Londregan and members of the public and press.

**(1) Call to Order**

Mr. Haberek called the public hearing to order at 6:00 p.m.

**(2) Public Hearing**

Mr. Haberek read the following Resolution:

“To consider and vote on a resolution authorizing an exchange of properties of equal size between Joseph and Mary Putnam, owners of property at 200 Mistuxet Avenue, with an equal size parcel of land owned by the Town of Stonington behind the Mystic Middle School; said transfer shall be for no consideration, but shall be subject to certain terms and conditions...”.

- Attorney Kepple explained to the attendees of the meeting where the town property lies and where the Putnam’s property lies and why he and his client feel that it would be beneficial to both his client and the town to exchange these properties. He stated that the parcel that the town owns could be used as a driveway for the Putnam’s tenants and neighbors to gain access to their properties behind the school without having to drive through the school parking lot and that the parcel the Putnam’s own is located behind the school and could possibly be used by the Town as additional parking. Attorney Kepple also stated that Larry Sullivan, Town Engineer, felt that the land the Putnam’s own would be more suitable for a parking lot than the parcel currently owned by the town.
- Mr. Haberek asked if Attorney Londregan wanted to weigh in on the issue. Attorney Londregan stated that most of the details that Attorney Kepple mentioned are in the resolution that is reduced to writing that is on file with the Town Clerk’s office. He also stated that if anyone reviewing them had any questions about those particular details or conditions, they could ask him.
- Mr. Putnam stated that part of their agreement is that if the town uses this road that it will pay for ½ of the cost.
- Mrs. McAnanly asked the members of the Board of Education if there is anything they wanted to weigh in on and why they had neither approved nor disapproved with the exchange.
- Mrs. Gail MacDonald, Chairwoman of the Board of Education, stated that this proposal was before their Board over a several month period beginning early in the spring of 2009. She stated that they initially asked the Putnams and Attorney Kepple why this proposal was before them because other issues with regard to land use and easements over school property in the past has always been made by the Town and Town officials. Mrs. MacDonald stated that in a 5-1 vote the Board asked for 8 stipulations from Attorney Kepple: A2 surveys of both parcels; Hazardous Waste Affidavit; to address the impact on the existing easement; to address the limitations or changes to the use of the easement; an explanation for the motivation for the request for the swap; a letter from the Town Engineer addressing the suitability of the new land for parking and the

unsuitability of the land that was swapped; impact on the cost of developing each parcel into a parking lot; a letter from the Superintendent addressing the benefit of the swap to the school district and that the Board would be able to walk to the land. Mrs. MacDonald stated that four of the stipulations and four were not addressed and the basic bottom line was they just didn't feel that it was the Board of Educations' decision to make that ultimately that it would have to go to Town Meeting anyway and that it should be made by somebody not them so they made the motion in September to take no stand on the swap of parcels. The Board decided to send all the information back to the town officials for their consideration with the notation that it had to be approved at Town meeting. She stated that the BOE acknowledged that there was a need for additional parking at Mystic Middle School and that they would like that to be done but this swap is no guarantee that we get that parking.

- Ms. Marian Balestrini stated that if Mr. Putnam did not want to develop the property he would not have asked for this parcel. She also stated that it may be advantageous to have a parking lot and asked why doesn't the town guarantee a parking lot.
- Mr. Haberek stated that that is a discussion for after we have the property and that if we don't have the property and don't do the swap we won't have the ability to build a parking lot out there.
- Mrs. MacDonald wanted to clarify that the Town does have the ability to build a parking lot there now and it always has but there has been money that has been proposed through CIP to put a parking lot in but never approved.
- Mr. Rob Carey stated that his concern beside the Board of Education ones is that the Town is creating significant value by giving a parcel of land with 145 feet of frontage on Mistuxet. He stated that leads to the development of property and asked if the town doing the right thing in doing a 1 for 1 land swap or should the town be seeking some financial compensation as well because we are creating value in the retained land.
- Mr. Haberek stated that we are doing an even swap and our parcel in the back of the school will also be of value.
- Mr. Rob Marseglia stated that the fourteen acres could become many lots. He stated that maybe we could ask Mr. Putman, since we are giving him an advantage with additional access to his property, if he could be a participant financially in developing a parking lot or additional parking at the Mystic Middle School if he subdivides and starts making a profit off the land.
- There was further discussion between the Attorney Kepple, Mr. Putnam, Attorney Londregan, the Selectmen and members of the public regarding this issue.

**(3) Adjourn**

There being no further business to come before this Board, the meeting was adjourned at 7:04 p.m.

Respectfully submitted,



Kristine Bell  
Recording Secretary