

APPROVED Minutes
Little Compton Agricultural Conservancy Trust
Meeting
August 1, 2018

1. Call to Order: The meeting was called to order at 7:07 pm. Members present were B. Richmond, E. Maiato, D. Wechsler, and N. Cabot. W. Montgomery, E. Field, M. Steers were absent.

2.) Minutes:

Minutes from the Public Session July 9, 2018 were reviewed.

Motion to approve the July 9, 2018 meeting minutes made by D.W. Second by N. Cabot. 3-0-1 approve (B. Richmond abstained)

Motion to maintain the seal on the executive session minutes from December 7, 2016, April 5, 2017, September 6, 2017; October 4, 2017; November 1, 2017, December 11, 2017, January 3, 2018, February 7, 2018, and April 4, 2018 made by E.M. Second by N.C. 4-0 approve

3.) Review of correspondence:

- Email received from Jeanne and Terrence Smith, dated July 22,2018 regarding transfer tax calculation.
- Email response from Bill Richmond to Jeanne and Terrence Smith, dated July 24, 2018 regarding transfer tax calculations.
- Letter from Peter Dellasanta regarding acquiring land for farming purposes. Currently, LCACT has no property available.
- Letter from US Postal Service regarding management of post office box.
- Email from Abigail Brooks submitting invoice for Bog Lot Survey.
- Request for information from United States Office of Personnel Management Federal Investigations Processing Center regarding Mathew Cady self-employment with LCACT.
- Notice received from Attorney Desisto regarding Superior Court Hearing date of August 30,2018: Brenda S. Dianna as Trustee for Andrew Cook 1987 Trust and Constance B. Cox, Plaintiffs v. Judith Arnold Gowdy, et al., Defendants (C.A. No. NC13-0432). MEMORANDUM IN SUPPORT OF PLAINTIFFS' MOTION TO RECERTIFY THE DEFENDANT CLASS UNDER RULE 23(b)(1)(A) AND TO SUBSTITUTE RAYMOND C. HOLLAND, JR. ESQ., AS THE CLASS REPRESENTATIVE OF THE DEFENDANT CLASS. (Note: This is regarding extinguishment of paper road known as Indiana Road located on Plat 9 between Lots 259 and 261.)

4.) Treasurer's Report

-Account Balances

A narrative report of the accounts, for the period of June 1, 2018 thru June 30, 2018, was received from MaryJane Harrington, Town Treasurer. The report indicates that the beginning balance of all accounts was \$2,027,856.64. Revenues from transfer tax returns and interest totaled \$37,676.05. Lease revenue in the amount of \$1,000.00 was also received. Expenditures totaled \$361,268.00. The expenditures amount includes the fee purchase of the Costa property (331,337.00), and regular operating expenses (\$29,931.00). The closing balance for all accounts was \$1,705,264.59.

Currently, the Trust has applications to preserve approximately 214.447 acres of land, estimated to cost, in excess of, \$6 million.

Bills were reviewed and discussed as follows:

- Brousseau Landscaping \$2,096.00
- C. Cady \$1,451.25
- Carol Trocki \$ 250.00

Motion to pay the bill made by N.C. Second by D.W. 4-0 approve

Motion to pay the Able Engineering invoice, submitted by Sakonnet Preservation Association, for the Bog Lot property (Plat 26, Lot 25) survey made by B.R. Second by D.W. 4-0 approve

Review of Transfer Tax Returns:

- During the period of July 2, 2018 thru July 19, 2018 transfer taxes in the amount of \$84,200.00 were paid to the Trust. This reflects transfer # 2837 thru 2845. Cheryl Cady reported that all transfers appeared to be correct.

5.) Old Business

- Sub-committee reports:

Public Awareness: -

- Website: Cheryl Cady reported that the digital files will be uploaded to the cloud storage provided with the LCACT Gmail account. This will not afford members access to the storage but will ensure that the files are stored safely. Mrs. Cady explained that because this storage is connected to LCACT email account, all members should not have access, to avoid any possibility of members commenting on emails and inadvertently creating a rolling quorum/open meetings violation. Ms. Cady will investigate other options for storage, which will allow members access to the digital files.

-Stewardship Committee Update:

- Stewardship contracted services: Carol Trocki reported she will be working on NRCS monitoring reports in August. She has updated the map of properties for the website and it has been uploaded.

- John and June Goulart (Plat 31, Lot 42-1): The repair work on the roadway has been completed.

- Marvell Preserve (Plat 32, Lot 158-3): The fence needs to be repaired. B. Richmond will follow-up with this.

- Wilber, Lint, Loranger (Plat 41, Lot 42-1): A letter was received from Mr. John Lint, expressing concern about trees that could potentially fall onto his property. W. Montgomery will follow-up on the stewardship needs of this property. B. Richmond will follow-up with W. Montgomery on the status of the trees.

- Wislocki (Plat 30, Lot 14-3): The fields need to be mowed. B. Richmond will schedule a meeting with the owner.

- Other stewardship needs: B. Richmond commented that Tony DeSouza contacted him regarding liming and fertilizing the Peckham property on Peckham Road. B. Richmond thought it was a good idea. B. Richmond commented that the property is looking good.

-Acquisition Committee:

- **Driver (Plat 4, Lot 45) & (Plat 32, Lot 43):** B. Richmond will contact the owner to discuss the status of their application and their plan for the future of the property as it relates to the LCACT.

- **Wegner, Schimdt, Holley (BHS Property Management) (Plat 37 Lot ? and Plat 38, Lots 16-2, 35-1, 35-2, 34, 37, 70):** No discussion.
- **Cotta (Plat 31, Lots 64 & 65):** No discussion.
- **West (Plat 40, Lot 2):** No discussion.
- **Lewis (Plat 29, Lots 11-1, 11-5, 11-6):** No discussion.
- **Pariscondola/Wilcox property (Plat 9, Lot 438):** LCACT has been waiting to hear if the Town is interested in this property.
- **Jordan (Plat 5, Lot 34):** No discussion.
- **Steers (Plat 5, Lots 35):** No discussion.
- **Pratt (Plat 2, Lot 9-10):** B. Richmond reported M. Steers, Attorney Marion and he are working on the language for the Purchase and Sales Agreement.
- **Baldrige Trust (Plat 31, Lot 9):** No Discussion.
- **Ryan (Plat 31, Lot 55-1):** B. Richmond will follow-up on this property with the owner.
- **Goulart (Plat 29, Lot 2-2):** George Goulart, Jr. and his son Christopher addressed the members. Previously, the intent was for the southern house lot to run from east to west behind Plat 29, Lot 4. It previously a rectangular shaped lot. The Goularts would now like the house lot to run from north to south and be square in shape. LCACT has concerns with this new configuration as the house lot would visually appear in the middle of the property that is being preserved. Chris Goulart discussed that the aesthetics on paper look different from the actual location in person. Chris Goulart discussed the location of a ditch and stonewall in terms of them being a natural boundary.

Chris Goulart will place a fifteen (15) foot pole in the ground where the house would be located. Trust members will visit the property to view the pole and get an idea of how a house in this location will affect the aesthetics of the preserved property. This site visit will be scheduled for August.

Discussion continued around a plan being presented to the Planning Board. It was suggested that the owners meet with the Planning board. A concept plan could be discussed with the Planning Board to obtain input from them regarding the future house lot.

- **St. Pierre (Plat 30, Lot 39-3):** B. Richmond reported he has spoken with Joe Bachand at NRCS regarding the property. Ms. St. Pierre has been selected for a grant award for the property. LCACT has committed \$100,000.00 toward the preservation of the property.

- **Kerwin (Plat 12, Lots 36-1 and 45-2):** One of the lots has a house on it and the other is under contract with a real estate agent.

6.) The Nature Conservancy: John Berg from the Nature Conservancy updated the members on TNC activities. Currently, they are working on three (3) projects.

-Jordan/Steers properties: The Nature Conservancy is raising funds to purchase the properties. TNC has requested \$225,000.00 from LCACT. LCACT would own development rights to the properties. D. Wechsler commented that these are beautiful properties, but they scored low for LCACT. He suggested this is a superb TNC project.

- Nootas Hill: TNC is interested in this area of Little Compton. LCACT has purchased a piece of the Straw property. TNC would like to add preserved properties to this area. Becky Straw has indicated that she would like to preserve more of her properties, but she would like to sell it to LCACT before TNC. B. Richmond will speak with her

- Bumble Bee Farm: Some of the owners of Bumble Bee Farm are interested in

preserving more of the property. TNC is interested in some of the property that could be added to the Whitehead Preserve.

7.) New Business:

- Members access/review of closing documents, deeds, purchase and sales agreements: Members discussed seeing the paperwork when it is completed and/or before signing if possible. This will ensure everyone is up-to-date on the status of properties. B. Richmond suggested letting Cheryl Cady know the status and that she could then keep everyone updated.

- Change in wording for Annual Report and website: The website and Annual Report currently use the wording:

The fee schedule, effective July 1, 2016, exempts the first \$300,000.00 of land value. Transaction amounts over \$300,000.00 are taxed at a 4% rate.

This is not consistent with the wording noted on the Transfer Tax Form from the decision of the electors at the annual financial town meeting on May 17, 2016. To achieve consistency suggestion was made to change the wording in the Annual Report and on the website to be as follows:

The fee schedule, effective July 1, 2016, exempts the first \$300,000.00 of real property transfers. Transaction amounts over \$300,000.00 are taxed at a 4% rate.

Motion to change the wording in the Annual Report and on the website to: The fee schedule, effective July 1, 2016, exempts the first \$300,000.00 of real property transfers. Transaction amounts over \$300,000.00 are taxed at a 4% rate, made by D.W. Second by N.C. 4-0 approve

- New Application:

- Strater (Plat 21, Lot 72): Application received for the sale of development rights to 10 acres of property. B. Richmond suggested that acceptance of this application relates directly to farmers looking to farm. LCACT has received several correspondences from people looking for farmland. This is a property that LCACT could possibly partner with NRCS to preserve. NRCS will participate in preservation of properties that are 50% farmland. This property is 100% farmland. It is currently farmed by Joe Moniz according to Richard Ross.

Mr. Ross commented that he would like to own the farmland and have Mr. Moniz farm it. Mr. Ross did suggest that a change in farming from corn could be possible in the future.

Motion to accept the application made by D.W. Second by E.M. 4-0 approve

Motion to obtain an appraisal on Plat 21, Lot 72, in an amount not to exceed \$500.00 made by N.C. Second by E.M. 4-0 approve

Motion to add to the agenda the letter and supporting documentation from Sitec regarding an OWTS Variance Request for Steven Geremia, Plat 6, Lot 87-1 for discussion purposes only made by E.M. Second by N. C. 4-0 approve.

B. Richmond reviewed the information. The letter and supporting documentation, from Sitec, is for the installation of a septic system on Plat 6, Lot 87-1. This information has been submitted to DEM for review. As part of the process abutters must be notified and they may submit comment on the Plan, within twenty days of receipt of the letter. Mr. Geremia had previously spoken with the board regarding building a barn on the property. The septic system is for a bathroom in the

barn. No further action was taken.

8.) Executive Session: None

9). Adjournment: Motion to adjourn made by D.W. Second by E.M. 6-0 approve

Adjourned 8:23 pm

Respectfully submitted,
Cheryl Cady