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ENFIELD TOWN CLERK

**ENFIELD AGRICULTURAL COMMISSION**

MINUTES OF THE REGULAR MEETING

Tuesday, June 14, 2022

2022 OCT -3 PM 4: 20

Sheila M Bailey

A Regular Meeting of the Enfield Agricultural Commission was called to order by Chair Karen LaPlante in the Enfield Town Hall, 820 Enfield Street, Enfield, Connecticut on Tuesday, June 14, 2022 @ 7:06 PM

**ROLL CALL**

Kathy Vose took the roll.

Present – Chair LaPlante, Commissioner Cote, Commissioner Pfeifer-Hall, Commissioner Dynia, Commissioner Vose, Commissioner McGuire, Commissioner Kober, and Commissioner Wyzga .

Also present: Georgie Driver - Staff and Karen Timpone – Recording secretary

Absent – Commissioner Sacerdote

**Approval of Minutes** - A motion to accept minutes of April 12, 2022 was made by Commissioner Pfeifer-Hall and seconded by Commissioner Kober. No discussion – 6/0/2 abstentions by Commissioner Wyzga and Commissioner McGuire.

**Public Participation** – Lori Longhi - 1427 Enfield Street. She is here as one of a member of the Board of Assessment Appeals for the PA-490, open space and the farms. The BAA's objective is to render decisions that are fair, just, right, and equitable to all parties. They have a hearing, take sworn testimony, and they listen to evidence. This year the assessor seemed to not quite understand the PA-490 and therefore the BAA had to go through each farm file for each parcel on appeal, There was some information that was not correct so they looked at each individual appeal. Some of the issues that came up to the BAA were zone changes. Some properties were classified residential, they were on the town maps as residential but now were being taxed as commercial. They got booted out of 490 because of loss of farm income. They found barn values to be excessive for their ages. There were imputed lots on residential parcels. Lori is an agricultural appraiser and if appraising a farm property for farmland preservation, there is either a designated building lot or a not designated building lot. There were restricted parcels in Enfield that had imputed lot values on a restricted farm parcel which is not allowed. There was change of use, i.e., if once grew corn and now grows tobacco you were removed from PA-490 for change of use. The forest (which was change of ownership mostly) husband and wife owns a parcel, the husband dies wife gets the parcel now it was determined through the assessor that it was a change of title, so therefore they no longer qualified to have the forest and they needed to get a new forest file exemption from the state. However, there are qualified exemptions – if a spouse or parent or child has any kind of transfer for no consideration they are exempt from that. So there were several parcels where someone died in the family, it changed ownership and the assessor took them out and required them to get a new forest certificate which in reality they did not need a new certificate (some spent the money getting the new certificate which was not necessary). Going back in time, they had an attorney on the board who looked at some of the general statutes, and you cannot go back in time more than 3 years and that is only to correct a clerical error. If the prior assessor determined this person is in PA-490 and they were authorized to be in PA-490 when the new assessor comes in he cannot go and wipe out what the previous assessor did as that is against the general statutes. Open space was another big issue - open space in this town has been given by developers, been put on the maps of Conservation and Development., it is on the DEEP website as open space and mapped out as open space. The BAA used what they call the General Rule of Doctrine of Equitable Estoppel which means that if everyone had the idea that this was going to

be open space, you relied on this to have open space, your parcel was in open space for 20 years – now someone just cannot say you are out. Everyone who came with open space issues to the BAA was put back into open space. The BAA for the first time as far as Lori's knows ever in the town did a 29 page document outlining a lot of this and other issues with the town. All backup documents were attached and were on the town website. She gave a copy to the EAC which will be attached to the minutes and asked that all farmers keep this. Field cards do not reflect the changes from the BAA just the dollar amounts. The BAA also put back all farms, that were taken out, back into the classification it was supposed to be in with the new rates. The only one who can change the classification is the farmer. Lori was asked by Commissioner Cote how she felt about the overall assessment process was this year. She said it was awful this past cycle. She looked at over 400 cards and saw a large sampling of what was going on there were many inconsistencies. She explained what the Fountain of Youth is. It is what the town feels that your house is worth and the effective year can change going up or down depending on certain factors. If you added on, put in a new kitchen, new roof, etc., your effective year would get newer due to improvements. What they found on the BAA was that they were getting older in time, no improvement but they were getting the Fountain of Youth for their dollars. There is a physical card at town hall express which has the correct information versus the one on-line. Lori also stated that in the back of the card the effective year is now missing. They were there a few weeks ago but now that the report is out, that field is missing off of everybody's cards. Anyone who did not go through the BAA this year can still appeal it for next year but they will lose this year. They can appeal it for the next four years. Some people were told that they could not appeal, which the BAA will look into. Commissioner Pfeifer-Hall asked about open space. The Town Council said there needs to be an ordinance. Lori explained that it needs to be adopted by a legislative body in the Town of Enfield. The POCD was adopted two times over by the Town and they had Council member sitting on that board as well. She said that it went to P&Z and members of the council sat on that board. It was in the 1999 POCD and the 2011 POCD and then DEEP also has open space listed on the States of Connecticut website. These parcels that were booted out were also listed on the State of Connecticut website. She stated the general rule of Doctrine of Equitable Estoppel is explained in the PA-490 book. Commissioner Pfeifer-Hall asked if the ordinance is needed. Lori does not know the answer to that. Chair LaPlante gave the numbers for the 490. The number in 2020 assessment of \$7,789, 000 the reevaluation bumped those numbers to \$14,553,000. After the BAA it was brought it to \$8,161, 000. Commissioner Dynia thanked Lori for all the work that went into this and she stated they went through each farm individually and some took an hour to get through. Again Lori stressed that the field cards on line do not have all the information. The ones at the town do and she encourages all farmers to get a copy of that card.

Art Mullen – 80 Mullen Road – He went through the process and is asking for guidance. He had 966 sq. ft added to his house by the assessor and he had done nothing to the house since day 1. On his farmland, it was taken out of 490 with no change in title, no change of use. Thanks to Lori and BAA it is taken back, but the process was horrendous process. He talked at the Town Council Meeting this past week and told them about this and he felt that it was almost criminal what was done to the 490 properties. From what he has heard this is not the first time for this assessor as he has done this in other towns. It not only involved the farmers but also nonprofits in the town. He also felt that the Town Manager supported the assessor. He asked the EAC to help the farmers understand what is going on in the town.

**Correspondence** – None.

**Review of Bylaws** - Georgie made some corrections from the last meeting. Anything in bold has been changed. When she was doing the Bylaws for EAC and ECC she noticed they were very different in format. She changed the roman numerals to sections. She changed the Town Manager to the Planning Department. Planning and Community Development are no longer one department. The director is now just the Director of Planning. Nelson Tereso is the Director of Community Development. EAC and ECC report to the Director of Planning. Under article 4 – she updated the current process. Resignation letters go to the Town Clerk who transfers them to the Town Manager and so forth. Article 8 – she added the

Town Manger's office and she changed the meeting date to before ECC instead of after. Article 10 – order of business, 10.2 was a sentence that as in the ECC ByLaws and was not in EAC Bylaws so she added it to the EAC. On the back, she added the revised date of June 14, 2022. If the EAC votes to approve the edits above, she will make a final version for the Secretary to sign. All Commissioners will get a copy and they will be posted. She asked if she can change the margins to be consistent with 1 inch all around. A motion was made to approve the ByLaws as amended with changing article to section and arabic numbers and standard margins was made by Commissioner Pfeifer-Hall, seconded by Commissioner Kober – 8/0/0.

**Approval of Invoices or other Financial Matters** - Commissioner Pfeifer-Hall asked if the budget has been passed and did the EAC get any funds especially for the Farmland Preservation fund. Georgie is not sure but she will ask. She suggested the EAC email Laurie or the Director of Finance to get the answers.

**Reports of Officers, Committees and Staff** – Chair LaPlante gave out the copy of the 490 evaluations based on the appeals that went through. She did one each on the land only and one on land and buildings. Chair LaPlante will email them to the EAC. Commissioner Pfeifer-Hall would like to discuss the Farmland Preservation Program and feels it should be on the Administration and Council's radar. She feels the EAC needs to make a request in order to build up the fund so when they get a farm to preserve they will have the funds to do it. She feels the town should put something in every year to build up the fund so the EAC can go forward to preserve a farm. She feels it should be a line item every year. Commissioner McGuire stated the first thing the state will ask when they are ready to preserve a farm is if the town has the money. If the answer is no they move onto the next town. Commissioner Kober went through the budget and did not see anything for farmland preservation. In the general fund there is \$ 3,004 for EAC and ECC together. Georgie also stated that partnering with a land trust, grant money, etc. helps. The EAC will go before Town Council to ask for funds and tell them the options of grant money, partnering with a land trust, etc.

**Unfinished Business** – None.

**New Business** - Assessor's update – covered under public participation.

Next Meeting Date, Tuesday, July 12, 2022

Adjournment – A motion to adjourn was made by Commissioner Kober, seconded by Commissioner Dynia – No discussion 8/0/0

The meeting was adjourned @ 8:12 pm