

Executive Summary

Date: February 5, 2016
To: Sarah Seelye, Moderator
From: Kate Clarke Buch, Town Administrator
RE: 41 Hecker Avenue, Grant, Gift, Purchase

The Town wishes to purchase the property known as 41 Hecker Avenue from the Spring Grove Cemetery Association. Public acquisition of this parcel will allow the Town to make the final linkage connecting the Town Hall campus and its surrounding park land via a greenway to Hecker Avenue, providing access to other amenities and services, such as the Darien Library and Darien Police Department. In addition to providing its passive recreation use, a component of the floodplain will be preserved as open space, providing for additional water storage on the property when the Stony Brook over spills its banks. An acquisition such as this achieves the most complete and permanent protection of the floodplain as well as protecting existing wetlands. The Town's intention for this site is to preserve the open space for floodplain protection and to make the site accessible to the public for a passive recreation use with possibly a nature trail serving as a pedestrian link.

The Town has negotiated a price of \$275,000 with the current owner. The Land Trust has offered a gift of \$137,500 and the Town has attained a State grant of \$137,500, thus fully funding the purchase price. Closing costs and any other incidental costs will be paid through previously appropriated funds in the Land Acquisition Fund. The Board of Selectmen is therefore requesting that the RTM accept and appropriate both the gift from the Land Trust and approve the purchase of the land.

I have attached the relevant resolutions to this memo.

Bos
resolution

**RESOLUTION OF THE BOARD OF SELECTMEN AUTHORIZING
THE ACQUISITION OF 1.2452 ± ACRES OF LAND ON HECKER AVENUE**

WHEREAS, the Town of Darien desirous in purchasing 1.2452 ± acres of land located on Hecker Avenue in Darien, Connecticut as more particularly described in the Schedule A attached hereto and made a part hereof; and

WHEREAS, said property is currently owned by the Spring Grove Cemetery Association; and

WHEREAS, the purchase price for said property is Two Hundred Seventy-Five Thousand and 00/100 dollars (\$275,000.00); and

WHEREAS, the funds for said purchase are being acquired in part by a gift from the Darien Land Trust in the amount of One Hundred Thirty Seven Thousand Five Hundred and 00/100 (\$137,500.00); and

WHEREAS, the balance of said purchase price is being acquired from a grant previously approved by the State of Connecticut, in particular, Connecticut's Open Space and Watershed Land Acquisition Program;

NOW THEREFORE BE IT RESOLVED THAT the Board of Selectmen of the Town of Darien hereby approves and authorizes the acquisition of 1.2452 ± acres of said property.

BE IT FURTHER RESOLVED THAT that the First Selectman is authorized to execute the necessary documentation to finalize the grant authorization with the State of Connecticut for the financial assistance to acquire the property known 41 Hecker Avenue, Darien, Connecticut and to manage said land as open space land.

SCHEDULE A

Property known as Tax Assessor's Map 41, Lot 20

Description: Beginning at a point on the southerly line of Hecker Avenue, said point being the intersection of the division line between the herein described property and land now of formerly of Victor G. & Franciska Vargha (Assessor's Map 41, Lot 21) with said southerly line of Hecker Avenue;

Thence, running easterly along said southerly line of Hecker Avenue south 86°03'11" east a distance of 222.50 feet to a point;

Thence, running southwesterly and within the banks of Stony Brook south 20°35'56" west a distance of 490.35 feet to a point;

Thence, running westerly south 87°17'18" west a distance of 20.75 feet to land now or formerly of Town of Darien (Assessor's Map 41, Lot 51);

Thence, running northerly along said land now or formerly of Town of Darien (Assessor's Map 41, Lot 51), the easterly terminus of Cherry Street, land now or formerly of John J. Ryan & Elyse A. Gittleman (Assessor's Map 41, Lot 50) and land now or formerly of the aforesaid Victor G. & Franciska Vargha (Assessor's Map 41, Lot 21), each in part, north 03°41'49" west a distance of 445.59 feet to the aforesaid southerly line of Hecker Avenue and the point of beginning.

Comprising an area of 54,245± Sq. Ft. or 1.2452± Acres.

**RESOLUTION AUTHORIZING ACCEPTANCE AND APPROPRIATION
OF A GIFT TO THE TOWN OF DARIEN OF \$137,500
FROM THE DARIEN LAND TRUST**

WHEREAS, pursuant to Section 2-33 of the Codified Ordinances of the Town of Darien, the Board of Selectmen is empowered on behalf of the Town of Darien to accept gifts provided that the gifts do not have a value in excess of ten thousand dollars (\$10,000.00); and

WHEREAS, pursuant to Section 2-33 of the Code of the Town of Darien, said gifts in excess of Ten Thousand and 00/100 Dollars (\$10,000.00) may be accepted with action by the Representative Town Meeting of the Town of Darien; and

WHEREAS, the Darien Land Trust wishes to donate funds towards the purchase of property at 41 Hecker Avenue; and

WHEREAS, this project will help preserve open space in an area of Darien which has little open space; and

WHEREAS, the Town currently has sewer and fiber optic easements on this property; and

WHEREAS, the gift is for \$137,500; and

WHEREAS, the gift is in exchange for a conservation easement on the property in perpetuity; and

WHEREAS, the Board of Selectmen wishes to accept this gift to assist in this project; and

WHEREAS, gifts of money must be appropriated by the Board of Finance and Representative Town Meeting

NOW, THEREFORE BE IT RESOLVED that the Board of Selectmen of the Town of Darien hereby authorizes the acceptance and appropriation of this gift to the Land Acquisition Fund and directs that this resolution be forwarded to the Board of Finance and the Representative Town Meeting for their respective consideration and approval.