

Minutes of the Town of Farmington
Regular Town Council Meeting
June 13, 2017

Present:

Nancy W. Nickerson, Chair
Peter M. Mastrobattista
Gary Palumbo
Amy Suffredini
Meredith A. Trimble
John Vibert

Kathy Eagen, Town Manager
Paula B. Ray, Clerk

Absent:

Jon Landry

A. Call to Order

The Chair called the meeting to order at 7:02p.m.

B. Pledge of Allegiance

The Council and members of the public recited the Pledge of Allegiance.

C. Proclamations and Recognitions

1. Kyle Kraut- Boy Scout Proclamation
2. Brennan Reynhold - Boy Scout Proclamation
3. Evan DaSilva - Boy Scout Proclamation
4. Andrew Kralik - Boy Scout Proclamation

The Chair read the following proclamations, and the Council congratulated the recipients on their accomplishments.

PROCLAMATION

WHEREAS, the Boy Scouts of America help train the youth of our community with skills which serve them well in the future, and

WHEREAS, many of our youth participate in activities of the Boy Scouts of America which benefit our community, and

WHEREAS, one of the crowning achievements of Boy Scouting is the attainment of the rank of Eagle Scout, and

WHEREAS, Kyle Kraut from Troop 68 Boy Scouts of America recently completed the requirements for Eagle Scout, and

WHEREAS, Kyle Kraut interviewed Farmington Veterans about their experiences during their time in the service, and these interviews were digitally compiled and given to each veteran, the Veterans of Foreign Wars Organization, as well as the Farmington Public Library, and thus provided tangible memories of the veterans for the veterans, their families and the community, and,

WHEREAS, Kyle Kraut has demonstrated superb leadership skills by earning 32 merit badges, attending the 2013 National Youth Leadership Training and the 2014 Alaska High Adventure, and through his participation on the Farmington High School Crew Team, and,

WHEREAS, as a result of Kyle Kraut's work, the lives of the people of Farmington will be enriched and enhanced.

NOW, THEREFORE, BE IT RESOLVED, that on behalf of the Farmington Town Council, we hereby extend to Kyle Kraut our best wishes and we hereby proclaim June 13, 2017 as Kyle Kraut Day in Farmington, Connecticut.

Dated at Farmington, Connecticut this 11th day of June 2017.

Nancy W. Nickerson
Chair Farmington Town Council

PROCLAMATION

WHEREAS, the Boy Scouts of America help train the youth of our community with skills which serve them well in the future, and

WHEREAS, many of our youth participate in activities of the Boy Scouts of America which benefit our community, and

WHEREAS, one of the crowning achievements of Boy Scouting is the attainment of the rank of Eagle Scout, and

WHEREAS, Brennan Reynhold from Troop 68 Boy Scouts of America recently completed the requirements for Eagle Scout, and

WHEREAS, Brennan Reynhold's project benefitted the East Farms School Pond by assembling and installing an informational kiosk, allowing the school's Parent Teacher Organization to post necessary information, and,

WHEREAS, Brennan Reynhold has demonstrated leadership through his attendance at the 2013 National Youth Leadership Training, and the 2014 Alaska High Adventure, as well as distinction by earning 42 merit badges and being the recipient of the Conservation Challenge Award from the National Wild Turkey Federation, and

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Regular Town Council Meeting
June 13, 2017

WHEREAS, as a result of Brennan Reynhold's work, the lives of the people of Farmington will be enriched and enhanced.

NOW, THEREFORE, BE IT RESOLVED, that on behalf of the Farmington Town Council, we hereby extend to Brennan Reynhold our best wishes and we hereby proclaim June 14, 2017 as Brennan Reynhold Day in Farmington, Connecticut.

Dated at Farmington, Connecticut this 11th day of June 2017.

Nancy W. Nickerson
Chair Farmington Town Council

PROCLAMATION

WHEREAS, the Boy Scouts of America help train the youth of our community with skills which serve them well in the future, and

WHEREAS, many of our youth participate in activities of the Boy Scouts of America which benefit our community, and

WHEREAS, one of the crowning achievements of Boy Scouting is the attainment of the rank of Eagle Scout, and

WHEREAS, Evan DaSilva from Troop 68 Boy Scouts of America recently completed the requirements for Eagle Scout, and

WHEREAS, Evan DaSilva's project involved rehabilitating woodland trails behind the Hill-Stead Museum by installing two underground pipes and placing a bridge over a small stream on the trail, and as a result of his efforts the trails are now protected from run off by the adjacent mountains, and,

WHEREAS, Evan DaSilva is an active member in the community through his participation on the Farmington High School Robotics Team, Men's Ensemble Chorus, and volunteering as the mascot for the Dream Ride and Rebuilding Hartford, and,

WHEREAS, as a result of Evan DaSilva's work, the lives of the people of Farmington will be enriched and enhanced.

NOW, THEREFORE, BE IT RESOLVED, that on behalf of the Farmington Town Council, we hereby extend to Evan DaSilva our best wishes and we hereby proclaim June 15, 2017 as Evan DaSilva Day in Farmington, Connecticut.

Dated at Farmington, Connecticut this 11th day of June 2017.

Nancy W. Nickerson
Chair Farmington Town Council

PROCLAMATION

WHEREAS, the Boy Scouts of America help train the youth of our community with skills which serve them well in the future, and

WHEREAS, many of our youth participate in activities of the Boy Scouts of America which benefit our community, and

WHEREAS, one of the crowning achievements of Boy Scouting is the attainment of the rank of Eagle Scout, and

WHEREAS, Andrew Kralik from Troop 68 Boy Scouts of America recently completed the requirements for Eagle Scout, and

WHEREAS, Andrew Kralik's project included the clearing a portion of the science courtyard at Irving A. Robbins Middle School and planting various trees and plants native to Farmington to create a mountain habitat for birds to dwell, and

WHEREAS, Andrew Kralik's project enables middle school students to enjoy an area to closely observe the life and behavior of birds without interrupting the birds daily routine, and,

WHEREAS, Andrew Kralik has demonstrated bravery and leadership, especially when he saved the lives of his family during a house fire and was awarded the Lifesaving Award and Commissioners award from the Boy Scouts, and

WHEREAS, as a result of Andrew Kralik's work, the lives of the people of Farmington will be enriched and enhanced.

NOW, THEREFORE, BE IT RESOLVED, that on behalf of the Farmington Town Council, we hereby extend to Andrew Kralik our best wishes and we hereby proclaim June 16, 2017 as Andrew Kralik Day in Farmington, Connecticut.

Dated at Farmington, Connecticut this 11th day of June 2017.

Nancy W. Nickerson
Chair Farmington Town Council

C. Public Hearing

No public hearing was held.

D. New Items

Motion was made and seconded (Trimble/Mastrobattista) to add as Agenda Item O-3 Executive Session for the purpose of discussion of privileged Attorney communications.

Adopted unanimously

E. Public Comment

Stephen Kay 58 Garden Gate thanked everyone who had worked on the project. He felt the project was supported in a bipartisan manner, and he was grateful for that. He told the Council the residents in opposition to the project had been spreading misinformation and was concerned that would sink the project. He didn't feel they were following the rules and needed to be held accountable.

Ned Statchen of 6 Bella Lane thanked everyone for their support of the project. He felt the problems at the High School were a result of the poor fixes that had been done in the past. He was concerned about the misinformation being spread about the project. He was disappointed about the lies.

Brian Noe of 14 Farmington Meadow Drive felt the Building Committee had done an excellent job and the project needed to be supported. He told the Council he had spoken with Justin Bernier while leaving the Town Meeting for 10 to 15 minutes. He felt he represented himself as a member of the Building Committee during the discussion and passed him the chart showing all the reasons why the project shouldn't be done. He found out after that the information wasn't true. He felt this was a very serious situation that undermined trust in the system and improper behavior for a member of the Building Committee. He asked the Council to investigate the situation.

Emily Kaliney of 30 High Street told the Council she had raised questions about the false flyer the night of the Special Town Meeting. Her understanding was that the information given out at the meeting was to be unbiased and the act of passing out the false flyer thwarted that goal. She asked the Council what they were going to do about this incident and to stop the spread of misinformation in the future.

C. J. Thomas of 43 Mallard Drive believed the referendum had become a very contentious and that the 185,000,000 dollar number being floated around was not a real number. He told the Council that the cost of doing nothing was much greater the proposed project, because interest rates are going up not down.

Annette Perzan of 3 Serra Drive spoke in favor of the conservation easement. She told the Council it would give her and her neighbors peace of mind.

F. Reading of Minutes

1. May 9, 2017 Regular Town Council Meeting

Motion was made and seconded (Trimble/Mastrobattista) to approve the minutes of the May 9, 2017 Regular Town Council Meeting.

Adopted unanimously

2. May 23, 2017 Regular Town Council Meeting

Motion was made and seconded (Trimble/Mastrobattista) to approve the minutes of the May 23, 2017 Regular Town Council Meeting.

Adopted unanimously

H. Reading of Communications and Written Appeals

1. Legislative Correspondence
2. Department of Transportation Correspondence
3. Resident Correspondence

The Manager called the Council's attention to the correspondence.

I. Report of Committees

1. UCONN Committee(s)
2. Land Acquisition Committee
3. Green Efforts Committee

There were no reports for Agenda Items I-1 through I-3.

4. Joint Town of Farmington/City of Hartford Committee

The Chair reported a meeting had been scheduled for June 23, 2017 to talk about the Batterson Park area.

5. Bicycle Advisory Committee

There was no report for Agenda Item I-5.

6. Farmington Gateways Committee

Mr. Mastrobattista reported a meeting was scheduled for June 15, 2017.

7. Farmington High School Building Committee

There was no report for Agenda Item I-7.

J. Report of the Council Chair and Liaisons

1. Chair Report

The Chair told the public the referendum vote was June 15, 2017 between 6 a.m. and 8 p.m.

2. Board of Education Liaison Report

There was no report for Agenda Item J-2.

3. Unionville Village Improvement Association Liaison Report

Mrs. Trimble reported the outdoor summer movie series sponsored by the Farmington Community Chest and the Farmington Recreation Department was starting July 14th with Moana followed by Willy Wonka on July 28th and that t here will be a movie in August also.

4. Town Plan and Zoning Liaison Report

5. Water Pollution Control Authority Report

6. Economic Development Commission Liaison Report

There were no reports of Agenda Items J-4 through J-6.

7. Human Relations Commission Report

Mrs. Suffredini reported the next meeting was June 19th.

8. Chamber of Commerce Report

9. Other Liaison Reports

There were no reports for Agenda Items J-8 or J-9.

K. Report of the Town Manager

Police Grant

The Manager reported the Farmington Police's Community Emergency Response Team (CERT) had been developing a plan to fund a canteen trailer. The trailer would be deployed to emergency scenes in order to provide food and drink to first responders and victims. The Farmington Community Chest had agreed to collaborate on the fundraising and had made a \$15,000 donation toward the purchase. The total cost was expected to be \$45,000.

State Budget Update

The Manager reviewed the status of the State Grants for fiscal year 2016/2017. She reported that the last large grant had been received in June and that with that the Town had received all but \$19,377 that had been budgeted.

Pending Retirement

The Manager reported Mary Ellen Harper, Director of Fire and Rescue Services had announced she was leaving her position, and she was relocating to Florida. She had been with the Town for 20 years and a valuable member of the executive management team. She told the Council she would be updating them on the recruitment progress.

Motion was made and seconded (Trimble/Mastrobattista) to accept the report of the Town Manager.

Adopted unanimously

L. Appointments

1. Plainville Area Cable TV Advisory Council (R)
2. North Central Regional Mental Health Board, Inc. (Wienke)(R)
3. Building Code Board of Appeals (Hammerberg)(D)
4. Housing Authority (Lawless) (R)
5. Joint Green Efforts Committee (Foote)
6. Farmington Valley Health District (Parlow) (D)
7. Human Relations Commission (Sliwinski) (R)
8. Human Relations Commission (Berzins) (D)
9. Human Relations Commission (Mambrino) (R)
10. Tourism Central Regional District (Bernier) (R)

There was no action taken on Agenda Items L-1 through L-10.

11. Retirement Board Committee (Local 60 CILU)

Motion was made and seconded (Trimble/Mastrobattista) that Joshua Allen be appointed to the Retirement Board for the balance of a two-year term beginning immediately and ending January, 2018.

Adopted unanimously

M. Old Business

There was no old business conducted.

N. New Business

1. To approve the purchase of 440 and 8658 Plainville Avenue owned by Robin E. Herman (Trustee) and George Grevalsky (approximately 13.0 acres) for a purchase price of \$950,000, and to authorize the Town Manager to sign a purchase and sales agreement for this acquisition.

Motion was made and seconded (Trimble/Mastrobattista) to approve the purchase of 440 and 8658 Plainville Avenue owned by Robin E. Herman (Trustee) and George Grevalsky (approximately 13.0 acres) for a purchase price of \$950,000 subject to receipt of an acceptable Phase I Environmental Site Assessment Report; and subject to due diligence, including but not limited to Title Search; and to authorize the Town Manager to sign a Purchase and Sales Agreement for this acquisition.

Adopted unanimously

2. To recommend a Conservation Easement across Town property abutting Serra Drive to the Town Plan and Zoning Commission for a CGS 8-24 report and to the Conservation Commission for acceptance.

Motion was made and seconded (Trimble/Mastrobattista) to approve the motion recorded with these minutes as Agenda Item N-2.

Adopted unanimously

3. To approve the Town Council meeting schedule for 2018 and to set the date of the Annual Town Meeting.

Motion was made and seconded (Trimble/Mastrobattista) to approve the following Town Council Meeting schedule for 2018 and to set the date of the Annual Town Meeting.

TOWN COUNCIL MEETING SCHEDULE

January 9	January 23
February 13	February 27 (6:00 p.m start)
March 13	March 14** (4:00 p.m start)
March 15** (4:00 p.m start)	March 17** (4:00 p.m start)
March 19** (4:00 p.m start)	March 20** (4:00 p.m start)
March 27	
April 2* (Monday)	April 24
May 8	May 22
June 12	June 26
July 10	
August 14	
September 11	September 25
October 9	October 23
November 13	
December 11	

*Town Council Public Hearing on the budget.

**Town Council Budget Meeting.

ANNUAL TOWN MEETING(S) AND REFERENDUM(S)

April 16	First Annual Town Meeting
April 26	First Referendum
April 30	Second Annual Town Meeting (if needed)
May 10	Second Referendum (if needed)

NOTE: April 9-13 Farmington Public Schools Spring Break

Adopted unanimously

4. To approve the 2018 Town Council Budget Special Meetings.

There was no action taken on Agenda Item N-4.

5. To cancel the June 27, 2017 Regular Town Council Meeting and to schedule a Special Town Council Meeting on _____, 2017 at _____pm in the Town Hall.

Motion was made and seconded (Trimble/Mastrobattista) to cancel the June 27, 2017 Regular Town Council Meeting and to schedule a Special Town Council Meeting on July 10, 2017 at 6:00 p.m. in the Town Hall.

Adopted unanimously

6. To approve property tax refunds.

Motion was made and seconded (Trimble/Mastrobattista) to approve the following property tax refunds:

NAME	REASON	AMOUNT
1)Ari Fleet LT	Assessor's adjustment	\$1,227.75
2)Lynn Bouchard	Assessor's adjustment	\$293.65
3)Cab East LLC	Assessor's adjustment	\$185.87
4)Stacia Cottone	Assessor's adjustment	\$5.92
5)JP Morgan Chase Bank	Assessor's adjustment	\$200.08
6)Michael & Penney Odell	Double payment	\$3,424.10
7)Wendy Robinson	Overpayment	\$30.00
8)Vault Trust	Assessor's adjustment	\$3,352.96
9)Wheels LT	Assessor's adjustment	\$107.64
	TOTAL:	\$8,827.97

Adopted unanimously

O. Executive Session

1. Land Acquisition

Not held.

2. Pending Litigation

Motion was made and seconded (Trimble/Mastrobattista) to move to Executive Session with the Town Council and Town Manager present at 7:52 p.m. for the discussion of strategy and negotiations with respect to pending claims or pending litigation.

Adopted unanimously

The Council returned to Open Session at 8:00 p.m.

3. Privileged Attorney/Client Communications

Motion was made and seconded (Trimble/Mastrobattista) to move to Executive Session at 8:00 p.m. to discuss attorney-client privileged communications exempt from disclosure with the Town Council and Town Manager present.

Adopted unanimously

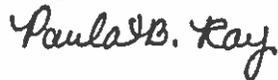
The Council returned to Open Session at 8:50 p.m.

P. Adjournment

Motion was made and seconded (Trimble/Mastrobattista) to adjourn the meeting at 8:50 p.m.

Adopted unanimously

Respectfully submitted,



Paula B. Ray, Clerk

MOTION:

Agenda Item N-2

To recommend the attached Conservation Easement across Town property abutting Serra Drive to the Town Plan and Zoning Commission for a CGS 8-24 report and to the Conservation Commission for acceptance.

Timeline:

	Action	Date
1	Town Council Referral to TPZ for 8-24	6/13/2017
2	Conservation Commission Acceptance of Easement	6/22/2017
4	TPZ 8-24 Recommendation Received by Council	7/11/2017
5	Town Council Final Approval of Easement	7/11/2017

/Attachment(s)

GRANT OF CONSERVATION RESTRICTION AND EASEMENT

KNOWN ALL MEN BY THESE PRESENTS, that the **Town of Farmington**, a Connecticut municipal corporation having its territorial limits within the County of Hartford and State of Connecticut ("Grantor") for the consideration of One Dollar (\$1.00) and other good and valuable consideration received to its full satisfaction from the **Town of Farmington Conservation Commission**, (Grantee) a municipal agency created by Chapter 9 of the Town of Farmington Code of Ordinances and Section 7-131a of the Connecticut General Statutes, does hereby give, grant, bargain, sell and convey unto the said Grantee, its successors and assigns, forever, a perpetual Conservation Restriction and Easement within the terms of C.G.S. Sec. 47-42a in, over, along and across that certain piece or parcel of land situated in the Town of Farmington ("Property") and more particularly shown as the "Conservation Area" on a map entitled "Walnut Heights, Subdivision Plan, Property of Edmund J. Haverty, June Remigino and Girard E. Haverty, prepared for Franzao Building Corporation, Walnut Street, Farmington, Connecticut, scale 1"=40'," and dated Feb. 1985, Revised to Nov. 1990, recorded in the Farmington Land Records as Map No. 4612, and more particularly described in Exhibit A attached hereto, for the following purposes:

PURPOSES

1. To have the Property remain in its present natural and open condition in order for it to fulfill its present historic, scenic, vegetative, wildlife and/or hydrological functions.
2. To permit the Grantee to enforce by proceeding in equity, pursuant to C.G.S. Sec. 47-42b and Sec. 47-42c, the covenants hereinafter set forth, including but not limited to the right to require the restoration of the Property to the condition at the time of this grant. Any costs incurred by Grantee in enforcing the terms of this easement against any violator including without limitation, costs of suit and attorneys fees, shall be borne by the violator.
3. To enable the Grantee to enter the Property at all reasonable times for the purpose of inspecting the Property to determine if the Grantor, its successors and assigns, are complying with the covenants and purposes of this grant.

COVENANTS

And in furtherance of the foregoing affirmative rights, the Grantor, for itself and its successors and assigns, makes the following covenants, which covenants shall run with and be binding upon the Property in perpetuity:

1. No buildings, camping accommodations, or mobile homes shall be placed or erected upon the Property.
2. No signs, billboards or other such advertising materials or structures of any kind or nature will be placed or erected upon, below or above the Property.
3. The topography of the landscape of the Property shall be maintained in its present condition, and no topographic changes shall be made. Topographic changes shall include, without exclusion, cutting of trees (except as may be required by good tree husbandry and

maintenance after receiving written approval of the Grantee), filling, excavating, dredging, mining or drilling, removal of topsoil, sand, gravel, rocks, or minerals, alteration of natural or existing watercourses or drainage, or the construction and installation of roads, driveways, or utilities.

4. There shall be no use of pesticides, poisons, biocides or fertilizers, draining of wetlands, burning of marshlands or disturbance or change in the natural habitat of the Property.

5. There shall be no manipulation or alteration of natural watercourses, lakeshores, marshes or other water bodies, nor shall any uses of or activities upon the Property be permitted which uses or activities could be detrimental to water purity or to any vegetative, wildlife or hydrological function.

6. There shall be no operation of vehicles, snowmobiles, dune-buggies, motorcycles, mini-bikes, go-carts, all-terrain vehicles, or any other type of motorized vehicle upon the Property.

7. There shall be no dumping or placing of trash, ashes, leaves (except for a limited number in a sightly manner in nonwetland/wetland buffer areas), waste, rubbish, garbage or junk upon the Property. In the event that such materials are placed on the Property, the Grantors, upon notice from the Grantee, will remove said materials within 30 days of such notice.

8. There shall be no storage or placement of any equipment, natural or man-made materials or substances upon the Property.

The Grantee, or its successors or assigns, does not waive or forfeit the right to take action as may be necessary or required in order to insure compliance with said covenants and/or the purposes of this grant by any prior failure to act.

EXCEPTIONS

The Grantor with the written consent of the Grantee, acting by and through its Town Planner, may enter upon the Property to conduct the following activities:

1. Removal of debris, dead trees, or brush for the purpose of promoting safety and aesthetic quality;

2. Pruning and thinning of live trees and brush for the purpose of promoting safety and aesthetic quality;

3. Planting of trees, shrubs, or other vegetation for the purpose of enhancing wildlife or aesthetic quality.

The Grantor shall notify the Grantee by written notice to its Town Planner of an intention to undertake any activity in question Grantee's approval for exempted activities may be withheld only upon a reasonable determination by the Grantee that the action as proposed

would be inconsistent with the purpose of this easement. Consideration shall be given to the manner in which such activity is to be undertaken to insure no detrimental impact to the natural character of the land. In addition the wildlife value of brush and dead trees proposed to be removed shall be considered and weighed against the purpose of the request.

The above procedure shall not abrogate the requirement to acquire any permits required by local, state, or federal law.

The Grantor before commencement of any site work on the Property shall mark the proposed activities with flagging and /or wooden stakes. Conservation markers provided by the Town shall be mounted along the Property boundary on trees, or cedar or pressure treated posts (maximum 48" high). Such markers should be located at each change of boundary direction or a maximum of 50 feet apart. The actual layout of the posts and markers shall be approved by the Town Planner.

LIMITATION ON RIGHT TO AMEND

If circumstances arise under which an amendment to or modification of this easement would be appropriate, Grantor and Grantee may jointly amend this easement, provided that no amendment shall be allowed that will affect the qualification of this easement or the status of the Grantee under any applicable laws including Sections 47-42a through 47-42c of the Connecticut General Statutes, Revision of 1958, as amended, or Section 170(h) of the Internal Revenue Code of 1954, as amended; and any amendment shall be consistent with the purpose of this easement and shall not affect its perpetual duration. Prior to any such amendment the Conservation Commission shall conduct a public hearing with notice in accordance with Article IV Section 12(C) of the Farmington Zoning Regulations and there shall be an affirmative vote of the Conservation Commission and 8-24 report from the Planning and Zoning Commission and an affirmative vote of the Town Council. Any such amendment shall be recorded in the land records of the Town of Farmington, Connecticut.

ACCEPTANCE OF EASEMENT

Acceptance of the easement by the Grantee shall be evidenced by an affirmative vote of the Farmington Conservation Commission.

CONDEMNATION

If said Property, or any part thereof, shall be taken by condemnation, then this easement shall automatically terminate as to that property taken, so that the Grantor, its successors and assigns, may be fully compensated as though this easement had never been granted.

CONDITIONAL GRANT

This Conservation Restriction and Easement is conveyed subject to any and all provisions of any ordinance, municipal regulation or act of public or private law; declarations, easements, restrictions, covenants as they appear of record and any state of facts that an accurate survey or personal inspection of the property might reveal.

EXHIBIT "A"

Description of Conservation Easement

That area ("Property") designated as "Conservation Area" on a map entitled: "

EXHIBIT A

A certain piece or parcel of land, containing 1.456+/- acres, depicted as "known as Parcel No. 3" on a map entitled "Walnut Heights, Subdivision Plan, Property of Edmund J. Haverty, June Remigino and Girard E. Haverty, prepared for Frazao Building Corporation, Walnut Street, Farmington, Connecticut, scale 1"=40', dated Feb. 1985, revised to Nov. 1990, and recorded in Town of Farmington Land Records as map 4612, being further bounded and described as follows:

Beginning at a point, said point being in the westerly line of land now or formerly Michael K. & Katherine D. Ward and the northeasterly corner of land now or formerly Lucille S. Burk, said point also being the southeasterly corner of herein described parcel;

Thence running northwesterly the following four courses and distances along land of said Burk, land now or formerly George F. Beyer and land now or formerly Donald A. & Nancy R. Peltier, N57°37'12"W 240.43 to a point, N55°40'33"W 139.42' to a point, N56°36'33"W 124.79' to a point, N53°16'03"W 117.63' to a point, said point being the northwesterly corner of said Peltier, a westerly corner of land now or formerly Frazao Building Corporation and the southwest corner of herein described parcel;

Thence running northeasterly along the easterly line of said Frazao Building Corporation, N86°08'18"E 50.20' to a point in the southerly line of Serra Drive, said point being the northeasterly corner of said Frazao Building Corporation and the northwesterly corner of herein described parcel;

Thence running easterly and northeasterly the following six courses and distance along the southerly and easterly line of Serra Drive, along a curve to the left having a radius of 445.00' and an arc length of 84.53' to a point, S52°55'20"E 236.00' to a point, along a curve to the left having a radius of 325.00' and an arc length of 103.14' to a point, continuing along a curve to the left having a radius of 199.34' and an arc length of 249.41' to a point, along a curve to the right having a radius of 20.00' and an arc length of 17.45' to a point and along a curve to the left having a radius of 50.00' and an arc length of 43.63' to a point in the westerly line of land now or formerly Town of Farmington, said point being the northeasterly corner of herein described parcel;

Thence running southerly along the westerly line of said Town of Farmington, land now or formerly C.M.C. – Farmington Associates Limited Partnership and said Ward, S37°12'27"W 248.50' to the point or place or beginning.

Said parcel is subject to building lines, easements, restrictions and notes, as set forth on said map or plan, and to any restrictions, covenants, and easements as of record may appear.