Town of Ellington Planning Department

Ac

55 Main ST, PO Box 187, Ellington, CT, 06029/Phone: 860-870-3120/Fax: 860-870-3122/Ihoulihan@ellington-ct.gov

MEMO

DATE:

November 4, 2020

TO:

Board of Selectmen

FROM:

Lisa M. Houlihan, AICP, Town Planner

SUBJECT:

Request to partner with Department of Agriculture and Connecticut Farmland Trust, Inc., regarding Joint Offer for Farmland Preservation Program and Purchase of Development

Rights for Oakridge Dairy for 165 +/- acres of land generally located on Meadow Brook,

Hoffman and Jobs Hill Roads within the Rural Agricultural Residential Zone

The objective of the Farmland Preservation Program (FPP) is to secure food and fiber producing land-resources, consisting primarily of prime and statewide important farmland soils. The state's goal is to preserve farmland in support of producing 50% of the state's fluid milk needs and 70% of its in-season fresh fruits and vegetables. In 2007, Ellington established a program to help permanently protect farmland and has successfully partnered with state and federal agencies to preserve over 500 acres of farmland in town -see enclosed Farmland Preservation brochure for details.

Generally, Ellington's contribution for FPP is 25% of the value of development rights and partnering agencies contribute 75%, however the current program only seeks 10% local contribution. The purpose of this request is to seek authorization to partner with the Department of Agriculture and Connecticut Farmland Trust, Inc., and seek required approvals to fund the acquisition of development rights as listed below:

OAKRIDGE DAIRY FARM 1

116.4 acres, north & south sides of Meadow Brook Road & west side of Hoffman Road Town of Ellington contribution: 10% at \$ 720/acre = fixed \$ 83,800

OAKRIDGE DAIRY FARM 3

51.45 acres, west side of Jobs Hill Road

Town of Ellington contribution: 10% at \$830/acre = fixed \$42,700

TOTAL LOCAL CONTRIBUTION = \$ 126,500

Enclosed for reference is: Joint Offer Agreement Farm I; Joint Offer Agreement Farm III; Oakridge Dairy Farmland Soils Maps (2); Email from DoAg - proposed cost-share; Farmland Preservation brochure.

I look forward to discussing this with you at your next meeting.

(09) 7



Commissioner

STATE OF CONNECTICUT

DEPARTMENT OF AGRICULTURE

Office of the Commissioner



860-713-2501 www.CTGrown.gov

Oakridge Dairy, LLC C/o Sefh Babler, CEO, Manager 76 Jobs Hill Road Bilington, CT 06029

Joint Offer Agreement for the Purchase of Development Rights
State of Connecticut and Connecticut Farmland Trust, Inc.
Bahler (Oakridge Dairy), Ellington, CT
Farm I: 114.4± acres included in PDR, 2.0± acres unrestricted tied to farm

Dear Mr. Bahler,

The Department of Agriculture and Connecticut Farmland Trust, Inc. desire to jointly purchase from you, pursuant to the provisions and purposes of Section 22+26aa, et seq. of the General Statutes of Connecticut, development rights to 114.4± acres of land, more or less, (the "Premises"), along with 2.0± acres unrestricted but tied to the farm. The property is situated on the northerly and southerly sides of Meadow Brook Road and the westerly side of Hoffman Road, in the town of Ellington, Hartford County, and referenced in the attached Property Description of Development Rights acreage, which is incorporated herein as Schedule A, and illustrated in the Property Sketch which is incomporated herein as Schedule B. The 11.4.4± acres Premises shall be restricted as follows.

The Premises would be restricted to agricultural use only. Legal access to the Premises and all the open cropland contained therein must be demonstrated. No new, additional residences would be allowed to be built on the Premises. A Farmstead Area of 4.5± acres would be designated, containing the existing residence and outbuildings. If the residence were to be destroyed by five or otherwise, it may be rebuilt within the Farmstead Area up to 2,500 square feet in living area. The farmhouse must be occupied by the landowners, immediate family members, and/or persons incidental to farm enterprises.

Agricultural structures may be built on the Premises within the Farmstead Area, and the 4.0± acres, 2.5± acres, and 2.0± acres designated Agricultural Building Envelopes, or outside these areas under special circuinstances. In the aggregate, impacts to prime farmland soils shall not exceed up to three percent (3%) of the prime farmland soils on the Premises, and, in the aggregate, impervious surface shall not exceed up to six percent (6%) of the total Premises. Construction of any/all structures on the Premises would be subject to prior notice to and approval from the Connecticut Department of Agriculture.

Agricultural practices shall be in accordance with a conservation plan and forest management plan by the U.S. Department of Agriculture's Natural Resources Conservation Service, and approved by the Commissioner of Agriculture and Connecticut Farmland Trust, Inc.

No division or subdivision of the 116.4± acres shall be allowed. The 114.4± Premises, along with the 2.0± acres unrestricted but fied to the farm, must be conveyed in its entirety only (i.e. all 116.4± acres) as one farm.

All factors affecting the value of your property and the development rights for the Bahler Farm I have been carefully evaluated. Based upon this appraisal, we hereby offer you the sum of:

37,200/acre for 114.4 \pm acres, plus 2.0 \pm acres tied to the farm, for a total of \$838,080 which sum represents the value of the development rights of the property.

Signed:

CONNECTICUT DEPARTMENT OF AGRICULTURE

Bryan P. Harlburt Commissioner

1. 72.50 50

Date

All factors affecting the value of your property and the development rights for the Bahler Farm I have been carefully evaluated. Based upon this appraisal, we hereby offer you the sum of:

\$7,200/acre for 114.4± acres, plus 2.0± acres tied to the farm, for a total of \$838,080 which sum represents the value of the development rights of the property.

You may indicate your acceptance by signing in the space provided below. Please sign both copies of the joint Offer Agreement, retain one for your records, and return the other to the Connecticut Department of Agriculture, Farmland Preservation Program, 450 Columbus Boulevard, Suite 703, Hartford, CT 06103.

You will be advised of a closing date as soon as practicable. Should you have any questions concerning this joint Office Agreement or wish to discuss this matter further, you may either contact Cameron Welmar of the Farmland Preservation Program, at the above address or by phone at 860 713 2511, or Elisabeth Moore of the Connecticut Farmland Trust, Inc. at 860 247 0202.

The above joint Offer Agreement is accepted subject to the conditions stated herein. Please indicate your acceptance by signing in the spaces provided below.

Seth Bahler, CEO, Manager

3/5/2070



Commissioner

STATE OF CONNECTICUT

DEPARTMENT OF AGRICULTURE

Office of the Commissioner



860-718-2501 www.GTGrovn.gov

Oakridge Dairy, LLC C/o Seth Bahler, CEO, Manager 76 Jobs Hill Road Ellington, CT 06029

Joint Offer Agreement for the Purchase of Development Rights
State of Connecticut and Connecticut Farmland Trust, Inc.
Bahler (Oakridge Dairy), Ellington, CT
Farm III: 51.45± acres included in PDR.

Dear Mr. Bahler,

The Department of Agriculture and Connecticut Farmland Trust, Inc. desire to purchase from you, pursuant to the provisions and purposes of Section 22-26aa, et seq. of the General Statutes of Connecticut, development rights to 51.45± acres of land (the "Premises"), situated on the western side of Jobs Hill Road in the Town of Ellington, Hartford County, Connecticut and referenced in the attached Property Description of Development Rights acreage, which is incorporated herein as Schedule A, and illustrated in the Property Sketch, which is incorporated herein as Schedule B. The 51.45± acres Premises shall be restricted as follows.

The Premises would be restricted to agricultural use only. Legal access to the Premises and all the open cropland contained therein must be demonstrated. No new, additional residences would be allowed to be built on the Premises. A Farmstead Area of 2.04 acres would be designated to the existing residence and outbuildings. If the residence were to be destroyed by fire or otherwise, it may be rebuilt within its existing footprint within the Farmstead Area up to 2,500 square feet in living area. The farmhouse must be occupied by the landowners, immediate family members, and/or persons incidental to farm enterprises.

Agricultural structures may be built on the Premises within the Farmstead Area and the 1.0± acre designated Agricultural Building Envelopes, or outside the area under special circumstances. In the aggregate, impacts to prime farmland soils shall not exceed up to five percent (5%) of the prime farmland soils on the Premises, and, in the aggregate, impervious surface shall not exceed up to five percent (5%) of the total Premises. Construction of any/all structures on the Premises would be subject to prior notice to and approval from the Connecticut Department of Agriculture.

Agricultural practices shall be in accordance with a conservation plan and forest management plan by the U.S. Department of Agriculture's Natural Resources Conservation Service, and approved by the Commissioner of Agriculture and Connecticut Farmland Trust, Inc.

No division or subdivision of the 51.45± acre Premises would be allowed and the Premises must be conveyed in its entirety only (i.e. all 51.45± acres) as one famil.

It is expressly understood and agreed that this joint offer is conditioned upon the following:

- 1. The completion of an accurate Class A-2 survey (hereinafter Survey), to be provided by the Department of Agriculture.
- 2. An adjustment in the sum offered to the extent necessary to reflect any acreage differences disclosed by the Survey, including adjustment for any areas of contested title or encroachment from neighboring properties.
- 3. Your ability to convey to the State of Connecticut and Connecticut Farmland Trust, Inc., marketable title to such development rights as prescribed under Chapter 422a of the Connecticut General Statutes, and the right to construct any residence on the Premises, except for the replacement of the existing residence(s) as provided for above, free of any encumbrances which may affect such conveyance. The purchasers at their sole discretion may reduce the acreage of the Premises that is subject to the purchase of development rights to exclude any encroachments or areas subject to boundary line disputes revealed by said Survey.
- 4. Purchase of the development rights on the Premises being subject to the Approval of the Board of Directors of the Connecticut Farmland Trust, Inc.
- A one-time donation of \$5,000 from you to Connecticut Farmland Trust, Inc., to be deposited into a special Stewardship Fund and restricted for the purposes of stewarding conservation easements held by Connecticut Farmland Trust, Inc. in perpetuity.
- 6. The approval of the necessary funding from the State Bond Commission, and any other approvals required for the purchase of land or rights under State statute, including but not limited to the State Properties Review Board and/or other state regulations or procedures, and final document approval by the Office of the Attorney General.
- 7. Subject to the review and approval of the United States Department of Agriculture Natural Resource Conservation Service, to enable the disbursement of Agricultural Lands Easement Program funds.
- 8. That this letter and agreement be signed and returned to me within forty-five (45) days of the date of the last signature, otherwise this joint Offer Agreement will lapse and be of no further force and effect except that it may be extended at the joint discretion of the Commissioner of Agriculture and Connecticut Farmland Trust, Inc.
- 9. That a closing date for the purchase of development rights shall occur within sixty (60) days after all conditions in this agreement are met, which it is contemplated by all parties will occur one year from the date of execution of this joint Offer Agreement.
- 10. Included as part of this agreement are the attached Schedule A-Property Description of Development Rights Acreage, and the Schedule B-Property Sketch.
- 11. The deed shall also contain such provisions as the Commissioner of Agriculture deems necessary to fulfill the purposes of Chapter 422a of the Connecticut General Statutes and consistent with the laws of the State.
- 12. The deed may also contain such provisions as the Commissioner of Agriculture and the Connecticut Farmland Trust, Inc. deem necessary to fulfill the purposes of the United States Department of Agriculture's Agricultural Lands Easement Program, consistent with the laws of the State, imposed as a condition for the receipt of federal funds.

All factors affecting the value of your property and the development rights for the Babler Farm III have been carefully evaluated. Based upon this appraisal, we hereby offer you the sum of

\$8,300/acre for 51.45± acres, for a total of \$427,035 which sum represents the value of the development rights of the property.

Signed:

CONNECTICUT FARMLAND TRUST, INC.

Dawn P. Castiglia-Adiletta President

Date Dalamond 16, 2020

All factors affecting the value of your property and the development rights for the Bahler Farm III have been earefully evaluated. Based upon this appraisal, we hereby offer you the sum of:

\$8,300/acre for 51,45± acres, for a total of \$427,035 which sum represents the value of the development rights of the property.

You may indicate your acceptance by signing in the space provided below. Please sign both copies of the joint Offer Agreement, retain one for your records, and return the other to the Connecticut Department of Agriculture, Farmland Preservation Program, 450 Columbus Boulevard, Suite 703, Hartford, CT 06103.

You will be advised of a closing date as soon as practicable. Should you have any questions concerning this joint Offer Agreement or wish to discuss this matter further, you may either contact Cameron Weimar of the Farmland Preservation Program, at the above address or by phone at 860 713 2511, or Elisabeth Moore of the Connecticut Farmland Trust, Inc. at 860 247 0202.

The above joint Offer Agreement is accepted subject to the conditions stated herein. Please indicate your acceptance by signing in the spaces provided below.

Seth Bahler, CEO, Manager

3/5/2020 Dite

SCHEDULE A -PROPERTY DESCRIPTION OF DEVELOPMENT RIGHTS ACREAGE

Bahler (Oakridge Dairy) Farm III, Ellington, CT 51.45± acres included in purchase of development rights

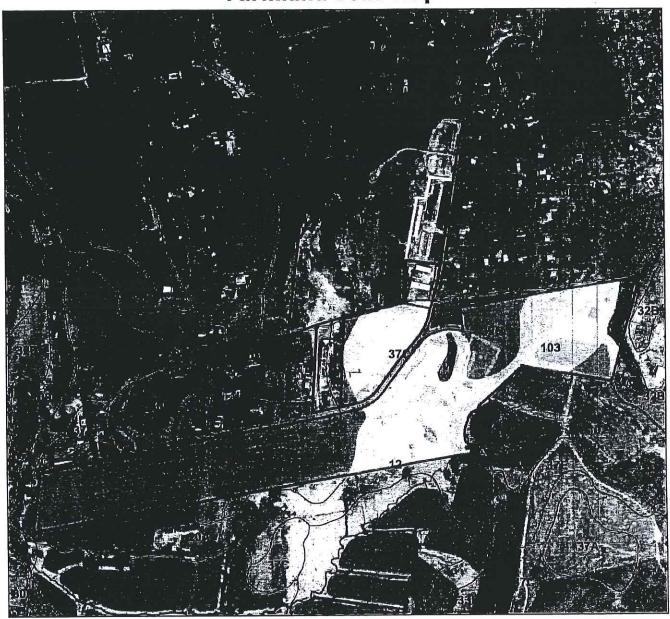
All those certain pieces or parcels of land containing approximately 51.45 acres, more or less, situated on the situated on the general westerly side of Jobs Hill Road in the Town of Ellington, Hartford County, Connecticut and being all or a portion of the premises described in Volume 479, Page 99 and Volume 464, Page 55 of the Ellington Land Records.

Reference is hereby made to Map 072 Blocks 0000, 0002, 00003 Lot 001 and Map 081 Lot 002; consisting of 60.92± total acres owned, as assessed by the Ellington Tax Assessor.

The above described parcels shall constitute one parcel of land for the purposes of Connecticut General Statutes Section 22-26bb (d) (2).

See also the Property Sketch attached as Schedule B.

Bahler Farm (Oakridge Dairy) 1 Farmland Soils Map



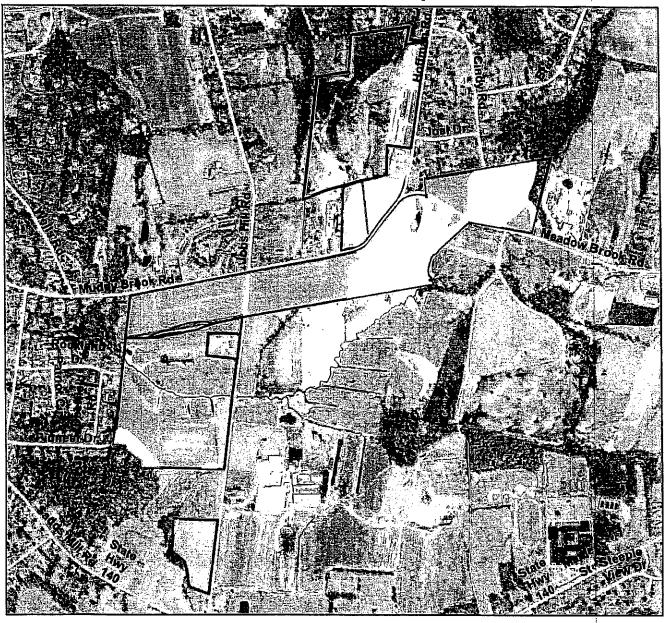


Data sources: CT DEEP Ortho Images (Spring 2016); CT DEEP Connecticut Parcels for Protected Open Space Mapping (August 2010); NRCS Soil Survey Geographic (SSURGO) database for the State of Connecticut (March 2007)

Created by: Lily Orr, CFT (March 14, 2019)

Note: The Protected Property boundary line depicted is for general reference – the measurements are not to scale. The Property Description in the Conservation Restriction should be used to locate the precise easement boundary.

Bahler (Oakridge Dairy) Farms I & III Farmland Soils Map



Farm 1 (~114.4. acres)

Farmstead Area (~4.5 acres)

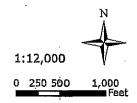
Agricultural Building Envelopes (~8.5 acres)

Farm 3 (~51.45 acres)

Agricultural Building Envelope (~1 acre)

Farmstead Area (~2 acres)

Prime Farmland Solis Statewide Important Farmland Soils



Data sources: CT DEEP Ortho Images (Spring 2016); CT DEEP Connecticut Parcels for Protected Open Space Mapping (August 2010); NRCS Soil Survey Geographic (SSURGO) database for the State of Connecticut (March 2007) Created by: Lily Orr, CFT (October 22, 2019)

Note: The Protected Property boundary line depicted is for general reference – the measurements are not to scale. The Property Description in the Conservation Restriction should be used to locate the precise easement boundary.

Subject:

FW: RE: Oakridge Dairy Farm 1 and Farm 3 PDR easements proposed cost-share contributions

Weimar, Cameron [mailto:Cam.Weimar@ct.gov]

Se... Wednesday, April 22, 2020 2:41 PM

To: Lisa Houlihan < LHoulihan@ELLINGTON-CT.GOV >

Cc: O'Meara, Denise < Denise. O'Meara@ct.gov>; Kathleen Doherty < kdoherty@ctfarmland.org>

Subject: RE: Oakridge Dairy Farm 1 and Farm 3 PDR easements proposed cost-share contributions

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Lisa.

Here is the proposed cost-share breakdown:

For BAHLER FARM 1 PDR w/ \$7,200/acre * estim. 116.4 acres = estim. \$838,080

From USDA-ALE:

63% at \$4,510/acre = estim. \$525,000

From State of CT:

27% at \$1,970/acre = estim. \$229,280

From Town of Ellington: 10% at \$ 720/acre = fixed \$ 83,800

For BAHLER FARM 3 PDR w/ \$ 8,300/acre * estim. 51.45 acres = estim. \$427,035

From USDA-ALE:

57% at \$4,742/acre = estim. \$244,000

From State of CT:

33% at \$2,728/acre = estim. \$140,335

From Town of Ellington: 10% at \$ 830/acre = fixed \$ 42,700

For a proposed total, fixed local contribution from the town of \$ 126,500 towards the two agricultural conservation easements.

If this cost-share arrangement will work for the town, Denise will then draft a PDR Funding Partnership Agreement for the State, CFT, and the Town to execute.

Best, Cam

Cameron Weimar, Ph.D. cam.weimar@ct.gov 860.713.2511 Farmland Preservation Program Connecticut Dept. of Agriculture 450 Columbus Blvd. Suite 703 Hartford, CT 06103-1841 www.ctgrown.gov



Town of Ellington Planning Department

MEMO

DATE:

December 30, 2020

TO:

Lori Spielman, First Selectman

FROM:

Barbra Galovich, Land Use Assistant, on behalf of the Planning & Zoning

Commission

SUBJECT: CGS 8-24 Review of 80 Maple Street - Request to consider and act on a

resolution approving the acquisition of land.

At their meeting on December 21, 2020, the Planning & Zoning Commission (PZC) made the following motion:

MOVED (KELLY), SECONDED (FRANCIS) AND PASSED UNANIMOUSLY TO RESOLVE THAT THE PLANNING AND ZONING COMMISSION RENDER A POSITIVE REFERRAL TO THE BOARD OF SELECTMEN FOR A REQUEST TO CONSIDER THE ACQUISITION OF A PARCEL OF LAND KNOWN AS 80 MAPLE STREET, ASSESSOR PARCEL NUMBER 072-021-0000, NOW OR FORMERLY OWNED BY GINA B. AND RYAN D. CORTHOUTS, CONSISTING OF APPROXIMATELY .18 ACRES, IN ACCORDANCE WITH CONNECTICUT GENERAL STATUTE SECTION 8-24. IN SO RECOMMENDING, THE COMMISSION FINDS NO CONFLICT WITH THE PLAN OF CONSERVATION AND DEVELOPMENT AND THAT ACQUISITION OF SAID PARCEL PROVIDES OPPORTUNITY TO INCREASE AND ENHANCE COMMUNITY FACILITIES IN TOWN CENTER.

DISCUSSION: Any future development project is subject to and shall comply with all applicable zoning, site plan, subdivision, inland wetland and other applicable laws, regulations and permit approvals.

Thank you

Town of Ellington Planning Department

55 Main Street, PO Box 187, Ellington, CT, 06029 / Phone: 860-870-3120 / planner@ellington-ct.gov

MEMO

DATE:

December 9, 2020

TO:

Board of Selectmen

cc: Earthlight Technologies

FROM:

Lisa M. Houlihan, AICP, Town Planner, for the Economic Development Commission

SUBJECT:

Tax Abatement application for Earthlight Technologies, 128 West Road, APN 037-003-

0002, 12.51 acres, Planned Commercial Zone, to construct a new building and site

improvements for corporate headquarters.

On November 18, 2020, the Economic Development Commission (EDC) reviewed a tax abatement application for Earthlight Technologies, LLC, owner of 128 West Road. The request for abatement is associated with the construction of a new 22,250 sf two-story building and site improvements for corporate headquarters for sales and installation of energy efficiency equipment and solar PV systems. The estimated cost of improvements exceed \$4,000,000. The overall project anticipates hiring 10-15 new employees, and purchasing new machinery, equipment, and motor vehicles.

After presentation by Earthlight Technologies and review of application materials, the EDC voted as follows:

MOVED (TODD) SECONDED (RESUTEK) AND PASSED UNANIMOUSLY TO FIND SCHNEIDER BROTHERS LLC/EARTHLIGHT TECHNOLOGIES, LLC AN ELIGIBLE BUSINESS AND THE CONSTRUCTION OF A NEW 20,000 SF CORPORATE HEADQUARTERS AND SITE IMPROVEMENTS ASSOCIATED WITH SALES AND INSTALLATION OF ENERGY EFFICIENCY EQUIPMENT AND SOLAR PV SYSTEMS TO MEET THE PURPOSE OF THE ABATEMENT PROGRAM BY ENCOURAGING GROWTH AND INVESTMENT IN EXISTING BUSINESSES AND FURTHER MEETS THE OUTCOME OF THE PROGRAM BY INCREASING LONG TERM TAX REVENUE AND PROVIDING POTENTIAL EMPLOYMENT AND OPPORTUNITIES FOR OTHER TOWN BUSINESSES TO SERVICE THE NEW COMPANY.

IN SO FINDING THE EDC RECOMMENDS AN ABATEMENT OF 90% FOR THE FIRST TWO YEARS, YEAR THREE AT 80%, YEAR FOUR AT 70%, YEAR FIVE AT 60% AND THE LAST TWO YEARS AT 50%, AND FORWARD A POSITIVE RECOMMENDATION TO THE BOARD OF SELECTMEN FOR CONSIDERATION.

Please place the request for abatement on the next Board of Selectmen agenda. Attached is a copy of the EDC meeting minutes, and the abatement policy, application, and backup documentation.

AGENDA #

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1

TOWN OF ELLINGTON ECONOMIC DEVELOPMENT TAX ABATEMENT POLICY

PURPOSE:

The Town of Ellington wants to attract new business opportunities while encouraging growth and investment in existing businesses that will increase long term tax revenue to the town. The Town has determined that farming is vitally important to the quality of life, environment, economy, and character of Ellington. This policy allows the Town to offer fixed real property tax assessments for qualified businesses and specific tax abatements for farms that agree to the terms offered by the Town.

OUTCOME:

The additional business growth will provide additional tax revenue, potential employment for town residents and opportunities for other town businesses to service the new companies. Expansion of existing town businesses will retain industry within the town proper.

The additional investment in farming will benefit quality of life, help protect the environment, diversify local taxes, and sustain farming operations in Town.

ELIGIBLE BUSINESSES:

As authorized pursuant to Connecticut General Statutes Section 12-65b (b), the Town will consider applying this policy to those specific businesses identified below:

Office; retail; manufacturing; warehouse, storage or distribution; information technology; recreation facilities; transportation facilities.

ELIGIBLE FARMS:

As authorized pursuant to Connecticut General Statutes Section 12-81m, the Town will consider applying this policy to those specific farms identified below:

Dairy farms; vegetable farms; nurseries; fruit orchards, including vineyards for the growing of grapes for wine.

GENERAL INFORMATION:

In the event of unusual or extraordinary circumstances, the Board of Selectmen (BOS) reserves the right to alter or waive any of the foregoing provisions. These guidelines may be changed, in whole or in part, or repealed in their entirety, at any time, without a public hearing, by action of the BOS.

An applicant who is delinquent in any taxes that are otherwise due to the Town of Ellington, federal or state government or other municipality shall be ineligible for tax abatement.

Any agreement between the Town and a business regarding fixing the assessment will require an agreement by the business to remain solvent for a minimum of 10 years. The business will have three years to achieve the agreed to minimum full time employment level.

Any agreement between the Town and a farm regarding tax abatement will require an agreement by the farm to remain operational for a minimum of 10 years.

The fixed assessment or abatement will be based upon the capital expenditures to be spent at the time of the agreement; future expansion plans are not counted as part of this agreement.

The assessment or taxation of real property for the period prior to the fixed assessment period will be done in accordance with state and local laws and ordinances.

The length of time of the fixed assessment for an eligible business is based on cost of improvements only to real property as follows:

- a. Assessment may be fixed for a period of no more than 7 years, provided the cost of improvements to be constructed is \$3,000,000 or more.
- b. Assessment may be fixed for a period of no more than 2 years, provided the cost of improvements to be constructed is \$500,000 or more and less than 3,000,000.
- c. No more than 50 % of the increased assessment may be fixed, for a period of no more than 3 years, if the cost of improvements is \$25,000 or more and less than \$500,000.

In the event the end user is a tenant, the tax benefit must be reflected in the lease.

The length of time of the abatement for an eligible farm is based on cost of improvements only to real property as follows:

a. No more than 50 % of the increased assessment may be abated, for a period of no more than 7 years, provided the cost of improvements is \$25,000 or more.

DEFINITIONS:

<u>Capital Expenditures</u>: Cash investments to improve an asset that will have a life of more than one year.

Cost of Improvements: The actual cost of constructing such improvements.

Improvements: Building or other structures which are permanently attached to the land.

Real Property: The physical parcel of land and all improvements permanently attached.

<u>Tax Assessment Analysis</u>: An analysis of the loss in tax revenue from granting abatement or fixed assessment on eligible cost of improvements according to the parameters listed in this policy, and including an assessment of real property for the period prior to the abatement or fixed assessment.

TOWN OF ELLINGTON ECONOMIC DEVELOPMENT TAX ABATEMENT APPLICATION PROCESS

The tax abatement application process begins by the applicant submitting a completed tax abatement application, a document stating that federal, state and local taxes are current; an itemized list of the proposed cost of improvements; copies of site development plans and building plans; disclosure of any public or supplemental funding to be used for associated improvements and a statement explaining how the proposal will provide business growth or sustain farming operations, tax revenue and potential employment for town residents to the Planning Department. Questions regarding the abatement application should be directed to the Planning Department at 860-870-3120.

The Planning Department will forward a copy of the application to the Assessor, Tax Collector and First Selectman for review. The Assessor will review the assessor parcel number(s) and the deed(s), and will provide a tax assessment analysis. The Tax Collector will confirm that taxes are current and the First Selectman will review that the application is within the program parameters.

Once all town reports have been received, the Planning Department will forward the application form, with town staff comments, to the Economic Development Commission (EDC) for the next regularly scheduled meeting. The applicant must attend the EDC meeting in order to present the application. An agenda will be sent to the applicant containing the date, time and location of the meeting. The EDC will vote on whether or not to forward the application to the Board of Selectmen (BOS). If the EDC chooses to forward the application to the BOS, the EDC will determine the terms of the abatement or fixed assessment and will state the reason(s) they support the request for tax abatement or fixed assessment in their report to the BOS; they may also add conditions of approval.

If the EDC forwards the application to the BOS, the Planning Department will request that the application be placed on the next BOS agenda. The applicant must attend the meeting in order to present the application. An agenda will be sent to the applicant containing the date, time, and location of the meeting. The EDC Chairman or his/her designee will also be in attendance to speak in favor of the application.

If approved by the BOS, the First Selectman will request that the Town Attorney draft a contract. A copy of the draft contract will be sent to the Assessor and the Planning Department for comment. Once the terms and conditions of the contract are agreed to the BOS will schedule a Town Meeting in order for the townspeople to vote to approve or deny the abatement or fixed assessment. The EDC Chairman or his/her designee will also be in attendance to speak in favor of the application.

Once approved at Town Meeting, the First Selectman will notify the Town Attorney and the Town Attorney will forward the contract to the Planning Department, which will send it to the applicant for execution. The contract must be executed and delivered to the Planning Department prior to the issuance of the Certificate of Occupancy (C.O.).

Upon issuance of the C.O., the applicant shall submit receipts to the Assessor's Department as to the actual cost of the site and building improvements in order to certify that the terms of the contract have been met. The Assessor's Department may forward the receipts to the EDC if the amount expended is lower than the amount in the contract. The Assessor's Department will submit a final recommendation to the BOS to implement the tax abatement or fixed assessment. Once the BOS has approved the implementation of the abatement or fixed assessment, the First Selectman will forward a written directive to authorize the Assessor to apply the abatement or fixed assessment.

The original contract will be retained in the First Selectman's Office, with copies sent to the applicant, Assessor, Tax Collector and Town Planner. A copy of all correspondence regarding the subject application shall be maintained in the Planning Department.

The reduced assessment or abatement will apply to the October 1st tax list immediately following the issuance of a C.O. for the new construction.

The EDC will perform an annual review in March to ensure all elements of the contract between the town and applicant remain in place. The EDC will notify the Assessor whether or not the applicant is in compliance with the contract.

If the applicant defaults on terms, conditions or warranties contained in the contract, and fails to cure such default within six (6) months after notification by the town, then the contract will terminate. The Town of Ellington may recapture up to 100% of all taxes that the Town would have received during the term of the contract in the event the fixed assessment had not been applied.

RECAPTURE CLAUSE FOR ELIGIBLE FARMS:

If farming operations cease or a property that was granted abatement is sold prior to ten (10) years from the initial effective date of abatement, the applicant shall pay the Town a percentage of the original amount of taxes abated pursuant to the following schedule, unless a new applicant is recommended by the EDC to assume the remaining term of abatement and approved by the BOS. In no case shall the amount to be paid to the Town exceed the original amount of taxes abated.

Between 1 day and 365 days	1.00%
Between I year I day and 2 years	90%
Between 2 years 1 day and 3 years	80%
Between 3 years 1 day and 4 years	70%
Between 4 years I day and 5 years	60%
Between 5 years 1 day and 6 years	50%
Between 6 years 1 day and 7 years	40%
Between 7 years 1 day and 8 years	30%
Between 8 years I day and 9 years	20%
Between 9 years 1 day and 10 years	10%
More than 10 years	0%

Recapture taxes owed to the Town pursuant to this provision shall be due and payable by the applicant at the time of transfer, sale, or recording of his/her deed or other instrument of conveyance, or in the case of a farm that ceased operation, within sixty (60) days of the date on which said operations ceased. Such revenue received shall become part of the general revenue of the Town.

TOWN OF ELLINGTON REAL ESTATE TAX ASSESSMENT ABATEMENT APPLICATION FORM

APPLICANT'S INFORMATION: BUSINESS/FARM NAME. Schneider Brothers LLC/Earthlight Technologies, LLC	
OWNER(S): Timothy, Samuel, Jacob, Christian, Jonathan & Nathan Schneider	
MAILING ADDRESS: 92 West Road, Ellington, CT 06029	
PHONE: 860.550.5337 FAX: 860.871.9439	
EMAIL: tim@earthlighttech.com	
PROPERTY DESCRIPTION: PROPERTY ADDRESS: 128 West Road	
ASSESSOR'S PARCEL NUMBER (APN): 039 - 003 · 0002	
DEED: VOL. 037003-) PG. 0082 TOTAL AC. OF PARCEL: 12.51	1
PROPERTY IMPROVEMENT INFORMATION: LAND ACQUISITION YES NO (CIRCLE ONE)	
IF YES, TOTAL AC. ACQUIRED: 12.51	
AMOUNT OF LAND IN ELLINGTON USED FOR FARMING, IN ACRES: 0	
AMOUNT OF LAND OUTSIDE OF ELLINGTON USED FOR FARMING, IN ACRES LOCATION: 0	AND BY
NEW CONSTRUCTION OR ADDITION: (CIRCLE ONE)	
NEW CONSTRUCTION (SQ. FT.): 22,250 (Tevised)	
TOTAL BUILDING (SQ. FT.): 22,250 (revised)	
INDUSTRY TYPE, FARM TYPE & BUSINESS/FARM USAGE STATEMENT:	•
Earthlight Technologies Corporate Headquarters - Sales & Installation of ener	gy efficiency
equipment and solar PV systems.	
Page 5 of 8	pas revise
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ANTICIPATED WASTE OUTPUT (GPD): 7,000 GPD
COST OF LAND: \$ 375,000.00
cost of Building or addition: \$ 3.533,600 (revised)
COST OF SITE IMPROVEMENTS: \$ 300,000.00
FAIR MARKET VALUE OF EXISTING MACHINERY: 80,000.00
FAIR MARKET VALUE OF EXISTING EQUIPMENT: 50,000.00
FAIR MARKET VALUE OF EXISTING MOTOR VEHICLES: 1,100,000.00
COST OF NEW MACHINERY: \$ 150,000.00
COST OF NEW EQUIPMENT: \$ 125,000.00
COST OF NEW MOTOR VEHICLES: \$ 2,000,000.00
NUMBER OF EXISTING EMPLOYEES: 85
NUMBER OF ANTICIPATED ADDITIONAL EMPLOYEES: 10-15
EXPECTED HIRE DATES OF ADDITIONAL EMPLOYEES: 2021
TYPE OF JOBS AND JOB TITLES OF ANTICIPATED ADDITIONAL EMPLOYEES:
Electricians, Laborers, Controller, Carpenters, Office Workers
Electricians, Eaborers, Controller, Carporters, Chies Voltage
VALUE OF PUBLIC AND/OR SUPPLEMENTAL FUNDING: 0
ANTICIPATED CONSTRUCTION SCHEDULE: spring/summer 2021, Construction
complete by 11/30/21 (revised)
If additional space is needed, please provide a separate attachment(s).
ATTACH A DOCUMENT THAT STATES YOU ARE CURRENT WITH FEDERAL, STATE AND LOCAL TAXES; PROVIDE COPIES OF SITE DEVELOPMENT PLANS AND BUILDING PLANS, AND A STATEMENT EXPLAINING HOW THE PROPOSAL WILL PROVIDE BUSINESS GROWTH, SUSTAIN FARMING, TAX REVENUE AND POTENTIAL EMPLOYMENT FOR TOWN RESIDENTS. IF A BUSINESS, INCLUDE A LIST OF ALL BUSINESS NAMES WITH PRINCIPALS AND TOWNS THAT YOU HAVE DONE BUSINESS IN FOR THE PAST 5 YEARS. PLEASE ATTACH ANY ADDITIONAL INFORMATION THAT YOU FEEL WILL BE HELPFUL DURING THE TAX ABATEMENT REVIEW.
SIGNATURE DATE: 11-4-20

APPLICATION REVIEW SHEET

ASSESSOR:	KECETAED
DAȚE REFERRED:	NOV 09 2020
DATE REVIEWED: 11920	TOWN OF ELLINGTON PLANNING DEPARTMENT
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APPLICATION REVIEW SHEET

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Earthlight was started in 2008 at 92 West Road in Ellington. As a growing business, Earthlight maximized its office and warehouse space with additions, storage containers and for the last 2-3 years has rented warehouse space from the former Rockville Reminder building in Vernon.

Earthlight has enjoyed consistent 15-20% growth over the last years and plans to continue growth at a budgeted 10% going forward. Earthlight also has a small office in Hadley, MA as well as an office in Silverton, OR.

It has become evident that Earthlight needs to expand and consolidate its offices and warehouse. As Earthlight grows into the future, hiring additional local employees will be key to continuing to build a high quality, family run business in town. It is very important for us to continue to give back and support our great town of Ellington.

We will also need to continue to expand our fleet of vehicles and contractor equipment.

As we navigate these trying, historic times, we ask the town to help us grow with as much tax abatement as possible.



Earthlight Technologies, LLC 92 West Road Ellington, CT 06029

1037 Commerce Court Silverton, OR 97381

216B Russell Street Hadley, MA 01035

Earthlight Power, LLC 92 West Road Ellington, CT 06029

West Road Associates 92 West Road Ellington, CT 06029

Schneider Brothers, LLC 92 West Road Ellington, CT 06029

Earthlight Technologies, LLC 92 West Rd Ellington, CT 06029 p: (860) 871-9700 f: (860) 871-9439 earthlighttech.com



October 30, 2020

Current Tax Statement

Earthlight Technologies, LLC, Earthlight Power LLC, West Road Associates, Schneider Brothers, LLC are current on all local, state, and federal taxes.

Date

11-4-20

Earthlight Technologies, LLC 92 West Rd Ellington, CT 06029 p: (860) 871-9700 f: (860) 871-9439 earthlighttech.com





12/7/2020

General Conditions		\$	176,600
Design - Architectural/Structural	n #	\$	10,000
Design - MEP		2	22,000
Design - Interior Design		S	0
Building Sitework - ALLOWANCE -		\$	400,000
Site Improvements - ALLOWANCE		S	75,000
Site Lighting - ALLOWANCE		\$	20,000
Concrete		S	241,000
Masonry		S	36,000
Misc Metals		S	65,000
Rough Carpentry		S	2,500
Office Structure Framing/Shell	GTFC	\$	482,000
Office Timber Elements	GTFC	S	195,000
Office Window (Anderson)/Gutters & Downspouts	GTFC	\$	36,000
Finish Carpentry		S	15,000
Insulation (Rigid Fdn/Underslab)		s	42,000
Insulation (Office Bldg Wall/Roof)		s	35,000
Doors, Frames & Hardware		\$	50,000
Aluminum Curtainwall/Storefront/Windows @ wareho	use/Int. Glazing	\$	58,000
Overhead Doors		2	26,000
Gypsum Wallboard		s	130,000
Acoustical Ceilings		\$	36.000
Flooring		\$	79,000
Main Stair Tread Allowance		s	10,000
Pointing		s	16,000
Toilet Accessories/Fire extinguishers		S	2,500
Loading Dock Levelers/Bumpers		\$	14,000
Pre-Engineered Metal Building (Includes Insulation)		s	361,000
Fire Protection System		\$	80,000
Plumbing		S	49,000
HVAC		2	209,000

209,000 - ELT Install (\$195,000)

Subtotal	\$	2,973,600
Building Permit/Insurance	\$	59,000
Overhead & Profit	S	166,000
TOTAL	\$	3,198,600
Design Contingency	s	100,000
Construction Contingency	s	60,000

Electrical

r as revised

- (1) 2 ton air handler.
- (4) 5 ton air handlers.

Refrigerant and condensate piping to exterior condensers All units to have Wifi controlled thermostats Bathroom exhaust

Shop Area

Radiant floor heat in the warehouse area with an electric boiler. Bathroom exhaust Gas piping for what? Balancing Wifi controlled thermostats Start up and test.

DIVISION 16 ELECTRICAL - Not Included by PDS

EARTHLIGHT TO INSTALL - Buffeet cost
\$195,00

The work includes the providing of all labor, materials, equipment, accessories and tests necessary to complete and make ready for operation by Owner all electrical items as required and hereafter specified. Design and Engineered stamped drawings and permit fees are included.

Distribution

- (1) 3P1000A service 120/208v with exterior metering (to accommodate solar).
- (1) 200 amp 3 phase distribution panel for the office area.
- (1) 100 amp 3 phase panel for warehouse.
- · Associated conduit, aluminum conductors & grounding

Lighting

- LED High-bay with integral occupancy sensors
- 2x4 center basket LED lighting in office areas.
- (8) Exterior LED emergency wallpacks
- · Associated conduit & wiring

Power

Electrical conduit and wiring for offices, open area, break room, bathrooms per code and design layout. General outlet layout is also included.

Fire Alarm

Wiring for code minimum required pull stations at egress, smoke and heat detectors if required, direct dialer to monitoring company will be through owners security system, fire alarm system will monitor sprinkler flow and tamper switches.

Page 15 DEC 08 2020

Earthlight

Data

Conduit drops to each office.

Exclusions

Not included in this proposal are the following items:

Telephone system.

Security system.

Computer wiring.

Owner's equipment connections and wiring.

Fire Pump for sprinkler system.

Painting the Steel.

Sub panels for machine circuiting

Site Lighting - none shown on civils

Gas. Service

Paving - Estimated @\$140,000

Curbing

Electrical ·

Items unless otherwise noted earlier.



Schneider Brothers, LLC.

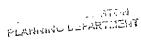
128 West Road, Ellington, CT 06029

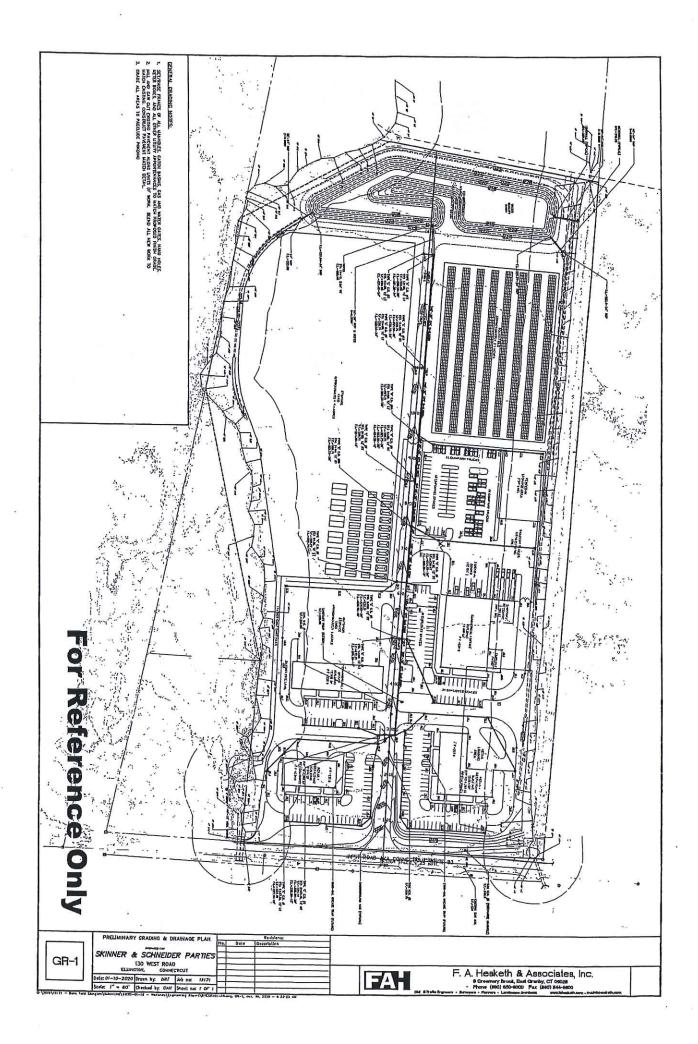
Expenses incurred for project to date:

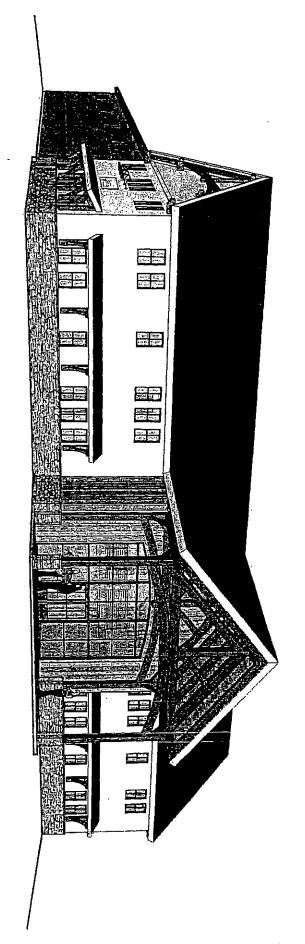
Туре	Date Num	Name	Мето	Memo Amount	
Bill	03/04/2019 29717	Marder, Roberson & DeFelice	Legal Expenses for Land Purchase	T.	406.25
Bill	04/08/2019 30035	Marder, Roberson & DeFelice	Legal Expenses for Land Purchase	\$	243.75
Bill	05/08/2019 30250	Marder, Roberson & DeFelice	Legal Expenses for Land Purchase	\$	1,413 75
Bill	06/10/2019 30386	Marder, Roberson & DeFelica	Legal Expenses for Land Purchase	3	177.50
Bill	10/16/2019 31192	Marder, Roberson & DeFelice	Legal Expenses for Land Purchase	S	1,013.00
Bill	11/07/2019 31277	Marder, Roberson & DeFelice	Legal Expenses for Land Purchase	5	406.25
Bill	12/11/2019 31520	Marder, Roberson & DeFelice	Legal Expenses for Land Purchase	5	81.25
Check	12/13/2019 14821	Moser, James	Land Purchase	\$3	50.000.00
Bill	02/05/2020 31880	Marder, Roberson & DeFelice	Legal Expenses for Land Purchase	S	130.00
Hia	03/11/2020 32120	Marder, Roberson & DeFelice	Legal Expenses for Land Purchase	\$	2,534.25
Bill	03/11/2020 32118	Marder, Roberson & DeFelice	Legal Expenses for Land Purchase	2	270.00
Bill	04/02/2020 32280	Marder, Roberson & DeFelice	Schneider Brothers, LLC Corp Doc Prep	5	270.00
Bill	04/02/2020 32282	Marder, Roberson & DeFelice	Legal Expenses for Land Purchase	S	893.75
Bill	04/17/2020 46896	T M Burgess & Co., Inc	Insurance for Future Land Purchase - per Tim	\$	720-00
Check	04/23/2020 15691	Town of Ellington	Open Space Fund	5	9,500.00
Bill	05/09/2020 6761	Hoffman Construction	Topsoil to 126 West Road	5	170:00
Bill	08/17/2020 33059	Marder, Roberson & DeFelice	Legal Expenses for Land Purchase	5	832.50
Check	10/06/2020 16761	Earth Dynamics LLC	Site Development Ph1	\$	30,900.00
Check	10/15/2020 16883	Frontier Communications	Deposit for Shift & Remove existing Poles	\$	189.29
Bill	10/21/2020 DP-2003	8 PDS Engineering & Contraction-10/1/21	Schneider Bros LLC-Constr Contract Deposit	5	5,000 00
Check	10/30/2020 16981	Earth Dynamics LLC	Site Development Ph1	Ş	34,200.00
Check	11/04/2020 17044	Frontier Communications	Payment for Shift & Remove existing Poles	\$	11,379.69
TOTAL				\$	450,731.23

Earthlight Technologies, LLC 92 West Rd Ellington, CT 06029

p: (860) 871-9700 f: (860) 871-9439 earthlighttech.cBfc 0 8 2020

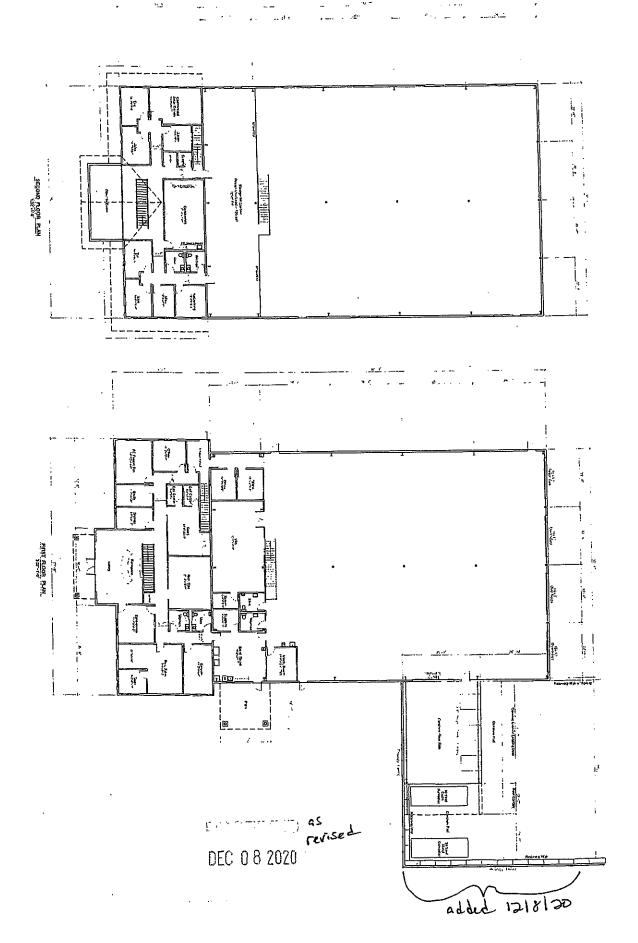






GREAT COUNTRY
TIMBER FRAMES

EAST ELEVATION SOUTH ELEVATION Agent State State State of grow & Deflere & Ind. . 13-T. . . **.** DEC 0 8 2020 Earthlight Solar & Energy Solutions A-200 C aret aca. Emission Vinedical **EXTERIOR ELEVATIONS**



STATE OF CONNECTICUT – COUNTY OF TOLLAND INCORPORATED 1786



TOWN OF ELLINGTON

55 MAIN STREET - PO BOX 187 ELLINGTON, CONNECTICUT 06029-0187

www.ellington-ct.gov

TEL. (860) 870-3120

TOWN PLANNER'S OFFICE FAX (860) 870-3122

ECONOMIC DEVELOPMENT COMMISSION REGULAR MEETING MINUTES WEDNESDAY, NOVEMBER 18, 2020, 7:00 PM ZOOM MEETING

PRESENT:

Chairman Sean Kelly, Vice Chairman Donna Resutek, Regular Members Chris

Todd, David Hurley, and Alternate Susan Conte

ABSENT:

Alternate Bryan Platt

STAFF

PRESENT:

Lisa M. Houlihan, Town Planner and Christine Post, Recording Clerk

I. CALL TO ORDER: Chairman Sean Kelly called the Economic Development Commission meeting to order at 7:05 PM.

II. PUBLIC COMMENTS (on non-agenda items): NONE

III. ACTIVE BUSINESS:

1. Report: Tax Incentive/Abatement Programs

a. Tax Abatement Application for Earthlight Technologies, LLC, 128 West Rd, APN 037-003-0002 in a Planned Commercial (PC) zone. Construction of a two story building, approximately 20,000 sf for corporate headquarters – Sales & Installation of energy efficiency equipment and solar PV system.

Tim Schneider from Earthlight Technologies, LLC introduced himself and his company and was joined by both Sam and Jake Schneider. Tim stated they have outgrown their facilities on Route 83 in Ellington along with their leased property in Vernon. To that end they are looking to expand and develop property at 128 West Road to be built as a show room to educate the public on solar energy, tesla batteries and the like. Sam Schneider gave an overview of the building which will consist of 8,000 square feet of office and showroom space and just under 12,000 square feet of warehouse space with the intent of having their entire business under one roof. They have designed the building to use electric power and use solar array on roof.

The commission reviewed the abatement application materials. Chairman Kelly asked whether the warehouse would be for assembly or maintenance and Sam replied it would be for storage only. Discussion ensued regarding anticipated construction costs, potential for new jobs and revenues from fleet vehicles.

Town of Ellington
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Ms. Houlihan indicated that the abatement program has 3 tiers, of which \$3,000,000.00 is the top tier for a period of 7 years.

Kim Bechard, Ellington Assessor reported that the current tax revenue for the land is a few hundred dollars per year because it is presently under the PA 490 farm exemption. Ms. Bechard indicated that she needs the plans to prepare a proper assessment analysis to provide Earthlight with an estimate for the tax amount and abatement. Chairman Kelly stated that this project would provide all new revenue to the town.

MOVED (TODD) SECONDED (RESUTEK) AND PASSED UNANIMOUSLY TO FIND SCHNEIDER BROTHERS LLC/EARTHLIGHT TECHNOLOGIES, LLC AN ELIGIBLE BUSINESS AND THE CONSTRUCTION OF A NEW 20,000 SF CORPORATE HEADQUARTERS AND SITE IMPROVEMENTS ASSOCIATED WITH SALES AND INSTALLATION OF ENERGY EFFICIENCY EQUIPMENT AND SOLAR PV SYSTEMS TO MEET THE PURPOSE OF THE ABATEMENT PROGRAM BY ENCOURAGING GROWTH AND INVESTMENT IN EXISTING BUSINESSES AND FURTHER MEETS THE OUTCOME OF THE PROGRAM BY INCREASING LONG TERM TAX REVENUE AND PROVIDING POTENTIAL EMPLOYMENT AND OPPORTUNITIES FOR OTHER TOWN BUSINESSES TO SERVICE THE NEW COMPANY.

IN SO FINDING THE EDC RECOMMENDS AN ABATEMENT OF 90% FOR THE FIRST TWO YEARS, YEAR THREE AT 80%, YEAR FOUR AT 70%, YEAR FIVE AT 60% AND THE LAST TWO YEARS AT 50%, AND FORWARDS A POSITIVE RECOMMENDATION TO THE BOARD OF SELECTMEN FOR CONSIDERATION.

This motion will be forwarded to the Board of Selectmen (BOS) for their meeting on December 14, 2020.

2. Report: Tolland County Chamber of Commerce

Nothing new to report.

3. Report: Agricultural Initiatives

Ms. Houlihan reported that the farmland preservation proposal for Oakridge Dairy was approved by the BOS and has been forwarded to the Board of Finance after which it will then go back to the BOS for forwarding to Town Meeting.

- 4. Report: Connecticut Economic Development Association Best Practices Nothing new to report.
- 5. Report: Current Economic Activity
 - a. Discuss: First Annual Shop Ellington 2020 Campaign

Ms. Houlihan updated the commissioners on the status of the campaign. She reported that 120 invitations were sent out via email and another 130 invitations sent via regular mail along with a Facebook page created solely for the event. To date, there are a total of 25 businesses that are participating, and the Journal Inquirer published an article from

Town of Ellington
Economic Development Commission
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