

TOWN OF CANAAN  
FALLS VILLAGE TOWN HALL  
108 Main Street, Falls Village, CT. 06031  
35 RAILROAD STREET SALE COMMITTEE  
Meeting Wednesday, April 26, 2023, 12:00 PM

Present: Greg Marlowe (Selectman), Fred Laser (P&Z Chair), Ruth Skovron (P&Z), Chuck Andres (Attorney), Vincent Inconiglios (P&Z, via phone)

Not Present: Henry Todd (1<sup>st</sup> Selectman), Dave Barger (Selectman)

Also present from public: None

**AGENDA:**

1. Call to Order
  - a. Meeting April 26, 2023: called to order by Chairman Greg Marlowe at 12:04 p.m.
  - b. April 12, 2023 meeting minutes approved.
2. Old Business
  - a. Parking Lot has been cleared and all parties have been cooperative.
  - b. Engineering update: Allied Engineering and Steve Dean did on-site testing of 35 Railroad Street property on April 18. Fred Laser and Greg Marlowe were on-site part of the time as well as representative from Torrington Area Health. Three test holes made. Process to be continued and report to be presented within the next two weeks.
  - c. Update by Marlowe that Allied Engineering invoice had been reviewed and was in process for payment.
3. Executive Session
  - a. Motion by Marlowe, seconded by Laser to begin Executive Session at 12:10 p.m. with attorney Andres to discuss real estate transactions.
  - b. Motion to end executive session by Marlowe, seconded by Laser at 12:52 p.m.
4. Actions from Executive Session
  - a. By consensus, Committee advised that attorney Andres write an offer letter to owners of 33 Railroad Street regarding encroachment issue.
  - b. Letter sent via UPS next day service (*see attachment.*)
  - c. 1<sup>st</sup> draft of RFP for sale of 35 Railroad Street was reviewed and is being revised by attorney Andres for review at next meeting.
  - d. Details of revised outline of items for FVFH Brief to be included with RFP for sale to be updated with information provided to be compiled by Laser and Inconiglios:
    1. Property Description
    2. Property Photos – four (4) elevations and street shot
    3. Property Map – Kiefer A-2 Survey
    4. Engineer's Site Plan – revised without recommendations
    5. Engineer's Initial Report & Current Septic Evaluation
    6. Soil Test for New Septic Options Engineering Report
      - a. Torrington Health Inspection Record
    7. Relevant Zoning Regulations of Potential Requirements
    8. Conceptual Architectural Renderings
    9. Appraisal
  - e. Appraisal of 35 Railroad Street has been done and best efforts being made to have a report by next meeting so RFP can move forward.

- f. Committee re-affirmed that it will make best efforts to have completed RFP package ready by May 15<sup>th</sup>.
5. Next Meeting Date: May 10, 2023, 12:00 p.m. at Town Hall.
6. New Business — None
7. Adjournment: Motion by Marlowe, seconded by Skovoron, to adjourn the Meeting; approved unanimously. Chairman Marlowe adjourned the Regular Meeting at 1:20 p.m.

Respectfully submitted, Vincent Inconiglios, *Secretary*

Charles R. Andres  
Partner

April 26, 2023

**VIA UPS**

Collin Chambers  
Susan Sweetapple  
Great Falls Properties, LLC  
33 Railroad Street  
Falls Village, CT 06031

Re: Easement over Firehouse Property (35 Railroad Street)

Dear Mr. Chambers and Ms. Sweetapple:

As you are aware, the Town of Canaan (“Town”) is the owner of the former Firehouse Property located at 35 Railroad Street (“the Firehouse Property”). The Firehouse property borders your property, and we understand that you have used the Firehouse property for vehicular access to your property. **The Town supports your right to continue to enjoy such access.** As discussed more fully below, the purpose of this letter is to propose that the property owners formalize the current *status quo* by the Town providing a formal easement in perpetuity to you for vehicular access over what is now the Firehouse Property in exchange for a minor boundary line adjustment of less than fifty square feet to encompass the area where the existing Firehouse building encroaches on your property.

As you are aware, the Town will soon be soliciting proposals for the purchase of the Firehouse property. A survey of the Firehouse Property shows that the rear of the existing Firehouse building, which has a length of approximately 51 feet, encroaches on your property by approximately 5 to 10 inches. Town officials believe that both property owners would mutually benefit by formalizing the current *de facto* arrangement, so that the Town would grant you a formal vehicular easement in perpetuity over the Firehouse Property to easily access the rear of your property, and you would transfer less than 50 square feet of your property to the Town so that the boundary of the Firehouse Property would coincide with the exterior of the rear wall of the Firehouse building.

Collin Chambers  
Susan Sweetapple  
Great Falls Properties, LLC  
April 26, 2023  
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At this point, the Town does not know who, if anyone, will ultimately be chosen to purchase the Firehouse property. If, however, a third party *does* purchase the Firehouse property, there is no guarantee that such a third party would allow you vehicular access over the property without a preexisting right of way. Agreeing to this exchange would ensure that you have the continued right for vehicular access to your property via the Firehouse Property, apart from whomever may ultimately end up owning the Firehouse property if other than you.

I look forward to hearing from you or your attorney.

Very truly yours,

Charles R. Andres

CRA/cs

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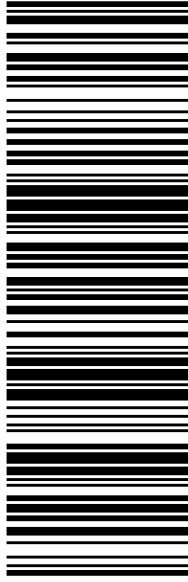

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FOLD HERE

<p>CATHERINE SIEGEL 2036722656 BARCLAY DAMON, LLP 545 LONG WHARF DRIVE NEW HAVEN CT 06511</p> <p><b>SHIP TO:</b> COLLIN CHAMBERS/SUSAN SWEETAPPLE GREAT FALLS PROPERTIES, LLC 33 RAILROAD STREET <b>FALLS VILLAGE CT 06031-1328</b></p>	<p><b>0.5 LBS LTR</b></p> <p><b>1 OF 1</b></p> <p><b>CT 067 9-02</b></p> 	<p><b>UPS NEXT DAY AIR</b></p> <p><b>1</b></p> <p>TRACKING #: 1Z 788 2A1 NT 9700 0967</p>	 <p><b>BILLING: P/P</b> <b>ATTENTION UPS DRIVER: SHIPPER RELEASE</b></p> <p>Timekeeper: 4592 Matter Number: 3202040 <small>© 2023 S.O.O. WNTNV50 17.DA 04/2023*</small></p> 
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