



Legislation Text

File #: 23-1367, **Version:** 1

FINANCIAL BUSINESS REQUEST (FBR)

Motion/Request:

MOTION to authorize the expenditure of up to \$25,000 from Account # 21090305-58920 (Acquisition of Open Space) for the demolition, waste fees, well abandonment and septic abandonment at 334 Colonel Ledyard Hwy.

In addition, upon the sale of property at 332 Colonel Ledyard Hwy, authorize the appropriation of the same expended amount back to Account #21090305-58920 (Acquisition of Open Space).

The aforementioned to be done in preparation of transfer of ownership to Avalonia Land Conservancy for parking for the Founder's Preserve.

Background:

At a Special Town Meeting held on October 29, 2020 the townspeople approved to convey the transfer town-owned property located at 332 Colonel Ledyard Highway, Ledyard, approximately 96.52 +/- acres (Founders Preserve) to the Avalonia Land Conservancy to remain open to the public for passive recreation and to be protected in perpetuity under the Conservancy's care.

To date the property transfer has not taken place because there was not adequate access to the Founders Preserve property (332 Colonel Ledyard Highway) due in part to a boundary line adjustment made by the prior developer of the so-called "*Founders Preserve*".

During the past three years the Town has acquired the following properties:

- 332 Colonel Ledyard Highway thru a Foreclosure; and
- 334 Colonel Ledyard Highway thru a Blight Lien deed in lieu of foreclosure (January 25, 2023)

The town would be working to return the property boundary lines for 334 Colonel Ledyard Highway back to the original property lines, which would return a portion of the property where the detached two car garage currently sits back to the property located at 332 Colonel Ledyard.

By separating 332 Colonel Ledyard Highway from the Founders Preserve and conveying 334 Colonel Ledyard Highway to Avalonia Land Conservancy that Avalonia would gain access to the property and enough space for a parking area for about 12 cars. However, Avalonia Land Conservancy cannot accept a property with a structure; and therefore, the town would demolish the house and associated structures prior to the conveyance of the property.

Once the boundary lines are returned to their original property lines, the town plans to sell the property located at 332 Colonel Ledyard Highway to recover some of the back taxes that were lost on both Colonel Ledyard Highway properties: 332 (foreclosure) & 334 (blight lien and taxes) and to reimburse the Open Space Fund.

The Mayor and others toured the condemned house on 334 Colonel Ledyard Highway and found that many floor joists were rotted off and the structure to be unsafe. The Building Official condemned the structure more than two years ago. The Public Works Department is equipped to take the structure down with their Large Wheeled Excavator that has a large bucket and thumb and they have estimated the project to be a three-day job. However, there would be cost for the town to lease the roll-off dumpsters and to dispose of the waste tonnage.

Department Comment/Recommendation:
(type text here)

Finance Director Comment/Recommendation:

Account #21090305-58920 (Acquisition of Open Space) has a current, unencumbered balance of \$380,468 as of March 15th, 2023.

Mayor Comment/Recommendation:

I support this plan and doing so permits the Town to complete several projects that are currently “open”: The gravel parking access to Founders Preserve, the conveyance of Founders Preserve and the sale of the single family residence and two car garage at 332 Colonel Ledyard Hwy.

Meeting Action Detail:

Town Council Meeting 03/22/2023:

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Moved: Saums **Seconded:** Ingalls

Action: Approved

Minute Note:

Moved by Councilor Saums, seconded by Councilor Ingalls

Discussion: Councilor Saums provided some background noting that during the past three years the Town has acquired the following properties:

- 332 Colonel Ledyard Highway thru a Foreclosure (approximately 96.52+/- acres-Founders Preserve); and
- 334 Colonel Ledyard Highway thru a Blight Lien deed in lieu of foreclosure (January 25, 2023)

Councilor Saums explained at a Special Town Meeting held on October 29, 2020 the townspeople approved to convey the transfer town-owned property located at 332 Colonel Ledyard Highway, Ledyard, approximately 96.52 +/- acres (Founders Preserve) to the Avalonia Land Conservancy to remain open to the public for passive recreation and to be protected in perpetuity under the Conservancy's care. However, he stated to date the property transfer has not taken place because there was not adequate access to the Founders Preserve property (332 Colonel Ledyard Highway) due in part to a boundary line adjustment made by the prior developer of the so-called "Founders Preserve", noting that the property was partially landlocked.

Mayor Allyn, III, explained that the town would be working to return the property boundary lines for 334 Colonel Ledyard Highway back to the original property lines, which would return a portion of the property where the detached two car garage currently sits back to the property located at 332 Colonel Ledyard. He stated by separating 334 Colonel Ledyard Highway from the Founders Preserve and conveying 332 Colonel Ledyard Highway to Avalonia Land Conservancy that Avalonia would gain access to the property and enough space for a parking area for about 12 cars. However, he stated that Avalonia Land Conservancy cannot accept a property with a structure; and therefore, the town would demolish the house, noting that the structure was unsafe and had rotted floor joists, and that they would also remote the associated structures prior to the conveyance of the property. He stated once the boundary lines were returned to their original property lines (as shown in the last map dated October 2002), the town planned to sell the property located at 334 Colonel Ledyard Highway to recover some of the back taxes that were lost on both Colonel Ledyard Highway properties: 332 (foreclosure) & 334 (blight lien and taxes) and to reimburse the Open Space Fund.

Mayor Allyn went on to explain that 334 Colonel Ledyard Highway was a blighted property. He stated in accordance with Ordinance #300-012 (rev.1) "*An Ordinance Concerning Blight and Public Nuisance for the Town of Ledyard*" the Town filed Blight Liens on the property five separate times. He stated four times the property owner paid the Blight Liens; however, he stated when the town filed the fifth Blight Lien the property owner offered the town the deed in lieu of foreclosure on January 25, 2023. He stated the current bill for 334 Colonel Ledyard Highway was as follows: Blight Lien \$1,200 & one year of taxes which was approximately \$5,000. He stated the town expected that the sale of 334 Colonel Ledyard Highway would generate more than the \$6,200 owed, plus some of the money that was owed for the Founders Preserve.

Mayor Allyn continued by explaining that the Founders Preserve was a subdivision on paper only, that was foreclosed on when the real-estate market crashed in 2008, explaining that although there were tax bills associated with the 24-26 lots, that there was never any infrastructure that the town had to care for. He stated this was a good opportunity in terms of gaining access to the Founders Preserve that would work for Avalonia Land Conservancy, and its visitors, as well as the surrounding neighbors and area.

VOTE: 7 - 0 Approved and so declared

Action: Approved

Finance Committee Meeting 03/21/2023:

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Moved: Ryan Seconded: Ingalls

Action: Recommend to Approve

Minute Note:

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therefore, the town would demolish the house, noting that the structure was unsafe and had rotted floor joists, and that they would also remote the associated structures prior to the conveyance of the property. He stated once the boundary lines were returned to their original property lines (as shown in the last map dated October 2002), the town planned to sell the property located at 332 Colonel Ledyard Highway to recover some of the back taxes that were lost on both Colonel Ledyard Highway properties: 332 (foreclosure) & 334 (blight lien and taxes) and to reimburse the Open Space Fund.

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VOTE: 3 - 0 Approved and so declared

Action: Recommend to Approve