



TOWN OF LEDYARD
CONNECTICUT
TOWN COUNCIL
HYBRID FORMAT

741 Colonel Ledyard Highway
Ledyard, CT 06339

860 464-3203
Roxanne Maher

Chairman Kevin J. Dombrowski

MINUTES
LAND USE/PLANNING/PUBLIC WORKS COMMITTEE –
REGULAR MEETING

Monday, February 6, 2023

6:00 PM

Town Hall Annex Building

DRAFT

- I. CALL TO ORDER – The meeting was called to order by Councilor Paul at 6:02 p.m. at the Council Chambers, Town Hall Annex Building.

Councilor Paul welcomed all to the Hybrid Meeting. He stated for the Town Council Land Use/Planning/Public Works Committee and members of the Public who were participating via video conference that the remote meeting information was available on the Agenda that was posted on the Town's Website – Granicus-Legistar Meeting Portal.

- II. ROLL CALL –

Attendee Name	Title	Status	Location	Arrived	Departed
Gary Paul	Committee Chairman	Present	In-Person	6:02 pm	6:45 pm
John Marshall	Town Councilor	Present	Remote	6:02 pm	6:45 pm
S. Naomi Rodriguez	Town Councilor	Present	In-Person	6:02 pm	6:45 pm
Kevin Dombrowski	Chairman	Present	In-Person	6:02 pm	6:45 pm
Michael Marelli	Conservation Commission Chairman	Present	In-Person	6:02 pm	6:45 pm
Roxanne Maher	Administrative Assistant	Present	Remote	6:02 pm	6:45 pm

- III. CITIZENS' PETITIONS – None.

- IV. PRESENTATIONS/INFORMATIONAL ITEMS

1. Conservation Commission Interest to purchase 154 Stoddards Wharf Road for Open Space

Mr. Michael Marelli, 4 Lee Brook Drive, Ledyard, Conservation Commission Chairman, stated during the Town Council's January 11, 2023 meeting that he noted the Conservation Commission was interested in purchasing a piece of property to add to the town's Open Space Inventory. He stated at that time he was looking for direction on how to proceed with the Commission's idea and permission to begin the process. He stated Chairman Dombrowski referred the matter to the Land Use/Planning/Public Works Committee, which was the reason he was present this evening; and that Mayor Allyn stated that he could contact the Broker to see if there were any other interested parties in the property and to gather other relevant information.

Mr. Marelli continued by noting the property that was for sale was a 36-acre +/- parcel located at 154 Stoddards Wharf Road, located across the street from Whalehead Road; and was currently owned by Pfizer. He stated the asking price was \$195,000, and he explained

that the Conservation Commission would like to apply for a State of Connecticut Open Space Watershed Acquisition Grant that would pay up-to 65% or about \$126,000 of the cost leaving a town share of about \$68,000. He noted in addition to the sale price of the property that there would be other expenses involved such as conducting a A-1 Survey, property appraisal, legal description, and legal fees, etc. He stated the Grant Application period typically opened in September.

Mr. Marelli stated based on the Mayor's suggestion to contact the Broker that he learned there may be a private party interested in purchasing the property. He stated that the Broker did not know how long Pfizer would wait to sell the property to the town because of the time involved to apply for and receive the grant funding.

Mr. Marelli went on to state after talking with the Broker that he followed up with Mayor Allyn, who suggested that the Conservation Commission ask if they could get a better price or if Pfizer would consider donating the property to the town. Mr. Marelli stated that he has walked the property and that it was not buildable noting that he was told at one time it was a quarry.

Mr. Marelli explained the reasons the Conservation Commission was interested in purchasing 154 Stoddards Wharf Road were:

- Town currently owned a 5-acre parcel that abutted the property.
- An old Pump Station was located in the area that was no longer being used for potable water, but that the pump station was still used by the Public Works Department.
- The Billings/Avery Pond runs onto the property.
- The property would be contiguous with other greenways in the area, noting its proximity to the Tri-Town Trail (Bluff Point to Preston Plains Park).
- Groton Utilities used the area as a watershed.
- Avalonia Land Conservancy was seeking to purchase the neighboring property located at 148 Stoddards Wharf Road.

Mr. Marelli went on state that he has not spoken to any parties about the Conservation Commission's interest for the town to acquire the property, because he wanted to inform the Town Council first of their interest in the property, and also provide them with some background information regarding the parcel and its surroundings.

Chairman Dombrowski asked that Mr. Marelli work with the Mayor's Office regarding the Conservation Commission's interest to purchase the open space parcel. He explained that there was a town process in place to obtain authorization for the town to seek a Grant, noting that there would be some town expenses to file the Grant Application, such as conducting a A-1 Survey, property appraisal, legal description of the property, legal fees, etc. as Mr. Marelli noted earlier this evening. He also explained that they would need to identify and appropriate the funding source for the town's local share, and that in accordance with state statute 163(e) a Public Hearing would be required; and in accordance with Chapter VII of the Town Charter a Special Town Meeting would be required for the townspeople

to vote on the town purchasing the property. He also noted that the Planning & Zoning Commission would be required to conduct an 8-24 Review.

Mr. Marelli addressed the Grant Application process and he noted that they were required to show that the purchase of the property would be in-keeping with the most recent Plan of Conservation and Development (POCD) which was last updated in 2012. Chairman Dombrowski explained that state statute required the POCD to be updated every ten years and he suggested Mr. Marelli talk with the Planning & Zoning Commission regarding the latest version of the POCD.

Councilor Marshall questioned the previous use of 154 Stoddards Wharf Road. Mr. Marelli stated that he was told that the property was formerly used as a quarry. He stated in walking the property he saw some dykes or berms on the property, which he thought may be some type of geological feature. Chairman Dombrowski questioned whether there were any dams on the property. Mr. Marelli stated there were no dams on the property.

The LUPPW Committee noted that no action was required this evening regarding the Conservation Commission's interest to purchase 154 Stoddards Wharf Road to add to the town's open space inventory.

RESULT: DISCUSSED /COMPLETED

2. Water Pollution Control Authority e-mail dated January 25, 2023 re: Response to Southeastern Connecticut Water Authority (SCWA) Chairman January 19, 2023 Report pertaining to a requested 150-foot radius easement around the SCWA well that would come onto town property where the Route 117 Ledyard Center Water Storage Tank was located.

Chairman Dombrowski stated he asked that this communication be included on tonight's LUPPW Committee agenda for informational purposes only. He noted during the Town Council's January 25, 2023 meeting Councilor Saums, Water Pollution Control Authority (WPCA) Liaison, reported that the WPCA reviewed a request from Southeastern Connecticut Water Authority (SCWA) in which they discussed SCWA's New Ledyard Division Well that would be located across the street from the Ledyard Center Water Storage Tank, and would require 150-foot radius around the SCWA well, which would come onto town property.

Chairman Dombrowski went onto state that Councilor Saums also reported that the WPCA questioned why the Department of Public Health (DPH) would approve an expansion of SCWA's existing failing well in the shadow of Ledyard's Water Storage Tank. Therefore, the WPCA approved a motion to recommend the Town Council *disapprove* SCWA's request for an easement over Town land, for the following reasons:

- SCWA already had an interconnection with the WPCA to purchase water to sell to their customers.
- SCWA has never cooperated with the WPCA on exclusive service area requests.

- Because Ledyard's WPCA's system has better capability to serve future development in the area.
- The WPCA did not see any point in expanding a SCWA System with such limited capabilities.
- SCWA customers in Ledyard experience frequent water supply issues.
- SCWA repeatedly excavates town roads – including newly paved roads – to repair leaks on a regular basis.
- SCWA has not reinvested enough ratepayer funds to replace its aging water mains, which the WPCA believed would be a better use of SCWA's customers' money.

Chairman Dombrowski went on to note that during the Town Council's January 25, 2023 meeting that Mayor Allyn stated that he has never had any communication with SCWA regarding an easement area, not written, not verbal, not in-person; and that the Mayor stated he did not know where this statement was coming from, but that it was not based in fact.

Chairman Dombrowski concluded his comments by noting in a subsequent e-mail dated January 27, 2023 WPCA Chairman Ed Lynch requested a joint meeting between the WPCA And SCWA. He stated although the WPCA has recommended the Town Council disapprove SCWA's request for an easement over Town land; at this time there was no action on the part of Town Council required.

Councilor Rodriguez stated that a joint meeting between the WPCA and SCWA, as Chairman Dombrowski reported, would be a good start, noting it would be an opportunity for both parties to get all the facts together.

Chairman Dombrowski stated should SCWA submit a formal request for an easement that the LUPPW Committee would be involved in the process. Therefore, he stated that he asked that this be included on tonight's agenda to keep the Committee apprised of the matter.

RESULT: DISCUSSED /COMPLETED

V. REVIEW AND APPROVAL OF PRIOR MEETING MINUTES

MOTION to approve the Regular Meeting Minutes of January 9, 2023

Moved by Councilor Marshall, seconded by Councilor Rodriguez

VOTE: 3 - 0 Approved and so declared

VI. OLD BUSINESS

1. No Action on the Town-owned property; and update accordingly for the "*Assignment of Administrative Control of Town-Owned and Town-Leased Property*".

Councilor Rodriguez stated that she would contact Land Use Director Juliet Hodge to check on the status of the completion of the Geographic Information System (GIS) Update; so the

LUPPW Committee could continue their work to update the List of Town-Owned and Town-Leased Properties.

Chairman Dombrowski stated that he would like to see the List of Town-Owned and Town-Leased Properties be updated relatively soon, noting that this item has been on the Agenda for quite some time. He explained that the Geographic Information System (GIS) was about mapping and that the GIS was not needed to update the list of properties and the assignment or reassignment of the administrative oversight/control. He went on to explain that this exercise involved reviewing the List of Properties and taking the properties that were no longer in the town's inventory off the list; and adding to the list any new properties that have come into the town's inventory since the list was last updated in 2017. He also noted that the LUPPW Committee should conduct a cursory review to make sure the Departments that were assigned the administrative oversight to the properties was still appropriate or whether any assignments should be updated/changed.

Administrative Assistant Roxanne Maher noted that Tax Assessor Adrianna Hedwall could provide the LUPPW Committee with a list of the properties that have come into the town's inventory since 2017.

Chairman Dombrowski urged the LUPPW Committee to move forward with updating the List of the assignment of administrative control of Town-Owned and Town-Leased Property.

Councilor Paul asked the Committee members to review the List to see if the assignments made sense or if any assignments should be changed. He asked that they be prepared to discuss updates to the List at their March 6, 2023 meeting.

RESULT: DISCUSSED

Next Meeting: 03/06/2023 6:00 p.m.

2. Enforcement of regulations to address blight issues.

Councilor Paul stated the purpose of keeping the enforcement of regulations to address blight issues on the Committee's Agenda was to monitor how effective Ordinance #300-012 (rev 1) was; and to see if the Ordinance needed to be adjusted. Therefore, he questioned whether the Ordinance was effective as written.

Chairman Dombrowski noted at the LUPPW Committee January 9, 2023 meeting that Mayor Allyn, III, stated he thought the provisions provided in Ordinance #300-012 (rev 1) were effective. Therefore, he questioned whether the LUPPW Committee felt the need to keep this item on their agenda. He explained that Ledyard was one of the first towns to adopt an Ordinance to address blighted properties. He stated since the Ordinance was initially adopted in 2013 that it was revised in 2019 to include some language that Groton had in their Ordinance, noting that Groton's Ordinance has been tested in court and held up.

Chairman Dombrowski went on to state in reviewing past Zoning Enforcement Officer's Blight Reports that the town has been able to get voluntary compliance from most property owners, without having to take further action, which they were authorized to take, per the Ordinance.

He stated because the Land Use Department Office has been short staffed that the quarterly Blight Property Reports have not been provided on a regular basis. However, he explained that the Town Council only had authority to change the Ordinance, which they have not been asked to do, and that the enforcement authority lied with the Blight Officer. Therefore, he questioned whether the LUPPW Committee felt the need to continue to carry this item on their agenda as Old Business.

Councilor Marshall stated when the Land Use Department was fully staffed he recalled former Zoning Enforcement Office Kyle Favolise knocking on doors and talking to the property owners about cleaning up their property. He stated Mr. Favolise had some good success with getting voluntary compliance using the tools provided in Ordinance #300-012 (rev 1).

Councilor Paul stated it appeared that Ordinance #300-012 (rev 1) “*An Ordinance Concerning Blight and Public Nuisance for the Town of Ledyard*” was working fine. Therefore, he questioned based on Chairman Dombrowski’s and Councilor Marshall’s comments whether the LUPPW Committee would like to remove this item from their Old Business agenda, noting that the Committee often times skips over the item because there was nothing to discuss. He stated the Committee could revisit this item should they find that there was an issue with the Ordinance, or when they receive the quarterly Blight Reports for review.

Councilor Rodriguez stated that she would like to keep the “*Enforcement of regulations to address blight issues*” on the Agenda because she was interested in seeing the quarterly reports.

Councilor Marshall stated that the LUPPW Committee could continue to receive the quarterly Blight Reports without having to carry the item on their Old Business agenda.

By consensus the LUPPW Committee agreed to “*Enforcement of regulations to address blight issues*” on the Agenda under Old Business.

RESULT: CONTINUED

Next Meeting: 03/06/2023 5:30 p.m.

3. Security and safety concerns regarding the Park on East Street (Christy Hill Park). – No update.

RESULT: NO ACTION

Next Meeting: 03/06/2023 6:00 p.m.

4. Discussion regarding the appropriate mechanism to provide information to residents pertaining to the structure and operation of land use processes in the Town of Ledyard.

Councilor Paul stated the Community Relations Committee planned to work with Land Use Director Juliet Hodge to coordinate and schedule an Informational Presentation sometime around April/May, 2023. He noted that the Community Relations Committee was working to keep the Presentation on point/topic by developing a list of Frequently Asked Questions (FAQ) such as: (1) What was the process to obtain a permit to build a deck on my house, (2) What was the process to building a swimming pool; (3) What was the process to build a shed on their property; etc.

Councilor Rodriguez commented on the importance to have the Land Use Informational Presentation noting that residents had a lot of questions on things such as the Dollar Store in Gales Ferry or why the town had six liquor stores in town.

Councilor Paul addressed the importance to structure the Land Use Informational Presentation so that it would address the Land Use Processes, noting that the Land Use Decisions were based on the Zoning Regulations, state statutes and other governing documents. He stated as they did with the Public Works Department's Presentation that the video for Land Use Presentation could be posted on the town's website and on social media sites, such as facebook, etc. He went on to state by posting the video and Frequently Asked Questions on various sites that residents could be directed to watch the video or read the FAQ when they had questions. He stated the hope was that a lot of people would attend the Land Use Informational Presentation in person. However, he stated for those who could not attend, that the Presentation would be recorded and available after the meeting.

RESULT: DISCUSSED/CONTINUED

Next Meeting: 03/06/2023 6:00 p.m.

VII. NEW BUSINESS

1. Discussion regarding the Conservation Commission's interest to purchase a parcel for open space.

This item was discussed earlier in the meeting (see above IV. Presentations/Informational Items).

2. Any other New Business proper to come before the Committee. – None.

IX. ADJOURNMENT-

Councilor Rodriguez moved the meeting be adjourned, seconded by Councilor Marshall.

VOTE: 3 - 0 Approved and so declared, the meeting was adjourned at 6:45 p.m.

Respectfully submitted,

Gary Paul
Committee Chairman
Land Use/Planning/Public Works Committee