

**NOTICE OF SPECIAL TOWN MEETING
TOWN OF LEDYARD
OCTOBER 28, 2020**

A virtual special town meeting (video conference) of the electors and citizens qualified to vote in town meetings of the Town of Ledyard, Connecticut, will be held on the 28th day, October 2020 at 6:30 p.m. for the following purpose:

To consider, discuss and vote upon the following:

"Shall the Town of Ledyard 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 with the following conditions:

- (1) The existing 1,800 square foot house and associated land would be subdivided off the land, at Avalonia Land Conservancy's expense.
- (2) Avalonia Land Conservancy would allow for the continuation of bow hunting on the Founders Preserve Property in accordance with Ordinance #100-018 "An Ordinance Providing for Archery Hunting on Certain Town-Owned Lands".
- (3) Avalonia Land Conservancy will pay for all conveyances and fees regarding the transfer of the property.
- (4) In the event Avalonia Land Conservancy determines they no longer wish to own or no longer can own the so-called Founders Preserve Property; Avalonia will first offer the property back to the Town of Ledyard as the last owner of record. Such conveyance will be at no cost to the Town, other than customary recording and legal fees. The Town shall have 120 days to accept or reject re-acquisition. The Town shall notify Avalonia in writing of its intent to accept or reject. Should the Town choose not to accept the property back, Avalonia will then have the right to convey the parcel to a third party of their choice.

Interested persons may submit written communications to:

towncouncil@ledyardct.org.

Please join the meeting from your computer, tablet, or smartphone.

The Remote Meeting Participation Information for the Video Conference will be provided on the Town's website at www.ledyardct.org, located under the Agendas & Minutes tab.

Dated at Ledyard, Connecticut, this 15th day of October 2020.

s/s Linda C. Davis, Chairman
Ledyard Town Council

RETURN OF PUBLICATION AND POSTING OF NOTICE

I, Linda C. Davis, chairman of the Ledyard Town Council, do hereby certify that I caused a copy of notice of Virtual Special Town Meeting (Video Conference) to be held Wednesday, October 28, 2020 at 6:30 p.m., to be legally posted in the office of the Town Clerk and that I caused a copy of said notice to be published on the Town Website (in accordance with the Governor's COVID-19 Executive Order 7i, Paragraph 19), on Thursday, October 15, 2020.

s/Linda C. Davis, Chairman
Ledyard Town Council

*Dated at Ledyard, Connecticut
This 10th day of November 2020*

Attest:
PATRICIA A. RILEY
Town Clerk

MEETING MINUTES

Town Council Chairman Linda Davis called the meeting to order at 7:35 p.m.

Chairman Davis welcomed all to the Video Conference and she noted that the remote meeting information for the members of the Public to participate in this evening's meeting was available on the Legal Notice that was posted on the Town's Website - ICompass Meeting Portal.

Chairman Davis asked that the following callers identify themselves: Callers #2, #7, #9 to ensure eligibility to vote this evening. She stated all others on the video stream conference were identified and recognized as Ledyard residents.

The three callers Chairman Davis asked to identify themselves did not respond to the request. Chairman Davis explained that sometimes people were logged into the video conference by both video and by telephone.

33 townspeople were identified and recognized as being present.

The Chairman called for nominations for Moderator. Kevin Dombrowski, 139 Meeting House Lane, nominated Linda Davis, 91 Inchecliff Drive. Seconded by Bill Saums, 333 Pumpkin Hill Road.

Mr. Kevin Dombrowski, 139 Meeting House Lane, then moved to close nominations, seconded by Bill Saums, 333 Pumpkin Hill Road.

Those voting in favor of Mrs. Davis as Moderator: All present. Opposed: None.

Moderator Davis asked for the Call of the Meeting to be read

Town Council Administrative Assistant Roxanne M. Maher so read the Call of the meeting.

Moderator Davis then proceeded with a call for a motion to put the question.

Mr. Kevin Dombrowski moved, seconded by Bill Saums, that the Town votes upon the following:

"Shall the Town of Ledyard 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 with the following conditions:

- 1) The existing 1,800 square foot house and associated land would be subdivided off the land, at Avalonia Land Conservancy's expense.
- 2) Avalonia Land Conservancy would allow for the continuation of bow hunting on the Founders Preserve Property in accordance with Ordinance #100-018 "An Ordinance Providing for Archery Hunting on Certain Town-Owned Lands".
- 3) Avalonia Land Conservancy will pay for all conveyances and fees regarding the transfer of the property.
- 4) In the event Avalonia Land Conservancy determines they no longer wish to own or no longer can own the so-called Founders Preserve Property; Avalonia will first offer the property back to the Town of Ledyard as the last owner of record. Such conveyance will be at no cost to the Town, other than customary recording and legal fees. The Town shall have 120 days to accept or reject re-acquisition. The Town shall notify Avalonia in writing of its intent to accept or reject. Should the Town choose not to accept the property back, Avalonia will then have the right to convey the parcel to a third party of their choice.

Town Council member Kevin Dombrowski gave a presentation.

Moderator Davis noted that in accordance with CGS 07-123e a Public Hearing was held at 6:15 p.m. this evening at which the proposal was presented and extensively discussed. Therefore, she asked for a brief presentation at this time.

Mr. Kevin Dombrowski, Town Councilor, stated as presented earlier this evening at the Public Hearing, the Town acquired the Founders Preserve Property through a tax foreclosure, explaining that a Developer had planned a 36 lot subdevelopment for the 96.52+/- acre property. He reviewed a description of the Founders Preserve noting the property was bound to east by Colonel Ledyard Highway and to the west by Pumpkin Hill Road. It included a 20-acre shallow lake where Blue Heron Rookery birds live in the trees, granite sleuth ways from the old Paint Mill, multiple stone cairns, and an earthen dam. He stated the Avalonia Land Conservancy were great stewards of the land noting they have done a great job with maintaining open space for other properties in Ledyard and in surrounding communities.

Mr. Dombrowski went on to note, as discussed during the Public Hearing earlier this evening, the topography of the property makes it difficult to develop. He stated it was the Town Council's desire and recommendation for the Founders Preserve, with its forestry, water, and wildlife habitat to remain as open space, and that they believed that Avalonia Land Conservancy would be a prudent choice to keep and maintain the Founders Preserve as open space for the enjoyment of passive recreation.

Moderator Davis then issued a call for Public Comment.

Mr. Eric Treaster, 10 Huntington Way, Ledyard, requested confirmation that should the townspeople vote "No" to transfer the Founders Preserve Property to the Avalonia Land Conservancy, that the Town would obtain more information from the National Fish and Wildlife Service to learn about what they would offer to the town and to discuss other options. Chairman Davis stated Mr. Treaster's understanding was a fair assessment.

Mr. Bruce Garska, 10 Pleasant View, Ledyard, stated that there was no rush to transfer the Founders Preserve to Avalonia Land Conservancy. He suggested the Town obtain more information before they make a final decision.

Ms. Anne Roberts-Pierson,⁴ Anderson Drive, Ledyard, stated the National Fish and Wildlife Service was willing to talk to the Town about the Founders Preserve, noting that it was the Town that was shutting down that conversation. She stated should the townspeople vote "No" to transfer the Founders Preserve to the Avalonia Land Conservancy, that she would continue to stay involved with the National Fish and Wildlife Service regarding their interest to acquire the Founders Preserve Property and to promote the Great Thicket National Wildlife Refuge.

Ms. Andra Ingalls, 5 Bolduc Drive, Ledyard, Town Councilor, stated that she only learned that there was another option for the Founders Preserve Property today. She stated it was nearly unanimous that the townspeople want the Founders Preserve Property to be conserved and they all agreed that Avalonia Land Conservancy were excellent stewards of maintaining open space. However, she stated that based on the comments provided during the Public Hearing earlier this evening that she was persuaded that the Town needed to do its due diligence on another option. She stated they may come back full circle with Avalonia Land Conservancy. However, she stated she would be voting "No" this evening to transfer the Founders Preserve to Avalonia Land Conservancy because she wanted to see the Town to conduct its due diligence and consider what the National Fish and Wildlife Service may have to offer.

Mr. Bill Saums, 333 Pumpkin Hill Road, Ledyard, Town Councilor, stated there was a misconception that the National Fish and Wildlife idea has just come up. He stated there was a disagreement between Ms. Roberts-Pierson and himself, noting that he personally had many conversations with the National Fish and Wildlife service. He stated Mr. Magini was a wonderful person, noting that the National Fish and Wildlife Service came to Ledyard three times and the Town met with them. He stated it was his personal conviction that the Town has done its due diligence and that Avalonia Land Conservancy had the better offer for all of the reasons he stated during the Public Hearing earlier this evening, primarily because of the following concerns that the National Fish and Wildlife Services could not commit to:

- The Fish and Wildlife Service could not commit to how much of the forest they would remove.
- The Fish and Wildlife Service could not commit to the structures (granite sleuth ways from the old Paint Mill, multiple stone cairns, and an earthen dam) that would be removed by the federal government

- The Federal Government would come back every ten years with heavy equipment to remove forest to maintain the rabbit habitat.

Mr. Saums went on to state although he was in-favor of maintaining the rabbit habitat that the Founders Preserve Property was not the right place to remove a full-grown forest to maintain a rabbit habitat using heavy equipment that neighboring landowners object to. He stated during the past eighteen months to two years, that Mayor Allyn, III and himself conducted due diligence to consider the National Fish and Wildlife Services and the Avalonia Land Conservancy's proposals. He stated over this two-year period, they found that the Avalonia Land Conservancy was the better offer for Ledyard, at which time the Mayor presented the proposal to the Town Council. He stated the Town Council has chosen to bring the preferred offer to the townspeople this evening for a vote.

Mr. Mike Cherry, 5 Whippoorwill Drive, Gales Ferry, strongly favored transferring the Founders Preserve to Avalonia Land Conservancy over the National Fish and Wildlife Service for the following reasons:

- Historical Preservation.
- Interest from Indigenous People.
- Rogere Quakers.
- The existing caverns on the property.
- Public Hearing testimony regarding the subdivision.

Mr. Cherry stated with Avalonia Land Conservancy's willingness to preserve the property, maintain the historical sites, follow the Archeological Management Plan, etc., that the Town would be foolish not to proceed with transferring the Founders Preserve Property to Avalonia Land Conservancy, and to wait for the Federal Government to react and preserve those sites.

Mr. Eric Treaster, 10 Huntington Way, Ledyard, questioned whether anyone knew what the Federal National Fish and Wildlife Services might pay for the Founders Preserve Property. Ms. Roberts-Pierson and Mr. Cherry responded to Mr. Treaster's question as follows:

Ms. Anne Roberts-Pierson, 4 Anderson Drive, Ledyard, stated the National Fish and Wildlife Services were not fools, noting that they would not offer to pay the Town millions of dollars when the Town has just offered the property to a non-profit organization for nothing. She stated in reading Mr. Maghini's letter dated October 28, 2020 it sounded like the National Fish and Wildlife would be willing to work with Town, noting they were looking for a conservation easement for no cost. However, she stated the National Fish and Wildlife Service would have the funding to manage the property, for stewardship, signage, etc. She stated the Land and Water Conservation Fund was a multimillion-dollar fund that has been permanently funded by the United States Congress. She stated Avalonia Land Conservancy has a lot of property in the entire region to manage. She stated that she believed the townspeople were being short-changed by the lack of discussion noting that there has not been discussion with the National Fish and Wildlife Service since 2018. She stated things continue to change, noting that Federal Funding was available and that the Great Thicket now exists in North Stonington. She stated knowledge was power.

Mr. Mike Cherry, 5 Whippoorwill Drive, Gales Ferry, noted the Founders Preserve Property was assessed at \$135,000 on the Town Summary Report prior to the subdivision. He stated post subdivision, with thirty-five lots the property was assessed at \$680,000. He stated a fair assumption would be that after abandoning the subdivision and no longer having building lots on the property it would be worth about \$135,000 as assessed in 2004.

Mr. Tony Sabilia, 833 Long Cove Road, Gales Ferry, Town Councilor, stated he had a degree in park management and natural resource management. He noted that he has spent a significant amount of time in the woods on properties that Avalonia Land Conservancy manages. He stated Avalonia Land Conservancy has a history of managing the properties under their care exceptionally well, and they manage their funds so that they the ability to complete their mission. He stated that he would prefer to work with a local non-profit than work with the federal government. He stated he believed that it was important for the Founders Preserve Property to remain under a local organization's control.

Ms. Jamie Vaudrey, 16 Harvard Terrace East, Gales Ferry, noted in his October 28, 2020 letter that Mr. Maghini stated the National Fish and Wildlife Service would maintain and protect the Founders Preserve Property, however, they would not pay Ledyard anything to acquire the Founders Preserve property. Ms.

Vaudrey went on to state that Avalonia Land Conservancy would largely leave the Founders Preserve Property untouched; explaining that their plan to preserve and protect the property was very different than the National Fish and Wildlife Service's plan to manage the property for the benefit of one species, which was rabbit. She stated a Land Trust owning land does not mean that the property could not become part of a wildlife refuge in the future. She stated she was currently working with a Land Trust that was considering incorporating some of their land into the upcoming National Estuarine Research Reserve, which would be located partly in Groton and partly on the Connecticut River. Therefore, she explained none of their choices this evening would impact what the Founders Preserve land could become in the future, in terms of becoming part of a federal system.

Mr. Kevin Dombrowski, 139 Meetinghouse Lane, Ledyard, Town Councilor, stated in reading Mr. Maghini's October 28, 2020 letter it clear that the National Fish and Wildlife Service was not going to give Ledyard any money to acquire the Founders Preserve Property. He stated in reality they were strictly interested in a conservation easement that would be provided to the National Fish and Wildlife for them to do whatever they wanted to do on the property; and that they would maintain the property.

Mr. Scott Engle, 333 Pumpkin Hill Road, Ledyard, stated if the National Fish and Wildlife Service was to remove the structures (granite sleuth ways from the old Paint Mill, multiple stone cairns, and an earthen dam) that they could not turn back the clock. He stated the historical structures on the Founders Preserve Property were in pristine condition, noting that people should take the opportunity to see them. He stated the structures were part of Ledyard's History and part of the United States' history that they would never get back.

Ms. Anne Roberts-Pierson, 4 Anderson Drive, Ledyard, stated that the Town needed to talk with the National Fish and Wildlife Service to know exactly what they had to offer and what they would or would not do with the Founders Preserve Property. She stated although Mr. Maghini's October 28, 2020 letter leaves a lot of ambiguity that she viewed the letter as an indication that they were willing to work with the Town and that they were willing to work with Avalonia Land Conservancy as well. She stated that she agreed with Ms. Vaudrey's comments that the Founders Preserve could become a part of the Great Thicket National Wildlife Refuge in the future. She stated that she did not think that Avalonia Land Conservancy has the funding, volunteers, or the resources to protect all the special structures Mr. Engle's talked about. She stated that the town was not sure that the National Fish and Wildlife Service was going come in and bulldoze anything or cut acres of forest or make patch cuts. She stated the Town needed to hear how the National Fish and Wildlife would manage the Rookery and manage the property for bunnies and for other at-risk species. However, she stated without that information how would the townspeople know.

Hearing no further public comments Moderator Davis moved on to the call for the vote on the question.

Moderator Davis called for a vote on the question.

"Shall the Town of Ledyard 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 with the following conditions:

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Moderator Davis explained that they would be voting this evening by asking the townspeople to please raise their hand to vote.

Moderator Davis called for a show of hands for those who appeared in the video conference screen. She followed by asking for those who were participating by telephone only to state their positions as follows:

In-favor

Opposed

Administrative Assistant Roxanne Maher read the list of townspeople who signified by a show or hands or verbally that were **in-favor** and asked if there were any others wishing to vote in-favor.

Administrative Assistant Roxanne Maher read the list of townspeople who signified by a show of hands or verbally that they were opposed and asked if there were any others wishing to vote against.

Seeing no additional show of hands or hearing no additional telephone responses the final vote tally was announced as follows:

SPECIAL TOWN MEETING RESULTS

Yes: 25

No: 8

Moderator Davis stated this was the first virtual (video conference) Special Town Meeting at which a vote of the townspeople was taken. She thanked all those who attended and participated for their patience this evening.

At 7:53 p.m. the Moderator declared the results official.

Mr. Cherry, moved to adjourn, seconded by Ms. Ingalls.

Unanimously approved and so declared.

Linda Davis moved that the meeting be adjourned.

The Special Town Meeting was adjourned at 7:53 p.m.

Respectfully submitted,

Patricia A. Riley

Patricia A. Riley, CCTC
Ledyard Town Clerk

Rec'd for Record

November 10, 2020 @ 3:42 PM.

*Patricia A. Riley
Ledyard Town Clerk*