



TOWN OF LEDYARD

741 Colonel Ledyard Highway
Ledyard, Connecticut 06339

Land Use/Planning/Public Works Committee Meeting Minutes

Chairman
Kevin J. Dombrowski

Regular Meeting

Monday, November 7, 2022

6:00 PM

Town Hall Annex - Hybrid Format

In -Person - Council Chambers - Town Hall Annex Building

Join Zoom Meeting from your Computer, Smart Phone or Tablet:

<https://us06web.zoom.us/j/89831274078?pwd=YnlleGh4ekc0b2MwdXI2cWlBQ0pnUT09>

Or by Audio Only: Telephone: +1 646 558 8656; Meeting ID: 898 3127 4078; Passcode: 008322

I CALL TO ORDER

The meeting was called to order by Councilor Paul at 6:00 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 remote meeting information was available on the Agenda that was posted on the Town's Website - Granicus-Legistar Meeting Portal. He stated because he had an issue with his voice this evening that Chairman Dombrowski would moderate the meeting this evening.

II. ROLL CALL

Present: Gary Paul
S. Naomi Rodriguez

Excused: John Marshall

In addition, the following were present:

Chairman Kevin Dombrowski
Land Use Director Juliet Hodge
Planning & Zoning Chairman Capon
Administrative Assistant Roxanne Maher

III. CITIZENS COMMENTS

None.

IV. PRESENTATIONS / INFORMATIONAL ITEMS

None

V. APPROVAL OF MINUTES

Land Use/Planning/Public Works Committee Regular Meeting Minutes of October 3, 2022

Moved by Councilor Rodriguez, seconded by Councilor Paul

VOTE: 2 - 0 Approved and so declared

RESULT: APPROVED AND SO DECLARED

MOVER: S. Naomi Rodriguez

SECONDER: Gary Paul

AYE: 2 Paul and Rodriguez

EXCUSED: 1 Marshall

VI. OLD BUSINESS

1. Continued discussion and possible action to periodically review the list of town owned property; and update accordingly for the "Assignment of Administrative Control".

Land Use Director Juliet Hodge stated some of the outstanding tasks to complete the GIS Update work were with Tax Assessor Adrianna Hedwall at this time. She stated that she believed all of the GIS Update work should be complete by January, 2023

RESULT: NO ACTION

2. Continued discussion regarding the progress of enforcing regulations to address blight issues.

Chairman Dombrowski stated Zoning Enforcement Officer Tom Weber has provided a Blight Report for tonight's meeting.

Land Use Director Juliet Hodge stated that there has been a lot of blight activity. She stated in working to address blighted properties that they found that Ordinance #300-012 (rev 1) "*An Ordinance Concerning Blight and Public Nuisance for the Town of Ledyard*" needed to be updated.

Chairman Dombrowski stated the reason the blight issues has been included on the LUPPW Committee's agenda was mostly to monitor how effective Ordinance #300-012 (rev 1) was and to see if the Ordinance needed to be adjusted.

RESULT: NO ACTION

3. Potential future uses for the 101.80-acre Clark Farm property located at 1025 Colonel Ledyard Highway.

Chairman Dombrowski stated there were no updates regarding the Clark Farm usage, noting that Mr. Majcher was continuing his farming activity on the leased area and the Tri-Town Trail that passed thru the property.

RESULT: NO ACTION

4. Status update regarding security and safety concerns regarding Park on East Drive

Chairman Dombrowski noted in speaking to a resident that they were pleased with that the lights were working and that wood chips for the playscape area had arrived.

Councilor Paul stated he visited the Park on East Drive and he noted the positive progress that has been made.

RESULT: NO ACTION

5. MOTION to adopt a proposed “Resolution of the Ledyard Town Council to Opt-Out of Public Act 21-29 Regarding Multi-Family Parking Spaces And Accessory Apartments” as contained in the draft dated October 17, 2022.

DRAFT: 10/17/2022

Res: 004-2022/Nov _____

RESOLUITON
OF THE LEDYARD TOWN COUNCIL
TO OPT-OUT OF PUBLIC ACT 21-29
REGARDING PARKING SPACES AND ACCESSORY APARTMENTS

WHEREAS, Connecticut Public Act 21-29 (PA 21-29) modifies Section 8-2 of the Connecticut General Statutes to limit the number of parking spaces which may be required by zoning regulations for single, duplex and multi-family developments.

WHEREAS, PA 21-29 further modifies Section 8-2 of the Connecticut General Statutes to establish specific provisions regarding zoning regulations for accessory apartments.

WHEREAS, unless a municipality affirmatively votes to opt out therefrom, local zoning regulations would be required to adhere to the PA 21-29 provisions regarding single, duplex and multi-family parking spaces and accessory apartments.

WHEREAS, no municipality may opt out of the parking spaces and accessory apartment provisions of section 8.2 of the CT General Statutes, as amended by PA 21-29, on or after January 1, 2023,

WHEREAS, the Planning and Zoning Commission of a municipality, by a two-thirds vote, may initiate the process by which such municipality opts out of the PA 21-29 provisions regarding parking spaces and accessory apartments,

WHEREAS, although the Ledyard Planning and Zoning Commission has adopted Regulations to comply section 8.2 of the CT General Statutes, as amended by PA 21-29, it desires to retain local zoning control over the regulation of multi-family parking spaces and accessory apartments in the future by opting out of the provisions of PA 21-29 regarding parking and accessory apartments,

WHEREAS, on October 13, 2022 the Ledyard Planning and Zoning Commission unanimously voted to opt-out from the parking spaces and accessory apartment provisions of Section 8-2 of the CT General Statutes, as amended by the applicable provisions of PA 21-29.

NOW, THEREFORE, BE IT RESOLVED, the Ledyard Town Council hereby votes opts out from the parking spaces and accessory apartment provisions of Section 8-2 of the CT General Statutes, as amended by the applicable provisions of PA 21-29.

Adopted by the Ledyard Town Council on: _____

Kevin J. Dombrowski, Chairman

BACKGROUND The Town of Ledyard’s (Town) Zoning Regulations pertaining to Accessory Apartments were amended (effective August 4, 2022) to comply with the requirements contained in PA 21-29 for accessory apartments. Revisions of the Zoning Regulations also modified parking requirements for multi-family developments to be consistent with PA 21-29. To retain the local zoning control of parking requirements for multi-family developments and accessory apartment regulations, as local circumstances may dictate in the future, the Town must opt out of the provisions of PA 21-29 before January 1, 2023.

Moved by Councilor Rodriguez, seconded by Councilor Paul
Discussion: Chairman Dombrowski stated the Planning & Zoning Commission approved the Zoning Regulations Update, which included Ledyard’s Regulations for Accessory Dwelling Units (ADU) and Parking for Multi-Family Developments. He stated the new Zoning Regulations became effective on September 28, 2022. He explained by Ledyard having their own Accessory Dwelling Units (ADU) Regulations that the town would be able to Opt-Out of the State’s ADU Regulations; and it would provide the town with more flexibility in regulating the Accessory Dwelling Units in our community. He stated Town Council action was required to final the process for Ledyard to Opt-Out of Public Act 21-29.

Mr. Tony Capon, 37 Silas Dean Highway, Ledyard, Planning & Zoning Commission Chairman provided some background, noting that Chairman Dombrowski accurately summarized the process in accordance with Public Act 21-29. He stated the Planning & Zoning Commission’s plan was always to adopt Zoning Regulations for Accessory Dwellings and then they would consider opting out of Public Act 21-29. He stated the

Planning & Zoning Commission strongly supported Accessory Dwelling Units; noting that they were part of a broader housing policy, explaining that Ledyard needed more housing alternatives. He stated Ledyard’s Zoning Regulations for Accessory Dwelling Units were in conformance with Public Act 21 -29.

Mr. Capon went on to explain that the Planning & Zoning Commission wanted to opt-out of Public Act 21-29 for the following reasons: (1) There may be unintended consequences as a result of Public Act 21-29 that they were not aware of at this time; and (2) the Planning & Zoning Commission would like to have the flexibility to make adjustments to the Accessory Dwelling Units Regulations should they find the need to do so.

Chairman Dombrowski stated many other towns were also opting-out of Public Act 21-29.

Councilor Paul stated he read the Accessory Dwelling Units Zoning Regulations noting that they were well done. He thanked the Planning & Zoning Commission for their work in drafting the Regulations and their guidance relative to opting-out of Public Act 21, 29.

VOTE: 2 - 0 Approved and so declared.

RESULT: RECOMMENDED FOR APPROVAL

MOVER: S. Naomi Rodriguez

SECONDER: Gary Paul

AYE: 2 Paul and Rodriguez

EXCUSED: 1 Marshall

6. Any other Old Business proper to come before the Committee.

None.

VII. NEW BUSINESS

1. MOTION to adopt proposed amendments to Ordinance #300-027 (rev 2) “An Ordinance Regulating Parking And Other Activities In Town Roads And Rights-Of-Way And Providing Penalties For The Violation Thereof” as contained in draft dated October 13, 2022.

DRAFT: 10/13/2022

Ordinance: #300-027 (rev. 2)

AN ORDINANCE
REGULATING PARKING AND OTHER ACTIVITIES IN TOWN ROADS AND
RIGHTS-OF-WAY AND PROVIDING PENALTIES
FOR THE VIOLATION THEREOF

Be it ordained by the Town Council of the Town of Ledyard:

Section 1. Purpose

It is hereby declared to be in the best interests of the public safety, convenience and welfare of the Town to regulate and place restrictions on the parking of vehicles and other activities in Town rights-of-way within the control and limits of said Town, in general and during periods of snow emergencies, so as to preserve proper material condition of roads and

rights-of-way and to not impede the transportation and movement of food, fuel, medical care, fire, health, police protection and other vital facilities of the Town.

Section 2. Definitions

For the purpose of this Ordinance, the following definitions shall apply:

(a). The words "vehicle" shall be defined as in Connecticut Statutes Section 14-1(102).

(b). The words "parked vehicle" shall be defined as in Connecticut General Statutes Section 14-1(66).

(c). The word "street" shall mean any public highway, road or street in the Town of Ledyard.

(d). The words "snow emergency" is hereby defined to be a period of time as forecast by a contracted weather service or the United states Weather Bureau, during which period vehicular and/or pedestrian traffic is expected to be hazardous or congested due to the elements, and during which period the parking of vehicles could hinder, delay or obstruct the safe flow of such traffic and/or the proper cleaning, clearing and making safe of the public highways of the Town.

(e). *For the purpose of this Ordinance "commercial or industrial vehicle" means any vehicle the principal use of which is the transport of commodities, merchandise, produce, freight, and any vehicle used primarily in construction, industry, including but not limited to, bulldozers, backhoes, tractors, tow trucks, dump trucks, tractor trailers (cab and/or trailer), or trucks fitted with cranes, air compressors, welders, tanks or similar equipment. "Commercial or industrial vehicle" also includes nonmotorized dumpsters, storage units, open or utility trailers greater than six (6) feet in length and height, and tool lockers; taxicabs, limousines, and/or any passenger vehicle that is greater than eight (8) feet in height marked with a sign, letters, or emblem advertising a commercial enterprise.*

Section 3. General Restrictions

- a. No person, firm or corporation shall place any fixed obstruction, or object or drain any water or other substance, within, under, upon or over any Town road or right of way without the written permission of the Director of Public Works.
- b. In the case of clearing and handling leaves from and in proximity to private properties, no person, firm or corporation shall place or leave any leaves in the roadway or permanently place leaves on Town property. Residents who contract out leaf removal services at their property shall be liable also for violations of this provision of the party they hire.
- c. In the case of removing snow from private driveways and properties, no person, firm or corporation shall move snow across or leave any snow in the roadway. Residents who contract out snow removal at their property shall be liable also for violations of this provision of the party they hire.
- d. The Director of Public Works may remove or alter any such obstruction or drain, and the expense incurred by the Director in such removal or alteration shall be paid by the person,

firm or corporation placing such obstruction or drain; provided, however, at the discretion of the Director of Public Works, any fixed obstruction or drain made or placed without a permit, or in violation of provisions of a permit shall be removed or altered by the person, firm or corporation making or placing the same within thirty (30) days from the date when said Director sends by registered or certified mail, postage prepaid, a notice to such person firm or corporation ordering such removal or alteration.

Section 4. Construction Regulations

- a. No person shall construct a new driveway or relocate an existing driveway leading from private property to a town street or conduct work (excepting lawn or grounds maintenance) in a town right-of-way (ROW) area, until a permit has been obtained from the Director of Public Works or his agent. Plans fully depicting the proposed driveway location and or work in town ROW area shall be submitted for review and approval prior to commencing work.
 - b. In determining whether to issue a permit, the Director of Public Works shall give due consideration to the effect of the proposed approach upon public safety, sightline and drainage needs.
 - c. For driveways, all paving, drainage pipes, culverts, headwalls, catch basins, or ditches deemed necessary by the Director of Public Works or his agent must be installed at the owner's expense. The construction shall meet the requirements of the Road Ordinance, unless varied with the written permission of the Director of Public Works. For other work in town ROW areas, construction shall be conducted in accordance with the approved plans. As applicable, work shall meet the specifications of the Road Ordinance.
 - d. The work shall be completed before a Certificate of Occupancy (CO) and a Certificate of Use and Compliance (CC), when applicable, are issued. If extenuating circumstances prevail, as deemed by the Director of Public Works, that prevent completion of work by the time all other CO and/or CC conditions are met, and unless waived by the Director of Public Works, the applicant shall deposit with the Town Treasurer security in the form of cash, -in such amount as may be required by the Director of Public Works sufficient to cover the satisfactory completion of all work, including work required to repair the town street or ROW area. The security shall not be less than \$1,000.
- a. For work not involving a CO or CC, the applicant shall deposit with the Town Treasurer security in the form of cash, in such amount as may be required by the Director of Public Works sufficient to cover the satisfactory completion of all work, including work required to repair the town street or ROW area.
 - b. If work governed by this ordinance is not completed within twelve (12) months of approval, the Town may utilize all or any necessary portion of the posted security to effect satisfactory completion.
 - c. The holder of this permit shall be responsible for any damage done to the town street or ROW area in the completion of said work.

Section 5. Declaration of "Snow Emergency"

A "snow emergency" shall be declared by the Mayor or his/her designee, either before, during or after a fall of snow, sleet or freezing rain, when in his/her sound judgement and discretion the circumstances warrant determination of such an emergency in the interest of safety upon the public roads of the Town.

The Mayor's Office shall cause public announcements of such determination of snow emergency prior to the time of becoming effective, after which time a snow emergency shall be in effect. The Mayor or his/her designee shall determine when such emergency no longer exists and shall make public announcement of the same.

Section 6. Parking Restrictions

No vehicle shall be permitted to remain parked on any street within the Town between the hours of 1:00 a.m. through 6:00 a.m. daily, during the period of December 1st through March 31st of each winter.

It shall be unlawful at any time during the period of any snow emergency under provisions of this Ordinance for the owner of a vehicle or person in whose name it is registered, to allow, permit or suffer said vehicle to remain parked on any street in the Town of Ledyard.

No vehicle shall be permitted to be parked on any street for a period of more than ten (10) consecutive days. After such period, such vehicle will be considered a fixed obstruction according to Section 3 Paragraph (a).

No person shall park or store any commercial or industrial vehicle on any public street or roadway within any residential district or in front of any property currently used residentially unless for the purpose of actively loading or unloading materials, or while actively engaged in providing commercial service at the premises; nor shall such vehicles be parked in a residential district or in front of an existing residence outside normal business hours unless on site for an emergency service call.

Section 7. Owner

In any prosecution or proceeding hereunder, the registration plate displayed on the vehicle shall constitute prima facie evidence that the owner of such vehicle was the person who parked such vehicle at the place where such violation occurred.

Section 8. Towing

~~Whenever any motor vehicle shall be found parked on any Town road during a period when parking is prohibited as herein set forth, such vehicle may be removed or conveyed under the direction of the Town Police Department by means of towing the same is found to be~~ *parked in violation of Section 6 of this ordinance, the motor vehicle may be removed (towed) at the owner's expense and/or a State of Connecticut Complaint Ticket (a parking ticket) shall be issued by the Ledyard Police Department. Each day that a violation continues shall be deemed a separate offense.*

Such removal shall be at the risk of the owner, and such owner is subject to the terms of the towing company in retrieving the vehicle.

Section 9. Penalties

- a. Any person, firm or corporation violation any provisions of Sections 3 or 4 of this ordinance shall be fined not more than Two Hundred (\$200.00).
- b. Any person found in violation of the provisions of Section 6 of this ordinance will be subject to the issuance of an infractions summons and be subject to a fine in accordance with

a schedule, which *may be amended from time to time with the approval of the Town Council. The fine schedule is hereby incorporated in this Ordinance as fully set forth herein. (Appendix A).* ~~in accordance with the State of Connecticut Superior Court schedule.~~

- c. *Payment of the fine(s) associated with the issue of any Ticket shall be in accordance with current Connecticut State Statutes.*

Section 10. Severability.

If any section, or part of a section, of this Ordinance shall be held by a court of competent jurisdiction to be invalid, such holding shall not be deemed to invalidate the remaining provisions hereof.

Section 11. Effective Date

In accordance with the Town Character this ordinance shall become effective on the twenty-first (21st) day after such publication following its final passage

Amended and Adopted by the Ledyard Town Council on: _____

Kevin J. Dombrowski, Chairman

Fred B. Allyn, III, Mayor

Published on:

Effective date:

Patricia A. Riley, Town Clerk

Revisions: Ordinance #38 “*Ordinance Prohibiting Parking on Town Roads During Winter Storms and Providing Penalties for the Violation Thereof*” adopted July 27, 1987; Ordinance #75 “*An Ordinance Amending An. Ordinance Prohibiting The Placing of Obstructions or the Drainage of*

Water on Town Roads” Adopted: June 9, 1999; Ordinance #100 “*An Ordinance Regulating Construction of Driveways to or Other Work Right-of-Way Areas of Any Street or Highway of the Town of Ledyard*” Adopted: February 8, 2006 .Ordinance #152 “*An Ordinance Regulating parking and Other Activities in town Roads and Rights-of-Way and Providing Penalties for the Violation Thereof*” Adopted August 8, 2018; Effective: September 4, 2018. Renumbered #300-027 on September 25, 2019. Amended on February 26, 2022 #300-027 (rev1); Effective: March 24, 2020.

History:

The Twenty-fourth Town Council (2017- 2019) Ordinance Update Initiative: Renumbered Ordinance #152 “*An Ordinance Regulating Parking and Other Activities in town Roads and Rights-of-Way and Providing Penalties for the Violation Thereof*” to Ordinance #300-027.

1999: Ordinance #38 “*An Ordinance Prohibiting the Placing of obstructions or the*

Drainage of Water on Town Roads". Section 1 added "including portable or permanent basketball hoops"

2018: Combined Ordinances #38, #75 & #100 because the subject matter of the three Ordinances dealt with the similar issue of the town right-of-way. Most of the language of the three ordinances did not change. Section 6 "Parking Restrictions; added paragraph (c) *No vehicle shall be permitted to be parked on any street for a period of more than ten (10) consecutive days. After such period, such vehicle will be considered a fixed obstruction according to Section 3 Paragraph (a).* Updated State Statute numbers throughout the document. Section 3 "General Restrictions" paragraph (a) removed the following language "including portable or permanent basketball hoops".

2019: Removed Section 11 "Cancellation of Previous Ordinances" - Per Town Attorney a "Cancellation Section" was not needed. The "Revisions" and "History" paragraphs indicate that the previous ordinance has been updated and replaced. Added new Section 11 "Effective Date" to be consistent with Town Ordinance format. No substantive changes were made to the ordinance.

2020 (rev.1): Section 3. General Restrictions: Inserted a new paragraph (b) as follows: "In the case of clearing and handling leaves from and in proximity to private properties, no person, firm or corporation shall place or leave any leaves in the roadway or permanently place leaves on Town property. Residents who contract out leaf removal services at their property shall be liable also for violations of this provision of the party they hire" and re-lettered the remaining paragraphs accordingly.

2022 (rev. 2): Updated in various places to incorporate prohibitions related to parking commercial and industrial vehicles in residential districts as follows:

Section 2 "Definitions" added subparagraph (e).

Section 6 "Parking Restrictions" added subparagraph (d).

Section 8 "Towing" Reworded paragraph as follows: Whenever any motor vehicle ~~shall be found parked on any Town road during a period when parking is prohibited as herein set forth, such vehicle may be removed or conveyed under the direction of the Town Police Department by means of towing the same~~ **is found to be parked in violation of Section 6 of this ordinance, the motor vehicle may be removed (towed) at the owner's expense and/or a State of Connecticut Complaint Ticket (a parking ticket) shall be issued by the Ledyard Police Department. Each day that a violation continues shall be deemed a separate offense.**

Section 9 "Penalties"

Subparagraph (b) added the following language: may be amended from time to time with the approval of the Town Council. The fine schedule is hereby incorporated in this Ordinance as fully set forth herein. (Appendix A). Removed the following language. And removed the following language: "in accordance with the State of Connecticut Superior Court schedule".

Added subparagraph (c)

Added Appendix - Fee Schedule

The 2022 changes noted above are further subject to the following background.

Sec. 7-148. Scope of Municipal Powers

Fine up to \$90 is considered an infraction. Fine above \$90.00 to \$250.00 is considered a “violation”. Both are enforceable on a state infraction ticket.

Sec. 51-164p. Violations of municipal ordinances, regulations and bylaws. (a) Notwithstanding any provision of any special act, local law or the general statutes to the contrary, any violation of any ordinance, regulation or bylaw of any town, city or borough, except violations of building codes and the health code, for which the penalty does not exceed ninety dollars shall be an infraction as provided for in sections 51-164m and 51-164n.

(b) Notwithstanding any provision of any special act, local law or the general statutes, any violation of any ordinance, regulation or bylaw of any town, city or borough, except violations of building codes and the health code, for which the penalty exceeds ninety dollars but does not exceed two hundred fifty dollars shall be a violation as provided for in sections 51-164m and 51-164n.

(P.A. 75-577, S. 9, 126; P.A. 80-483, S. 133, 186; P.A. 06-185, S. 9.)

P.A. 80-483 specified that violations with penalties not exceeding \$90, rather than \$100, are infractions; P.A. 06-185 designated existing provisions as Subsec. (a) and added Subsec. (b) re violation of municipal ordinance, regulation or bylaw with penalty between \$90 and \$250. Cited. 9 CA 686.

Sec. 14-251. Parking vehicles. No vehicle shall be permitted to remain stationary within ten feet of any fire hydrant, or upon the traveled portion of any highway except upon the right-hand side of such highway in the direction in which such vehicle is headed; and, if such highway is curbed, such vehicle shall be so placed that its right-hand wheels, when stationary, shall, when safety will permit, be within a distance of twelve inches from the curb, except if a bikeway, as defined in section 13a-153f, or such bikeway's buffer area, as described in the federal Manual on Uniform Traffic Control Devices, is in place between the parking lane and the curb, such vehicle shall be so placed that its right-hand wheels, when stationary, shall, when safety will permit, be within a distance of twelve inches from the edge of such bikeway or buffer area.

No vehicle shall be permitted to remain parked within twenty-five feet of an intersection or a marked crosswalk at such intersection, except within ten feet of such intersection if such intersection has a curb extension treatment with a width equal to or greater than the width of the parking lane and such intersection is located in and comprised entirely of highways under the jurisdiction of the city of New Haven, or within twenty-five feet of a stop sign caused to be erected by the traffic authority in accordance with the provisions of section 14-301, except where permitted by the traffic authority of the city of New Haven at the intersection of one-way streets located in and comprised entirely of highways under the jurisdiction of the city of New Haven.

No vehicle shall be permitted to remain stationary upon the traveled portion of any highway at any curve or turn or at the top of any grade where a clear view of such vehicle may not be had from a distance of at least one hundred fifty feet in either direction. The Commissioner

of Transportation may post signs upon any highway at any place where the keeping of a vehicle stationary is dangerous to traffic, and the keeping of any vehicle stationary contrary to the directions of such signs shall be a violation of this section. No vehicle shall be permitted to remain stationary upon the traveled portion of any highway within fifty feet of the point where another vehicle, which had previously stopped, continues to remain stationary on the opposite side of the traveled portion of the same highway.

No vehicle shall be permitted to remain stationary within the limits of a public highway in such a manner as to constitute a traffic hazard or obstruct the free movement of traffic thereon, provided a vehicle which has become disabled to such an extent that it is impossible or impracticable to remove it may be permitted to so remain for a reasonable time for the purpose of making repairs thereto or of obtaining sufficient assistance to remove it. Nothing in this section shall be construed to apply to emergency vehicles and to maintenance vehicles displaying flashing lights or to prohibit a vehicle from stopping, or being held stationary by any officer, in an emergency to avoid accident or to give a right-of-way to any vehicle or pedestrian as provided in this chapter, or from stopping on any highway within the limits of an incorporated city, town or borough where the parking of vehicles is regulated by local ordinances. Violation of any provision of this section shall be an infraction.

Sec. 14-252. Parking so as to obstruct driveway. No person shall park or leave stationary on a public highway any vehicle in front of or so as to obstruct or interfere with the ingress to or egress from any private driveway or alleyway, except with the permission of the owner of such private driveway or alleyway. Such parking or stationary position of any vehicle with such permission shall be subject to existing parking regulations. Violation of any provision of this section shall be an infraction.

(1949 Rev., S. 2510; February, 1965, P.A. 448, S. 29; P.A. 75-577, S. 101, 126.)
History: 1965 act added provision requiring compliance with parking regulations when blocking drive or alley; P.A. 75-577 replaced provision for \$25 maximum fine with statement that violation of provisions is an infraction.

See Sec. 14-107 re liability of owner, operator or lessee of vehicle.

Ordinance # 300-027

APPENDIX A

**AN ORDINANCE REGULATING PARKING OF
COMMERCIAL VEHICLES ON PUBLIC STREETS IN RESIDENTIAL ZONES
AND/OR IN FRONT OF RESIDENTIALLY USED PROPERTIES**

***ALL BELOW FINES ARE IN ADDITION TO THE SURCHARGE REQUIRED BY
THE STATE OF CONNECTICUT**

First Offense (Infraction): \$90
Subsequent Offense (Violation): \$200

Adopted by the Ledyard Town Council on: _____

Kevin J. Dombrowski, Chairman

Sec. 7-148. Scope of municipal powers

VIOLATION OF MUNICIPAL PARKING ORDINANCES

The complaint ticket may be used for violations of municipal parking ordinances where the amount of the penalty established by the ordinance is \$250.00 or less.

When computing the "Total Amount Due" begin with the ordinance penalty amount. Where the ordinance penalty amount is \$90.00 or less, add to that amount the fee amount which is equal to one dollar for each \$8.00 or fraction thereof on the first \$88.00 of the ordinance penalty amount. To this sum, add a surcharge of \$20.00 if the Ordinance penalty amount is less than \$35.00. If the Ordinance penalty amount is \$35.00 or more add a surcharge of \$35.00. Where the ordinance penalty amount exceeds \$90.00 but does not exceed \$250.00, the "Total Amount Due" is equal to the ordinance penalty amount.

STATUTE. NO.

7-148* Municipal PARKING ordinance where the amount of the penalty is \$90.00 or less. (See Examples 1 and 2 Below)

7-148PK91-250 Municipal PARKING ordinance where the amount of the penalty is greater than \$90.00 but not more than \$250.00. (See Example 3 Below)

- EXAMPLES:
1. Ordinance Penalty Amount \$29.00; Total Amount Due = \$53.00 (\$29.00 + \$4.00 (Fee) + \$20.00 (Surcharge))
 2. . Ordinance Penalty Amount \$35.00; Total Amount Due = \$75.00 (\$35.00 + \$5.00 (Fee) + \$35.00 (Surcharge))
 3. Ordinance Penalty Amount \$100.00; Total Amount Due = 100.00

Moved by Councilor Rodriguez, seconded by Councilor Paul

Discussion: Chairman Dombrowski provided a brief summary noting last summer the Town Council Land Use/Planning/Public Works Committee heard residents' concerns regarding safety issues caused by large commercial vehicles being parked on residential streets. He stated in discussing the complexity of the issue involving safety, inconvenience, and the concerns regarding public property being used to subsidize commercial companies, the Committee proposed an Ordinance to address the parking of commercial vehicle on town roads.

Chairman Dombrowski went on to note in working to prepare letters to notify the residents about the Public Hearing regarding the proposed draft "*An Ordinance Regulating Parking of Commercial Vehicles on Public Streets in Residential Zones and/or In Front of Residentially Used Properties*" that he spoke with Public Works Director/Town Engineer Steve Masalin about whether one of the streets from which residents had expressed concerns regarding the commercial vehicles was a town road. He stated during their discussion Mr. Masalin suggested rather than create a new separate ordinance that they consider adding the commercial vehicle language to Ordinance #300-027 (rev 2) "*An Ordinance Regulating Parking and Other Activities in Town Roads and Rights-of-Way and Providing Penalties for the Violation Thereof*". Therefore, he explained, the same language that was previously reviewed and approved by the LUPPW Committee and Administration Committee was incorporated into Ordinance #300-027 (rev 2) "*An Ordinance Regulating Parking and Other Activities in Town Roads and Rights-of-Way and Providing Penalties for the Violation*

Thereof”; as presented this evening.

It was noted that per the Administration Committee’s September 28, 2022 recommendation the Fees were taken out of the body of the Ordinances and attached as Appendix A to allow the Fees to be updated as needed without having to amend the Ordinance each time.

VOTE: 2 - 0 Approved and so declared

RESULT: RECOMMENDED FOR APPROVAL

MOVER: S. Naomi Rodriguez

SECONDER: Gary Paul

AYE: 2 Paul and Rodriguez

EXCUSED: 1 Marshall

2. MOTION to extend Archery Hunting on Certain Town Owned Lands and Certain Open Space Properties for one-year in accordance with provisions in Ordinance#100-018 (rev. 1) "An Ordinance Providing Archery Hunting on Certain Town Owned Lands and Certain Open Space Properties".

Moved by Councilor Rodriguez, seconded by Councilor Paul

Discussion: Chairman Dombrowski provided some background explaining in 2018 the Town Council adopted Ordinance #100-018 “*An Ordinance Providing for Archery Hunting on Certain Town Owned Lands*”. He stated the two properties that would be used for archery hunting were: (1) Clark Farm located on Route 117 on the north end of town; and (2) Founders Preserve (Paint Mill) Property located between Colonel Ledyard Highway and Pumpkin Hill Road on the south end of town (both properties were about 100 acres). He stated this was a Lottery System program in which six people would win a lottery for each property to bow hunt.

Chairman Dombrowski went on to explain at a Special Town Meeting held on October 28, 2020 the townspeople approved to transfer the Founders Preserve (also formerly known as: Quakertown Preserve/Paint Mill) to Avalonia Land Conservancy. One of the terms for the land transfer was that Avalonia Land Conservancy would continue to allow archery hunting on the Founders Preserve property. However, he stated because the Founders Preserve would no longer be town-owned property that on April 25, 2021 Ordinance #100-108 (rev. 1) and its accompanying Appendix were amended to include provisions for “*non-town owned properties/certain open space properties*”.

Chairman Dombrowski stated in accordance with Section 4. “*Annual Expiration*” the Ordinance would expire annually at the end of the calendar year, unless a vote of the Town Council was taken to approve to extend it for one year. Therefore, he stated that this was an Administrative action.

VOTE: 2 - 0 Approved and so declared

RESULT: RECOMMENDED FOR APPROVAL

MOVER: S. Naomi Rodriguez

SECONDER: Gary Paul

AYE: 2 Paul and Rodriguez

EXCUSED: 1 Marshall

Chairman Dombrowski stated that no action would be taken on items # 3 & #4 this evening because the draft Lease has not come back from the Attorney. He stated they should have a draft Lease by the end of November.

3. MOTION to approve a proposed “Lease Agreement between Robert and Mary Graham and the Town of Ledyard” for the lease of approximately .75-acre +/- parcel on Bush Pond as presented in the draft dated .

RESULT: NO ACTION

4. MOTION set a Hybrid Public Hearing date for January 11, 2023 at 6:15 p.m. to be held in the Council Chambers, 741 Colonel Ledyard Highway, in accordance with CGS 07-163e, to receive comments and recommendations regarding the following:

A proposed Lease Agreement between Robert and Mary Graham and the Town of Ledyard to enter into a 99-year lease for approximately .75-acre +/- parcel on Bush Pond (Lantern Hill Valley Park) with the following caveats:

1. There shall not be any construction of a building on the parcel.
2. The town would be allowed to erect a gazebo.
3. The town would be allowed to place a port-a-john on the property seasonally.
4. Non-motorized activities would be allowed at the Lantern Hill Valley Waterfront park such as fishing, picnicking, canoeing, and kayaking.

No Action

RESULT: NO ACTION

5. 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.

Chairman Dombrowski stated at the LUPPW Committee’s October 3, 2022 they heard comments that residents were not sure how the land use process worked regarding permits; the approvals, and who decided what business could come into town. He stated the developments that were specifically mentioned was the Dollar General Store and the Cashman Project on Route 12, Gales Ferry. He stated because the Cashman Project has not submitted any Permit Applications to the town, that there was nothing for the town to comment on at this time. He also mentioned that residents have questioned why the town allowed a Dollar General Store and that they did not try to facilitate other stores such as a *Trader Joes* or a similar type of business.

Councilor Rodriguez stated that there was a misconception that residents think the Town Council has some authority regarding land use matters, which they do not. Chairman Dombrowski agreed, noting that per state statute that the Town Council has no authority

regarding zoning matters.

Land Use Director Juliet Hodge stated she tries to answer questions as they come in. She noted that she recently attended the Ledyard Rotary Meeting to explain the land use process regarding the Cashman Development at the former Dow Chemical Property on Route 12, in Gales Ferry to try to get the word out to the community. She stated that she would be willing to attend other groups to answer questions as well.

Chairman Dombrowski stated in 2012 and again in 2019 Councilor McGrattan worked with former Library Director Gale Bradbury to facilitate a “*Know Your Town Program*” which invited residents to visit various Departments during the evening hours each week to become familiar with town staff and to learn about the functionality of each Department. He noted that the week the Land Use Department was featured that the resident turnout was low.

Councilor McGrattan agreed with Chairman Dombrowski’s recollection of the “*Know Your Town Program*” and resident’s interest/participation, noting that there were a number of programs that no residents attended at all.

Chairman Dombrowski stated as Councilor Rodriguez mentioned, land use matters were outside of the Town Councils purview. However, he stated that perhaps the Town Council could help the Land Use Commissions facilitate a discussion.

Councilor Paul suggested the Land Use Commissions hold an Informational Meeting that residents could attend, where the Commissions and town staff could provide an overview of the land use processes.

Land Use Director Juliet Hodge explained that the time for residents to provide input was during the drafting/update of the Zoning Regulations. She stated if an Application meets the Zoning Regulations that it must be approved regardless of people’s opinions. She went on to explain during an Application Public Hearing the Planning & Zoning Commission was looking to receive facts as to whether the Application met or did not meet the Zoning Regulations, noting that all of the Commission’s decisions were fact driven and were not subject to opinion. She stated if residents did not want franchise business such as the Dollar General Store that they could have included something in the recent Zoning Regulations Update pertaining to commercial businesses in the Design District. However, she stated the Planning & Zoning Commission received very little public input during the work sessions and public hearings to update the Zoning Regulations.

The LUPPW Committee discussed ways to provide information to residents pertaining to the structure and operations of the Town’s Land Use process which included posting a *Frequently Asked Question* (FAQ) Sheet uploading short videos on the town’s website which would answer land use questions and could be linked to social media pages.

The LUPPW Committee and Ms. Hodge also discussed the challenge to attract development noting that Developers look at the demographics and they also consider the limited access to I-95 and I-395, noting to the west was Thames River, to the east was the Groton Reservoir, to the south was the US Navy Subbase, the Commissary and Stop & Shop; and to the north was Montville and Norwich with shopping grocery and retail shopping available.

RESULT: CONTINUE

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

IV ADJOURNMENT

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

The meeting adjourned at 6:20 p.m.
VOTE: 2 -0 Approved and so declared

DISCLAIMER: Although we try to be timely and accurate these are not official records of the
Town.