



TOWN OF LEDYARD CONNECTICUT

741 Colonel Ledyard Highway
Ledyard, Connecticut 06339

Land Use/Planning/Public Works Committee

~ AGENDA ~

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
- II. ROLL CALL
- III. CITIZENS COMMENTS
- IV. PRESENTATIONS / INFORMATIONAL ITEMS
- V. APPROVAL OF MINUTES

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

Attachments: [LUPPW-MIN-2022-10-03.pdf](#)

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”.

Attachments: [ADMIN CONTROL TOWN OWN LAND -Appendix B -2022-03-07.xlsx](#)

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

Attachments: [ORD-300-012-rev-1-Blight-Ordinance-and-Public-Nuisance-for-the-Town-of-Ledyard.pdf](#)

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

Attachments: [CLARK FARM LEASE- REV2021-03-24-FINAL APPROVED.doc](#)
[Clark Farm Site Map-2018 Lease.pdf](#)
[Land Recordi- Transfer Indaiantown Park 2007-09-04.pdf](#)
[Land Recordi- Transfer Clark Farm-2007-09-04.pdf](#)
[Clark Farm-Indiantown Park Landswap-Town Council Minutes2007-03-14.pdf](#)
[Clark Farm-Indiantown Park Landswap-Attorney Ltr-2007-05-11.pdf](#)
[Clark Farm-Indiantown Park Landswap-Frequently Asked Questions Attorney Ltr-2007-05-14.pdf](#)
[Clark Farm-Indiantown Park Landswap-Agreement-2007-03-28.pdf](#)

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

Attachments: [East Drive Park-Jamieson -Saums e-mail Thread-2022-09-27.pdf](#)
[East Drive Park-Jamieson e-mail-2022-09-20.pdf](#)
[EAST DRIVE -Color-FLYER-NEWS PAPER-2022-07-20.pdf](#)
[East Drive Park-Informal Conversation 2022-07-20-Community Relations ltr dated 2022-07-02 to Residents-A.pdf](#)

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.

Attachments: [RES-OPT-OUT OF PA 21-29-ACCESSORY DWELLING UNITS PARKING-DRAFT- 2022-10-17-CLEAN COPY.docx.docx](#)
[Public Act 21-29 Accessory Dwelling Units- Planning & Zoning Opt Out Letter and Resolution-2022-10-17.docx](#)
[PUBLIC ACT 21-09- ACCESSORY APARTMENTS .pdf](#)

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

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.

Attachments: [ORDINANCE - REGULATING COMMERCIAL VEHICLE PARKING ON RESIDENTIAL STREETS-2022-09-28.pdf](#)
[State Statute - Violation of Parking Ordinances.pdf](#)
[Sec-7-148-Police-Ticketing & Payment of Fine.pdf](#)

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".

Attachments: [ORD-#100-018 \(REV 1\)-ARCHERY HUNTING TOWN OWNED PROPERTY-2021-04-28.docx](#)
[ORD-#100-018 \(rev 1\)-APPENDIX - ARCHERY HUNTING TOWN OWNED PROPERTY-2021-04-28.docx](#)

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 .

Attachments: [Bush Pond-Conservation ltr-Support -Latern Hill Road-2022-06-22 Park.pdf](#)
[LHVA Parcel -Graham Property Park-map.png](#)
[LHVA Park -Bush Pond-aerial.jpg](#)
[CGS 8-24 Planning & Zoning Review Requireddocx.docx](#)
[CGS-7-163e- Sale of Town Property- Public Hearing.docx](#)
[ORD-#200-009-Ordinance Transfer Revenue Estate Conveyance Tax to Town Funds -2019-09-25.doc](#)

4. MOTION set a Hybrid Public Hearing date for December 14, 2022 at 6:00 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.

Attachments: [CGS-7-163e- Sale of Town Property- Public Hearing.docx](#)
[Bush Pond-Conservation ltr-Support -Latern Hill Road-2022-06-22 Park.pdf](#)
[LHVA Parcel -Graham Property Park-map.png](#)
[LHVA Park -Bush Pond-aerial.jpg](#)
[CGS 8-24 Planning & Zoning Review Requireddocx.docx](#)

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

IV ADJOURNMENT

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



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 22-664

Agenda Date: 11/7/2022

Agenda #:

MINUTES

Minutes:

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



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, October 3, 2022

6:00 PM

Town Hall Annex Building

DRAFT

- I. **CALL TO ORDER** – The meeting was called to order by Councilor Paul at 6:01 p.m. at the Town Hall Annex Building Meeting Room.

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.

- II. **ROLL CALL** –

| Attendee Name | Title | Status | Location | Arrived | Departed |
|--------------------|--------------------------|---------|-----------|---------|----------|
| Gary Paul | Committee Chairman | Present | In-Person | 6:00 pm | 6:24pm |
| John Marshall | Town Councilor | Excused | | | |
| S. Naomi Rodriguez | Town Councilor | Present | In-Person | 6:00 pm | 6:24 pm |
| Kevin Dombrowski | Chairman | Present | In-Person | 6:00 pm | 6:24 pm |
| Mike Cherry | Resident | Present | Remote | 6:00 pm | 6:22 pm |
| Roxanne Maher | Administrative Assistant | Present | Remote | 6:00 pm | 6:24 pm |

- III. **CITIZENS' PETITIONS**

Mr. Mike Cherry, 5 Whippoorwill Drive, Gales Ferry, noted that he sent the Land Use/Planning/Public Works Committee a 67-page document about the Town of Woodbridge who was sued by a consortium of people who were stating that their Zoning Regulations were discriminatory because they did not allow for multi-family housing. Mr. Cherry stated in reading the document that he reached the conclusion that although Ledyard did not have the same problem as Woodbridge, that they had other problems. He stated with the Plan of Conservation & Development (POCD) and Zoning Regulation update that Ledyard was heading in the right direction. He noted page 1 and page 7 of the Woodbridge suit listing the allegations was worth reading noting they talked about:

- What the State Statutes - Zoning Enabling Act required.
- What the Connecticut Constitution required.
- What the Fair Housing Law required.

Mr. Cherry suggested as the LUPPW Committee read the 67-page Woodbridge document that they think about whether Ledyard met these requirements or whether they had and types of problems. He stated it was his opinion that that Ledyard treated multi-family units and fill-in housing differently than they treat single family housing. He stated Ledyard has come along way with the last two Zoning Regulations Update which included: (1) Reducing the size of the lots; (2) Adding Accessory Dwelling Units; and (3) Made changes to the bulk requirement. He stated Land Use Director Juliet Hodge had Ledyard heading in the right direction; however, they still had more work to do.

Mr. Cherry continued by addressing recent land use developments in town, such as the former Dow Chemical Site; the Liquor Store in the former Veterinarian Building on Route 12, the new Bark N' Brew, or the Dollar General Store going in next to the McDonalds. He stated he walked away from the meetings realizing that most people in town have no understanding of *Land Use Regulations, Land Use Statutes, how things were done, who had the authority, what the Mayor's role was, what the Town Council's role was, what was the role of the myriad of Land Use Commissions and Boards, and who had the final say.* He stated a few years ago Councilor McGrattan and Councilor Rodriguez were involved in the "*Know Your Town Program*" which was developed to teach residents about how the town operated. He stated it was time they teach residents about *Land Use*, noting he has observed residents challenging land use decisions such as the General Dollar Store in Gales Ferry. He stated residents need to understand that anything that meets the Zoning Regulations must be approved.

Mr. Cherry stated Ledyard just completed a Zoning Regulation Update and he stated no one from the public other than Mr. Treaster, himself, and residents from the Agricultural Community provided input when the Zoning Commission was working to update the Zoning Regulations. He stated residents were not happy with the Zoning Regulation Update because they think the Regulations would prevent things that they would actually not prevent. Also, residents missed the key point that if an Application met the Zoning Regulations that it must be approved regardless of people's opinions. He stated they could spend a lot of taxpayer money to slow down an Application in court, however, he stated the bottom line was *if the Application met the Zoning Regulations it would be approved.* He stated during the Public Hearing the Planning & Zoning Commission was looking for facts as to whether the Application met or did not meet the Zoning Regulations. He stated all of their decisions were fact driven and were not subject to opinion.

Chairman Dombrowski stated he and Mr. Cherry talked about this subject last week. He stated as a member and former Chairman of the Zoning Commission, which was before the Planning Commission & Zoning Commission were merged, that he would agree that Mr. Cherry's observations were correct, in that there was a lack of public understanding of how land use worked. He went on to state per state statute the Town Council had very little direct impact regarding zoning matters. He stated when residents see development happening near them, that it can become very emotional, and he understood their concerns. However, he stated the town has to permit development in accordance with what the Zoning Regulations allowed.

Councilor Rodriguez stated Mr. Cherry made a good point that the public does not understand how land use worked relative to planning and zoning. Therefore, she stated when a business such as the Dollar General Store comes into town residents question why the Town Council would allow that to happen. She stated these types of comments indicate that residents do not have an understanding of how land use worked. She suggested they consider hosting an Informational Forum to present information regarding the roles and responsibilities of the town's various land use committees/commissions/boards and how the process worked.

Chairman Dombrowski stated the roles and responsibilities of the town's land use commissions were included in the Town Charter, noting that he realized that most people have not read the Town Charter. He stated the Town Council could facilitate a Land Use Informational Forum to provide a platform for the Land Use Commissions to present information on how the land use processes work and to answer residents questions.

The LUPPW Committee discussed making short videos that could be available on the town's website for residents to learn about how the land use commissions worked.

Mr. Cherry stated the November 8, 2022 mid-term election ballot included a question regarding the retail sale of adult use marijuana that may lead to *cultivation and retail sale of marijuana in town*. He stated this may or may not require changes in the Zoning Regulations, depending on how Ledyard categorized it. He questioned if a business was categorized as a *retail outlet* why it would be different from any other retail outlet. He stated the cultivation and sale of marijuana would be controlled by the State and he questioned whether it would be controlled different than a liquor store. He stated Ledyard's Zoning Regulations allowed liquor stores in their commercial districts. He stated if Ledyard residents wanted something different for marijuana retail stores from how liquor stores were zoned, that they were running out of time to make their preferences known for the Planning & Zoning Commission to make the changes required to the Zoning Regulations. He explained otherwise, he could make the argument that the sale of marijuana was a retail business allowed anywhere retail and commercial was allowed in the Town of Ledyard, with the number of stores controlled by the State. He stated this would be a radical argument, noting that it was a hands-off approach, which would let the market drive it, and per the Zoning Regulations it would be segregated by use. However, he stated if a cultivation and retail sale of marijuana business was next door to someone that they probably would not like it. Therefore, he addressed the importance to educate residents before the matter was overcome by events.

Chairman Dombrowski stated the Towns of Preston and Stonington have adopted regulations pertaining to where *cultivation and retail sale of marijuana establishments* would be allowed in town. He went on to state that part of his thinking was as Mr. Cherry noted, in that why would the town regulate the location any differently from any other commercial or retail enterprise, such as a liquor store, regardless of whether he was in-favor or not of the November 8, 2022 Referendum question "*Shall the Sale of Recreational Marijuana be Allowed in the Town of Ledyard*".

Mr. Cherry went on to state the issue *dejour* was “*Short-Term Rentals*”. He stated unless someone had one next door to them that was causing a problem, that some would say that they did not have a problem with *short-term rentals*, they stay at Air BnB’s all the time. However, he stated the question was what was the right answer for the Town of Ledyard.

Councilor Paul questioned whether it was the Land Use/Planning/Public Works Committee’s responsibility to discuss ideas on how to get information to residents or to coordinate a Land Use Informational Forum. Mr. Cherry suggested that Councilor Paul bring the concern that recent issues show that residents do not understand land use to the Town Council. He stated the town had great resources, noting that Land Use Director Juliet Hodge and others who have served in town would be happy to help provide information to residents on how the land use process worked in Ledyard. He stated because people do not know the process, they often become frustrated the day after they could have done something, and then nothing could be done at that point.

Councilor Paul stated the LUPPW Committee would include a discussion on how to get information out to residents pertaining the process to address land use matters.

Chairman Dombrowski thanked Mr. Cherry for his comments this evening.

IV. PRESENTATIONS/INFORMATIONAL ITEMS – None.

V. REVIEW AND APPROVAL OF PRIOR MEETING MINUTES

MOTION to approve the Regular Meeting Minutes of September 5, 2022

Moved by Councilor Paul, seconded by Councilor Rodriguez

VOTE: 2 - 0 Approved and so declared

VI. OLD BUSINESS

RESULT: COMPLETED

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 talk with Land Use Director Juliet Hodge regarding the completion of the GIS System update.

RESULT: NO ACTION

Next Meeting: 11/07/2022 5:30 p.m.

2. No Update provided regarding enforcement of regulations to address blight issues.

Councilor Paul stated Blight Reports would be provided on a quarterly basis.

RESULT: DISCUSSED

Next Meeting: 11/07/2022 5:30 p.m.

3. No Action on the Potential future uses for the 101.80-acre Clark Farm property located at 1025 Colonel Ledyard Highway.

RESULT: NO ACTION

Next Meeting: 11/07/2022 5:30 p.m.

4. Security and safety concerns regarding the Park on East Street (Christy Hill Park).

Councilor Paul noted Mr. Jamison's e-mail dated September 27, 2022 which included photographs of the new lights. He stated the electricity has been connected to the poles and the lights looked beautiful.

Councilor Rodriguez stated they were making progress at the Park, noting that the lights have been installed and turned on and that the railroad ties have been delivered. She thanked Mr. Jamison for moving the ties out of the way of the swing set. She noted Parks & Recreation Director Scott Johnson, Jr. talked with the Mayor regarding the special type of paint that was required to cover the graffiti. She stated although progress was slow that it was being made. She stated she looked forward to seeing the Park next Spring, 2023 with the warmer weather.

Councilor Paul stated in his conversation with Parks & Recreation Director Scott Johnson, Jr. they discussed visiting the Park to see the lights turned on. He thanked Mr. and Mrs. Jamison for their interest in the Park and continued updates. He stated they were moving in the right direction.

RESULT: NO ACTION

Next Meeting: 11/07/2022 5:30 p.m.

5. Public Act #21-29 "*An Act Concerning The Zoning Enabling Act, Accessory Apartments, Training For Certain Land Use Officials, Municipal Affordable Housing Plans And A Commission On Connecticut's Development And Future*".

Administrative Assistant Roxanne Maher stated in speaking with Land Use Director Juliet Hodge that she indicated that the Planning & Zoning Commission would be taking action to recommend the Town Council opt-out of Public Act 21-29 *Accessory Apartments and Parking Provision of CT Public Act 21-29 (PA 21-29)* at their October 13, 2022 meeting and would subsequently forward their action to the Town Council.

Chairman Dombrowski stated in accordance with Public Act 21-29 the Opt-Out Process was required to be completed by December 31, 2022. He stated to finalize this process that Town Council action was required.

Chairman Dombrowski went on to note that the Planning & Zoning Commission approved the Zoning Regulations Update, which included Ledyard's Regulations for Accessory Dwelling Units (ADU). 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.

Chairman Dombrowski concluded by explaining to *Opt-Out of the Public Act #21-29 ADU* that it would require a two-thirds vote of the Town Council.

RESULT: CONTINUED

Next Meeting: 11/07/2022 5:30 p.m.

VII. NEW BUSINESS

1. MOTION to approve the Land Use/Planning/Public Works Committee 2023 Meeting Schedule to meet on the first Monday of each month at 6:00 p.m. as follows:

Land Use/Planning/Public Works Committee (1st Monday, Annex Building 6:00 p.m.)

| | | | |
|------------------|------------|------------|------------|
| January 2 | February 6 | March 6 | April 3 |
| May 1 | June 5 | July 3 | August 7 |
| September 5* | October 2 | November 6 | December 4 |
| January 2*, 2024 | | | |

^ Denotes meeting cancelled due to holiday

* Denotes regular meeting date scheduled is different from regular schedule

Moved by Councilor Paul, seconded by Councilor Rodriguez

Discussion: Councilor Paul explained in accordance with CGS 1-225 each Committee must file its meeting schedule for the coming year in the Town Clerk's Office. He stated if there were no objections that the LUPPW Committee would continue to meet on the first Monday of each month. He noted because some of the Committee's dates would fall on a Monday Legal Holiday that they would be scheduled for another day as noted in the schedule above.

VOTE: 2 – 0 Approved and so declared.

RESULT: 2 – 0 APPROVED AND SO DECLARED

MOVER: Gary Paul, Town Councilor

SECONDER: S. Naomi Rodriguez, Town Councilor

AYES: Gary Paul, Naomi Rodriguez

EXCUSED: John Marshall

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

IX. ADJOURNMENT-

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

VOTE: 2 - 0 Approved and so declared, the meeting was adjourned at 6:24 p.m.

Respectfully submitted,

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



File #: 22-017

Agenda Date: 11/7/2022

Agenda #: 1.

LAND USE

Subject/Application:

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

Background:

The LUPPW Committee is working to review and research the 191 Town-Owned / Town Leased properties on the *Assignment of Administrative Control List* to ensure the *Administrative Control* was with the appropriate body and to make adjustments as needed.

The *Assignment of Administrative Control* has not been updated since 2017.

There were some new properties that the town has acquired through subdivision that should be added to the List and some properties that should come off the list, which may have been conveyed to Avalonia Land Conservancy or sold such as the Ledyard Center School and the Gales Ferry School; as well as the merging of property lines such as 737 & 741 Colonel Ledyard Highway that took place in 2015 (former Ledyard Center Fire Department, where the new Police Station was built), noting that the property was combined with the Town Hall property; or the War Monument and the Bill Library.

Land Use Director/Town Planner:

The Town has contracted with Claus Georges, CGIS Mapping, LLC, who has completed their review of the forty-six maps and was making good progress. It was anticipated that the GIS update work should work would be completed sometime this summer.

LUPPW Cmt Meeting 9/19/2022

File #: [22418 <https://ledyardct.legistar.com/LegislationDetail.aspx?ID=5814186&GUID=E2C7069F-CBA6-4209-A4C0-5F8D44613280>](https://ledyardct.legistar.com/LegislationDetail.aspx?ID=5814186&GUID=E2C7069F-CBA6-4209-A4C0-5F8D44613280) Version: 1

Type: Land Use

Title: Continued discussion and possible action to periodically review the list of town owned property; and update accordingly for the “*Assignment of Administrative Control*”.

Action: No Action

Meeting Note:

Councilor Rodriguez questioned whether the work to update the GIS System has been completed. Councilor Paul stated he would check on the status of the project with Land Use Director Juliet Hodge.

LUPPW Cmt Meeting 8/1/2022

File #: [22418](#)

[https://ledyardct.legistar.com/LegislationDetail.aspx?](https://ledyardct.legistar.com/LegislationDetail.aspx?ID=5814186&GUID=E2C7069F-CBA6-4209-A4C0-5F8D44613280)

[ID=5814186&GUID=E2C7069F-CBA6-4209-A4C0-5F8D44613280](https://ledyardct.legistar.com/LegislationDetail.aspx?ID=5814186&GUID=E2C7069F-CBA6-4209-A4C0-5F8D44613280)>

Version: 1

Type: Land Use

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

Action: No Action

Meeting Note:

No Action

LIST OF REAL PROPERTIES OWNED OR LEASED
BY THE TOWN OF LEDYARD

| Account Number | Owners Name | Street # Index | Street Name | Map | Block | Lot | Land Area in Acres | Use Code | Use Descript | Zone | Description | Admin Control | Status of previously unlisted Property | Other Info | Recommendation for admin control |
|-------------------|------------------------------|----------------|---------------------------|---------------|----------------|---------------|--------------------|-----------------|--------------------------|----------------|---|------------------------------------|--|------------|----------------------------------|
| 402900 | I TOWN OF LEDYARD | 17 | ALJEN AVE | 2 | 30 | 17 | 5.21 | 903V | Municipal M00 | R20 | Ball Field | Parks & Recreation Commission | | | |
| 104943 | I TOWN OF LEDYARD | 13 | APPLEWOOD DR | 99 | 530 | 13 | 1.70 | 903V | Municipal M00 | R60 | Open Space | Conservation Commission | Vacant Lot | | |
| 164542 | I TOWN OF LEDYARD | 2 | AUGUST MEADOWS | 126 | 94 | 2 | 0.97 | 903V | Municipal M00 | R60 | Basin | Mayor/ Public Works | | | Conservation Commission |
| 164404 | I TOWN OF LEDYARD | 16 | AUTUMN WAY | 100 | 96 | 16 | 0.14 | 903V | Municipal M00 | R40 | Road Right of Way | Mayor/ Public Works | | | |
| 402915 | I TOWN OF LEDYARD | 19 | AVERY HILL EXT | 50 | 130 | 19 | 4.60 | 903V | Municipal M00 | R60 | Glacial Park Kettlehole | Conservation Commission | | | |
| 164622 | I TOWN OF LEDYARD | 40 | AVERY HILL EXT | 64 | 110 | 40 | 2.67 | 903V | Municipal M00 | R40 | Open Space | Conservation Commission | | | |
| 81756 | I TOWN OF LEDYARD | 151 | AVERY HILL RD | 24 | 1790 | 151 | 2.43 | 903V | Municipal M00 | R40 | Not shown on Town GIS | Water Pollution Control Authority | Holmberg Property for Water | | |
| 400911 | I TOWN OF LEDYARD | 192 | AVERY HILL RD | 13 | 120 | 192 | 1.92 | 903V | Municipal M00 | R40 | Open Space | Conservation Commission | | | WPCA |
| 402912 | I TOWN OF LEDYARD | 203 | AVERY HILL RD | 13 | 120 | 203 | 6.50 | 903V | Municipal M00 | R40 | Open Space | Conservation Commission | | | |
| # | I TOWN OF LEDYARD | 224 | AVERY HILL RD | 3 | 120 | 224 | | | Municipal Moo | R60 | Ross Property - N Portion TTT | Parks & Recreation Commission | TTT easement? | | |
| 66143 | I TOWN OF LEDYARD | 40 | BARTON LN | 139 | 180 | 40 | 1.98 | 903V | Municipal M00 | R60 | Open Space; CL&P Easement | Conservation Commission | | | |
| 164320 | I TOWN OF LEDYARD | 9 | BIRCH ST | 97 | 188 | 9 | 5.51 | 903V | Municipal M00 | R40 | Open Space from Subdivision | Conservation Commission | Vacant Lot | | |
| 123672 | I TOWN OF LEDYARD | 40 | BITTERSWEET DR | 25 | 200 | 40 | 3.64 | 903V | Municipal M00 | R40 | Open Space with Right of Way | Mayor/ Public Works | | | Remove from List |
| | I TOWN OF LEDYARD | 40A | BITTERSWEET DR | 25 | 200 | 40A | 8.35 | 903V | Municipal M00 | R40 | 0258/0018 | Mayor/Public Works | Open Space/Right-of-way w/Basin | | |
| 402975 | I TOWN OF LEDYARD | 4 | BLONDERS BLVD | 68 | 240 | 4 | 131.93 | 9030 | Municipal M94 | R60 | Colonel Ledyard Park | Parks & Recreation Commission/ BOE | | | |
| 32250 | I TOWN OF LEDYARD | 5 | BLUEBIRD DR | 122 | 260 | 5 | 4.61 | 903V | Municipal M00 | R40 | Open Space | Conservation Commission | Revisit | | |
| 60825 | I TOWN OF LEDYARD | 13 | BREWSTER DR | 24 | 330 | 13 | 0.08 | 903V | Municipal M00 | R40 | Open Space | Conservation Commission | | | |

LIST OF REAL PROPERTIES OWNED OR LEASED
BY THE TOWN OF LEDYARD

| Account Number | Owners Name | Street # Index | Street Name | Map | Block | Lot | Land Area in Acres | Use Code | Use Descript | Zone | Description | Admin Control | Status of previously unlisted Property | Other Info | Recommendation for admin control |
|----------------|-------------------|----------------|-------------------------|-----|-------|-----|--------------------|----------|-----------------|------|--|-------------------------------------|--|------------|----------------------------------|
| 164535 | I TOWN OF LEDYARD | 16 | CAPT AMOS STANTON DR | 86 | 365 | 16 | 5.30 | 903V | Municipal M00 | R60 | Open Space & Cemetery | Conservation Comm. / Cemetery Comm. | | | |
| 49773 | I TOWN OF LEDYARD | 32 | CEDAR RDG | 48 | 410 | 32 | 16.15 | 903V | Municipal M00 | R40 | Open Space from Subdivision - 64-acre pine swamp | Conservation Commission | Vacant Lot | | |
| 402925 | I TOWN OF LEDYARD | 67 | CEDAR SWAMP | 20 | 410 | 67 | 3.69 | 903V | Municipal M00 | R60 | Open Space | Conservation Commission | | | |
| 35353 | I TOWN OF LEDYARD | 77 | CEDAR SWAMP | 20 | 410 | 77 | 7.20 | 903V | Municipal M00 | R60 | Open Space | Conservation Commission | | | |
| 34A23:PA | I TOWN OF LEDYARD | 1 | CHIDLEY WAY | 69 | 2300 | 1 | 1.75 | 903V | Municipal M00 | R40 | Open Space | Conservation Commission | | 477/0004 | |
| | I TOWN OF LEDYARD | 6 | CHIDLEY WAY | 69 | 2300 | 6 | 2.6 | 1300 | Vacant M00 | R40 | Wetlands/Open Space | Conservation Commission | | 373/805 | |
| | I TOWN OF LEDYARD | 9 | CHIDLEY WAY | 69 | 2300 | 9 | 3.71 | 903V | Municipal M00 | R40 | Subdivision Open Space | More Information Needed | | 476/412 | |
| | I TOWN OF LEDYARD | 9 | CHRISWOOD TRCE | 126 | 480 | 9 | 4.88 | 903V | Municipal M00 | R40 | 75% Wetlands | Conservation Commission | | 196/702 | |
| | I TOWN OF LEDYARD | 35 | CHRISWOOD TRCE | 139 | 480 | 35 | 1.16 | 903V | Municipal M00 | R40 | Open Sapce | Conservation Commission | | 196/702 | |
| | I TOWN OF LEDYARD | 57 | CHRISWOOD TRCE | 139 | 480 | 57 | 23.31 | 903V | Municipal M00 | R40 | Open Space/Wetlands/Power Lines | Conservation Commission | | 196/702 | |
| | I TOWN OF LEDYARD | 30 | COACHMAN PIKE | 30 | 510 | 30 | 2.21 | 903V | Town of Ledyard | R40 | Open Space/Wetlands | Conservation Commission | | 143/223 | |
| | I TOWN OF LEDYARD | 48 | COACHMAN PIKE | 30 | 510 | 48 | 3.51 | 903V | Municipal M00 | R40 | Open Space/Wetlands | Conservation Commission | | 143/223 | |
| | I TOWN OF LEDYARD | 423 | COLONEL LEDYARD HIGHWAY | 128 | 530 | 423 | 33.9 | 1330 | SUB OPEN SPACE | R60 | Open space | Conservation Commission | | 588/866 | |
| 116780 | I TOWN OF LEDYARD | 794 | COLONEL LEDYARD HWY | 53 | 530 | 794 | 0.97 | 903V | Municipal M00 | R40 | Open Space | Conservation Commission | | | |
| 163621 | I TOWN OF LEDYARD | 881 | COLONEL LEDYARD HWY | 40 | 530 | 881 | 44.12 | 903V | Municipal M00 | R60 | Town Garage | Mayor/ Public Works | | | |
| 403100 | I TOWN OF LEDYARD | 889 | COLONEL LEDYARD HWY | 40 | 530 | 889 | 49.61 | 903I | Municipal M96 | R60 | Town Garage | Mayor/ Public Works | HIGHWAY GARAGE/DUMP SITE | | |

LIST OF REAL PROPERTIES OWNED OR LEASED
BY THE TOWN OF LEDYARD

| Account Number | Owners Name | Street # Index | Street Name | Map | Block | Lot | Land Area in Acres | Use Code | Use Descript | Zone | Description | Admin Control | Status of previously unlisted Property | Other Info | Recommendation for admin control |
|----------------|-------------------|----------------|---------------------|-----|-------|------|--------------------|----------|----------------|------|---|---|--|------------|----------------------------------|
| 33101 | I TOWN OF LEDYARD | 1025 | COLONEL LEDYARD HWY | 15 | 530 | 1025 | 102.16 | 903V | Municipal M00 | R60 | Clark Farm <i>Southern Section Tri-Town Trail/Agriculture Lease</i> | Town Council | | | |
| 402275 | I TOWN OF LEDYARD | 1087 | COLONEL LEDYARD HWY | 3 | 530 | 1087 | 42.80 | 903V | Municipal M00 | R60 | <i>Old State Farm Property - Northern Section Tri-Town Trail</i> | Town Council | | | |
| | I TOWN OF LEDYARD | 391 | COLONEL LEDYARD HWY | 128 | 530 | 391 | 0.11 | 903V | Municipal M00 | R60 | Future Road WIDENING? | <i>More Information Needed - Seemed Too Large for Road Widening</i> | | 45/413 | |
| | I TOWN OF LEDYARD | 640 | COLONEL LEDYARD HWY | 68 | 530 | 640 | 26.89 | 903V | Municipal M00 | R40 | <i>Wetlands</i> | <i>Conservation Commision</i> | | 248/046 | |
| | I TOWN OF LEDYARD | 712R | COLONEL LEDYARD HWY | 67 | 530 | 712A | 0.12 | 1320 | UNBUILDABLE | LCVD | <i>Realignment of Old Road/Ray Holdrige Circle</i> | <i>More Information Needed</i> | | 484/136 | |
| | I TOWN OF LEDYARD | 720 | COLONEL LEDYARD HWY | 67 | 530 | 720 | 0.04 | 903V | Municipal M00 | LCVD | MONUMENT LOT/BILL LIBRARY | <i>Mayor</i> | | 3/518 | |
| | I TOWN OF LEDYARD | 741 | COLONEL LEDYARD HWY | 67 | 530 | 741 | 2.36 | 9030 | Municipal M94 | LCV1 | TOWN HALL ANNEX POLICE | <i>Mayor/Public Works</i> | | 71/658 | |
| | G TOWN OF PRESTON | 1094 | COLONEL LEDYARD HWY | 3 | 530 | 1094 | 0.71 | 903V | Municipal M00 | R60 | <i>Old State Farm Property- 1/2 located in Ledyard 1/2 located in Preston</i> | <i>Town Council</i> | | 273/1003 | |
| | I TOWN OF LEDYARD | 889R | COLONEL LEDYARD HWY | 40 | 530 | 889R | 49.61 | 9031 | Municipal M096 | R60 | Town Garage/Transfer Station | <i>Mayor/Public Works</i> | | | |
| 403110 | I TOWN OF LEDYARD | 36 | COUNTRY CLUB DR | 86 | 560 | 36 | 5.39 | 903V | Municipal M00 | R60 | Back end of Highland Lake | Parks & Recreation Commission | | | |
| 403125 | I TOWN OF LEDYARD | 5A | CRANWOOD RD | 129 | 580 | 5 | 0.03 | 9062 | Cemetery | R40 | Cemetery Woodridge | Cemetery Commission | | | |
| 403150 | I TOWN OF LEDYARD | 10 | DECATUR TRL | 75 | 610 | 10 | 0.21 | 903V | Municipal M00 | R20 | Open Space | Public Works (? per M. Marelli, CC Chair) | | | |
| 163739 | I TOWN OF LEDYARD | 5 | DEER LN | 100 | 620 | 5 | 2.00 | 903V | Municipal M00 | R40 | Open Space | Conservation Commission | | | |

LIST OF REAL PROPERTIES OWNED OR LEASED
BY THE TOWN OF LEDYARD

| Account Number | Owners Name | Street # Index | Street Name | Map | Block | Lot | Land Area in Acres | Use Code | Use Descript | Zone | Description | Admin Control | Status of previously unlisted Property | Other Info | Recommendation for admin control |
|----------------|-------------------|----------------|----------------|-----|-------|-----|--------------------|----------|----------------|------|-----------------------------------|-------------------------------|--|------------|----------------------------------|
| 163742 | I TOWN OF LEDYARD | 11 | DEER LN | 100 | 620 | 11 | 0.17 | 903V | Municipal M00 | R40 | Public Road Right of Way | Public Works | | | Delete from list? |
| 163910 | I TOWN OF LEDYARD | 62 | EAGLE RIDGE DR | 122 | 660 | 62 | 1.89 | 1330 | Subdv Open | R40 | Open Space with Detention Basin | Conservation Commission | | | |
| 403175 | I TOWN OF LEDYARD | 13 | EAST DR | 93 | 670 | 13 | 3.88 | 903V | Municipal M00 | R60 | Christy Hill Field | Parks & Recreation Commission | | | |
| 163848 | I TOWN OF LEDYARD | 19 | ESKA DR | 41 | 700 | 19 | 3.98 | 903V | Municipal M00 | R40 | Grayfarms Subdivision Open Space | Conservation Commission | | | |
| 163629 | I TOWN OF LEDYARD | 11 | FAIRWAY DR | 67 | 710 | 11 | 2.40 | 903I | Municipal M96 | LCDD | Ledyard Center Emergency Services | Ledyard Center Fire Company | | | |
| 163820 | I TOWN OF LEDYARD | 5 | FAWN DR | 65 | 740 | 5 | 2.07 | 903V | Municipal M00 | R60 | Open Space | Conservation Commission | | | |
| 163826 | I TOWN OF LEDYARD | 6 | FAWN DR | 64 | 740 | 6 | 0.45 | 903V | Municipal M00 | R60 | Open Space | Conservation Commission | | | |
| 163832 | I TOWN OF LEDYARD | 16A | FAWN DR | 80 | 740 | 16 | 0.19 | 903V | Municipal M00 | R60 | Fotone Road Right of Way | Conservation Commission | | | |
| 106696 | I TOWN OF LEDYARD | 24 | FOUNDERS WAY | 141 | 530 | 24 | 13.88 | 903V | Municipal M00 | R60 | open space/sub | | Vacant Lot | | |
| 106708 | I TOWN OF LEDYARD | 25 | FOUNDERS WAY | 141 | 530 | 25 | 35.34 | 903V | Municipal M00 | R60 | open space/sub | | Vacant Lot | | Conservation Commission |
| 164232 | I TOWN OF LEDYARD | 7 | FOX HOLLOW | 98 | 785 | 7 | 18.17 | 903V | Municipal M00 | R40 | Sablewoods Wellfield / Open Space | WPCA | | | Conservation Commission |
| 403225 | I TOWN OF LEDYARD | 24 | GALLUP HILL RD | 69 | 810 | 24 | 30.09 | 9033 | Public Sch M94 | R60 | Ledyard High School | BOE | | | |
| 403250 | I TOWN OF LEDYARD | 74 | GALLUP HILL RD | 85 | 810 | 74 | 0.12 | 903V | Municipal M00 | R60 | Burton Monument & Gardens | Conservation Commission | | | |
| 403275 | I TOWN OF LEDYARD | 90 | GALLUP HILL RD | 85 | 810 | 90 | 69.84 | 903V | Municipal M00 | R60 | Burton Property Woodlands | Conservation Commission | | | |
| 403285 | I TOWN OF LEDYARD | 135R | GALLUP HILL RD | 85 | 810 | 135 | 1.20 | 903V | Municipal M00 | R20 | Playground off Model Park Rd | Parks & Recreation Commission | | | |
| 403290 | I TOWN OF LEDYARD | 158 | GALLUP HILL RD | 101 | 810 | 158 | 2.93 | 903V | Municipal M00 | R40 | Purdy Field | Parks & Recreation Commission | | | |
| 403300 | I TOWN OF LEDYARD | 169 | GALLUP HILL RD | 101 | 810 | 169 | 14.64 | 9033 | Public Sch M94 | R40 | J.A. Clark Field | Parks & Recreation Commission | | | |

LIST OF REAL PROPERTIES OWNED OR LEASED
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|----------------|-------------------|----------------|----------------|-----|-------|-----|--------------------|----------|---------------|------|----------------------------------|-------------------------------|--|------------|----------------------------------|
| 163730 | I TOWN OF LEDYARD | 10 | GONCH FARM RD | 18 | 860 | 10 | 4.92 | 903V | Municipal M00 | R60 | Open Space | Conservation Commission | | | |
| 403310 | I TOWN OF LEDYARD | 10A | GONCH FARM RD | 18 | 860 | 10 | 0.26 | 903V | Municipal M00 | R60 | Drway to Lots 10, 12 and 13 | Mayor | | | |
| 163859 | I TOWN OF LEDYARD | 12 | GRAY FARM RD | 54 | 875 | 12 | 7.74 | 903V | Municipal M00 | R40 | Grayfarms Subdivision Open Space | Conservation Commission | | | |
| 164125 | I TOWN OF LEDYARD | 11 | GREYSTONE CT | 69 | 885 | 11 | 0.56 | 903V | Municipal M00 | R60 | Drainage Structures | Mayor/ Public Works | | | |
| 164129 | I TOWN OF LEDYARD | 14R | GREYSTONE CT | 70 | 885 | 14 | 1.91 | 903V | Municipal M00 | R60 | Open Space | Conservation Commission | | | |
| 164131 | I TOWN OF LEDYARD | 16 | GREYSTONE CT | 70 | 885 | 16 | 0.23 | 903V | Municipal M00 | R60 | Drainage Support | Mayor/ Public Works | | | |
| 156505 | I TOWN OF LEDYARD | 271 | HALEY RD | 128 | 890 | 271 | 13.31 | 903V | Municipal M00 | R60 | | | Vacant Lot | | |
| 403315 | I TOWN OF LEDYARD | 52 | HIGHLAND DR | 86 | 970 | 52 | 4.04 | 903V | Municipal M00 | R20 | House Lot | Parks & Recreation Commission | | | Conservation Commission |
| 403325 | I TOWN OF LEDYARD | 15 | HIGHVIEW TER | 68 | 960 | 15 | 7.91 | 903V | Municipal M00 | R40 | Grayfarms Subdivision Open Space | Conservation Commission | | | |
| 113900 | I TOWN OF LEDYARD | 21 | HILL ST | 97 | 980 | 21 | 4.34 | 903V | Municipal M00 | R40 | Open Space | Conservation Commission | | | |
| | I TOWN OF LEDYARD | 18 | HILLTOP DR | 53 | 1010 | 18 | 10.28 | 903V | Municipal M00 | R40 | | | | 523/74 | |
| 14553 | I TOWN OF LEDYARD | 26R | HOMESTEAD RD | 45 | 1030 | 26 | 0.80 | 1300 | Cemetery | R60 | Tommy Main Cemetery | Cemetery Committee | | | |
| 14554 | I TOWN OF LEDYARD | 28R | HOMESTEAD RD | 45 | 1030 | 28 | 2.56 | 1300 | Open Space | R60 | Open Space | Conservation Commission | | | |
| 403350 | I TOWN OF LEDYARD | 23 | HUNTINGTON WAY | 129 | 1040 | 23 | 2.95 | 903V | Municipal M00 | R60 | Open Space | Conservation Commission | | | |

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|----------------|---------------------------|----------------|---------------|-----|-------|-----|--------------------|----------|----------------|------|---|---|--|------------|----------------------------------|
| 402000 | GALES FERRY FIRE DISTRICT | 18 | HURLBUTT RD | 91 | 1050 | 18 | 1.22 | 9200 | Non-Profit M94 | R20 | 1. Gales Ferry Community Center (Community Room, Lower Level Kitchen and Meeting Room to Parks and Recreation. 2. Gales Ferry Library and the room adjacent to the Library in the Community Center to the Library Commission. | Parks & Recreation Commission / Library | | | |
| 163662 | I TOWN OF LEDYARD | 10 | HYDE PARK DR | 107 | 1060 | 10 | 2.17 | 903V | Municipal M00 | R40 | Open Space with Detention Basin | Conservation Commission | | | |
| 163154 | I TOWN OF LEDYARD | 13 | HYDE PARK DR | 108 | 1060 | 13 | 1.87 | 1330 | Subdv Open | R40 | Open Space | Conservation Commission | | | |
| 163672 | I TOWN OF LEDYARD | 21 | HYDE PARK DR | 108 | 1060 | 21 | 1.61 | 1330 | Subdv Open | R40 | Open Space with Detention Basin | Conservation Commission | | | |
| | I TOWN OF LEDYARD | 69 | INCHCLIFFE DR | 106 | 1080 | 69 | 0.18 | 903V | Municipal M00 | R40 | | | | 560/786 | |
| 403400 | I TOWN OF LEDYARD | 54 | INCHCLIFFE DR | 106 | 1080 | 54 | 6.67 | 1330 | Subdv Open | R40 | Open Space | Parks & Recreation Commission | | | |
| 403425 | I TOWN OF LEDYARD | 89 | INCHCLIFFE DR | 106 | 1080 | 89 | 0.04 | 903V | Municipal M00 | R20 | Inchcliffe / Meadow Right of Way | Mayor | | | |
| 107507 | I TOWN OF LEDYARD | 99 | INDIANTOWN RD | 45 | 1090 | 99 | 0.55 | 903V | Municipal M00 | R60 | Vacant | Mayor | | | ? |
| | I TOWN OF LEDYARD | 78B | IRON ST | 54 | 1110 | 78B | 0.74 | 903V | Municipal M00 | R40 | | | | 421/001 | |
| | I TOWN OF LEDYARD | 86A | IRON ST | 68 | 1110 | 86A | 0.86 | 903V | Municipal M00 | R40 | | | | 141/343 | |
| 126200 | I TOWN OF LEDYARD | 41R | IRON ST | 53 | 1110 | 41 | 0.92 | 903V | Municipal M00 | R40 | | | Vacant Lot | | |
| 403475 | I TOWN OF LEDYARD | 47 | IRON ST | 54 | 1110 | 47 | 4.89 | 903V | Municipal M00 | R40 | Old Town Garage Site | Mayor | | | |

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|----------------|-------------------|----------------|----------------|-----|-------|------|--------------------|----------|---------------|------|-------------------------------------|--|--|------------|----------------------------------|
| 164458 | I TOWN OF LEDYARD | 49A | IRON ST | 54 | 1110 | 49 | 0.05 | 9062 | Cemetery | R40 | "Grave Site" to be retained | Mayor | | | |
| 403500 | I TOWN OF LEDYARD | 65 | IRON ST | 54 | 1110 | 65 | 8.09 | 903V | Municipal M00 | R40 | Grayfarms Subdivision Open Space | Conservation Commission | | | |
| 60184 | I TOWN OF LEDYARD | 78B | IRON ST | 54 | 1110 | 78 | 0.74 | 903V | Municipal M00 | R40 | Wellfield for Grayfarms Subdivision | Conservation Commission | | | |
| 403525 | I TOWN OF LEDYARD | 86 | IRON ST | 54 | 1110 | 86 | 7.29 | 903V | Municipal M00 | R40 | Grayfarms Subdivision Open Space | Conservation Commission | | | |
| 60185 | I TOWN OF LEDYARD | 86B | IRON ST | 68 | 1110 | 86 | 0.86 | 903V | Municipal M00 | R40 | Wellfield for Grayfarms Subdivision | Conservation Commission | | | |
| 403550 | I TOWN OF LEDYARD | 172 | IRON ST | 56 | 1110 | 172 | 11.07 | 903V | Municipal M00 | R40 | Saw Mill Park | Historic District Commission / Parks & Recreation Commission | | | |
| 36300 | I TOWN OF LEDYARD | 204 | IRON ST | 56 | 1110 | 204 | 0.07 | 903V | Municipal M00 | R40 | Unusable | Conservation Commission | | | |
| 163484 | I TOWN OF LEDYARD | 9 | JESSICA LN | 45 | 1130 | 9 | 1.86 | 903V | Municipal M00 | R60 | Open Space | Conservation Commission | | | |
| 164426 | I TOWN OF LEDYARD | 3 | KALMIA DR | 79 | 1145 | 3 | 2.04 | 903V | Municipal M00 | R40 | Open Space | Conservation Commission | | | |
| 403600 | I TOWN OF LEDYARD | 11 | LAUREL LEAF DR | 92 | 1250 | 11 | 0.55 | 903V | Municipal M00 | R20 | Open Space | Conservation Commission | | | Conservation Commission |
| 32257 | I TOWN OF LEDYARD | 26 | LAUREL LEAF DR | 92 | 1250 | 26 | 0.51 | 1330 | Subdv Open | R20 | | | Vacant Lot | | |
| 121873 | I TOWN OF LEDYARD | 9 | LEE BROOK DR | 55 | 1280 | 9 | 1.70 | 903V | Municipal M00 | R40 | Grayfarms Subdivision Open Space | Conservation Commission | | | |
| 403625 | I TOWN OF LEDYARD | 4 | LINDEN LN | 70 | 1310 | 4 | 1.34 | 903V | Municipal M00 | R60 | Undeveloped | Conservation Commission | | | |
| 158818 | I TOWN OF LEDYARD | 800 | LONG COVE ROAD | 109 | 1340 | 800R | 25.11 | 903V | Municipal M00 | R60 | Open Space | Historic District Commission | | | |
| | I TOWN OF LEDYARD | 37R2 | LONG POND RD | 73 | 1360 | 37R2 | 0.43 | 903V | Municipal M00 | R60 | | | | 560/792 | |

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|----------------|-------------------|----------------|---------------------|-----|-------|-----|--------------------|----------|---------------|------|---------------------------|-------------------------------|--|---------------|----------------------------------|
| 163962 | I TOWN OF LEDYARD | 16 | LORENZ IND PKWY | 125 | 1380 | 16 | 0.34 | 903V | Municipal M00 | CIP | Future Right of Way | Mayor | | | Conservation Commission |
| 34581 | I TOWN OF LEDYARD | 9 | LUCIENNE WAY | 99 | 600 | 9 | 13.40 | 1300 | Vacant M00 | R60 | | | Vacant Lot | | |
| 17601 | I TOWN OF LEDYARD | 5 | LYNN DR | 41 | 1400 | 5 | 1.11 | 903V | Municipal M00 | R40 | Open Space | Parks & Recreation Commission | | | |
| 403630 | I TOWN OF LEDYARD | 24 | MEETINGHOUSE LN | 85 | 1540 | 24 | 0.48 | 903V | Municipal M00 | R20 | PEP Walkway to Playground | Mayor/Public Works | | | |
| 403640 | I TOWN OF LEDYARD | 77 | MEETINGHOUSE LN | 85 | 1540 | 77 | 11.80 | 903V | Municipal M00 | R20 | Municipal MDL 00 | Conservation Commission | | | |
| 54901 | I TOWN OF LEDYARD | 114 | MILITARY HWY | 106 | 1590 | 114 | 2.89 | 903V | Municipal M00 | CM | Erickson Park | Parks & Recreation Commission | | | |
| 163077 | I TOWN OF LEDYARD | 17 | MONTICELLO DR | 108 | 1630 | 17 | 3.72 | 1330 | Subdv Open | R40 | Open Space | Conservation Commission | | | |
| 7200 | I TOWN OF LEDYARD | 1 | NAOMI DR | 25 | 1670 | 1 | 0.33 | 903V | Municipal M00 | R20 | Pump Station | WPCA | | | |
| 120547 | I TOWN OF LEDYARD | 53 | NORMAN DR | 77 | 1680 | 53 | 12.25 | 1330 | Subdv Open | R20 | Subdivision Open Space | Conservation Commission | | | |
| 163045 | I TOWN OF LEDYARD | 7 | OAK HILLS TRL | 26 | 1740 | 7 | 0.45 | 903V | Municipal M00 | R60 | Open Space / Ledge | Conservation Commission | | | |
| 163050 | I TOWN OF LEDYARD | 10 | OAK HILLS TRL | 26 | 1740 | 10 | 0.17 | 903V | Municipal M00 | R60 | Open Space | Conservation Commission | | | |
| 163055 | I TOWN OF LEDYARD | 14 | OAK HILLS TRL | 26 | 1740 | 14 | 1.87 | 903V | Municipal M00 | R60 | Open Space | Conservation Commission | | | |
| 164247 | I TOWN OF LEDYARD | 6 | OLD COLONY LN | 85 | 1765 | 6 | 1.86 | 903V | Municipal M00 | R20 | Open Space | Conservation Commission | | | |
| 403660 | I TOWN OF LEDYARD | 9 | OLD FORT LN | 85 | 1770 | 9 | 0.08 | 903V | Municipal M00 | R20 | Walkway to Playground | Mayor/ Public Works | | Water Tower ? | WPCA |
| 81755 | I TOWN OF LEDYARD | 12R | ORCHARD DR | 24 | 1790 | 12R | 1.50 | 903V | Municipal M00 | R40 | | | Vacant Lot | | ? |
| 32261 | I TOWN OF LEDYARD | 1A | OSPREY DR | 109 | 1800 | 1 | 0.12 | 1330 | Subdv Open | R20 | | | Vacant Lot | | |
| 32268 | I TOWN OF LEDYARD | 29 | OSPREY DR | 123 | 1800 | 29 | 3.03 | 1330 | Subdv Open | R40 | Open Space | Conservation Commission | | | |
| 163926 | I TOWN OF LEDYARD | 63 | PARTRIDGE HOLLOW RD | 122 | 1850 | 63 | 1.02 | 1330 | Subdv Open | R40 | Open Space | Parks & Recreation Commission | | | |
| 163920 | I TOWN OF LEDYARD | 64 | PARTRIDGE HOLLOW RD | 122 | 1850 | 64 | 1.52 | 1330 | Subdv Open | R40 | Open Space | Parks & Recreation Commission | | | |

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|----------------|-------------------|----------------|--------------------|-----|-------|------|--------------------|----------|----------------|------|---|-------------------------------|--|------------|----------------------------------|
| 163802 | I TOWN OF LEDYARD | 32 | PEACHTREE HILL AVE | 112 | 650 | 32 | 0.14 | 903V | Municipal M00 | R60 | Road Right of Way | Mayor | | | |
| 32249 | I TOWN OF LEDYARD | 41 | PHEASANT RUN DR | 109 | 1910 | 41 | 0.34 | 903V | Municipal M00 | R20 | Open Space / Wetlands | Conservation Commission | Pheasant Run Homeowner's Assoc.? | | |
| 150481 | I TOWN OF LEDYARD | 454 | PUMPKIN HILL RD | 115 | 1960 | 454 | 1.28 | 903V | Municipal M00 | R60 | Open Space | Conservation Commission | | | |
| 164405 | I TOWN OF LEDYARD | 542 | PUMPKIN HILL RD | 100 | 1960 | 542 | 1.30 | 903V | Municipal M00 | R40 | Open Space | Parks & Recreation Commission | | | |
| | G GROTON TOWN OF | 328R | PUMPKIN HILL RD | 143 | 1960 | 328R | 1.1 | 903V | Municipal M00 | R60 | | | | 106/950 | |
| 403700 | I TOWN OF LEDYARD | 5 | RAVENWOOD ROW | 49 | 2020 | 5 | 2.42 | 903V | Municipal M00 | R40 | Open Space | Conservation Commission | | | |
| 403710 | I TOWN OF LEDYARD | 10 | ROBIN LN | 85 | 2090 | 10 | 0.09 | 903V | Municipal M00 | R20 | Walkway to Playground | Mayor/ Public Works | | | |
| 550 | I TOWN OF LEDYARD | 1479 | ROUTE 12 | 120 | 2120 | 1479 | 19.91 | 903V | Municipal M00 | R40 | | | Vacant Lot | | |
| 1350 | I TOWN OF LEDYARD | 1567 | ROUTE 12 | 107 | 2120 | 1567 | 1.95 | 903V | Municipal M00 | GFDD | | | Vacant Lot | | |
| 403725 | I TOWN OF LEDYARD | 1854 | ROUTE 12 | 48 | 2120 | 1854 | 38.30 | 9033 | Public Sch M94 | R40 | Juliet Long, Gales Ferry & Middle Schools | BOE | | | |
| 403750 | I TOWN OF LEDYARD | 1864 | ROUTE 12 | 48 | 2120 | 1864 | 2.45 | 903V | Municipal M00 | R40 | Judge Crandall Field | Parks & Recreation Commission | | | |
| 403775 | I TOWN OF LEDYARD | 3 | ROYAL OAKS DR | 2 | 2140 | 3 | 0.11 | 903V | Municipal M00 | R20 | Open Space - Stream | Conservation Commission | | | |
| 403800 | I TOWN OF LEDYARD | 4 | ROYAL OAKS DR | 2 | 2140 | 4 | 1.53 | 903V | Municipal M00 | R20 | Open Space - Stream | Conservation Commission | | | |
| | | 13 | ROYAL OAKS DR | | | | 0.12 | | | | Boat Launch, Has no account or lot Number Auto Id # is 6039 | Parks & Recreation Commission | | Water ? | WPCA |
| 164476 | I TOWN OF LEDYARD | 7A | SABLE DR | 97 | 2145 | 7 | 0.34 | 903V | Municipal M00 | R40 | | | Vacant Lot | Water ? | WPCA |
| 164475 | I TOWN OF LEDYARD | 15A | SABLE DR | 97 | 2145 | 15 | 0.20 | 903V | Municipal M00 | R40 | | | Vacant Lot | Water ? | WPCA |
| 164303 | I TOWN OF LEDYARD | 38 | SABLE DR | 97 | 2145 | 38 | 2.97 | 903V | Municipal M00 | R40 | | | Vacant Lot | | |
| | I TOWN OF LEDYARD | 32A | SAW MILL DR | 70 | 2190 | 32A | 0.19 | 903V | Municipal M00 | R60 | Future Road ext | | | 196/710 | |

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| 36302 | I TOWN OF LEDYARD | 10 | SAW MILL DR | 70 | 2190 | 10 | 0.66 | 903V | Municipal M00 | R40 | Open Space | Conservation Commission | | | |
| 163702 | I TOWN OF LEDYARD | 23A | SAW MILL DR | 70 | 2190 | 23 | 0.62 | 903V | Municipal M00 | R60 | Open Space | Conservation Commission | | | |
| 163693 | I TOWN OF LEDYARD | 29A | SAW MILL DR | 70 | 2190 | 29 | 0.75 | 903V | Municipal M00 | R60 | Open Space | Conservation Commission | | | |
| 403805 | I TOWN OF LEDYARD | 32A | SAW MILL DR | 70 | 2190 | 32 | 0.19 | 903V | Municipal M00 | R60 | Future Road Right of Way | Conservation Commission | | | |
| 164080 | I TOWN OF LEDYARD | 480 | SHEWVILLE RD | 102 | 2210 | 480 | 11.46 | 903I | Municipal M96 | R60 | Loftus Wellfield / Open Space | Conservation Commission /WPCA | | | |
| 103764 | I TOWN OF LEDYARD | 631 | SHEWVILLE RD | 71 | 2210 | 631 | 3.64 | 903V | Municipal M00 | R60 | Abuts Highland Lake on the East side | Parks & Recreation Commission | | | |
| 403810 | I TOWN OF LEDYARD | 639 | SHEWVILLE RD | 71 | 2210 | 639 | 13.66 | 903V | Municipal M00 | R60 | Abuts Highland Lake | Parks & Recreation Commission | | | |
| 403811 | I TOWN OF LEDYARD | 639R | SHEWVILLE RD | 71 | 2210 | 639 | 0.40 | 903I | Municipal M96 | R60 | Within 631 Shewville Rd | Parks & Recreation Commission | | | |
| 403815 | I TOWN OF LEDYARD | 657R | SHEWVILLE RD | 71 | 2210 | 657 | 14.65 | 903V | Municipal M00 | R60 | Municipal MDL 00 | Conservation Commission | | | |
| 134120 | I TOWN OF LEDYARD | 979 | SHEWVILLE RD | 18 | 2210 | 979 | 2.39 | 903V | Municipal M00 | R60 | Landlocked Open Space | | | | |
| 403812 | I TOWN OF LEDYARD | 990 | SHEWVILLE RD | 7 | 2210 | 990 | 9.65 | 903V | Municipal M00 | R60 | White Hall Park | Conservation Commission | | | |
| 403813 | I TOWN OF LEDYARD | 1020 | SHEWVILLE RD | 7 | 2210 | 1020 | 21.12 | 903V | Municipal M00 | R60 | White Hall Park | Conservation Commission | | 194/868 | |
| | I TOWN OF LEDYARD | 1007 | SHEWVILLE RD | 7 | 2210 | 1007 | 0.43 | 903V | Municipal M00 | R60 | | | | 560/789 | |
| 164594 | I TOWN OF LEDYARD | 175 | SPICER HILL RD | 69 | 2300 | 175 | 2.60 | 903V | Municipal M00 | R40 | Open Space | Parks & Recreation Commission | | | |
| | I TOWN OF LEDYARD | 5 | SPOUT RUN | 29 | 2310 | 5 | 3 | 903V | Municipal M00 | R40 | | | | 560/783 | |
| 403875 | I TOWN OF LEDYARD | 130R | STODDARDS WHARF RD | 51 | 2360 | 130 | 0.34 | 903V | Municipal M00 | R60 | | Parks & Recreation Commission | | | |
| 164376 | I TOWN OF LEDYARD | 154R | STODDARDS WHARF RD | 50 | 2360 | 154 | 5.36 | 903V | Municipal M00 | R60 | Vacant MDL 00 | Conservation Commission | | | |
| 403885 | I TOWN OF LEDYARD | 212 | STODDARDS WHARF RD | 50 | 2360 | 212 | 14.39 | 903V | Municipal M00 | R40 | Pfizer's Field | Parks & Recreation Commission | | | |
| 403900 | I TOWN OF LEDYARD | 15 | TANGLEWOOD DR | 64 | 2450 | 15 | 3.09 | 903V | Municipal M00 | R40 | Undeveloped | Conservation Commission | | | |

LIST OF REAL PROPERTIES OWNED OR LEASED
BY THE TOWN OF LEDYARD

| Account Number | Owners Name | Street # Index | Street Name | Map | Block | Lot | Land Area in Acres | Use Code | Use Descript | Zone | Description | Admin Control | Status of previously unlisted Property | Other Info | Recommendation for admin control |
|----------------|-------------------|----------------|-----------------|-----|-------|-----|--------------------|----------|---------------|------|-----------------------------------|--|--|------------|----------------------------------|
| 69150 | I TOWN OF LEDYARD | 25 | TERRY RD | 77 | 2460 | 25 | 0.69 | 903V | Municipal M00 | R20 | Unbuildable - Open Space | Conservation Commission | | | |
| 69151 | I TOWN OF LEDYARD | 27 | TERRY RD | 77 | 2460 | 27 | 0.67 | 903V | Municipal M00 | R20 | Unbuildable - Open Space | Conservation Commission | | | |
| 403915 | I TOWN OF LEDYARD | 71 | TOWN FARM RD | 86 | 2510 | 71 | 10.25 | 903V | Municipal M00 | R40 | Open Space | Parks & Recreation | | | |
| 403910 | I TOWN OF LEDYARD | 82 | TOWN FARM RD | 87 | 2510 | 82 | 60.41 | 9030 | Municipal M94 | R60 | WWFP & WPCA HQ | WPCA | | | |
| 403950 | I TOWN OF LEDYARD | 89 | TOWN FARM RD | 87 | 2510 | 89 | 8.21 | 903V | Municipal M00 | R60 | Town Farm Pond | WPCA | | | |
| 403925 | I TOWN OF LEDYARD | 90 | TOWN FARM RD | 87 | 2510 | 90 | 2.26 | 9062 | Cemetery | R60 | Poor Cemetery | Cemetery Committee | | | |
| 164490 | I TOWN OF LEDYARD | 15A | TUCKERS RUN | 25 | 2515 | 15A | 0.39 | 903V | Municipal M00 | R40 | Open Space & Drainage | Conservation Commission | | | Conservation Commission |
| 403974 | I TOWN OF LEDYARD | 12 | VAN TASSELL DR | 107 | 2520 | 12 | 7.70 | 9030 | Municipal M94 | R40 | Senior Center | Permanent Commission for Senior Citizens | | | Conservation Commission |
| 102150 | I TOWN OF LEDYARD | 8 | VILLAGE DR | 53 | 2530 | 8 | 2.88 | 903V | Municipal M00 | R40 | | | Vacant Lot | | |
| 126205 | I TOWN OF LEDYARD | 30 | VILLAGE DR | 53 | 2530 | 30 | 1.21 | 903V | Municipal M00 | R40 | | | Vacant Lot | | |
| 403975 | I TOWN OF LEDYARD | 153 | VINEGAR HILL RD | 93 | 2540 | 153 | 108.94 | 903R | Municipal M01 | R40 | Nathan Lester House & Ledyard Oak | Historic District Commission | | | |



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 22-018

Agenda Date: 11/7/2022

Agenda #: 2.

LAND USE

Subject/Application:

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

Background:

The purpose for the LUPPW Committee to review the status of Blight issues was to monitor how effective Ordinance #300-012 (rev 1) 300-012 “*An Ordinance Concerning Blight and Public Nuisance for the Town of Ledyard*” was and to see if the Ordinance needed to be adjusted.

Meeting Action Detail:

File #: [22018 <https://ledyardct.legistar.com/LegislationDetail.aspx?ID=5814186&GUID=E2C7069F-CBA6-4209-A4C0-5F8D44613280>](https://ledyardct.legistar.com/LegislationDetail.aspx?ID=5814186&GUID=E2C7069F-CBA6-4209-A4C0-5F8D44613280) Version: 1

Type: Land Use

Title: Continued discussion regarding the progress of enforcing regulations to

Action: No Action

Minute Notes:

The LUPPW Committee noted that the Zoning Official would be providing Blight Reports on a quarterly basis, which would help the Committee determine whether Ordinance # 300-011 (rev.1) “*An Ordinance Concerning Blight and Public Nuisance for the Town of Ledyard*” was continuing to be effective.


LUPPW Cmt Meeting 8/1/2022


File #: [22018](#)


[https://ledyardct.legistar.com/LegislationDetail.aspx?](https://ledyardct.legistar.com/LegislationDetail.aspx?ID=5814186&GUID=E2C7069F-CBA6-4209-A4C0-5F8D44613280)

[ID=5814186&GUID=E2C7069F-CBA6-4209-A4C0-5F8D44613280](https://ledyardct.legistar.com/LegislationDetail.aspx?ID=5814186&GUID=E2C7069F-CBA6-4209-A4C0-5F8D44613280)>

Version: 1

Type: Land Use 

Title: Continued discussion regarding the progress of enforcing regulations to 

Action: No Action 

Minute Note: No Action

Action: No Action

RECEIVED FOR RECORD

2019 OCT 28 AM 11: 10

Ordinance #300-012 (rev-1)

AN ORDINANCE
CONCERNING BLIGHT AND PUBLIC NUISANCE
FOR THE TOWN OF LEDYARD

Section 1. Purpose/Declaration

It is hereby found and declared that there exist in the Town of Ledyard a number of blighted properties and that continued existence of blighted properties constitutes a continuing nuisance and contributes to the decline of our neighborhoods. Existence of blighted properties adversely affects the economic well-being of the Town of Ledyard.

Section 2. Authority

This Ordinance is enacted pursuant to the Connecticut General Statutes (C.G.S.), Section 7-148(c)(7) and Section 14-150a. This Ordinance is to be enforced as a blight ordinance, pursuant to Section 7-148(c)(7)(H)(xv), and as a nuisance ordinance, pursuant to C.G.S. Section 7-148(c)(7)(E).

Section 3. Scope of Provisions

Many of the blighted properties may be rehabilitated, reconstructed, demolished, cleaned up, groomed, maintained, returned to satisfactory condition or reused to provide decent, safe, sanitary housing or commercial facilities. Such rehabilitation, reconstruction, demolition, cleanup or reuse of the blighted and nuisance properties would eliminate, remedy and prevent adverse conditions.

This Ordinance shall apply to the maintenance of all properties now in existence or hereafter constructed, maintained, or modified but shall exclude: agricultural lands as defined in Section 22-3(b) of the Connecticut General Statutes, land preserved in its natural state through conservation easements, or areas designated as inland wetlands and watercourses.

Section 4. Definitions

For the purpose of this Ordinance, the following words, terms and phrases shall have the following meanings, unless the context indicates otherwise:

- A. Legal Occupancy - Occupancy in accordance with state building, state fire, local zoning, or all other pertinent codes and Connecticut General Statutes.
- B. New Owner Or New Occupant - Per PA 12-146(3)(b), "new owner" means any person or entity who has taken title to a property, and "new occupant" means any person who has taken occupancy of a property, within thirty days of the notice, of violation and reasonable opportunity to remediate required by C.G.S. 7-148 (c) (7)(h)(xv).
- C. Dilapidated - Any building or structure or part thereof that would not qualify for a Certificate of Occupancy or which is deemed an unsafe structure as defined in the Connecticut State Building Code, or any dwelling or unit which is designated as unfit or unsafe for human habitation as defined by the Connecticut Health Code.
- D. Abandoned Motor Vehicle or Marine Vessel - Any motor vehicle or marine vessel which has the appearance that the owner has relinquished control without the intent of reclaiming it including but not limited to, a vehicle or marine vessel with no marker plates, or one

E. Abandoned Property - Any real property on which there is a vacant structure and on which (1) real property taxes have been delinquent for one year or more and orders have been issued by the Fire Marshal, Building and Zoning Official or Health District and there has been no compliance with these orders within the prescribed time given by such official or within 90 days, whichever is longer, (2) the owner has declared in writing to the Building and Zoning Official that the property is abandoned or (3) there has been a determination by the Zoning Official, in accordance with this Ordinance, that the vacant structure contributes to blight.

F. Blighted Property -Any building, structure or parcel of land in or on which at least one of the following conditions exists:

1. It is dilapidated as documented by the Building and Zoning Official.
2. It is being used for or used as storage or harbor for illegal activity as documented by the Police Department, including criminal activities per investigations, arrest warrant applications and actual arrest convictions.
3. It is a fire hazard as determined by the Fire Marshal or as documented by the Fire Department.
4. The condition of the building, structure or parcel of land constitutes an unsafe structure as defined by the Connecticut Building Code and poses a serious or immediate danger to the safety, health or general welfare of the community as documented by the Building and Zoning Official or by the Health District.
5. It is not being adequately maintained, as determined by the following factors:
 - a. missing or boarded windows or doors, collapsing or missing walls, roof or floors,
 - b. seriously damaged or missing siding, or the building is otherwise dilapidated,
 - c. a structurally faulty foundation, fire damage, or physical hazards,
 - d. rodent harborage and infestation, improper storage of garbage, trash, rubbish, discarded household appliance or furniture, tires, discarded motor vehicle parts,
 - e. an overgrown plot of grass, customarily tended or mowed, adjacent to and/or part of a residence, business, commercial entity, or estate, wherein the grass has not been mowed and has grown to at least nine inches in length,
 - f. peeling or chipping paint exceeding thirty-three percent (33%) of the structure's total exposed surface area.
6. Any unregistered, abandoned or inoperable motor vehicle or marine vessel located on a parcel of land for a period exceeding 30 days.

Exceptions:

- a. Vehicles or marine vessels under cover. One unregistered motor vehicle or marine vessel being offered for sale by the owner or tenant provided said motor vehicle or vessel does not remain on the same property for a period exceeding 60 days.
- b. Motor vehicles located on a property of a business enterprise lawfully licensed by the Town of Ledyard and Connecticut Department of Motor Vehicles.
- c. Any motor vehicle, which is in operable condition specifically adapted or

- i. Only two such vehicles or vessels shall be allowed at one time on the property in question.
 - ii. Parts used in the restoration must be stored in the vehicle or marine vessel or in a structure.
 - iii. Such motor vehicles or marine vessels shall be covered and secured with a cover or tarp, provided the tarp is securely attached whenever work is not being done on them.
 - iv. The brush and growth under and around the motor vehicle(s) or marine vessel(s) shall be controlled and mowed.
- 7. It creates substantial and unreasonable interference with the reasonable and lawful use and enjoyment of other space within the neighborhood as documented by neighborhood complaints, which complaints have been independently substantiated.
 - 8. Its inadequate maintenance or dilapidated condition has led to the cancellation of insurance on proximate properties.
 - 9. Its inadequate maintenance or dilapidated condition has materially contributed to a decline or diminution in property values on proximate properties.
 - 10. It is adjacent to a sidewalk, for which the property's owner, agent, tenant or responsible person is responsible for maintaining safe conditions for the use of the public pursuant to ordinances and regulations of the Town of Ledyard, and its sidewalk is in any way obstructed by or littered with any substance, including trees, bushes, overgrowth, leaves, gravel, dirt, rubbish, garbage, bulky waste or trash, which would in any way impede or imperil public travel upon said sidewalk or render it unsafe.
 - 11. It attracts or harbors rodents, insects, vermin or disease-carrying animals.
- G. Building and Zoning Official - Building Official as defined in C.G.S., Section 29-260.
 - H. Citation Hearing Committee - The Mayor shall appoint one or more Citation Hearing Officer(s), as defined in and pursuant to C.G.S., Section 7-152c to serve on the Citation Hearing Committee.
 - I. Enforcement Officer - The Enforcement Officer(s) are those authorized by the Mayor to take such enforcement actions and to issue citations as specified in this Ordinance.
 - J. Exempt Property - Any property acquired by the Town of Ledyard through foreclosure, eminent domain, or by a deed in lieu of foreclosure would be exempt from the provisions of this Ordinance only during the first six (6) months following the date of the foreclosure, and any building or structure undergoing remodeling being diligently conducted and pursued under an active building permit would only be exempt during such remodeling period.
 - K. Inoperable Motor Vehicle or Marine Vessel - Any motor vehicle or marine vessel that is incapable of performing the function for which it was designed by virtue of missing parts or broken or severely damaged components.
 - L. Marine Vessel - A ship, boat or other craft used in water navigation
 - M. Motor Vehicle - Any device propelled by any power other than human power that is or was

- N. Neighborhood - An area of the Town of Ledyard comprised of premises or parcels of land any part of which is within a radius of 800 feet of any part of another parcel or lot within the Town of Ledyard.
- O. Public View - Visible from any public right of way or neighboring property.
- P. Sidewalk. Any public way adjacent to streets, highways and those public rights of ways used for vehicular traffic that are used for pedestrian traffic.
- Q. Under Cover Completely enclosed in a garage or other building serving the same purpose of a garage.
- R. Unregistered Motor Vehicle or Marine Vessel Any motor vehicle or marine vessel that in its present condition is able to be registered but does not have a valid registration.
- S. Vacant - A period of sixty (60) days or longer during which a building subject to this Ordinance is not legally occupied. Vacant status in and of itself does not constitute a blighted building.

Section 5. Designation of Blighted Property

- A. The Enforcement Officer(s) shall be responsible for determining whether a property which comes to the attention of the Town, whether through written complaint or through the normal operations of the Town, is blighted according to the definitions in this Ordinance.
- B. The Enforcement Officer(s) shall investigate and document conditions of blight, if any, and file a written report with the Mayor or his/her designee. The Enforcement Officer's report shall state whether or not the property is a blighted property within the meaning of this Ordinance. Such report shall be kept by the Town and may be available to the property owner upon request.

Section 6. Property Owner Notification

- 1. Whenever the Town of Ledyard identifies a blighted premises, written notice of the violation shall be given to the owner and/or the occupant of the property, by posting a notice of the violation in a conspicuous location at the blighted premises, and delivering a copy of the notice of the violation to an owner, either by hand delivery or by mail. Said notice shall specify that the owner or occupant has seven days, from the date notice was posted and mailed, to remediate the blighted conditions, or the Town will take enforcement action. In the case of an unidentified owner or one whose address is unknown, the Enforcement Officer shall publish a notice in a local newspaper stating the property is cited for blight and, if applicable, whether the property has been determined to be abandoned.

The notice shall contain the following information:

- a. The address of the affected property.
- b. The exact nature of the violation.
- c. The time allowed for corrective action shall be in accordance with CGS 7-148.
- d. The penalty for continued violation of this Ordinance.
- e. The availability of a hearing procedure before the Blight Appeals Committee pursuant to CGS 7-152c; and
- f. The penalty for violation of this ordinance shall be \$100 for each day that a violation continues.

3. After the expiration of the seven-day period specified in subsection (A) of this section and without the alternate timetable specified in subsection (B) above, the Town of Ledyard, through its designated agents, may enter blighted premises during reasonable hours for the purposes of remediating blighted conditions, provided neither the Town of Ledyard, nor its designated agents, enter any dwelling house or structure on such property. Costs associated with the remediation of blight may be recovered by the Town in accordance with C.G.S. Section 49-73(b).

Section 7. Creation or Continuation of Blighted Property Prohibited

No person, firm or corporation, no owner, agent, tenant, operator, possessor of real property, and no other person responsible for the care, maintenance and/or condition of real property, shall cause or allow any blighted property, as defined in Section II of this Ordinance, to be created or continued.

Section 8. Enforcement: Criminal Violations And Civil Penalties

- A. Criminal Violations: Pursuant to C.G.S. 7-148 (c) (7) (H) (xv), any person or entity who, after written notice and a reasonable opportunity to remediate blighted conditions as specified in Section 6(A) of this Ordinance, willfully violates Section 4 of this Ordinance, may be fined by the State of Connecticut not more than two hundred and fifty dollars (\$250.00) for each day for which it can be shown, based upon an actual inspection of the property on each such day, the blighted conditions continued to exist after written notice to the owner or occupant, as provided in Section 6 (A). This section is designated as a violation pursuant to C.G.S. 53a-27.
 1. No person or entity shall be found guilty of a violation pursuant to Section 7 (A) and a civil penalty pursuant to Section 7 (B) of this Ordinance for the same occurrence.
 2. Any person who is a new owner or occupant shall, upon request, be granted a thirty-day extension of the notice and opportunity to remediate, provided pursuant to Section 6(A), prior to imposition of a fine; if the blight is remediated during said extension, the case shall be dismissed.
- B. Civil Penalties: Any person or entity who fails to comply with Section 4 of this ordinance, and, thereafter, fails to remediate the blighted conditions within five days of the notice provided pursuant to Section 6 (A) may be assessed a civil penalty for each building, structure or parcel of land in violation of this Ordinance. The amount of the civil penalty shall be one hundred dollars (\$100.00) per day. Each day a building, structure or parcel of land remains in violation of this Ordinance shall constitute grounds for the assessment of a separate civil penalty. The issuing officer shall deliver written notice of the civil penalty, either by hand delivery or by mail, to the owner or occupant responsible for the blighted premises. Said notice will include the nature of the violation and the penalty being assessed.
 1. Penalties assessed pursuant to subsection (B) of this section shall be enforceable by citation pursuant to C.G.S. Section 7-152c.
 2. Persons or entities assessed a penalty pursuant to subsection (B) of this section shall remit fines for said violation within ten (10) days of the mailing of notice thereof. The fine imposed shall be payable to the Town of Ledyard. Uncontested payments received pursuant to this subsection shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of the person or entity making the payment.

Section 9. Civil Penalty Citation Hearing Procedure

- A. Notification of right to hearing. At the time that the civil penalty is assessed, the person

1. that the owner may request a hearing to contest the determination of blight and/or the assessed penalty,
2. that the owner must provide a written request for such a hearing within ten days of the date of notification,
3. that if the property owner does not demand such a hearing, an assessment and judgment shall be entered against the property owner
4. that the judgment may be issued without further notice.

B. Rights of the Respondent

1. Admission of Liability. If the property owner who is sent notice pursuant to subsection (A) above wishes to admit liability for any alleged violation, the owner may, without requesting a hearing, pay the full amount of the fines, penalties, costs or fees admitted to in person or by mail in accordance with Section 7 (A) (2) above and remediate the blighted property. Payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of the property owner making the payment.
 2. Constructive Admission of Liability. Any person or entity who fails to deliver or mail written demand for a hearing within ten days of the date of the first notice provided for in subsection A above shall be deemed to have admitted liability, and the Citation Hearing Board shall certify the property owner's failure to respond to the Citation Hearing Board. The Citation Hearing Board shall thereupon enter and assess the fines, penalties, costs or fees provided for in this ordinance including per diem penalties retroactive to the original date of expected remediation as specified in Section 6(A) and shall follow the procedures set forth in Section 8 (C) of this ordinance.
 3. Right to Hearing. Any person or entity who requests a hearing shall be given written notice of the date, time and place for the hearing. The hearing shall be held not less than fifteen days, nor more than thirty days, from the date of the mailing of notice, provided, the Citation Hearing Board may grant, upon good cause shown, any reasonable request by any interested party for continuance.
- C. Formal Hearing Procedure. The Citation Hearing Officer shall preside over a hearing which shall be held in the manner outlined in Connecticut General Statutes, Section 7-152c. The Citation Hearing Officer shall render the decision in writing and file it within five days with the Enforcement Officer, the Mayor, and send it by certified mail, return receipt requested, to the property owner or other responsible person and to all parties in the proceedings. The Citation Hearing Officer may decide one of the following:
1. Dismissal. If the Citation Hearing Officer determines that the respondent is not liable, the Citation Hearing Officer shall dismiss the matter, and enter the determination in writing.
 2. Finding of Liability: Assessment. If the Citation Hearing Officer determines that the respondent is liable for the violation, the Citation Hearing Officer shall enter and assess the fines, penalties, costs or fees against the respondent, as provided by the Section 7 (A) including per diem penalties retroactive to the expected date of remediation as set forth in Section 5 (A).

D. Notice of Assessment; Effect.

1. Assessments must be paid to the Town of Ledyard within 10 days of receipt of the Citation Hearing Officer's determination.

judicial district civil courthouse), together with the appropriate entry fee. The certified copy of the notice of assessment shall constitute a record of assessment. Within the twelve-month period, assessments against the same person may be accrued and filed as one record of assessment.

- a. Entry of judgment. The court clerk shall enter judgment in the amount of the record of assessment, and court costs, allowed by the General Statutes, in favor of the Town pursuant to C.G.S. 7152(c).
 - b. Effect of judgment; levy of execution permitted. Notwithstanding any provision of the General Statutes, the Citation Hearing Officer's assessment, when so entered as a judgment, shall have effect of a civil monetary judgment, and a levy of execution on the judgment may issue without further notice, to the respondent.
- E. A decision of the Citation Hearing Officer may be appealed to Superior Court in accordance with the provisions of C.G.S., Section 7-152c(g).

Section 10. Failure to Respond to Citation

- A. If the property owner, agent, tenant or responsible person fails to respond to the citation of blight or is unwilling or unable to rehabilitate, demolish, groom, or maintain the blighted property according to the provisions of this Ordinance, the Town may:
1. Take the necessary steps to acquire blighted properties, which have been certified by the Building and Zoning Official to be abandoned pursuant to the Urban Homestead Act of the Connecticut General Statutes.
 2. Take the necessary steps to acquire and rehabilitate the blighted premises in accordance with the Town of Ledyard Plan of Conservation and Development.
 3. Take the necessary steps to acquire blighted properties using other state or federal means as they may be available.

Section 11. Removal of Abandoned, Inoperable or Unregistered Motor Vehicles

For all properties declared blighted properties within the meaning of this Ordinance as a result of the presence of an abandoned, inoperable or unregistered motor vehicle, which blighted condition has remained in effect for thirty (30) days or which motor vehicle has remained abandoned, inoperable or unregistered on site for thirty (30) days after:

1. Notice by hand delivery or by certified mail, return receipt requested, to the last known address of the owner of the property on which such motor vehicle remains, or the owner of the abandoned motor vehicle, if different from the owner of the property requesting the removal of such motor vehicle; and
2. Notice in a newspaper having a general circulation in the Town of Ledyard.

The Chief of Police may provide for the removal and storage of said motor vehicle or parts thereof. The costs of the removal and storage of said motor vehicle or parts thereof and the costs of notices shall be borne by the owner of the property from which the motor vehicle or parts thereof are removed or, if the owner of the property is not the owner of the abandoned motor vehicle, by the owner of the abandoned motor vehicle.

Any motor vehicle that is removed pursuant to this Ordinance may not be returned to the same property unless it has been made operable and has been registered.

If the costs of the removal and storage of the motor vehicle remain unpaid for a period of thirty (30) days, the Chief of Police may and shall remove the vehicle.

Ledyard at least ten (10) days prior to said auction date. The proceeds of such sale will be used by the Chief of Police to defray the costs of removal, storage and notice. If there should be any money left over after the payment of said costs, the excess proceeds shall be turned over to the owner of the property involved, or if the owner of the property is different from the owner of the abandoned motor vehicle, or if neither property is known, said funds shall be deposited in the General Fund of the municipality.

Any person aggrieved by a notice requesting the removal of a motor vehicle or by the removal of same may, within 15 days of receipt of notice, appeal said ruling to the Citation Hearing Officer. Said appeal shall be heard and appeals may be taken from any such hearing in accordance with the procedures as set forth in the C.G.S., Section 7152c.

Section 12. Collection of Fines Imposed and Costs Incurred

- A. All fines imposed for violation of this Ordinance shall be payable to the Town of Ledyard and deposited in the General Fund.
- B. Upon petition of the property owner, the Town Council may waive and release the penalties and liens (excluding motor vehicle violations) if:
 - 1. The Town of Ledyard acquires the property; or
 - 2. At the time of the sale of the blighted property, in the Town Council's opinion, the buyer has the financial ability and intention and has indicated in writing to the Town Council his, her, or its intent to immediately rehabilitate the blighted property. Failure to rehabilitate the blighted property, within the agreed upon timeframe will result in reinstatement of the previous penalties and liens as well as accrual of additional penalties and liens from the date of the waiver.
- C. Pursuant to C.G.S., Section 7-148aa, any unpaid fine imposed pursuant to this Ordinance shall constitute a lien upon the real estate against which the fine was imposed from the date of such fine. In addition, pursuant to C.G.S. 49-73, any expenses incurred by the Town pursuant to this Ordinance shall be subject to a lien. Said lien may be foreclosed upon and enforced in the same manner as property tax liens. The Town of Ledyard Tax Collector is hereby empowered to place a lien on the land records in the manner as specified by Connecticut General Statutes provided a copy of said lien is mailed by first class mail to the owner as set forth on the most recent tax assessment list.

Section 13. Municipal Abatement

In any action to enforce this Ordinance or to enforce any violation hereof, including the failure to pay a fine or penalty, the Town of Ledyard may recover its costs, any and all fines provided for herein, equitable and legal relief, along with any reasonable attorney fees and its witness fees and such other relief as permitted by law.

Section 14. Administrative Responsibility

The Enforcement Officer(s) may prescribe administrative procedures necessary for the purpose of effectuating this Ordinance, which procedure shall be approved by the Town Council.

Section 15. 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 16. Violation

Section 17. Effective Date

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

Amended, Adopted and by the Ledyard Town Council on: October 23, 2019

Linda C. Davis
Linda C. Davis, Chairman

Fred Allyn, III
Fred Allyn, III, Mayor

Approved/Disapproved on: 10/24/2019

Published on: October 31, 2019

Effective Date: November 21, 2019

Patricia A. Riley
Patricia A. Riley, Town Clerk

Revision: Ordinance #130 "*Town of Ledyard Blight Ordinance*" Adopted March 12, 2013.

History: The Twenty-fourth Town Council (2017- 2019) Ordinance Update Initiative: Renumbered Ordinance #130 "*Town of Ledyard Blight Ordinance*" to Ordinance #300-012. No changes were made to the Ordinance (Town Council September 25, 2019 meeting).

2013: Ordinance #130 "*Town of Ledyard Blight Ordinance*" was adopted after several years of work and debate. The intent of the Ordinance is to protect property values by providing the town with another tool to deal with problem properties in town, such as foreclosed properties/bank owned properties that have not been maintained for years. The Ordinance provides the town with a tool to request the bank mow the grass, trim the hedges, etc., because the neighbors are affected by the unmaintained property. The Ordinance also enabled the Town to request certain commercial and industrial properties be cleaned up and be maintained. The intent of the Ordinance is not intended to cause conflict between neighbors.

2019: The "*An Ordinance Concerning Blight and Public Nuisance for the Town of Ledyard*" was a complete rewrite of the Town of "*Ledyard Blight Ordinance*", to more clearly define the intent.



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 22-019

Agenda Date: 11/7/2022

Agenda #: 3.

LAND USE

Subject/Application:

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

Background:

On May 22, 2007 the Townspeople approved to a land swap with the Mashantucket Pequot Tribal Nation as follows:

- The Town gave the MPTN Indiantown Park (119 Indiantown Road)
- The MPTN gave the Town Clark Farm

The signing of the land swap took place on September 4, 2007.

Since that time the Town has entered to a Lease Agreement with Mr. Majcher to farm a portion of the Clark Farm.

The Town renewed a Lease with Mr. Majcher in 2021. He noted the term of the Lease was *five years* and that the Tenant agreed to pay rent in the amount of *\$80 per acre for 20.29 acres* located on the parcel at *1025 Colonel Ledyard Highway, total payment of \$1,623.20 per year for designated area*. The rent was being paid on an annual basis and that the Lease was expanded to include an additional 5.30 acres located on the west side of the Joe Clark Brook.

The reason Mr. Majcher requested increasing the term of his lease from one (1) year to five (5) years was because he was looking to grow hay instead of silage corn because the market for corn was declining.

Mr. Majcher has been leasing 18.70 acres at 1025 Colonel Ledyard Highway on the east side of the Joe Clark Brook at a rate of \$80.00 per acre. He stated in addition to increasing the term of the Lease that Mr. Majcher had also requested leasing about 5.03 acres on the west side of Joe Clark Brook for a total of approximately 24 acres.

Because of the work to farm the west side of the Brook involved bush hogging to clear and prepare the land for planting that it would take about two - three years before there would be any hay production. Therefore, the “*Lease Amendment Agreement*” included language to address the land on the west side of the Joe Clark Brook relative to the needed improvements to cross the brook and to delay rent on the land on the west side of the Brook unit it was ready for farming. Eversouce has since cleared the area on the west side of the Joe Clark Brook for the installation of the High-Tension Power Lines, which has helped Mr. Majcher with his planting of crops.

The northern part of the Tri-Town Trail (Bluff Point to Preston Plains Park) runs along the Clark Farm as well.

Background:**Meeting Action Detail:****LUPPW Cmt Meeting 9/19/2022**

File #: [22019 <https://ledyardct.legistar.com/LegislationDetail.aspx?ID=5814186&GUID=E2C7069F-CBA6-4209-A4C0-5F8D44613280>](https://ledyardct.legistar.com/LegislationDetail.aspx?ID=5814186&GUID=E2C7069F-CBA6-4209-A4C0-5F8D44613280) Version: 1

Type: Land Use

Action: No Action

Minute Note:

Chairman Dombrowski stated the Lease for a portion of the Clark Farm with Mr. Majcher was scheduled to expire in 2026.

Councilor Rodriguez questioned the town's liability if an Organization such as *The Arc of Eastern Connecticut* was leasing town property to grow produce and they had an issue such as an e-coli breakout. Chairman Dombrowski stated the Organization leasing the property would bare the liability, not the town.

Action: No Action (Continue)

LUPPW Cmt Meeting 8/1/2022

File #: [22019 <https://ledyardct.legistar.com/LegislationDetail.aspx?ID=5741900&GUID=1D385F0B-B766-4FE6-9094-44797DE5F972>](https://ledyardct.legistar.com/LegislationDetail.aspx?ID=5741900&GUID=1D385F0B-B766-4FE6-9094-44797DE5F972)

Version: 1

Type: Land Use

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

Councilor Rodriguez noted New Business Item #2 on tonight's agenda regarding Mr. Sean Moriarty's "*Ledyard Garden*" proposal. She questioned whether there were any restrictions on the Clark Farm that would require the property to revert back to its original owners if the town were to sell a portion of the property.

Chairman Dombrowski provided some background explaining on September 4, 2007 the Town and the Mashantucket Pequot Tribal Nation signed documents for a land swap regarding the following properties for the consideration of \$1.00:

- Town gave the MPTN Indiantown Park (119 Indiantown Road)

- MPTN gave the Town the Clark Farm(1025 Colonel Ledyard Highway)

Chairman Dombrowski stated the townspeople approved the land swap on May 22, 2007 via the voting machines. He stated currently the Town was leasing a portion of the Clark Farm to Mr. Walter Majcher to grow hay. He stated that he was not aware of any such land restrictions that Councilor Rodriguez was asking about.

Action: [No Action \(Continue\)](#)

LEASE AMENDMENT AGREEMENT

THIS AGREEMENT made this _____ day of _____ between the Town of Ledyard, (Landlord) a municipal corporation situated in the County of New London and State of Connecticut (address: 741 Colonel Ledyard Highway, Ledyard, Connecticut 06365) and Walter Majcher (Tenant) of 188 Brickyard Road, Town of Preston, State of Connecticut, situated in the County of New London and State of Connecticut.

Property Description - The Landlord hereby leases to the tenant, to occupy and use for agriculture and related purposes the property located at 1025 Colonel Ledyard identified as A-8.1-F1 and A-12.1-F2 consisting of approximately 24.00 acres situated in Ledyard, Connecticut. 18.70 acres are located on the east side of Joe Clark Brook, while an additional 5.30 acres are located on the west side of Joe Clark Brook. (See attached map, "Addendum A"). Herein, the "Leased Premises".

Term of Lease - The provisions of this agreement shall be in effect for five (5) years commencing on the _____ day of _____, 2021 and ending on _____, 2026. This five-year lease shall continue to be in effect thereafter unless written notice of termination is given by either party to the other at least-ninety (90) days prior to expiration of this lease or the end of any year of continuation.

Review of Lease - A written request is required for general review of the lease or for consideration of proposed changes by either party, at least sixty (60) days prior to the final date for giving notice to terminate the lease as specified above.

Partnership - It is particularly understood and agreed that this lease shall not be deemed to be, nor intended to give rise to a partnership relation between the Landlord and Tenant.

Transfer of Property - If the Landlord should sell or otherwise transfer title to the leased premises, such action will be done subject to the provisions of this lease.

Right of Entry - The Landlord, as well as agents and employees of the Landlord, reserve the right to enter the property at any reasonable time to (a) consult with the Tenant; (b) make repairs, improvements, and inspections; and (c) (after notice of termination of the Lease is given) do tilling, seeding, fertilizing, and any other customary seasonal work, none of which is to interfere with the Tenant in carrying out regular operations.

No right to sublease – The Landlord does not convey to the Tenant any right to lease or sublet any part of the Leased premises or to assign the Lease to any person or persons whomsoever.

Use of land - The land shall be used for agricultural purposes only. If it is impractical to farm the entire Leased premises, that portion of the land not used for farming shall be maintained to include regular mowing and brush removal. It is agreed the Tenant shall provide the labor necessary to maintain the leased premises during the Lease term and any renewal thereof, in as good condition as it was at the Lease commencement. Normal wear, depreciation and damage beyond the Tenant's control are expected. Tenant shall use diligence to prevent noxious weeds from going to seed on the Leased premises. Treatment of noxious weed infestation shall be in accordance with generally accepted farm practice for the State of Connecticut. The Tenant shall control soil erosion in accordance with an approved conservation plan and shall keep in good repair all terraces, open ditches, inlets and outlets of drains, preserve all established watercourses or ditches including grassed waterways; and refrain from any operation or practice that will injure or destroy such structures. Prior to application, the Tenant shall provide a list of fertilizers, pesticides, herbicides or other "agents" applied to the soil.

Structures – The Lease does not include the use of any structure currently standing on the property. The Tenant agrees not to erect or permit to be erected on the property any non-removable structure or building or add any electrical wiring, plumbing to any free-standing structure without the prior written consent of the Landlord.

Improvements – The Landlord agrees to allow the Tenant to make minor improvements of a temporary or removable nature which do not mar the condition or appearance of the Leased premises such as cutting brush to enable crossing the brook to access the lot on the west side of said brook. Improvements would be made at the at the Tenant's expense and in accordance with the Town's required permitting process and Land Use approvals.

Obligation – Neither party hereto shall pledge the credit of the other party hereto for any purpose whatsoever without the prior written consent of the other party. Neither party shall be responsible for debts or liabilities incurred, or damages caused by the other party.

Insurance – At all times during the Term of this Lease, the Tenant shall, at its sole cost and expense, procure and maintain for the benefit of itself and the Town, sufficient insurance meeting the Town's requirement of \$1,000,000.00 general liability. The Town shall be named as an additional insured and a certificate of insurance displaying compliance with said requirements shall be provided to the Town prior to Tenant commencement of use of the Leased premises.

Rent – The Tenant agrees to pay rent in the amount of \$80 per acre for 18.70 acre parcel on the east side of Joe Clark Brook and located on 1025 Colonel Ledyard Highway, total payment of \$1,496.00 per year for designated area. No rent shall be due

on the 5.30 acre parcel located on the west side of the Joe Clark Brook until such time the land is made suitable for farming purposes by the Tenant; at which time the total rent payment for the rent due would be adjusted. Rent shall be due on the date of the signing of this Lease and yearly thereafter on the anniversary of the Lease signing.

TENANT AND LANDLORD HEREBY CONSENT AND AGREE TO ALL OF THE TERMS AND CONDITIONS NAMED ABOVE.

TOWN OF LEDYARD

Witness

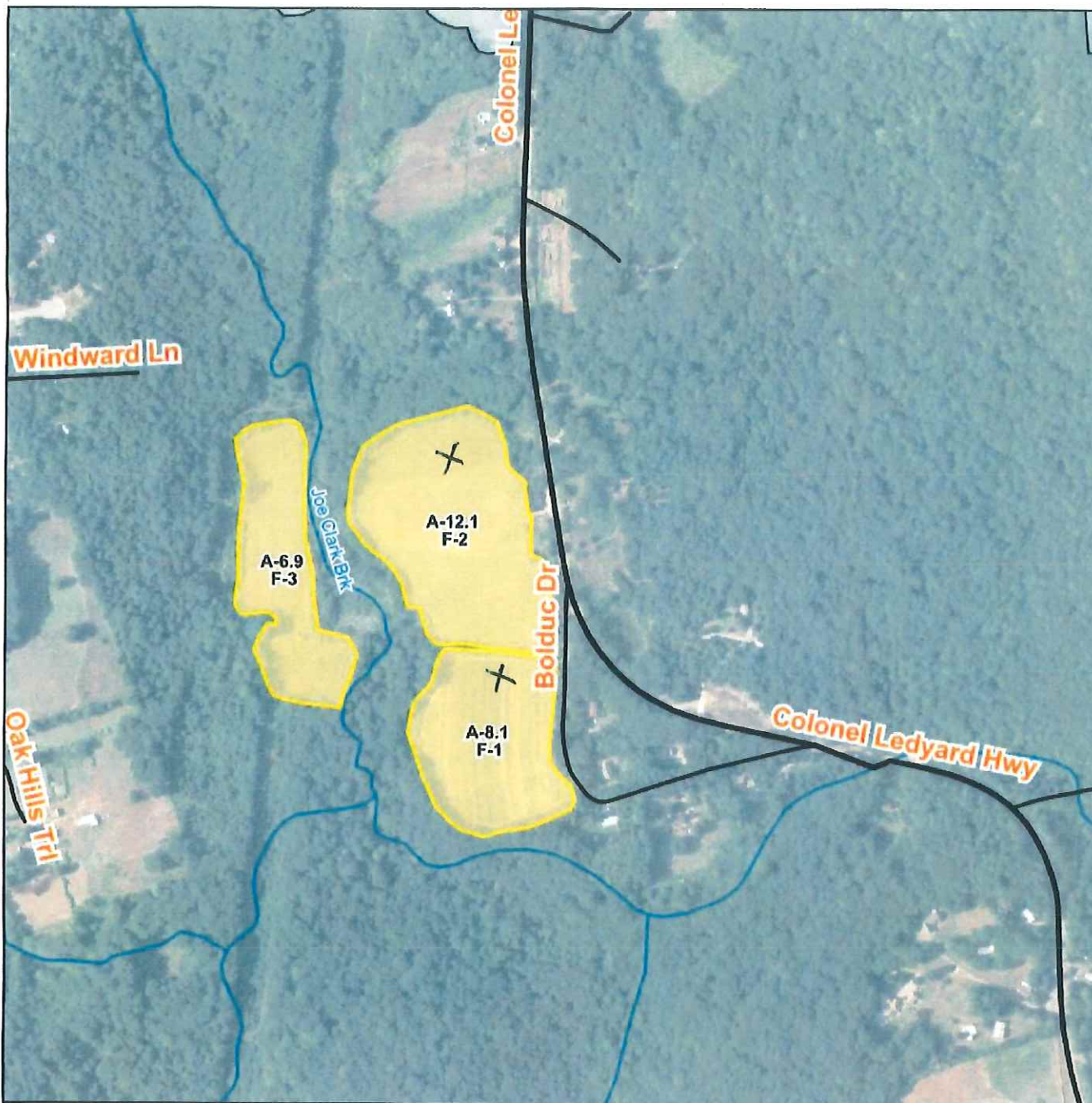
By _____
Fred B. Allyn, III, Mayor

Witness

By _____
Walter Majcher, Tenant

ADDENDUM A (Leased Premises)





Acreage Reporting Form

MAJCHER, WALTER G
 188 Brickyard Rd -
 Preser CT 06365
 Crop Year: 2017

CLARK FARM

NEW LONDON, CT
 please call me at
 860-367-6645

FN:238, T:260

CT-951-598286

Hi I would still like to lease the Clark Farm. I need to drop my lease on property at 1087 Colonel Ledyard Highway do not have a market for the crop on this property. But need to add just the acreage on the Clark Farm

Remarks:
 Property would like to lease for 2018 crop year. marked with an X
 Field F-1 A-8.1 (8.1 acres)
 Field F-2 A-12.1 (12.1 acres)
 Total of 20.2 acres.
 Property across Joe Clark Bk cannot use due to wetlands this makes up the additional
 Total acreage of the property F-3 A-6.9 + wetlands.

INSTR # 2007003225
VOL 00446 PG 0596
RECORDED 09/04/2007 12:56:16 PM
CALVIN K. BROUWER
TOWN CLERK LEDYARD CT
NO CONVEYANCE TAX

Warranty Deed

**TO ALL MEN TO WHOM THESE PRESENTS SHALL COME,
GREETING:**

KNOW YE, THAT THE TOWN OF LEDYARD, a municipal corporation located in New London County in the State of Connecticut, for the consideration of **ONE (\$1.00) DOLLAR** and other valuable consideration received to its full satisfaction of **THE MASHANTUCKET PEQUOT TRIBAL NATION**, a federally recognized American Indian Tribe of the Town of Mashantucket, County of New London and State of Connecticut, (Mailing Address: 2 Matt's Path, Mashantucket, Connecticut 06338) does hereby grant, bargain, sell and confirm unto the said **MASHANTUCKET PEQUOT TRIBAL NATION**, a certain tract or parcel of land located in the Town of Ledyard, County of New London and State of Connecticut, known as **119 Indiantown Road**, more particularly described in Schedule A, attached hereto and made a part hereof.

TO HAVE AND TO HOLD the above granted and bargained premises, with the appurtenances thereof, unto it the said grantee its successors and assigns forever, to its and their own proper use and behoof.

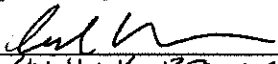
AND ALSO, the said grantor does for its successors and assigns, covenant with the said grantee its successors and assigns, that at and until the ensembling of these presents it is well seized of the premises, as a good indefeasible estate in **FEE SIMPLE**; and has good right to bargain and sell the same in manner and form as is above written; and that the same is free from all encumbrances whatsoever, except as hereinbefore mentioned.

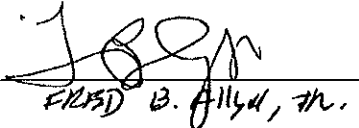
AND FURTHERMORE, the said grantor does by these presents bind itself and its successors and assigns forever to **WARRANT AND DEFEND** the above granted and bargained premises to its the said grantee, its successors and assigns, against all claims and demands whatsoever, except as hereinbefore mentioned.

IN WITNESS WHEREOF, Grantor has hereunto set its hand and seal this 4th day of September, Two Thousand and Seven.


Signed, Sealed and Delivered
in presence of:

THE TOWN OF LEDYARD



CALVIN K. BROUWER


FRED B. ALLEN, JR.

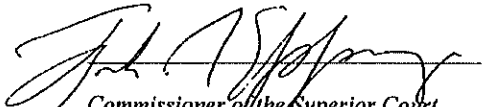


By: SUSAN B. MENDENHALL
Its Mayor
Duly Authorized

STATE OF CONNECTICUT
COUNTY OF NEW LONDON

Ss: MASHANTUCKET
LEDYARD September 4, 2007

On this the 4th day of September, 2007, before me, the undersigned officer, personally appeared SUSAN B. MENDENHALL, who acknowledged him/herself to be the MAYOR of the Town of Ledyard, and that he/she as such MAYOR, being authorized to do so, executed the foregoing instrument for the purposes therein contained.



Commissioner of the Superior Court
Notary Public FRANK N. ESPINO
My commission expires _____

BROWN JACOBSON P.C.

190337 Warranty Deed - Ledyard/MPTN

ATTORNEYS AT LAW
22 COURTHOUSE SQUARE P.O. BOX 361 NORWICH, CONNECTICUT 06360-0361
JURIS # 06537 (860) 889-3321

SCHEDULE A

A certain tract or parcel of land being situated in the Town of Ledyard, County of New London and State of Connecticut and bounded and described as follows:

Beginning at the Southwesterly corner of said tract at the corner of land now or formerly of Thomas Main and adjoining Pequot Indian Land, so-called;

Thence running Northerly by said Pequot Indian land and land now or formerly of Charles Stanton about 125 rods;

Thence Easterly by land now or formerly of Elias R. Maine 173 rods to the corner of land formerly of said Stanton and formerly of said Thomas Main;

Thence Southerly by the Easterly side of the public highway by the stone wall to land formerly of said Thomas Main;

Thence Westerly by said Main land about 35 rods;

Thence Northwesterly by land formerly of said Thomas Main about 15 rods to a heap of stones on the wall;

Thence Westerly by land formerly of Thomas Main to the place of beginning, containing about 95 acres of land, more or less.

Reference is made to a Warrantee Deed dated May 27, 1960 recorded in Volume 32, Page 476 of the Ledyard Land Records.

INSTR # 2007003224 VOL 00446 PG 0594 RECD 09/04/2007 12:44:26 PM
CALVIN K. BROUNER TOWN CLERK LEDYARD CT
NO CONVEYANCE TAX

Warranty Deed

**TO ALL MEN TO WHOM THESE PRESENTS SHALL COME,
GREETING:**

KNOW YE, THAT the MASHANTUCKET PEQUOT TRIBAL NATION a/k/a the MASHANTUCKET PEQUOT TRIBE, a federally recognized American Indian Tribe of the Town of Mashantucket, County of New London and State of Connecticut, for the consideration of **ONE (\$1.00) DOLLAR** and other valuable consideration received to its full satisfaction of **THE TOWN OF LEDYARD**, a Municipal Corporation located in New London County in the State of Connecticut, (Mailing Address: 741 Colonel Ledyard Highway, Ledyard, Connecticut 06339) does hereby grant, bargain, sell and confirm unto the said **TOWN OF LEDYARD** a certain tract of parcel of land, located in the Town of Ledyard, County of New London and State of Connecticut, known as Clark Farm Road, more particularly described in Schedule A, attached hereto and made a part hereof.

TO HAVE AND TO HOLD the above granted and bargained premises, with the appurtenances thereof, unto it the said grantee its successors and assigns forever, to its and their own proper use and behoof.

AND ALSO, the said grantor does for its successors and assigns, covenant with the said grantee its successors and assigns, that at and until the ensealing of these presents it is well seized of the premises, as a good indefeasible estate in **FEE SIMPLE**; and has good right to bargain and sell the same in manner and form as is above written; and that the same is free from all encumbrances whatsoever, except as hereinbefore mentioned.

AND FURTHERMORE, the said grantor does by these presents bind itself and its heirs, and assigns forever to **WARRANT AND DEFEND** the above granted and bargained premises to it the said grantee, its successors and assigns, against all claims and demands whatsoever, except as hereinbefore mentioned.

IN WITNESS WHEREOF, Grantor has hereunto set its hand and seal this 4th day of September, Two Thousand and Seven.

*Signed, Sealed and Delivered
in presence of:*

Mashantucket Pequot Tribal Nation

Kenneth M. Reels
KENNETH M. REELS
Charles Sones
CHARLES SONES

Michael J. Thomas
By: MICHAEL J. THOMAS
His CHAIRMAN
Duly Authorized

STATE OF CONNECTICUT
COUNTY OF NEW LONDON

ss: Mashantucket September 4, 2007

On this the 4th day of September, 2007, before me, the undersigned officer, personally appeared Michael J. Thomas, who acknowledged him/herself to be the Chairman of the Mashantucket Pequot Tribal Nation, and that he/she as such Chairman being authorized to do so, executed the foregoing instrument for the purposes therein contained.

Henry Jacobson
HENRY JACOBSON
Commissioner of the Superior Court
Notary Public
My commission expires _____

190338 - Warranty Deed - MPTN/Ledyard
BROWN JACOBSON P.C.
ATTORNEYS AT LAW
22 COURTHOUSE SQUARE P.O. BOX 391 NORWICH, CONNECTICUT 06360-0391
JURIS # 06537 (860) 889-3321

SCHEDULE A

A certain tract or parcel of land, with the buildings thereon, situated on the westerly sides of Colonel Ledyard Highway and Bolduc Drive (the old Poquetanuck-Ledyard Center Road), in the Town of Ledyard, County of New London and State of Connecticut, bounded and described as follows:

Beginning on the westerly line of Colonel Ledyard Highway at the southeasterly corner of land now or formerly of Edwin H. and Edna J. Christensen and running thence westerly by said Christensen land and land now or formerly of Karl M. and Susan P. Wirmann to land now or formerly of A. Gilbert Hagen; thence southerly to said Hagen land to a point then easterly by said Hagen land and land now or formerly of Earl B. Geer to land now or formerly of Elroy J. and Rosa Anna Bolduc; thence northerly, easterly, northerly and easterly by said Bolduc land to land now or formerly of Katherine Wojtkiewicz; thence easterly by said Wojtkiewicz land to the westerly line of Bolduc Drive; and thence northerly by the westerly line of said Bolduc Drive and the westerly line of Colonel Ledyard Highway to the point of beginning.

Subject to the following easements:

Easements from Joseph A. Clark and Fannie L. Clark to the Eastern Connecticut Power Company dated December 7, 1917 and recorded in Volume 12, page 158, and December 14, 1918 and recorded in Volume 12, page 211 of the Ledyard Land Records.

Easement from Joseph A. Clark and Fannie M. Clark to the Connecticut Light and Power Company dated September 19, 1951 and recorded in Volume 21, page 219 of the Ledyard Land Records.

Subject also to the following:

Zoning and building restriction, ordinances, and regulations now or hereafter adopted by said town, village, municipality, or other governmental authority having jurisdiction of the premises or any part thereof.

Covenants, restrictions, declarations, easements, and agreements, if any, of record.

Together with and subject to a reservation to discharge water as stated in deed dated April 9, 1936 and recorded in Volume 16, page 147 of the Ledyard Land Records.

Said parcel is shown on maps recorded in the Land Records of the town of Ledyard as #1390 and #1391 entitled "MAP SHOWING PROPERTY OF THE 1025 GROUP RT 117 COLONEL LEDYARD HWY LEDYARD, CONNECTICUT date 11-14-87 scale 1" = 100' sheets 1 of 2 and 2 of 2 STRAUSS ENGINEERING ASSOCIATES, Inc., Avon, Connecticut".

Reference is made to the quit claim deed from Federal Deposit Insurance Corporation as Receiver of New England Savings Bank to Mashantucket Pequot Tribe dated August 23, 1994 and recorded August 25, 1994 in Volume 245, page 375 of the Ledyard Land Records.

Section 5. Expiration

This Ordinance shall remain in effect only until September 30, 2022, and as of that date is repealed, unless a later enacted ordinance, enacted prior to September 30, 2022, deletes, extends or amends that date.

Moved by Councilor Jones, seconded by Councilor Wadecki
Discussion: Councilor Jones noted that a Public Hearing regarding the proposed Ordinance was held earlier this evening. He provided a recap of the purpose of the proposed ordinance and he stated that it would provide a property tax exemption just for the investment in the renewable energy source itself and not for the property or structure that it may be mounted on. He stated that the ordinance is structured to last fifteen years unless the legislative body of the town acts to cancel it sooner, or renew it. Councilor Williams stated that he would not support the proposed tax exemption ordinance being considered this evening because he believes that we need to be investing in nuclear energy and not on things that have not been proven to work. However, he stated that he admires those who are investing in alternative energy. Councilor Wadecki stated that providing a tax exemption to those who are willing to try to help this country save energy is an inexpensive way to reward them for the money they have spent. She stated that regardless of what we think they should be using to supplement their energy consumption that these residents are not using as much fossil fuel as the rest of us are using. Councilor Davis stated that these alternative energy structures do not add value to your property; therefore, she stated that it should not increase their property taxes. She stated that she would support the proposed ordinance being considered tonight. Councilor Johnson stated that it is great that people make an investment in alternative energy sources and he noted that Mr. Cohen showed his electric bill, which had a charge of 0.00, at the Public Hearing that was held earlier this evening. He stated that he would support the proposed ordinance.

VOTE:

8 – 1 Approved and so declared (Williams not in favor)

4.

MOTION to appropriate \$9,000 from—Account 001-001-090-0190 (Council Contingency) to account 001-0020-120-000 (Auditor's Fee) for additional costs.

Moved by Councilor Jones, seconded by Councilor Wadecki

Discussion: Councilor Jones stated that initially the request to pay for these additional fees was for \$15,000. However, he explained that the Finance Committee met with Mr. Centofanti of Kostin Ruffkess concerning these fees. He stated that the Finance Committee was not pleased with the lack of specificity of the bills. He stated that the Finance Committee concedes that they are not going to be able to recreate detail that was not recorded at the time, and that the bills need to be paid. He stated that they have reached an agreement with the Auditor that going forward the town will expect that the Auditor will clearly notify the Finance Director of any work that needs to be done outside the scope of the regular audit work so that the town will have an opportunity to decide if they want the Auditor to perform that work. He stated that the General Government owes Kostin Ruffkess \$9,000 for work that was over and above what should have been done to get the audit done. Councilor Wadecki stated there were several reasons why work beyond the scope of the regular audit was needed, and she stated that it was not all on the General Government side. She stated that the Auditor was able to break the bills out between the General Government, Board of Education, and WPCA. She stated the Finance Committee made it very clear that the town would not continue to pay bills that were not itemized.

VOTE:

9 – 0 Approved and so declared

General Items

5. MOTION to authorize the Mayor to sign the "Land Exchange Agreement" as contained in the draft dated November 27, 2006, concerning the Town of Ledyard owned property commonly known as Indian Town Park located at 119 Indiantown Road and the Mashantucket Pequot Tribe owned property commonly known as Clark Farm located 1025 Colonel Ledyard Highway.

Moved by Chairman Allyn, seconded by Councilor Champagne Discussion: Chairman Allyn stated that the Land Exchange Agreement calls for due diligence for both parties. He stated that the goal is to include the question of the land exchange on the annual budget referendum in May. He stated that the timeline to accomplish that goal dictates that the process must get started for both parties to conduct their due diligence prior to the town meeting and the referendum. He stated that by authorizing the Mayor to sign the Agreement does not bind the Town to anything, and that the Agreement contains escape clauses for both parties. He continued to explain that the Town Clerk is researching whether this item can appear on a referendum. Councilor Jones noted that the Agreement was drafted in November 2006, and therefore, it would need to be re-dated, however, he noted that in Paragraph 9 there is a place for a date, and he questioned what that date should be? Councilor Davis stated that it was her understanding that the blank should be "the closing date". Councilor Wadecki questioned whether they should be making changes to a document that the Town Attorney drafted and that has been agreed upon by the parties. She also questioned whether the Mashantucket Pequot Tribe has voted to sign the agreement. Chairman Allyn responded stating that the Town Council or the Town have not voted on the Agreement, however, he stated that the Mashantucket Pequot Tribe has been polled and they did want to sign the Agreement. Councilor Wadecki expressed concern that the questions that were asked a year ago have not been answered and she noted that the LUPPW Committee reported earlier this evening that several questions remain to be answered before the town meeting/referendum is held. She stated that without the answers to these questions that she would not be able to vote on this matter. Councilor Jones agreed that the answers need to be provided to our citizens before the townspeople are asked to vote on this matter, however, he stated that to make the May 2007 referendum that they do need to get the process started to begin due diligence, and he noted that the Land Exchange Agreement provides sixty (60) days for this to occur. Councilor Johnson stated that he continues to have concerns regarding the annexation issue, if the Mashantucket Pequot Tribe desires to annex the land after the swap. He stated that by not opposing annexation now that the Town might lose the next round in the future. He stated that he strongly disagrees with Perkins Coie Attorney Bauer's letter dated June 6, 2006 in which he stated that it would not have an effect on future court cases. He stated that you do not know what a judge will rule on any given day. Councilor Graebner stated that she wants the town to have the opportunity to vote on this matter, however, she stated that she was hesitant to make this recommendation tonight because they have still do not have the answers to the questions that were asked a year ago. Councilor Davis noted that the answers to the questions were not substantive. Councilor Williams stated that he agreed that the town should have the opportunity to vote on this matter. Councilor Champagne requested clarification stating that they would be voting to authorize the Mayor to sign the Agreement with the following stipulations:

- (a) The dates throughout the agreement be updated; and
- (b) Paragraph 9 be revised as follows:
 - 9. In the event that either party, upon examination, finds that the title to the premises said party is to receive is not good and marketable, the respective party shall, prior to the closing date ~~2006~~ deliver written notice to the conveying party of the particular defects encountered, and the closing, if necessary, shall be postponed for thirty (30) days. During the period prior to closing, the conveying party may endeavor, at said conveying party's expense, to cure the defects of which notice has been given. If, at the said time of closing, the conveying party is unable to convey good or marketable title, the receiving party shall have the option of:
 - (A) Accepting such title as the conveying party can then convey without change in the purchase price; or
 - (B) Declare an unwillingness to accept such title, whereupon this agreement shall terminate, and all rights of the parties hereunder shall terminate and cease.

It is agreed that no matter shall be construed as an encumbrance or defect in title unless the same shall be so construed under the Standards of Title of the State Bar Association of Connecticut, where applicable.

Chairman Allyn stated that was correct.
7 - 2 Approved and so declared (Johnson, Wadecki not in favor)

VOTE:

6. MOTION to recommend the Town accept a property transfer/exchange of Town owned Indiantown Park located at 119 Indiantown Road for the Mashantucket Pequot Tribe owned Clark Farm property located at 1025 Colonel Ledyard Highway in accordance with the "Land Exchange Agreement".

In addition, set a Town Meeting date to be held on May 21, 2007 at 7:30 p.m. at the Ledyard High School Auditorium; and at its conclusion submit the following question to a vote upon the voting machines between the hours of 6:00 a.m. and 8:00 p.m. on May 22, 2007:

"Shall the Town of Ledyard accept a property transfer/exchange of Town owned Indiantown Park located at 119 Indiantown Road for the Mashantucket Pequot Tribe owned Clark Farm property located at 1025 Colonel Ledyard Highway?"

Moved by Chairman Williams, seconded by Councilor Champagne

Discussion: Chairman Allyn stated that the words "*in accordance with the "Land Exchange Agreement"*" will allow the town meeting item not to occur if either party withdraws in accordance with the Land Exchange Agreement. He stated that the Town Clerk is checking with the Town Attorney to see if this item can be included on the voting machines. Councilor Jones questioned whether this item was time sensitive and whether they needed to recommend that the Town accept the property transfer tonight. The Town Council discussed that the Annual Town Meeting for the budget will be held on May 21st and the Referendum on May 22nd. Councilor Jones noted the cost saving to the town by not having a separate referendum for the land exchange question, and he noted the voter turn out for the Town's Annual Budget Referendum. Councilor Wadecki stated that a referendum on a voting machine is not required for this item. Councilor Williams stated that this motion is the Town Council's opportunity to weigh in on the matter, therefore, he stated that he would support making this recommendation to the town. Chairman Allyn stated that his recommendation to the town regarding the land exchange is subject to the Land Exchange Agreement and the results of the due diligence. He stated that if the due diligence discloses things that are not acceptable that he would not be in favor of the land exchange. Councilor Johnson noted that on November 16, 1993 a special town meeting that adjourned to a referendum on the voting machines approved the following question: "*Shall the Town of Ledyard through the Town Council and Mayor oppose acquisition in trust (e.g. annexation) by any governmental entity of any land in Ledyard for the benefit of an Indian Tribe when such land is located outside the boundaries of that Tribe's federally recognized reservation, including any acquisition pursuant to 25 C. F. R. Part 151.*" He stated that since they are not mentioning annexation in the "Land Exchange Agreement" that it could potentially lead to the annexation of land. He requested that Chairman Allyn seek the Town Attorney's opinion as to whether this violates that referendum. Chairman Allyn requested a copy of the November 16, 1993 referendum question/results. The Town Council took a recess to review the Town Charter.

Chairman Allyn called a recess at 8:20 p.m.

Chairman Allyn called the meeting to order at: 8:40 p.m.

Continued discussion: Councilor Champagne read Chapter VII; Section 8 of the Town Charter concerning the sale or purchase of property. He also discussed the time involved for the referendum ballots to be printed. Councilor Jones stated that because they were not much more than sixty (60) days away from the town meeting date/referendum that it would be a shame to miss a State Statute requirement to submit this question in time for the May 22, 2007 referendum. Therefore, he stated that because the motion "to recommend the Town accept a property transfer/exchange of Town owned Indiantown Park located at 119 Indiantown Road for the Mashantucket Pequot Tribe owned Clark Farm property located at 1025 Colonel Ledyard Highway included the language in accordance with the "Land Exchange Agreement"" that he withdrew his concern and he recommended that the Town Council act on this item tonight. Chairman Allyn stated that he would prefer that the Town Council act on this motion tonight and for the Town Council to come back at a later date and reverse their decision should the need arise.

VOTE: 7 - 2 Approved and so declared (Johnson, Wadecki not in favor)

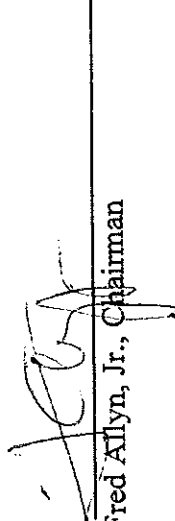
XIV. ADJOURNMENT

Councilor Wadecki moved to adjourn, seconded by Councilor Johnson
VOTE: 9 - 0 Approved and so declared. The meeting was adjourned at 8:50 p.m.



Transcribed by Roxanne M. Maher
Administrative Assistant to the Town Council

I, Fred Allyn, Jr., Chairman of the Ledyard Town Council,
hereby certify that the above and foregoing is a true and correct
copy of the minutes of the regular Town Council meeting held
on March 14, 2007.

Attest: 
Fred Allyn, Jr., Chairman

THE LAW OFFICES OF

**O'Brien, Shafner,
Stuart, Kelly &
Morris, P.C.**

A PROFESSIONAL CORPORATION

Matthew Shafner
Carolyn P. Kelly
Granville R. Morris
Frank N. Eppinger
Mark E. Block
Lloyd L. Langhammer
Richard J. Pascal
Eric M. Janney

Lynn T. Cravinho
Richard L. Gross
Gary W. Huebner
Thomas F. Collier
Meredith E. Russell
Matthew J. Curtiss
Jeffrey P. Allen

Of Counsel
John C. O'Brien
Peter F. Stuart
Amy M. Stone
Michele J. Delmhorst

Respond to:

475 Bridge Street

P.O. Drawer 929

Groton, CT 06340

Tel. (860) 445-2463

Fax (860) 445-4539

May 11, 2007

138 Main Street

P.O. Box 310

Norwich, CT 06360

Tel. (860) 889-3855

Fax (860) 886-6352

54 Halls Road

P.O. Box 69

Old Lyme, CT 06371

Tel. (860) 434-4150

Fax (860) 434-4156



Celebrating 40 Years of Service

Fred Allyn, Jr.
Chairman, Ledyard Town Council
12 Case Street, Suite 204
Norwich, CT 06360

RE: Proposed Land Swap- Clark Farm/Indiantown Park

Dear Mr. Allyn and Members of the Town Council:

I am in receipt of your inquiry dated May 8, 2007 asking certain questions pertinent to the proposed land swap between the Town of Ledyard and the Mashantucket Pequot Tribal Nation ("MPTN") regarding the Clark Farm and Indiantown Park. Specifically, you have asked for clarification on three items:

(1) An analysis of Connecticut General Statutes Sections 7-131n and 7-131i with specific thought to comments made by Mr. David Bainbridge.

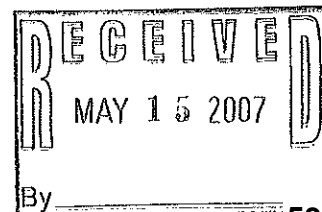
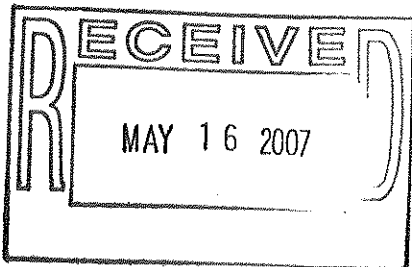
(2) A question about the Town Meeting and Resolution regarding the Land Swap and the issue of potential annexation of the land to be transferred to the MPTN.

(3) A question about anything existing in the Town's land records or other public records regarding whether the Indiantown Park land was ever formally dedicated for park purposes.

I. Analysis of CGS Sec. 7-131n and 7-131i as applicable to this proposal

I have reviewed both of the above referenced statutes and believe that they do not apply to the proposed land swap but can certainly be used by the Mayor, Town Council and Town Meeting as a guide should any of those parties/entities wish to impose certain conditions hereafter.

CGS Sec. 7-131i provides that "...land acquired or developed by any municipality, for which a state grant was awarded under sections 7-131d to 7-131k, inclusive, shall not be conveyed other



THE LAW OFFICES OF
**O'Brien, Shafner,
Stuart, Kelly &
Morris, P.C.**

A PROFESSIONAL CORPORATION

Fred Allyn, Jr.
May 11, 2007
Page 2

FILE NO.

than to another municipality or to the state for use for recreation or conservation or converted to any use other than recreation or conservation..." As Attorney Stacy Haines of my office stated in her December 28, 2006 letter on this proposal, it seems evident that the Town of Ledyard purchased the Indiantown Park land from Mr. Eaton Goldthwaite in 1960 using an appropriation of town funds in the amount of \$3,250.00. Therefore, with no evidence that any State grant monies were used to acquire or develop this parcel, I do not believe that this statute is applicable to this matter.

CGS Sec. 7-131n, to which Mr. Bainbridge refers, is subject to further interpretation. On the one hand, the plain language of that statute references the concept of a "taking" of land for highway or other purposes. The statute says in relevant part that "[i]f any municipality takes any land, for highway or other purposes, which land was purchased for park or other recreational or open space purposes, ... or which had been dedicated for such purposes, such municipality shall provide comparable replacement land at least equal in value and per unit area size to the value and per unit area size of the land taken..." The use of the word "takes" would infer that the legislature was concerned about the use of eminent domain to take land that had been dedicated for use as a park and utilize it for some other purpose. There are no court cases that my office could locate that address or interpret this particular statute. Clearly, the municipality's "taking authority" is not being used here. The Town Meeting is deciding on a mutual conveyance of real estate between the Town and the MPTN.

However, if a court were to interpret the use of the word "takes" in the statute as meaning, in a broader sense, changing the use of a property from dedicated park land to some other use (whether by the Town or the MPTN would not matter), then an argument can be made that Section 7-131n applies at least to the extent of the Town replacing the acreage of conveyed park area either within the land to be acquired from the MPTN (the "Clark Farm") or elsewhere. The Town, however, pursuant to this statute would need to identify the area of replacement open space lands.

There is no question that the land at Indiantown Park had previously been "dedicated" for park purposes. Therefore, any possible claim regarding the aforementioned statute would rest upon an interpretation of the "taking" language. As I mentioned earlier, plausible interpretations can be made using the eminent domain reference (not our case here) but also the broader definition that simply changing the ownership and/or use of the dedicated park/open space lands would trigger the statute's requirements that replacement land be found.

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Morris, P.C.**
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Fred Allyn, Jr.
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Page 3

FILE NO.

II. Issue of Annexation.

As you know the MPTN, as a federally recognized tribal nation, retains certain rights to petition the federal government to allow for the annexation of lands owned by the tribe into Trust status. A discussion of or questions about possible annexation would be a legitimate topic for the Town Meeting to address. The MPTN has not indicated any intent to annex the land which would be conveyed to them pursuant to the proposed land swap but obviously that position may change in the future.

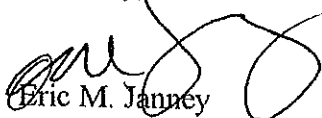
III. Information Regarding Dedication of by the Town of Ledyard of Indiantown property as a Park

The concept of dedication to a certain purpose can be illustrated in a number of ways. In some cases a municipal entity formally passes a Resolution or Ordinance dedicating a parcel to a particular purpose (e.g. dedicating a parcel for highway purposes). However, in my opinion, even without a formal vote or resolution regarding dedication, a municipality can exhibit that it has treated or intended a parcel as dedicated to a particular purpose over time.

In the case of the property known as Indiantown Park, it is clear that the Town of Ledyard had dedicated this land for park purposes involving at one time both active and passive recreational activities. The Town in approximately 1977 abandoned those uses since the maintenance of the land was not feasible and the park has been closed since that time.

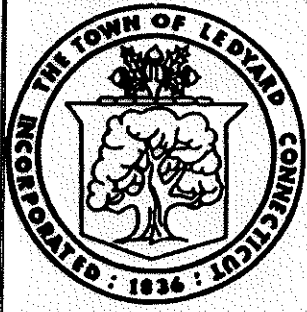
As you know, I will be out of the office on vacation but Attorney Frank Eppinger of my Groton office is available to you for further discussion on the above-named topics. Frank is also Town Attorney for the Town of North Stonington and thus is well versed in the unique aspects of transactions involving the MPTN. He can be reached at 445-2463.

Sincerely,



Eric M. Janney
Town Attorney Town of Ledyard
cc: Mayor Susan B. Mendenhall

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INFORMATIONAL FORUM
MAY 14, 2007
LAND EXCHANGE/PROPERTY TRANSFER
INDIANTOWN PARK/CLARK FARM

Frequently Asked Questions and Answers:

Q: What does this proposed “land swap” involve?

A: The Town of Ledyard owns a 76.8 acre parcel located at 119 Indiantown Road, Ledyard and the Mashantucket Tribe owns 102.1 acres (former Clark Farm) located at 1025 Col. Ledyard Hwy, Ledyard.

Q: What are the “terms” of the proposed swap?

A: The “trade” is proposed to be an “even swap” of the 2 parcels.

Q: Why should the Town of Ledyard seek to own the former Clark Farm?

A: Ownership of the Clark Farm property will provide valuable options within the long term planning for our Town.

Q: Did this proposed “swap” just come up?

A: No, in 2003 the Town’s Plan of Conservation & Development identified the property both in terms of short and mid range objectives as being of strategic importance for several reasons.

Q: What are those reasons?

A: The Town has educational, recreational, economic needs, as well as protection of natural resources well into the future.

Q: Is there a plan now for “use” of the Clark Farm?

A: No. The plan is to first acquire the superior asset that can be used to meet future demands and place the Town in a position to meet economic development, conservation and facility needs. The future utilization should be carefully considered before establishing any “plans”.

- Q:** Why would relinquishing the ownership of the land on Indiantown Road not have negative effects?
- A:** The Indiantown Road property was purchased in 1960 without specific limitations but was used for recreation until the mid 1970's. It proved to not be suitable and recreational use was terminated about 1978. It can not be effectively used to meet facility needs. It has very little potential to our Town.
- Q:** If the Clark Farm is such a "superior asset" why would the Mashantucket Tribe be willing to engage in the "swap"?
- A:** The land on Indiantown Road is adjacent to, but not within, the boundaries of the Tribal Reservation. That physical location seems to be the prime motivator of their interest in "swapping".
- Q:** Has the Town investigated the Clark Farm to determine presence of any environmental hazards?
- A:** Yes. Terms of the Land Contracts give both sides the opportunity to investigate, and if hazards are discovered, to terminate the Agreement. A Phase I Environmental review of the Clark Farm is being conducted and expected to be completed soon.
- Q:** When was the land on Indiantown Road purchased and for what purpose?
- A:** The Town obtained the land by vote of the Town Meeting and a Warranty Deed in June of 1960. No specific purposes were detailed in the transaction.
- Q:** Were funds from the State of Ct or Federal Government involved in the purchase?
- A:** No, only local funds were used in the amount of \$3,250.
- Q:** How will the "swap" affect local tax revenue?
- A:** The present property taxes being paid on the Clark Farm are approximately \$8,900. Ledyard would forgo those taxes and receive approximately \$7,100 on the land transferred to the Mashantucket Tribe.
- Q:** Why has this proposed "land swap" been placed on the May 22nd Referendum with the Annual Budget?
- A:** This transaction is considered to be very important to Ledyard in the process of Planning for the future. The Referendum Tuesday May 22nd affords the best opportunity for the maximum number of residents to participate in the decision.

Please exercise your right and responsibility to participate in the Budget decision, advisory questions, and "land swap" by voting on May 22nd!

ADDENDUM TO LAND EXCHANGE AGREEMENT

This Addendum, made this _____ day of March, 2007, between **TOWN OF LEDYARD**, a duly existing municipality of the State of Connecticut with an address at 741 Colonel Ledyard Highway, Ledyard, Connecticut, acting herein by **SUSAN B. MENDENHALL**, Its Mayor (hereinafter referred to as the "Town"), and **THE MASHANTUCKET PEQUOT TRIBE**, whose mailing address is PO Box 3060, 2 Matts Path, Mashantucket, Connecticut (hereinafter referred to as the "Tribe").

WITNESSETH:

WHEREAS, the Town and the Tribe entered into a Land Exchange Agreement (the "Agreement"), whereby the Town and the Tribe agreed to exchange with each other the properties commonly known as Indian Town Park and Clark Farm both located in the Town of Ledyard, Connecticut;

WHEREAS, the Town and the Tribe have agreed to modify certain terms of said Land Exchange Agreement; and

NOW, THEREFORE, the parties agree as follows:

1. Paragraph 4 of said Agreement shall be deleted and the following shall be inserted:

- 4. The parties shall have sixty (60) days from the date of this Agreement to obtain all necessary municipal and tribal approvals for the exchange of the herein referenced property. If all municipal or tribal approvals cannot be obtained within the said sixty (60) day period, the time for this contingency shall be extended if the parties can reach mutual agreement as to a date to allow sufficient time to receive all necessary approvals. If either party cannot obtain the necessary approvals within the agreed upon time period, either party may terminate this agreement by giving written notice to the other party; and

2. Paragraph 5 of said Agreement shall be deleted and the following shall be inserted:

5. The parties will provide the other party, including its inspectors and representatives, reasonable access to their respective properties to conduct its Due Diligence pursuant to Paragraph 3 above and to inspect the property prior to the closing. The parties agree to provide no less than 48 hours advance notice prior to entering onto the property in question. In the event any test holes are dug or other disturbance shall occur the property shall be restored to its prior condition as soon as possible. The parties agree to defend and hold each other harmless from any claims made against the property owner by virtue of the action of the other party, its employees or agents; and

3. Paragraph 7B of said Agreement shall be deleted and the following shall be inserted:

B. Addressed to the Tribe at:

Attn: Tribal Council Chairman
Mashantucket Pequot Tribe
PO Box 3060
2 Matts Path
Mashantucket, CT 06338-3060

with a copy to:

Jackson T. King Jr., General Counsel
MPTN Office of Legal Counsel
PO Box 3060
2 Matts Path
Mashantucket, CT 06338-3060

4. Paragraph 10 shall be amended to include the following language:

Specifically the following are noted as to Clark Farm:

Easements from Joseph A. Clark and Fannie L. Clark to the Eastern Connecticut Power Company dated December 9, 1917 and December 14, 1918.
Easement from Joseph A. Clark and Fannie M. Clark to the Connecticut Light and Power Company dated September 19, 1951.

5. This Addendum may be signed in one or more counterparts, each of which is deemed to be an original, and all of which together constitute one and the same instrument. Documents obtained via facsimile machines will also be considered originals.

6. All of the other terms and conditions of the Land Exchange Agreement shall remain in full force and effect as if repeated herein except for the modifications provided in this Addendum.

(The remainder of the page intentionally left blank)

Dated at _____, Connecticut this _____ day of March, 2007

Signed, Sealed and Delivered
in the Presence of:

TOWN OF LEDYARD

By: _____

Susan B. Mendenhall, Its Mayor

STATE OF CONNECTICUT
COUNTY OF NEW LONDON

}
} ss: Ledyard March _____, 2007
}

Personally appeared, Susan B. Mendenhall, acting herein for the Town of Ledyard, who acknowledged the signing of the foregoing instrument to be its and her free act and deed, before me,

Commissioner of the Superior Court/
Notary Public
My Commission Expires

Dated at _____, Connecticut this _____ day of March, 2007

Signed, Sealed and Delivered
in the Presence of:

MASHANTUCKET PEQUOT TRIBE

By:
Its
Duly authorized

STATE OF CONNECTICUT
COUNTY OF NEW LONDON

} ss: _____ March _____, 2007

Personally appeared, _____, acting herein for the
MASHANTUCKET PEQUOT TRIBE, who acknowledged the signing of the foregoing
instrument to be its and his/her free act and deed, before me,

Commissioner of the Superior Court/
Notary Public
My Commission Expires

O'BRIEN, SHAFNER, STUART, KELLY & MORRIS, P.C.

475 Bridge Street, Groton, Connecticut 06340
(860) 445-2463 - Telephone
(860) 448-1267 - Telecopier

FACSIMILE TRANSMITTAL COVER SHEET

| | |
|---------------|---|
| DATE: | March 28, 2007 |
| TO: | Mayor Susan B. Mendenhall Town Council |
| FAX #: | 860-464-8455 860-464-1485 |
| FROM: | Jeffrey Allen |
| RE: | Land Exchange Agreement |

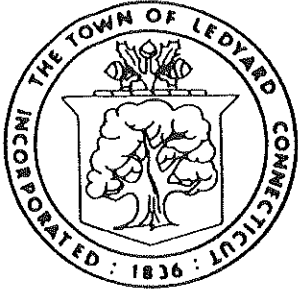
(Please call Jeffrey Allen at 860-445-2463 if you have any problems with this transmission)

NUMBER OF PAGES TRANSMITTED 1 (Including Cover Page)

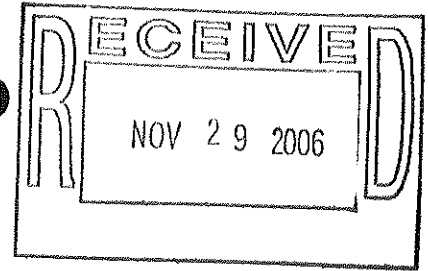
| |
|-------------------------|
| MESSAGE: |
| Land Exchange Agreement |

NOTE: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you receive this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the U.S. Postal Service. Thank you.

0611-055



**TOWN OF LEDYARD
CONNECTICUT
OFFICE OF THE MAYOR**



Susan B. Mendenhall
Mayor

Mark J. Bancroft
Mayoral Assistant

741 Colonel Ledyard Highway
Ledyard, CT 06339-1551
(860) 464-3222
FAX (860) 464-8455

November 27, 2006

Chairman Fred Allyn Jr.
Ledyard Town Council
741R Colonel Ledyard Highway
Ledyard, Connecticut 06339

Re: Land Exchange Agreement

Dear Chairman Allyn:

The Town Attorney has forwarded the Land Exchange Agreement with the Mashantucket Pequot Tribal Nation for the Clark Farm/Indiantown Park transfer.

Please provide your comments/recommendations directly to Attorney Stacy Haines at 445-2463.

Sincerely,

Susan B. Mendenhall
Mayor

**O'Brien, Shafner,
Stuart, Kelly &
Morris, P.C.**

A PROFESSIONAL CORPORATION

Matthew Shafner
Carolyn P. Kelly
Granville R. Morris
Frank N. Eppinger
Mark E. Block
Lloyd L. Langhammer
Richard J. Pascal
Eric M. Janney

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Jeffrey P. Allen

Of Counsel

John C. O'Brien
Peter F. Stuart
Amy M. Stone
Michele J. Delmhorst

LED900:4TOL

Respond to:

475 Bridge Street
P.O. Drawer 929
Groton, CT 06340
Tel. (860) 445-2463
Fax (860) 445-4539

138 Main Street
P.O. Box 310
Norwich, CT 06360
Tel. (860) 889-3855
Fax (860) 886-6352

54 Halls Road
P.O. Box 69
Old Lyme, CT 06371
Tel. (860) 434-4150
Fax (860) 434-4156

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1966  2006

Celebrating 40 Years of Service

November 22, 2006

Mayor Susan B. Mendenhall
Town of Ledyard
741 Colonel Ledyard Highway
Ledyard, CT 06359

Attorney Jackson King
Mashantucket Pequot Tribal Nation
PO Box 3060
Mashantucket, CT 06338

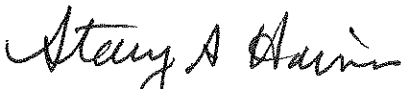
Re: Land Exchange Agreement

Dear Mayor Mendenhall and Attorney King:

Enclosed for each of you is the Land Exchange Agreement between the Town of Ledyard and The Mashantucket Pequot Tribe for your review.

After reviewing the document, please call me at 445-2463 with your comments.

Very truly yours,


Stacy A. Haines

SAH:sd

Enclosure

LAND EXCHANGE AGREEMENT

AGREEMENT dated this day of November, 2006, by and between THE TOWN OF LEDYARD, a municipality located within the County of New London and State of Connecticut, (herein referred to as the "Town"), and THE MASHANTUCKET PEQUOT TRIBE, whose mailing address is PO Box 3060, Indiantown Road, Ledyard, Connecticut (herein referred to as the "Tribe").

WHEREAS, the Town and the Tribe own property, respectively, in the Town of Ledyard, Connecticut commonly known as Indian Town Park and Clark Farm.

WHEREAS, the Town and the Tribe desire to exchange with each other the aforementioned properties, respectively.

WITNESSETH:

NOW, THEREFORE, the Town and the Tribe agree as follows:

1. The Town shall convey to the Tribe property commonly known as Indian Town Park in Ledyard, Connecticut further bounded and described in Schedule A (a copy of which is attached hereto); and
2. The Tribe shall convey to the Town property commonly known as Clark Farm in Ledyard, Connecticut further bounded and described in Schedule B (a copy of which is attached hereto); and
3. The parties shall have a period of sixty (60) days from the date of this Agreement to perform all due diligence they may choose to perform ("DUE DILIGENCE"), including, but not limited to, an environmental review of the respective properties. If the above referenced environmental review indicates that further environmental investigations are required, the above referenced sixty (60) day period shall be extended by a sufficient amount of time to complete any further environmental study. If any Due Diligence report is not satisfactory to either party then said party may terminate this Agreement by giving written notice to the other party; and
4. The parties shall have sixty (60) days from the date of this Agreement to obtain all necessary municipal and tribal approvals for the exchange of the herein referenced property. If all municipal or tribal approvals cannot be obtained within the said sixty (60) day period, the time for this contingency shall be extended to a mutually agreed upon date to allow sufficient time to receive all necessary approvals. If either party cannot obtain the necessary approvals said party may terminate this agreement by giving written notice to the other party; and
5. The parties will provide the other party, including its inspectors and representatives, reasonable access to their respective properties to conduct its Due Diligence pursuant to Paragraph 3 above and to inspect the property prior to the closing; and
6. The closing shall take place thirty (30) days after all necessary municipal and tribal approvals have been obtained.
7. All notices ("Notice") required to be given by this Agreement will be in writing and will be effective as of the date on which such Notice is delivered:

A. Addressed to the Town at:
Town of Ledyard
741 Colonel Ledyard Highway
Ledyard, Ct 06339

with a copy to:
Eric M. Janney
O'Brien, Shafner, Stuart, Kelly & Morris, PC
PO Drawer 929
475 Bridge Street
Groton, CT 06340.

B. Addressed to the Tribe at:
Mashantucket Pequot Tribe
PO Box 3060
Indiantown Road
Ledyard, Ct 06339

with a copy to:

8. The deeds shall be Connecticut form of Warranty Deed in proper form, and shall be duly executed and acknowledged and delivered to convey to the grantee, or the grantee's assigns, the absolute fee of the above premises, free of all encumbrances except as herein stated. Said deeds shall also be delivered with grantor's executed forms and acknowledgment of payment for the necessary amounts of the Connecticut State and Municipal Real Estate Conveyance Tax if any as required by Section 12-494, as amended, of the Connecticut General Statutes.
9. In the event that either party, upon examination, finds that the title to the premises said party is to receive is not good and marketable, the respective party shall, prior to _____, 2006 deliver written notice to the conveying party of the particular defects encountered, and the closing, if necessary, shall be postponed for thirty (30) days. During the period prior to closing, the conveying party may endeavor, at said conveying party's expense, to cure the defects of which notice has been given. If, at the said time of closing, the conveying party is unable to convey good or marketable title, the receiving party shall have the option of:
- (A) Accepting such title as the conveying party can then convey without change in the purchase price; or
 - (B) Declare an unwillingness to accept such title, whereupon this agreement shall terminate, and all rights of the parties hereunder shall terminate and cease.

It is agreed that no matter shall be construed as an encumbrance or defect in title unless the same shall be so construed under the

or hereafter adopted by said town, village, municipality, or other governmental authority having jurisdiction of the premises or any part thereof;

- (B) Covenants, restrictions, declarations, easements, and agreements, if any, of record provided that such covenants, restrictions, declarations, easements and agreements do not interfere with the current reasonable use of the premises or impair the marketability of the title to the premises;
- (C) Such other additional items as are set forth in and annexed to the legal description of said premises as aforesaid.

- 11. If either party shall fail to perform any of the material covenants and agreements contained herein to be performed by it, the other party may, as its remedy, either (i) terminate this Agreement or (ii) pursue its remedies for breach of contract as may be available at law and in equity, including without limitation, the remedy of specific performance.
- 12. This Agreement may be signed in one or more counterparts, each of which is deemed to be an original, and all of which together constitute one and the same instrument. Documents obtained via facsimile machines will also be considered as originals.

Dated this day of November, 2006 at , Connecticut.

IN WITNESS WHEREOF:

TOWN OF LEDYARD

Witness

By: Susan B. Mendenhall, Its Mayor
Duly authorized

Witness

STATE OF CONNECTICUT }
 }ss:
COUNTY OF NEW LONDON }

November , 2006

Personally appeared, Susan B. Mendenhall, acting herein for the Town of Ledyard, who acknowledged the signing of the foregoing instrument to be its and her free act and deed, before me,

Commissioner of the Superior Court/
Notary Public
My Commission Expires

Dated this day of November, 2006 at Mashantucket, Connecticut.

IN WITNESS WHEREOF:

MASHANTUCKET PEQUOT TRIBE

Witness

By: Its
Duly authorized

Witness

STATE OF CONNECTICUT }
 }ss: November , 2006
COUNTY OF NEW LONDON }

Personally appeared, _____ , acting herein for the
MASHANTUCKET PEQUOT TRIBE, who acknowledged the signing of the foregoing
instrument to be its and his/her free act and deed, before me,

Commissioner of the Superior Court
Notary Public
My Commission Expires

SCHEDULE "A"

A certain tract or parcel of land lying and being situated in the Town of Ledyard, County of New London and State of Connecticut, bounded and described as follows:

Beginning at the southwesterly corner of said tract at the corner of land now or formerly of Thomas Main and adjoining Pequot Indian land, so-called; thence running northerly by said Pequot Indian land and land now or formerly of Charles Stanton about 125 rods; thence easterly by land now or formerly of Elias R. Maine, 173 rods to the corner of land formerly of said Stanton and formerly of said Thomas Main; thence southerly by the easterly side of the public highway by the stone wall to land formerly of said Thomas Main; thence westerly by said Main land about 35 rods; thence northwesterly by land formerly of said Thomas Main about 15 rods to a heap of stones on the wall; thence westerly by land formerly of Thomas Main to the place of beginning.

Containing about 95 acres of land, more or less.

SCHEDULE "B"

A certain tract or parcel of land, with the buildings thereon, situated on the westerly side of Colonel Ledyard Highway and Bolduc Drive (the old Poquetanuck-Ledyard Center Road), in the Town of Ledyard, County of New London and State of Connecticut, bounded and described as follows:

Beginning on the westerly line of Colonel Ledyard Highway at the southeasterly corner of land now or formerly of Edwin H. and Edna J. Christiansen and running thence westerly by said Christiansen land and land now or formerly of Karl M. and Susan P. Wirmann to land now or formerly of A. Gilbert Hagen; thence southerly to said Hagen land to a point, then easterly by said Hagen land and land now or formerly of Earl B. Geer to land now or formerly of Elroy J. and Rosa Anna Bolduc; thence northerly, easterly, northerly and easterly by said Bolduc land to land now or formerly of Katherine Wojtkiewicz; thence easterly by said Wojtkiewicz land to the westerly line of Bolduc Drive; and thence northerly by the westerly line of said Bolduc Drive and the westerly line of Colonel Ledyard Highway to the point of beginning.



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 22-020

Agenda Date: 11/7/2022

Agenda #: 4.

LAND USE

Subject/Application:

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

Background:

Residents have expressed concerns regarding illicit behavior and safety concerns at the Park on East Drive.

Residents have met with the Mayor Allyn, III, Police Chief John Rich, and Parks & Recreation Director Scott Johnson, Jr. to discuss some vulgar graffiti that had been painted in the park.

Many town departments have been involved to try to resolve issues, including the Mayor's Office, Police Department, Public Works Department, and the Parks & Recreation Department.

With the warmer weather activity at East Street Park was expected to increase the Police Department would be step up patrols.

Land Use Director/Town Planner:

(type text here)

Meeting Action Detail:

LUPPW Cmt Meeting 9/19/2022

File #: [22020 <https://ledyardct.legistar.com/LegislationDetail.aspx?ID=5741901&GUID=42D8BE98-A4A3-47E4-9E1B-A36DA8A27DF6>](https://ledyardct.legistar.com/LegislationDetail.aspx?ID=5741901&GUID=42D8BE98-A4A3-47E4-9E1B-A36DA8A27DF6) Version: 1

Type: Land Use

Title: Status update regarding security and safety concerns regarding Park on East Drive

Action: **No Action (Continued)**

Minute Note:

Councilor Rodriguez noted although the Parks & Recreation Commission had planned to hold their September 20, 2022 meeting at the Park on East Drive that there was a change in plans; noting that the Parks & Recreation Commission would not be holding their September meeting at the Park.

Councilor Paul, Liaison to the Parks & Recreation Commission, noted at tomorrow night's meeting he would

ask the Parks & Recreation Commission whether they planned to reschedule holding one of their meetings at the Park on East Drive.

LUPPW Cmt Meeting 8/1/2022

File #: [22020](#)

<https://ledyardct.legistar.com/LegislationDetail.aspx?ID=5741901&GUID=42D8BE98-A4A3-47E4-9E1B-A36DA8A27DF6>

Version: 1

Type: Land Use

Title: Status update regarding security and safety concerns regarding Park on East Drive

Councilor Paul noted the Community Relations cancelled their July 20, 2022 Regular Meeting and held an Informal Conversation with residents at the Park on East Drive. He stated about 15 residents attended the event along with many Town Councilors and Parks & Recreation Director Scott Johnson, Jr. He stated the idea was to discuss important issues regarding safety concerns at the Park. He noted at times the conversation was a bit contentious, but overall, it turned out to be a positive event, noting that they discussed a number of good ideas to bring back to their respective committees and the neighbors were encouraged to continue to talk to each other and to become more involved in the process as well. He stated although the progress has been slow that they have made some headway with the installation of additional lighting and brush removal. He stated they learned a lot about the Park and a lot about each other.

Councilor Rodriguez stated that she agreed that the Informal Conversation with residents at the Park on East Drive on July 20, 2022 was a little heated at times. However, she stated that they were moving in the right direction. She also noted that Parks & Recreation Director Scott Johnson, Jr. stated the Parks & Recreation Commission would hold their September 20, 2022 meeting at the Park on East Drive.

Action: [No Action \(Continued\)](#)

Roxanne Maher

From: William Saums
Sent: Tuesday, September 27, 2022 12:34 PM
To: William Jamieson Jr
Cc: Town Council Group; Kevin J. Davis; Blakely Elizabeth Jamieson; Fred Allyn, III; John Rich
Subject: RE: East Drive Park Update

Thanks Jamie. I may need to go read it again, but I thought there was some mention of wood chips. Are the ties there for containing wood chips? I could be very wrong....

-Bill

From: William Jamieson Jr <williamjamiesonjr@gmail.com>
Sent: Tuesday, September 27, 2022 12:13 PM
To: William Saums <WSaums@ledyardct.org>
Cc: Town Council Group <TownCouncil@ledyardct.org>; Kevin J. Davis <kevin.j.davis@outlook.com>; Blakely Elizabeth Jamieson <blakelyelizabethjamieson@gmail.com>; Fred Allyn, III <mayor@ledyardct.org>; John Rich <chief.rich@ledyardct.org>
Subject: Re: East Drive Park Update

Hi Bill,
 Thank you for the reply. The only mention of the Christy Hill park I see in the minutes is the lighting. Nothing else is addressed including the safety concerns of the exposed railroad ties in the middle of playground or the lumber the town dropped off in the middle of the play area and did not install.

On Tue, Sep 27, 2022, 11:08 AM William Saums <WSaums@ledyardct.org> wrote:

Bill, Blakely,

The email was received by councilors, and the Community Relations Committee discussed it at their meeting last week. The Parks & Recreation Committee also received a Director's Report about waiting on Eversource to complete the meter, which was in their meeting minutes from their last meeting. There were other updates in the minutes as well.

Here's the link to their minutes: [Meeting Minutes \(legistar.com\)](https://legistar.com)

-Bill Saums

(O) 1-860-572-7181

(M) 1-401-225-5362

Roxanne Maher

From: William Saums
Sent: Tuesday, September 27, 2022 11:08 AM
To: William Jamieson Jr; Town Council Group
Cc: Kevin J. Davis; Blakely Elizabeth Jamieson; Fred Allyn, III; John Rich
Subject: RE: East Drive Park Update

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-Bill Saums
(O) 1-860-572-7181
(M) 1-401-225-5362

From: William Jamieson Jr <williamjamiesonjr@gmail.com>
Sent: Tuesday, September 27, 2022 8:30 AM
To: Town Council Group <TownCouncil@ledyardct.org>
Cc: Kevin J. Davis <kevin.j.davis@outlook.com>; Blakely Elizabeth Jamieson <blakelyelizabethjamieson@gmail.com>; Fred Allyn, III <mayor@ledyardct.org>; John Rich <chief.rich@ledyardct.org>
Subject: Re: East Drive Park Update

Some people who received this message don't often get email from williamjamiesonjr@gmail.com. [Learn why this is important](#)

Good Morning All,

There has been one update since the last email. The electric meter was finally installed and the lights powered up this week. They look great and I suspect will deter folks from trespassing at night. (See attached photo)

I am not sure if this email reached everyone as I only heard back from Mayor Fred over the last 7 days since I sent the previous email.

Respectfully,
The Jamieson's

On Tue, Sep 20, 2022, 7:13 PM William Jamieson Jr <williamjamiesonjr@gmail.com> wrote:

Good Evening Council Members,
I wanted to update everyone since many of us last met in person on the status of East Dr Park progress.

Since our meeting held at the park, there has been slight progress but not nearly what was promised. For example the table has not been removed from playground woodchip area, lights were installed last month but still not functioning, the Parks & Rec meeting scheduled for this month was suppose to be held at the park and was not, the woodchips were not replaced and as a result there are still hazards that exist from the current condition of them

(protruding railroad ties). There is still offensive graffiti present as well as vandalism occurring after hours. The town dropped off several 4x4's last month and now they just lay as a tripping hazard in the playground and not installed. A swing was stolen and at least eventually replaced.

The positives:

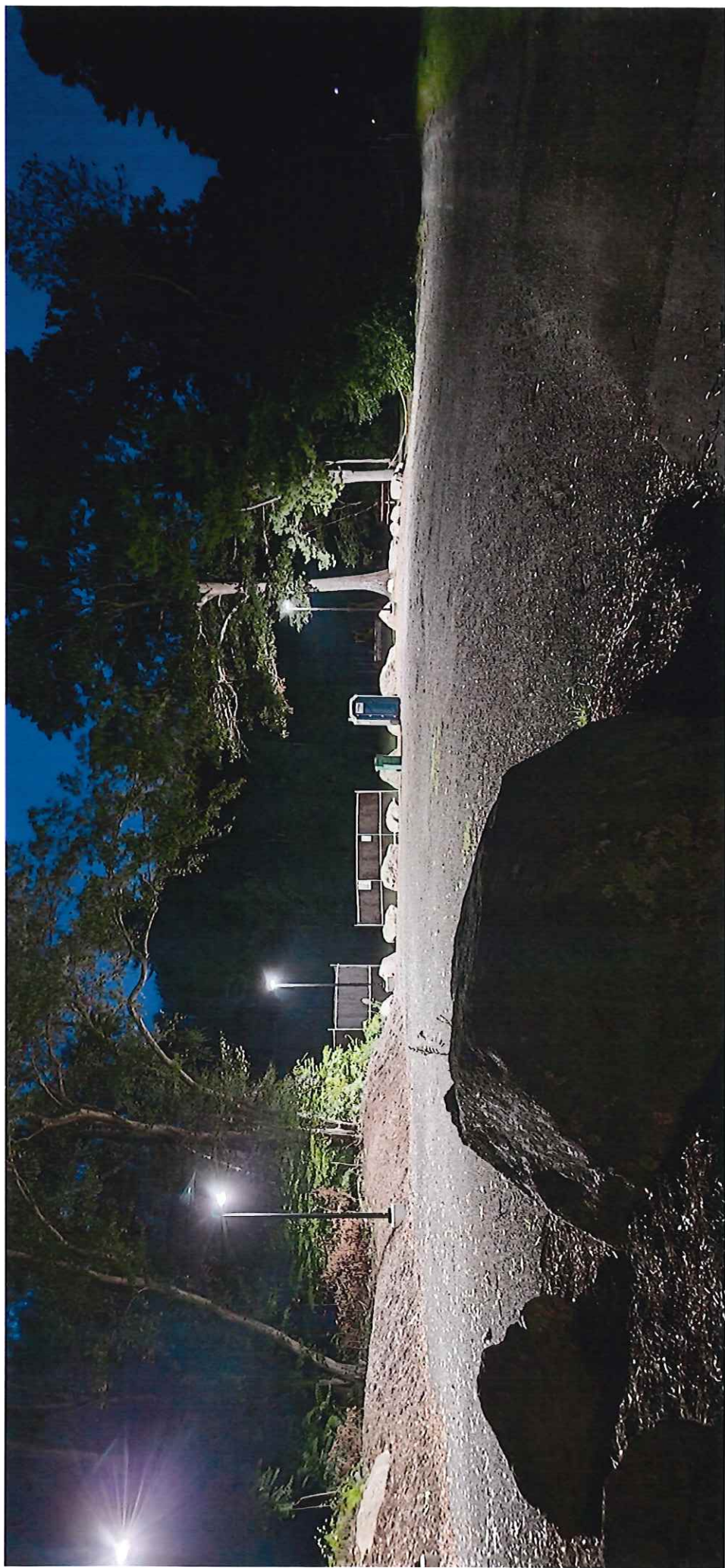
The parks & rec employee responsible for locking the park has been very consistent in his duties of locking at night.

LPD has definitely increased patrols however not improved upon response times.

I have attached several pictures taken today at the park.

Thank You for your continued efforts to return this park to its fullest potential for all the children and families in our community to enjoy.

Respectfully,
William Jamieson
16 East Dr, Gales Ferry, CT 06335
860-383-9008



Roxanne Maher

From: William Jamieson Jr <williamjamiesonjr@gmail.com>
Sent: Tuesday, September 20, 2022 7:13 PM
To: Town Council Group
Cc: Kevin J. Davis; Blakely Elizabeth Jamieson; Fred Allyn, III; John Rich
Subject: East Drive Park Update
Attachments: Screenshot_20220920-190835_Gallery.jpg; Screenshot_20220920-191033_Gallery.jpg; Screenshot_20220920-191151_Gallery.jpg; Screenshot_20220920_191111.jpg; Screenshot_20220920-190814_Gallery.jpg; Screenshot_20220920-191140_Gallery.jpg; Screenshot_20220920-191128_Gallery.jpg; Screenshot_20220920-191020_Gallery.jpg

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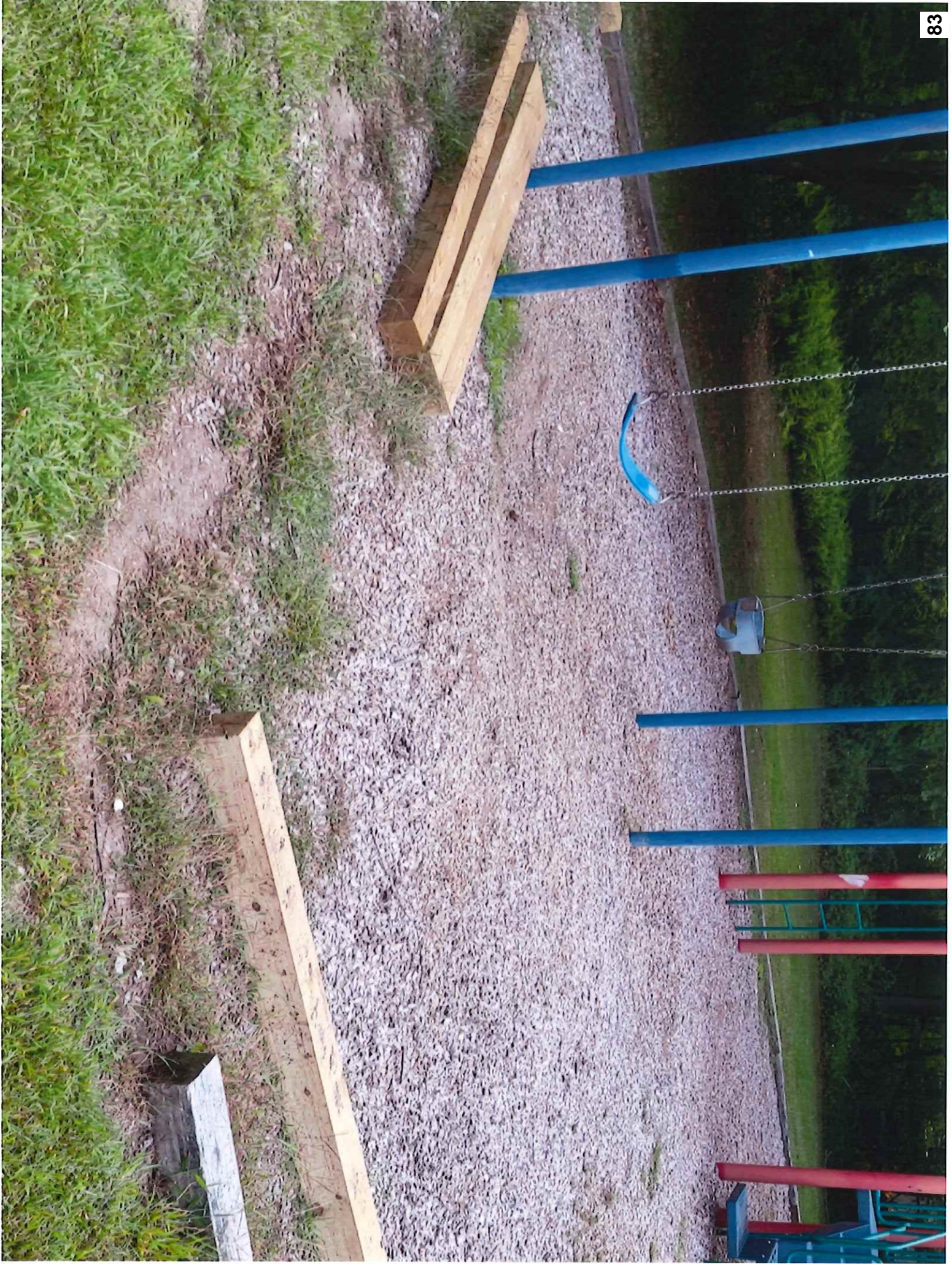




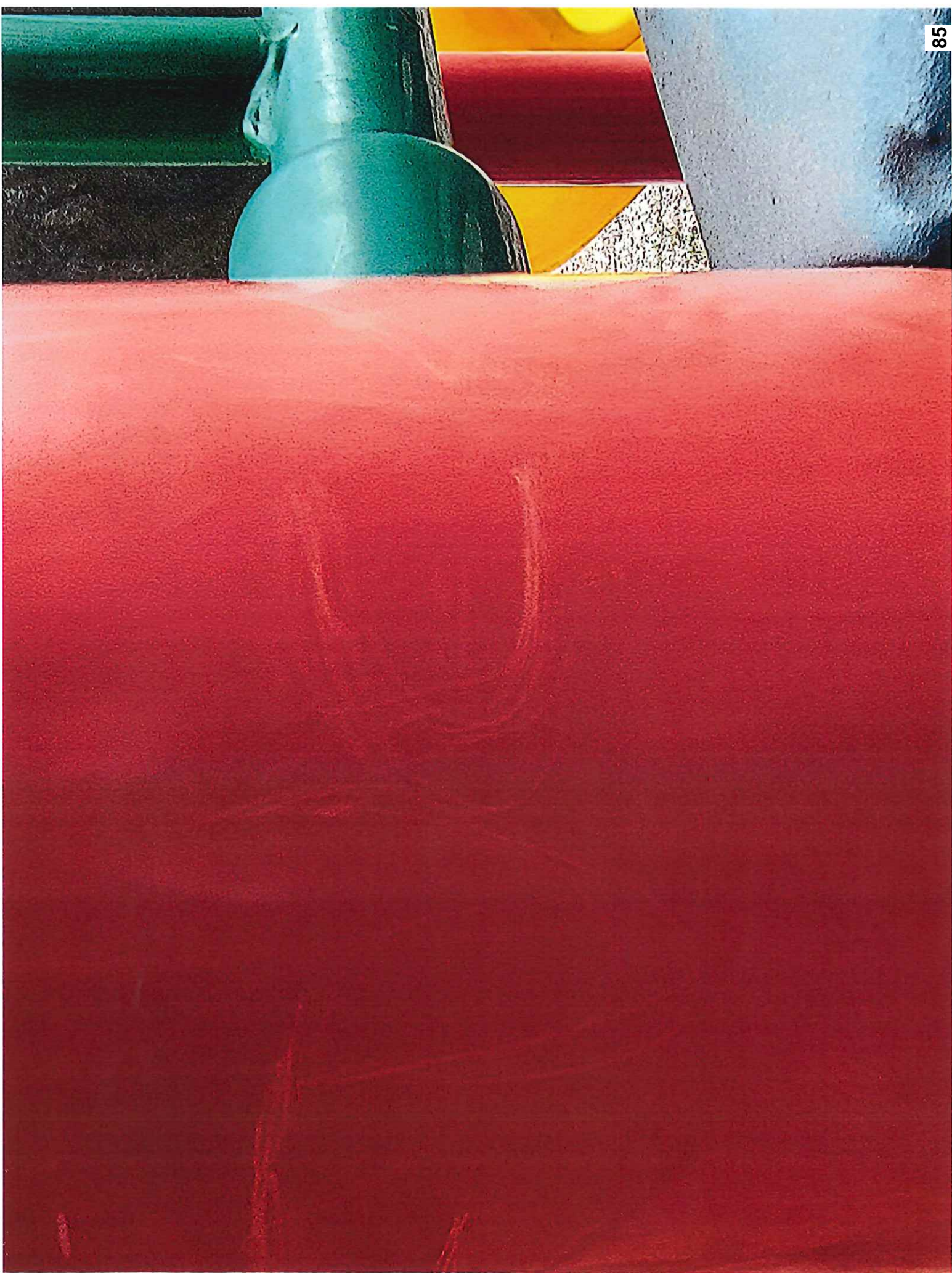










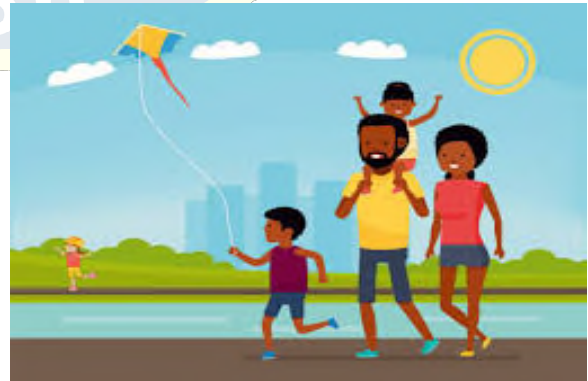




Park at East Drive
INFORMAL CONVERSATION
WEDNESDAY, JULY 20, 2022

6:30 p.m.

***Please Stop by and Join the
Community Relations Committee
in an informal conversation regarding
topics of interest to our community.
Your Comments are Important to us!***





TOWN OF LEDYARD CONNECTICUT

741 Colonel Ledyard Highway
Ledyard, Connecticut 06339-1551
(860) 464-3203
towncouncil@ledyardct.org

Chairman Kevin J. Dombrowski

July 7, 2022

Glen and Ms. Donna Miller
3 Ramblewood Drive
Gales Ferry Connecticut 06335

Dear Mr. and Mrs. Miller:

The Town Council's Community Relations Committee has been working to actively engage residents to gain an understanding of the issues that are of concern to our community.

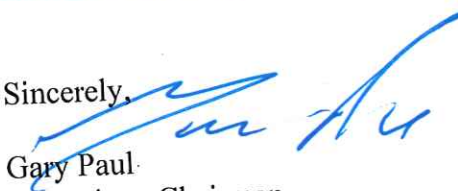
The Community Relations Committee invites you and your neighbors to join us on Wednesday, July 20, 2022 at 6:30 p.m. at the Park on East Drive to participate in an informal conversation regarding illicit behavior and safety concerns that have come to our attention.

The Committee looks forward to meeting you and is interested in hearing your comments on these issues or any other items of concern to you and your family.

Should you not be able to attend this event but would like to provide comments please do not hesitate to contact the Town Council at (860) 464-3203 or e-mail: towncouncil@ledyardct.org

Your comments are important to us.

Sincerely,


Gary Paul
Committee Chairman
Community Relations Committee



TOWN OF LEDYARD CONNECTICUT

741 Colonel Ledyard Highway
Ledyard, Connecticut 06339-1551
(860) 464-3203
towncouncil@ledyardct.org

Chairman Kevin J. Dombrowski

July 7, 2022

Mr. Robert M. Johnson
12 Oakwood Drive
Gales Ferry Connecticut 06335

Dear Johnson:

The Town Council's Community Relations Committee has been working to actively engage residents to gain an understanding of the issues that are of concern to our community.

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Community Relations Committee



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(860) 464-3203
towncouncil@ledyardct.org

Chairman Kevin J. Dombrowski

July 7, 2022

Gil and Gem Green
4 East Drive
Gales Ferry Connecticut 06335

Dear Mr. and Mrs. Green:

The Town Council's Community Relations Committee has been working to actively engage residents to gain an understanding of the issues that are of concern to our community.


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Sincerely,


Gary Paul
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Community Relations Committee



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741 Colonel Ledyard Highway
Ledyard, Connecticut 06339-1551
(860) 464-3203
towncouncil@ledyardct.org

Chairman Kevin J. Dombrowski

July 7, 2022

Kevin and Colleen Davis
7 Ramblewood Drive
Gales Ferry Connecticut 06335

Dear Mr. and Mrs. Davis:

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Chairman Kevin J. Dombrowski

July 7, 2022

Mr. Thomas W. Hertel
8 East Drive
Gales Ferry Connecticut 06335

Dear Mr. Hertel:

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towncouncil@ledyardct.org

Chairman Kevin J. Dombrowski

July 7, 2022

Debora S. Crane and Sarah A. McCarthy
11 East Drive
Gales Ferry Connecticut 06335

Dear Ms. Crane and Ms. McCarthy:

The Town Council's Community Relations Committee has been working to actively engage residents to gain an understanding of the issues that are of concern to our community.

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Chairman Kevin J. Dombrowski

July 7, 2022

Ms. Barbara E. Barnes
7 East Drive
Gales Ferry Connecticut 06335

Dear Ms. Barnes:

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towncouncil@ledyardct.org

Chairman Kevin J. Dombrowski

July 7, 2022

Hector and Taylor Torres
7 Hillside Drive
Gales Ferry Connecticut 06335

Dear Mr. and Mrs. Torres:

The Town Council's Community Relations Committee has been working to actively engage residents to gain an understanding of the issues that are of concern to our community.


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towncouncil@ledyardct.org

Chairman Kevin J. Dombrowski

July 7, 2022

Mr. Steven Johnson
6 East Drive
Gales Ferry Connecticut 06335

Dear Mr. Johnson:

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Chairman Kevin J. Dombrowski

July 7, 2022

Mr. Nathan Tustison
14 Oalwood Drive
Gales Ferry Connecticut 06335

Dear Mr. Tustison:

The Town Council's Community Relations Committee has been working to actively engage residents to gain an understanding of the issues that are of concern to our community.


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Chairman Kevin J. Dombrowski

July 7, 2022

William and Blakely Jamieson
16 East Drive
Gales Ferry Connecticut 06335

Dear Mr. and Mrs. Jamieson:

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towncouncil@ledyardct.org

Chairman Kevin J. Dombrowski

July 7, 2022

Shawn and Jacquelin Loftus
4 Hillside Drive
Gales Ferry Connecticut 06335

Dear Mr. and Mrs. Loftus:

The Town Council's Community Relations Committee has been working to actively engage residents to gain an understanding of the issues that are of concern to our community.


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Chairman Kevin J. Dombrowski

July 7, 2022

Mr. Dillion Clark
10 East Drive
Gales Ferry Connecticut 06335

Dear Mr. Clark:

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Chairman Kevin J. Dombrowski

July 7, 2022

Cameron M. Perl
12 East Drive
Gales Ferry Connecticut 06335

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Should you not be able to attend this event but would like to provide comments please do not hesitate to contact the Town Council at (860) 464-3203 or e-mail: towncouncil@ledyardct.org

Your comments are important to us.

Sincerely,

Gary Paul
Committee Chairman
Community Relations Committee



TOWN OF LEDYARD CONNECTICUT

741 Colonel Ledyard Highway
Ledyard, Connecticut 06339-1551
(860) 464-3203
towncouncil@ledyardct.org

Chairman Kevin J. Dombrowski

July 7, 2022

Carlos and Desiree Rosado
24 Christy Hill Road
Gales Ferry Connecticut 06335

Dear Mr. and Mrs. Rosado:

The Town Council's Community Relations Committee has been working to actively engage residents to gain an understanding of the issues that are of concern to our community.


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Chairman Kevin J. Dombrowski

July 7, 2022

Robert and Michelle Partick
5 Ramblewood Drive
Gales Ferry Connecticut 06335

Dear Mr. and Mrs. Partick:

The Town Council's Community Relations Committee has been working to actively engage residents to gain an understanding of the issues that are of concern to our community.

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Chairman Kevin J. Dombrowski

July 7, 2022

Joseph and Irene Gramlich
5 East Drive
Gales Ferry Connecticut 06335

Dear Mr. and Mrs. Gramlich:

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Chairman Kevin J. Dombrowski

July 7, 2022

Ms. Susan L. Burns
6 Rambelwood Drive
Gales Ferry Connecticut 06335

Dear Ms. Burns:

The Town Council's Community Relations Committee has been working to actively engage residents to gain an understanding of the issues that are of concern to our community.

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Chairman Kevin J. Dombrowski

July 7, 2022

Superior Insulation and Services, LLC
107 Montauk Avenue
New London Connecticut 06320

To Whom this May Concern:

The Town Council's Community Relations Committee has been working to actively engage residents to gain an understanding of the issues that are of concern to our community.

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(860) 464-3203
towncouncil@ledyardct.org

Chairman Kevin J. Dombrowski

July 7, 2022

Mr. Theodore W. Day
30 Seabury Avenue
Gales Ferry Connecticut 06335

Dear Mr. Day:

The Town Council's Community Relations Committee has been working to actively engage residents to gain an understanding of the issues that are of concern to our community.

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Chairman Kevin J. Dombrowski

July 7, 2022

Mr. Stephanos Stravoravdis
Ms. Adaliss Rodriguez
224 Malcein Drive
Southington Connecticut 06489

Dear Mr. Stravoravdis and Ms. Rodriguez:

The Town Council's Community Relations Committee has been working to actively engage residents to gain an understanding of the issues that are of concern to our community.

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Chairman Kevin J. Dombrowski

July 7, 2022

Jeffery and Nancy Shama
1 Ramblewood Drive
Gales Ferry Connecticut 06335

Dear Mr. and Mrs. Shama:

The Town Council's Community Relations Committee has been working to actively engage residents to gain an understanding of the issues that are of concern to our community.


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Chairman Kevin J. Dombrowski

July 7, 2022

Mr. Alexander J. Corces
8 Oakwood Drive
Gales Ferry Connecticut 06335

Dear Mr. Corces:

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Chairman Kevin J. Dombrowski

July 7, 2022

Ms. Anastasia Knight
6 Hillside Drive
Gales Ferry Connecticut 06335

Dear Ms. Knight:

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Chairman Kevin J. Dombrowski

July 7, 2022

Jose and Elizabeth Tauzon
11 Ramblewood Drive
Gales Ferry Connecticut 06335

Dear Mr. and Mrs. Tauzon:

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Chairman Kevin J. Dombrowski

July 7, 2022

Mr. Carlo Boiones
6 Oakwood Drive
Gales Ferry Connecticut 06335

Dear Mr. Boiones:

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TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 22-193

Agenda Date: 11/7/2022

Agenda #: 5.

AGENDA REQUEST
GENERAL DISCUSSION ITEM

Subject:

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.

Background:

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

PA 21-29 also modified Section 8-2 of the Connecticut General Statutes to establish specific provisions regarding zoning regulations for accessory apartments. Unless a municipality votes to opt out of PA 21-29 the local zoning regulations would be required to adhere to the PA 21-29 provisions regarding multi-family parking spaces and accessory apartments.

Municipality may opt out of the parking spaces and accessory apartment provisions of section 8.2 of the CT General Statutes, as amended by January 1, 2023.

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 and forwarded their action to the Town Council

Municipalities (Town Council) may opt out of the parking spaces and accessory apartment provisions of section 8.2 of the CT General Statutes, as amended by January 1, 2023.

Additional Background:

The LUPPW Committee has been keeping an eye on the Planning & Zoning Commission’s work regarding Public Act #21-29

The Planning & Zoning Commission May 12, 2022 Public Hearing regarding a proposed Zoning Regulation revision pertaining to Accessory Dwelling Units was continued to June 14, 2022 and continued again to June 28, 2022.

Should the Planning & Zoning Commission decided to adopt the proposed Accessory Dwelling Units Regulation, they would then decide to Opt-Out of Public Act #21-29.

The Planning & Zoning Commission’s proposed Accessory Dwelling Units Regulation currently complied with

the State's Accessory Dwelling Units Regulation provided in Public Act #21-29 "*An Act Concerning The Zoning Enabling Act, Accessory Apartments, Training For Certain Land Use Officials, Municipal Affordable Housing Plans And A Commission On Connecticut's Development And Future*".

The Planning & Zoning Commission has recognized by having their own Accessory Dwelling Units Regulation that it would provide Ledyard with flexibility in the future to add other restrictions such as minimum lot requirements, etc.

If Ledyard does not Opt-Out of Public Act #21-29 they would be locked into the State's Accessory Dwelling Unit Regulations.

Meeting Action Detail:

LUPPW Cmt Meeting 9/19/2022

File #: [22193 <https://ledyardct.legistar.com/LegislationDetail.aspx?ID=5741907&GUID=00E3BA57-516C-4B6C-AF8F-7C069AD09142>](https://ledyardct.legistar.com/LegislationDetail.aspx?ID=5741907&GUID=00E3BA57-516C-4B6C-AF8F-7C069AD09142) Version: 1

Type: General Discussion

Title: Continued discussion regarding Public Act #21-29 "An Act Concerning The Zoning Enabling Act, Accessory Apartments, Training For Certain Land Use Officials, Municipal Affordable Housing Plans And A Commission On Connecticut's Development And Future".

Action: [Continued](#)

Minute Note:

Chairman Dombrowski reported at their September 8, 2022 meeting the Planning & Zoning Commission approved the Zoning Regulations Update, which included Ledyard's Regulations for Accessory Dwelling Units (ADU). He stated the new Zoning Regulations would become 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.

Chairman Dombrowski went on to explain the next step in the process was for the Planning & Zoning Commission to vote to recommend the Town Council *Opt-Out of Public Act #21-29 (Accessory Dwelling Units)*. He stated that he would expect the Planning & Zoning Commission's recommendation to *Opt-Out of Public Act #21-29* to be presented to the LUPPW Committee in the coming weeks. He stated to *Opt-Out of the Public Act #21-29 ADU* that it would require a two-thirds vote of the Town Council.

LUPPW Cmt Meeting 8/1/2022

File #: [22193](#)

[https://ledyardct.legistar.com/LegislationDetail.aspx?](https://ledyardct.legistar.com/LegislationDetail.aspx?ID=5741907&GUID=00E3BA57-516C-4B6C-AF8F-7C069AD09142)

[ID=5741907&GUID=00E3BA57-516C-4B6C-AF8F-7C069AD09142](https://ledyardct.legistar.com/LegislationDetail.aspx?ID=5741907&GUID=00E3BA57-516C-4B6C-AF8F-7C069AD09142)

Version: 1

Type: General Discussion

Title: Continued discussion regarding Public Act #21-29 "An Act Concerning The Zoning Enabling Act, Accessory Apartments, Training For Certain Land Use Officials, Municipal Affordable Housing Plans And A Commission On Connecticut's Development And Future".

Action: [Continued](#)

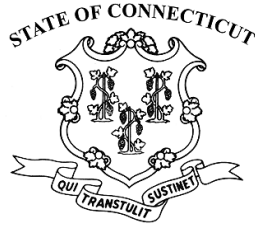
Minutes Note:

Chairman Dombrowski stated at their July 28, 2022 meeting the Planning & Zoning Commission approved Application PZ#22-7RA regarding comprehensive revisions to all sections of the Zoning Regulations, which also included proposed Regulations for Accessory Dwelling Units (ADU). He explained the next step in the process was for the Planning & Zoning Commission to vote to forward a recommend to the Legislative Body (Town Council) to Opt-Out of State's "*Act Concerning The Zoning Enabling Act, Accessory Apartments, Training For Certain Land Use Officials, Municipal Affordable Housing Plans And A Commission On Connecticut's Development And Future*".

The LUPPW Committee noted by Ledyard having their own Accessory Dwelling Unit Regulations (ADU) that the Town would have more flexibility going forward and would not be locked into the State's Accessory Dwelling Unit (ADU) Regulations.

Chairman Dombrowski stated that he would expect the Planning & Zoning Commission's recommendation to *Opt-Out of Public Act #21-29* to come before the LUPPW Committee at their September 13, 2022 meeting. He stated to *Opt-Out of the Public Act #21-29 ADU* that it would require a two-thirds vote of the Town Council.

Action: [Continued](#)



Substitute House Bill No. 6107

Public Act No. 21-29

AN ACT CONCERNING THE ZONING ENABLING ACT, ACCESSORY APARTMENTS, TRAINING FOR CERTAIN LAND USE OFFICIALS, MUNICIPAL AFFORDABLE HOUSING PLANS AND A COMMISSION ON CONNECTICUT'S DEVELOPMENT AND FUTURE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 8-1a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) "Municipality" as used in this chapter shall include a district establishing a zoning commission under section 7-326. Wherever the words "town" and "selectmen" appear in this chapter, they shall be deemed to include "district" and "officers of such district", respectively.

(b) As used in this chapter and section 6 of this act:

(1) "Accessory apartment" means a separate dwelling unit that (A) is located on the same lot as a principal dwelling unit of greater square footage, (B) has cooking facilities, and (C) complies with or is otherwise exempt from any applicable building code, fire code and health and safety regulations;

(2) "Affordable accessory apartment" means an accessory apartment that is subject to binding recorded deeds which contain covenants or

Substitute House Bill No. 6107

restrictions that require such accessory apartment be sold or rented at, or below, prices that will preserve the unit as housing for which, for a period of not less than ten years, persons and families pay thirty per cent or less of income, where such income is less than or equal to eighty per cent of the median income;

(3) "As of right" means able to be approved in accordance with the terms of a zoning regulation or regulations and without requiring that a public hearing be held, a variance, special permit or special exception be granted or some other discretionary zoning action be taken, other than a determination that a site plan is in conformance with applicable zoning regulations;

(4) "Cottage cluster" means a grouping of at least four detached housing units, or live work units, per acre that are located around a common open area;

(5) "Middle housing" means duplexes, triplexes, quadplexes, cottage clusters and townhouses;

(6) "Mixed-use development" means a development containing both residential and nonresidential uses in any single building; and

(7) "Townhouse" means a residential building constructed in a grouping of three or more attached units, each of which shares at least one common wall with an adjacent unit and has exterior walls on at least two sides.

Sec. 2. Section 8-1c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) Any municipality may, by ordinance, establish a schedule of reasonable fees for the processing of applications by a municipal zoning commission, planning commission, combined planning and zoning commission, zoning board of appeals or inland wetlands commission.

Substitute House Bill No. 6107

Such schedule shall supersede any specific fees set forth in the general statutes, or any special act or established by a planning commission under section 8-26.

(b) A municipality may, by regulation, require any person applying to a municipal zoning commission, planning commission, combined planning and zoning commission, zoning board of appeals or inland wetlands commission for approval of an application to pay the cost of reasonable fees associated with any necessary review by consultants with expertise in land use of any particular technical aspect of such application, such as regarding traffic or stormwater, for the benefit of such commission or board. Any such fees shall be accounted for separately from other funds of such commission or board and shall be used only for expenses associated with the technical review by consultants who are not salaried employees of the municipality or such commission or board. Any amount of the fee remaining after payment of all expenses for such technical review, including any interest accrued, shall be returned to the applicant not later than forty-five days after the completion of the technical review.

(c) No municipality may adopt a schedule of fees under subsection (a) of this section that results in higher fees for (1) development projects built using the provisions of section 8-30g, as amended by this act, or (2) residential buildings containing four or more dwelling units, than for other residential dwellings, including, but not limited to, higher fees per dwelling unit, per square footage or per unit of construction cost.

Sec. 3. Subsection (j) of section 8-1bb of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(j) A municipality, by vote of its legislative body or, in a municipality where the legislative body is a town meeting, by vote of the board of selectmen, may opt out of the provisions of this section and the [provision] provisions of subdivision (5) of subsection [(a)] (d) of section

Substitute House Bill No. 6107

8-2, as amended by this act, regarding authorization for the installation of temporary health care structures, provided the zoning commission or combined planning and zoning commission of the municipality: (1) First holds a public hearing in accordance with the provisions of section 8-7d on such proposed opt-out, (2) affirmatively decides to opt out of the provisions of said sections within the period of time permitted under section 8-7d, (3) states upon its records the reasons for such decision, and (4) publishes notice of such decision in a newspaper having a substantial circulation in the municipality not later than fifteen days after such decision has been rendered.

Sec. 4. Section 8-2 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) (1) The zoning commission of each city, town or borough is authorized to regulate, within the limits of such municipality: [~~the~~] (A) The height, number of stories and size of buildings and other structures; (B) the percentage of the area of the lot that may be occupied; (C) the size of yards, courts and other open spaces; (D) the density of population and the location and use of buildings, structures and land for trade, industry, residence or other purposes, including water-dependent uses, as defined in section 22a-93; [~~] and~~ (E) the height, size, location, brightness and illumination of advertising signs and billboards; [~~Such bulk regulations may allow for cluster development, as defined in section 8-18] except as provided in subsection (f) of this section.~~

(2) Such zoning commission may divide the municipality into districts of such number, shape and area as may be best suited to carry out the purposes of this chapter; and, within such districts, it may regulate the erection, construction, reconstruction, alteration or use of buildings or structures and the use of land. All [~~such~~] zoning regulations shall be uniform for each class or kind of buildings, structures or use of land throughout each district, but the regulations in one district may

Substitute House Bill No. 6107

differ from those in another district. [, and]

(3) Such zoning regulations may provide that certain classes or kinds of buildings, structures or [uses] use of land are permitted only after obtaining a special permit or special exception from a zoning commission, planning commission, combined planning and zoning commission or zoning board of appeals, whichever commission or board the regulations may, notwithstanding any special act to the contrary, designate, subject to standards set forth in the regulations and to conditions necessary to protect the public health, safety, convenience and property values. [Such regulations shall be]

(b) Zoning regulations adopted pursuant to subsection (a) of this section shall:

(1) Be made in accordance with a comprehensive plan and in [adopting such regulations the commission shall consider] consideration of the plan of conservation and development [prepared] adopted under section 8-23; [Such regulations shall be]

(2) Be designed to (A) lessen congestion in the streets; [to] (B) secure safety from fire, panic, flood and other dangers; [to] (C) promote health and the general welfare; [to] (D) provide adequate light and air; [to prevent the overcrowding of land; to avoid undue concentration of population and to] (E) protect the state's historic, tribal, cultural and environmental resources; (F) facilitate the adequate provision for transportation, water, sewerage, schools, parks and other public requirements; [Such regulations shall be made] (G) consider the impact of permitted land uses on contiguous municipalities and on the planning region, as defined in section 4-124i, in which such municipality is located; (H) address significant disparities in housing needs and access to educational, occupational and other opportunities; (I) promote efficient review of proposals and applications; and (J) affirmatively further the purposes of the federal Fair Housing Act, 42 USC 3601 et

Substitute House Bill No. 6107

seq., as amended from time to time;

(3) Be drafted with reasonable consideration as to the [character] physical site characteristics of the district and its peculiar suitability for particular uses and with a view to [conserving the value of buildings and] encouraging the most appropriate use of land throughout [such] a municipality; [. Such regulations may, to the extent consistent with soil types, terrain, infrastructure capacity and the plan of conservation and development for the community, provide for cluster development, as defined in section 8-18, in residential zones. Such regulations shall also encourage]

(4) Provide for the development of housing opportunities, including opportunities for multifamily dwellings, consistent with soil types, terrain and infrastructure capacity, for all residents of the municipality and the planning region in which the municipality is located, as designated by the Secretary of the Office of Policy and Management under section 16a-4a; [. Such regulations shall also promote]

(5) Promote housing choice and economic diversity in housing, including housing for both low and moderate income households; [, and shall encourage]

(6) Expressly allow the development of housing which will meet the housing needs identified in the state's consolidated plan for housing and community development prepared pursuant to section 8-37t and in the housing component and the other components of the state plan of conservation and development prepared pursuant to section 16a-26; [. Zoning regulations shall be]

(7) Be made with reasonable consideration for [their] the impact of such regulations on agriculture, as defined in subsection (q) of section 1-1; [.]

(8) Provide that proper provisions be made for soil erosion and

Substitute House Bill No. 6107

sediment control pursuant to section 22a-329;

(9) Be made with reasonable consideration for the protection of existing and potential public surface and ground drinking water supplies; and

(10) In any municipality that is contiguous to or on a navigable waterway draining to Long Island Sound, (A) be made with reasonable consideration for the restoration and protection of the ecosystem and habitat of Long Island Sound; (B) be designed to reduce hypoxia, pathogens, toxic contaminants and floatable debris on Long Island Sound; and (C) provide that such municipality's zoning commission consider the environmental impact on Long Island Sound coastal resources, as defined in section 22a-93, of any proposal for development.

(c) Zoning regulations adopted pursuant to subsection (a) of this section may: [be]

(1) To the extent consistent with soil types, terrain and water, sewer and traffic infrastructure capacity for the community, provide for or require cluster development, as defined in section 8-18;

(2) Be made with reasonable consideration for the protection of historic factors; [and shall be made with reasonable consideration for the protection of existing and potential public surface and ground drinking water supplies. On and after July 1, 1985, the regulations shall provide that proper provision be made for soil erosion and sediment control pursuant to section 22a-329. Such regulations may also encourage]

(3) Require or promote (A) energy-efficient patterns of development; [.] (B) the use of distributed generation or freestanding solar, wind and other renewable forms of energy; [.] (C) combined heat and power; and (D) energy conservation; [. The regulations may also provide]

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(4) Provide for incentives for developers who use [passive solar energy techniques, as defined in subsection (b) of section 8-25, in planning a residential subdivision development. The incentives may include, but not be] (A) solar and other renewable forms of energy; (B) combined heat and power; (C) water conservation, including demand offsets; and (D) energy conservation techniques, including, but not limited to, cluster development, higher density development and performance standards for roads, sidewalks and underground facilities in the subdivision; [. Such regulations may provide]

(5) Provide for a municipal system for the creation of development rights and the permanent transfer of such development rights, which may include a system for the variance of density limits in connection with any such transfer; [. Such regulations may also provide]

(6) Provide for notice requirements in addition to those required by this chapter; [. Such regulations may provide]

(7) Provide for conditions on operations to collect spring water or well water, as defined in section 21a-150, including the time, place and manner of such operations; [. No such regulations shall prohibit]

(8) Provide for floating zones, overlay zones and planned development districts;

(9) Require estimates of vehicle miles traveled and vehicle trips generated in lieu of, or in addition to, level of service traffic calculations to assess (A) the anticipated traffic impact of proposed developments; and (B) potential mitigation strategies such as reducing the amount of required parking for a development or requiring public sidewalks, crosswalks, bicycle paths, bicycle racks or bus shelters, including off-site; and

(10) In any municipality where a traprock ridge or an amphibolite ridge is located, (A) provide for development restrictions in ridgeline

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setback areas; and (B) restrict quarrying and clear cutting, except that the following operations and uses shall be permitted in ridgeline setback areas, as of right: (i) Emergency work necessary to protect life and property; (ii) any nonconforming uses that were in existence and that were approved on or before the effective date of regulations adopted pursuant to this section; and (iii) selective timbering, grazing of domesticated animals and passive recreation.

(d) Zoning regulations adopted pursuant to subsection (a) of this section shall not:

(1) Prohibit the operation of any family child care home or group child care home in a residential zone; [. No such regulations shall prohibit]

(2) (A) Prohibit the use of receptacles for the storage of items designated for recycling in accordance with section 22a-241b or require that such receptacles comply with provisions for bulk or lot area, or similar provisions, except provisions for side yards, rear yards and front yards; [. No such regulations shall] or (B) unreasonably restrict access to or the size of such receptacles for businesses, given the nature of the business and the volume of items designated for recycling in accordance with section 22a-241b, that such business produces in its normal course of business, provided nothing in this section shall be construed to prohibit such regulations from requiring the screening or buffering of such receptacles for aesthetic reasons; [. Such regulations shall not impose]

(3) Impose conditions and requirements on manufactured homes, including mobile manufactured homes, having as their narrowest dimension twenty-two feet or more and built in accordance with federal manufactured home construction and safety standards or on lots containing such manufactured homes, [which] including mobile manufactured home parks, if those conditions and requirements are

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substantially different from conditions and requirements imposed on (A) single-family dwellings; [and] (B) lots containing single-family dwellings; [. Such regulations shall not impose conditions and requirements on developments to be occupied by manufactured homes having as their narrowest dimension twenty-two feet or more and built in accordance with federal manufactured home construction and safety standards which are substantially different from conditions and requirements imposed on] or (C) multifamily dwellings, lots containing multifamily dwellings, cluster developments or planned unit developments; [. Such regulations shall not prohibit]

(4) (A) Prohibit the continuance of any nonconforming use, building or structure existing at the time of the adoption of such regulations; [or] (B) require a special permit or special exception for any such continuance; [. Such regulations shall not] (C) provide for the termination of any nonconforming use solely as a result of nonuse for a specified period of time without regard to the intent of the property owner to maintain that use; [. Such regulations shall not] or (D) terminate or deem abandoned a nonconforming use, building or structure unless the property owner of such use, building or structure voluntarily discontinues such use, building or structure and such discontinuance is accompanied by an intent to not reestablish such use, building or structure. The demolition or deconstruction of a nonconforming use, building or structure shall not by itself be evidence of such property owner's intent to not reestablish such use, building or structure; [. Unless such town opts out, in accordance with the provisions of subsection (j) of section 8-1bb, such regulations shall not prohibit]

(5) Prohibit the installation, in accordance with the provisions of section 8-1bb, as amended by this act, of temporary health care structures for use by mentally or physically impaired persons [in accordance with the provisions of section 8-1bb] if such structures

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comply with the provisions of said section, [.] unless the municipality opts out in accordance with the provisions of subsection (j) of said section;

(6) Prohibit the operation in a residential zone of any cottage food operation, as defined in section 21a-62b;

(7) Establish for any dwelling unit a minimum floor area that is greater than the minimum floor area set forth in the applicable building, housing or other code;

(8) Place a fixed numerical or percentage cap on the number of dwelling units that constitute multifamily housing over four units, middle housing or mixed-use development that may be permitted in the municipality;

(9) Require more than one parking space for each studio or one-bedroom dwelling unit or more than two parking spaces for each dwelling unit with two or more bedrooms, unless the municipality opts out in accordance with the provisions of section 5 of this act; or

(10) Be applied to deny any land use application, including for any site plan approval, special permit, special exception or other zoning approval, on the basis of (A) a district's character, unless such character is expressly articulated in such regulations by clear and explicit physical standards for site work and structures, or (B) the immutable characteristics, source of income or income level of any applicant or end user, other than age or disability whenever age-restricted or disability-restricted housing may be permitted.

(e) Any city, town or borough which adopts the provisions of this chapter may, by vote of its legislative body, exempt municipal property from the regulations prescribed by the zoning commission of such city, town or borough, [;] but unless it is so voted, municipal property shall be subject to such regulations.

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[(b) In any municipality that is contiguous to Long Island Sound the regulations adopted under this section shall be made with reasonable consideration for restoration and protection of the ecosystem and habitat of Long Island Sound and shall be designed to reduce hypoxia, pathogens, toxic contaminants and floatable debris in Long Island Sound. Such regulations shall provide that the commission consider the environmental impact on Long Island Sound of any proposal for development.

(c) In any municipality where a traprock ridge, as defined in section 8-1aa, or an amphibolite ridge, as defined in section 8-1aa, is located the regulations may provide for development restrictions in ridgeline setback areas, as defined in said section. The regulations may restrict quarrying and clear cutting, except that the following operations and uses shall be permitted in ridgeline setback areas, as of right: (1) Emergency work necessary to protect life and property; (2) any nonconforming uses that were in existence and that were approved on or before the effective date of regulations adopted under this section; and (3) selective timbering, grazing of domesticated animals and passive recreation.]

[(d)] (f) Any advertising sign or billboard that is not equipped with the ability to calibrate brightness or illumination shall be exempt from any municipal ordinance or regulation regulating such brightness or illumination that is adopted by a city, town or borough, pursuant to subsection (a) of this section, after the date of installation of such advertising sign or billboard. [pursuant to subsection (a) of this section.]

Sec. 5. (NEW) (*Effective October 1, 2021*) The zoning commission or combined planning and zoning commission, as applicable, of a municipality, by a two-thirds vote, may initiate the process by which such municipality opts out of the provision of subdivision (9) of subsection (d) of section 8-2 of the general statutes, as amended by this act, regarding limitations on parking spaces for dwelling units,

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provided such commission: (1) First holds a public hearing in accordance with the provisions of section 8-7d of the general statutes on such proposed opt-out, (2) affirmatively decides to opt out of the provision of said subsection within the period of time permitted under section 8-7d of the general statutes, (3) states upon its records the reasons for such decision, and (4) publishes notice of such decision in a newspaper having a substantial circulation in the municipality not later than fifteen days after such decision has been rendered. Thereafter, the municipality's legislative body or, in a municipality where the legislative body is a town meeting, its board of selectmen, by a two-thirds vote, may complete the process by which such municipality opts out of the provision of subsection (d) of section 8-2 of the general statutes, as amended by this act.

Sec. 6. (NEW) (*Effective January 1, 2022*) (a) Any zoning regulations adopted pursuant to section 8-2 of the general statutes, as amended by this act, shall:

(1) Designate locations or zoning districts within the municipality in which accessory apartments are allowed, provided at least one accessory apartment shall be allowed as of right on each lot that contains a single-family dwelling and no such accessory apartment shall be required to be an affordable accessory apartment;

(2) Allow accessory apartments to be attached to or located within the proposed or existing principal dwelling, or detached from the proposed or existing principal dwelling and located on the same lot as such dwelling;

(3) Set a maximum net floor area for an accessory apartment of not less than thirty per cent of the net floor area of the principal dwelling, or one thousand square feet, whichever is less, except that such regulations may allow a larger net floor area for such apartments;

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(4) Require setbacks, lot size and building frontage less than or equal to that which is required for the principal dwelling, and require lot coverage greater than or equal to that which is required for the principal dwelling;

(5) Provide for height, landscaping and architectural design standards that do not exceed any such standards as they are applied to single-family dwellings in the municipality;

(6) Be prohibited from requiring (A) a passageway between any such accessory apartment and any such principal dwelling, (B) an exterior door for any such accessory apartment, except as required by the applicable building or fire code, (C) any more than one parking space for any such accessory apartment, or fees in lieu of parking otherwise allowed by section 8-2c of the general statutes, (D) a familial, marital or employment relationship between occupants of the principal dwelling and accessory apartment, (E) a minimum age for occupants of the accessory apartment, (F) separate billing of utilities otherwise connected to, or used by, the principal dwelling unit, or (G) periodic renewals for permits for such accessory apartments; and

(7) Be interpreted and enforced such that nothing in this section shall be in derogation of (A) applicable building code requirements, (B) the ability of a municipality to prohibit or limit the use of accessory apartments for short-term rentals or vacation stays, or (C) other requirements where a well or private sewerage system is being used, provided approval for any such accessory apartment shall not be unreasonably withheld.

(b) The as of right permit application and review process for approval of accessory apartments shall require that a decision on any such application be rendered not later than sixty-five days after receipt of such application by the applicable zoning commission, except that an applicant may consent to one or more extensions of not more than an

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additional sixty-five days or may withdraw such application.

(c) A municipality shall not (1) condition the approval of an accessory apartment on the correction of a nonconforming use, structure or lot, or (2) require the installation of fire sprinklers in an accessory apartment if such sprinklers are not required for the principal dwelling located on the same lot or otherwise required by the fire code.

(d) A municipality, special district, sewer or water authority shall not (1) consider an accessory apartment to be a new residential use for the purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless such accessory apartment was constructed with a new single-family dwelling on the same lot, or (2) require the installation of a new or separate utility connection directly to an accessory apartment or impose a related connection fee or capacity charge.

(e) If a municipality fails to adopt new regulations or amend existing regulations by January 1, 2023, for the purpose of complying with the provisions of subsections (a) to (d), inclusive, of this section, and unless such municipality opts out of the provisions of said subsections in accordance with the provisions of subsection (f) of this section, any noncompliant existing regulation shall become null and void and such municipality shall approve or deny applications for accessory apartments in accordance with the requirements for regulations set forth in the provisions of subsections (a) to (d), inclusive, of this section until such municipality adopts or amends a regulation in compliance with said subsections. A municipality may not use or impose additional standards beyond those set forth in subsections (a) to (d), inclusive, of this section.

(f) Notwithstanding the provisions of subsections (a) to (d), inclusive, of this section, the zoning commission or combined planning and zoning commission, as applicable, of a municipality, by a two-thirds

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vote, may initiate the process by which such municipality opts out of the provisions of said subsections regarding allowance of accessory apartments, provided such commission: (1) First holds a public hearing in accordance with the provisions of section 8-7d of the general statutes on such proposed opt-out, (2) affirmatively decides to opt out of the provisions of said subsections within the period of time permitted under section 8-7d of the general statutes, (3) states upon its records the reasons for such decision, and (4) publishes notice of such decision in a newspaper having a substantial circulation in the municipality not later than fifteen days after such decision has been rendered. Thereafter, the municipality's legislative body or, in a municipality where the legislative body is a town meeting, its board of selectmen, by a two-thirds vote, may complete the process by which such municipality opts out of the provisions of subsections (a) to (d), inclusive, of this section, except that, on and after January 1, 2023, no municipality may opt out of the provisions of said subsections.

Sec. 7. Subsection (k) of section 8-30g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(k) The affordable housing appeals procedure established under this section shall not be available if the real property which is the subject of the application is located in a municipality in which at least ten per cent of all dwelling units in the municipality are (1) assisted housing, (2) currently financed by Connecticut Housing Finance Authority mortgages, (3) subject to binding recorded deeds containing covenants or restrictions which require that such dwelling units be sold or rented at, or below, prices which will preserve the units as housing for which persons and families pay thirty per cent or less of income, where such income is less than or equal to eighty per cent of the median income, (4) mobile manufactured homes located in mobile manufactured home parks or legally approved accessory apartments, which homes or

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apartments are subject to binding recorded deeds containing covenants or restrictions which require that such dwelling units be sold or rented at, or below, prices which will preserve the units as housing for which, for a period of not less than ten years, persons and families pay thirty per cent or less of income, where such income is less than or equal to eighty per cent of the median income, or (5) mobile manufactured homes located in resident-owned mobile manufactured home parks. For the purposes of calculating the total number of dwelling units in a municipality, accessory apartments built or permitted after January 1, 2022, but that are not described in subdivision (4) of this subsection, shall not be counted toward such total number. The municipalities meeting the criteria set forth in this subsection shall be listed in the report submitted under section 8-37qqq. As used in this subsection, "accessory apartment" [means a separate living unit that (A) is attached to the main living unit of a house, which house has the external appearance of a single-family residence, (B) has a full kitchen, (C) has a square footage that is not more than thirty per cent of the total square footage of the house, (D) has an internal doorway connecting to the main living unit of the house, (E) is not billed separately from such main living unit for utilities, and (F) complies with the building code and health and safety regulations] has the same meaning as provided in section 8-1a, as amended by this act, and "resident-owned mobile manufactured home park" means a mobile manufactured home park consisting of mobile manufactured homes located on land that is deed restricted, and, at the time of issuance of a loan for the purchase of such land, such loan required seventy-five per cent of the units to be leased to persons with incomes equal to or less than eighty per cent of the median income, and either [(i)] (A) forty per cent of said seventy-five per cent to be leased to persons with incomes equal to or less than sixty per cent of the median income, or [(ii)] (B) twenty per cent of said seventy-five per cent to be leased to persons with incomes equal to or less than fifty per cent of the median income.

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Sec. 8. Subsection (e) of section 8-3 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(e) (1) The zoning commission shall provide for the manner in which the zoning regulations shall be enforced, except that any person appointed as a zoning enforcement officer on or after January 1, 2023, shall be certified in accordance with the provisions of subdivision (2) of this subsection.

(2) Beginning January 1, 2023, and annually thereafter, each person appointed as a zoning enforcement officer shall obtain certification from the Connecticut Association of Zoning Enforcement Officials and maintain such certification for the duration of employment as a zoning enforcement officer.

Sec. 9. (NEW) (*Effective from passage*) (a) On and after January 1, 2023, each member of a municipal planning commission, zoning commission, combined planning and zoning commission and zoning board of appeals shall complete at least four hours of training. Any such member serving on any such commission or board as of January 1, 2023, shall complete such initial training by January 1, 2024, and shall complete any subsequent training every other year thereafter. Any such member not serving on any such commission or board as of January 1, 2023, shall complete such initial training not later than one year after such member's election or appointment to such commission or board and shall complete any subsequent training every other year thereafter. Such training shall include at least one hour concerning affordable and fair housing policies and may also consist of (1) process and procedural matters, including the conduct of effective meetings and public hearings and the Freedom of Information Act, as defined in section 1-200 of the general statutes, (2) the interpretation of site plans, surveys, maps and architectural conventions, and (3) the impact of zoning on the environment, agriculture and historic resources.

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(b) Not later than January 1, 2022, the Secretary of the Office of Policy and Management shall establish guidelines for such training in collaboration with land use training providers, including, but not limited to, the Connecticut Association of Zoning Enforcement Officials, the Connecticut Conference of Municipalities, the Connecticut Chapter of the American Planning Association, the Land Use Academy at the Center for Land Use Education and Research at The University of Connecticut, the Connecticut Bar Association, regional councils of governments and other nonprofit or educational institutions that provide land use training, except that if the secretary fails to establish such guidelines, such land use training providers may create and administer appropriate training for members of commissions and boards described in subsection (a) of this section, which may be used by such members for the purpose of complying with the provisions of said subsection.

(c) Not later than March 1, 2024, and annually thereafter, the planning commission, zoning commission, combined planning and zoning commission and zoning board of appeals, as applicable, in each municipality shall submit a statement to such municipality's legislative body or, in a municipality where the legislative body is a town meeting, its board of selectmen, affirming compliance with the training requirement established pursuant to subsection (a) of this section by each member of such commission or board required to complete such training in the calendar year ending the preceding December thirty-first.

Sec. 10. Section 7-245 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

For the purposes of this chapter: (1) "Acquire a sewerage system" means obtain title to all or any part of a sewerage system or any interest therein by purchase, condemnation, grant, gift, lease, rental or otherwise; (2) "alternative sewage treatment system" means a sewage treatment system serving one or more buildings that utilizes a method

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of treatment other than a subsurface sewage disposal system and that involves a discharge to the groundwaters of the state; (3) "community sewerage system" means any sewerage system serving two or more residences in separate structures which is not connected to a municipal sewerage system or which is connected to a municipal sewerage system as a distinct and separately managed district or segment of such system, but does not include any sewerage system serving only a principal dwelling unit and an accessory apartment, as defined in section 8-1a, as amended by this act, located on the same lot; (4) "construct a sewerage system" means to acquire land, easements, rights-of-way or any other real or personal property or any interest therein, plan, construct, reconstruct, equip, extend and enlarge all or any part of a sewerage system; (5) "decentralized system" means managed subsurface sewage disposal systems, managed alternative sewage treatment systems or community sewerage systems that discharge sewage flows of less than five thousand gallons per day, are used to collect and treat domestic sewage, and involve a discharge to the groundwaters of the state from areas of a municipality; (6) "decentralized wastewater management district" means areas of a municipality designated by the municipality through a municipal ordinance when an engineering report has determined that the existing subsurface sewage disposal systems may be detrimental to public health or the environment and that decentralized systems are required and such report is approved by the Commissioner of Energy and Environmental Protection with concurring approval by the Commissioner of Public Health, after consultation with the local director of health; (7) "municipality" means any metropolitan district, town, consolidated town and city, consolidated town and borough, city, borough, village, fire and sewer district, sewer district and each municipal organization having authority to levy and collect taxes; (8) "operate a sewerage system" means own, use, equip, reequip, repair, maintain, supervise, manage, operate and perform any act pertinent to the collection, transportation and disposal of sewage; (9) "person" means any person, partnership,

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corporation, limited liability company, association or public agency; (10) "remediation standards" means pollutant limits, performance requirements, design parameters or technical standards for application to existing sewage discharges in a decentralized wastewater management district for the improvement of wastewater treatment to protect public health and the environment; (11) "sewage" means any substance, liquid or solid, which may contaminate or pollute or affect the cleanliness or purity of any water; and (12) "sewerage system" means any device, equipment, appurtenance, facility and method for collecting, transporting, receiving, treating, disposing of or discharging sewage, including, but not limited to, decentralized systems within a decentralized wastewater management district when such district is established by municipal ordinance pursuant to section 7-247.

Sec. 11. Subsection (b) of section 7-246 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(b) Each municipal water pollution control authority designated in accordance with this section may prepare and periodically update a water pollution control plan for the municipality. Such plan shall designate and delineate the boundary of: (1) Areas served by any municipal sewerage system; (2) areas where municipal sewerage facilities are planned and the schedule of design and construction anticipated or proposed; (3) areas where sewers are to be avoided; (4) areas served by any community sewerage system not owned by a municipality; (5) areas to be served by any proposed community sewerage system not owned by a municipality; and (6) areas to be designated as decentralized wastewater management districts. Such plan may designate and delineate specific allocations of capacity to serve areas that are able to be developed for residential or mixed-use buildings containing four or more dwelling units. Such plan shall also describe the means by which municipal programs are being carried out

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to avoid community pollution problems and describe any programs wherein the local director of health manages subsurface sewage disposal systems. The authority shall file a copy of the plan and any periodic updates of such plan with the Commissioner of Energy and Environmental Protection and shall manage or ensure the effective supervision, management, control, operation and maintenance of any community sewerage system or decentralized wastewater management district not owned by a municipality.

Sec. 12. Section 8-30j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) (1) [At] Not later than June 1, 2022, and at least once every five years thereafter, each municipality shall prepare or amend and adopt an affordable housing plan for the municipality and shall submit a copy of such plan to the Secretary of the Office of Policy and Management, who shall post such plan on the Internet web site of said office. Such plan shall specify how the municipality intends to increase the number of affordable housing developments in the municipality.

(2) If, at the same time the municipality is required to submit to the Secretary of the Office of Policy and Management an affordable housing plan pursuant to subdivision (1) of this subsection, the municipality is also required to submit to the secretary a plan of conservation and development pursuant to section 8-23, such affordable housing plan may be included as part of such plan of conservation and development. The municipality may, to coincide with its submission to the secretary of a plan of conservation and development, submit to the secretary an affordable housing plan early, provided the municipality's next such submission of an affordable housing plan shall be five years thereafter.

(b) The municipality may hold public informational meetings or organize other activities to inform residents about the process of preparing the plan and shall post a copy of any draft plan or amendment

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to such plan on the Internet web site of the municipality. If the municipality holds a public hearing, such posting shall occur at least thirty-five days prior to the public hearing. [on the adoption, the municipality shall file in the office of the town clerk of such municipality a copy of such draft plan or any amendments to the plan, and if applicable, post such draft plan on the Internet web site of the municipality.] After adoption of the plan, the municipality shall file the final plan in the office of the town clerk of such municipality and [, if applicable,] post the plan on the Internet web site of the municipality.

(c) Following adoption, the municipality shall regularly review and maintain such plan. The municipality may adopt such geographical, functional or other amendments to the plan or parts of the plan, in accordance with the provisions of this section, as it deems necessary. If the municipality fails to amend and submit to the Secretary of the Office of Policy and Management such plan every five years, the chief elected official of the municipality shall submit a letter to the [Commissioner of Housing] secretary that (1) explains why such plan was not amended, and (2) designates a date by which an amended plan shall be submitted.

Sec. 13. (*Effective from passage*) (a) There is established a Commission on Connecticut's Development and Future within the Legislative Department, which shall evaluate policies related to land use, conservation, housing affordability and infrastructure.

(b) The commission shall consist of the following members:

(1) Two appointed by the speaker of the House of Representatives, one of whom is a member of the General Assembly not described in subdivision (7), (8), (9) or (10) of this subsection and one of whom is a representative of a municipal advocacy organization;

(2) Two appointed by the president pro tempore of the Senate, one of whom is a member of the General Assembly not described in

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subdivision (7), (8), (9) or (10) of this subsection and one of whom has expertise in state or local planning;

(3) Two appointed by the majority leader of the House of Representatives, one of whom has expertise in state affordable housing policy and one of whom represents a town with a population of greater than thirty thousand but less than seventy-five thousand;

(4) Two appointed by the majority leader of the Senate, one of whom has expertise in zoning policy and one of whom has expertise in community development policy;

(5) Two appointed by the minority leader of the House of Representatives, one of whom has expertise in environmental policy and one of whom is a representative of a municipal advocacy organization;

(6) Two appointed by the minority leader of the Senate, one of whom has expertise in homebuilding and one of whom is a representative of the Connecticut Association of Councils of Governments;

(7) The chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to planning and development;

(8) The chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to the environment;

(9) The chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to housing;

(10) The chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters

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relating to transportation;

(11) Two appointed by the Governor, one of whom is an attorney with expertise in planning and zoning and one of whom has expertise in fair housing;

(12) The Secretary of the Office of Policy and Management;

(13) The Commissioner of Administrative Services, or the commissioner's designee;

(14) The Commissioner of Economic and Community Development, or the commissioner's designee;

(15) The Commissioner of Energy and Environmental Protection, or the commissioner's designee;

(16) The Commissioner of Housing, or the commissioner's designee; and

(17) The Commissioner of Transportation, or the commissioner's designee.

(c) Appointing authorities, in cooperation with one another, shall make a good faith effort to ensure that, to the extent possible, the membership of the commission closely reflects the gender and racial diversity of the state. Members of the commission shall serve without compensation, except for necessary expenses incurred in the performance of their duties. Any vacancy shall be filled by the appointing authority.

(d) The speaker of the House of Representatives and the president pro tempore of the Senate shall jointly select one of the members of the General Assembly described in subdivision (1) or (2) of subsection (b) of this section to serve as one cochairperson of the commission. The Secretary of the Office of Policy and Management shall serve as the other

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cochairperson of the commission. Such cochairpersons shall schedule the first meeting of the commission.

(e) The commission may accept administrative support and technical and research assistance from outside organizations and employees of the Joint Committee on Legislative Management. The cochairpersons may establish, as needed, working groups consisting of commission members and nonmembers and may designate a chairperson of each such working group.

(f) (1) Except as provided in subdivision (2) of this subsection, not later than January 1, 2022, and not later than January 1, 2023, the commission shall submit a report to the joint standing committees of the General Assembly having cognizance of matters relating to planning and development, environment, housing and transportation and to the Secretary of the Office of Policy and Management, in accordance with the provisions of section 11-4a of the general statutes, regarding the following:

(A) Any recommendations for statutory changes concerning the process for developing, adopting and implementing the state plan of conservation and development;

(B) Any recommendations for (i) statutory changes concerning the process for developing and adopting the state's consolidated plan for housing and community development prepared pursuant to section 8-37t of the general statutes, and (ii) implementation of such plan;

(C) Any recommendations (i) for guidelines and incentives for compliance with (I) the requirements for affordable housing plans prepared pursuant to section 8-30j of the general statutes, as amended by this act, and (II) subdivisions (4) to (6), inclusive, of subsection (b) of section 8-2 of the general statutes, as amended by this act, and (ii) as to how such compliance should be determined, as well as the form and

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manner in which evidence of such compliance should be demonstrated. Nothing in this subparagraph may be construed as permitting any municipality to delay the preparation or amendment and adoption of an affordable housing plan, and the submission of a copy of such plan to the Secretary of the Office of Policy and Management, beyond the date set forth in subsection (a) of section 8-30j of the general statutes, as amended by this act;

(D) (i) Existing categories of discharge that constitute (I) alternative on-site sewage treatment systems, as described in section 19a-35a of the general statutes, (II) subsurface community sewerage systems, as described in section 22a-430 of the general statutes, and (III) decentralized systems, as defined in section 7-245 of the general statutes, as amended by this act, (ii) current administrative jurisdiction to issue or deny permits and approvals for such systems, with reference to daily capacities of such systems, and (iii) the potential impacts of increasing the daily capacities of such systems, including changes in administrative jurisdiction over such systems and the timeframe for adoption of regulations to implement any such changes in administrative jurisdiction; and

(E) (i) Development of model design guidelines for both buildings and context-appropriate streets that municipalities may adopt, in whole or in part, as part of their zoning or subdivision regulations, which guidelines shall (I) identify common architectural and site design features of building types used in urban, suburban and rural communities throughout this state, (II) create a catalogue of common building types, particularly those typically associated with housing, (III) establish reasonable and cost-effective design review standards for approval of common building types, accounting for topography, geology, climate change and infrastructure capacity, (IV) establish procedures for expediting the approval of buildings or streets that satisfy such design review standards, whether for zoning or subdivision

Substitute House Bill No. 6107

regulations, and (V) create a design manual for context-appropriate streets that complement common building types, and (ii) development and implementation by the regional councils of governments of an education and training program for the delivery of such model design guidelines for both buildings and context-appropriate streets.

(2) If the commission is unable to meet the January 1, 2022, deadline set forth in subdivision (1) of this subsection for the submission of the report described in said subdivision, the cochairpersons shall request from the speaker of the House of Representatives and president pro tempore of the Senate an extension of time for such submission and shall submit an interim report.

(3) The commission shall terminate on the date it submits its final report or January 1, 2023, whichever is later.

Approved June 10, 2021



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 22-095

Agenda Date: 11/7/2022

Agenda #: 6.

AGENDA REQUEST
GENERAL DISCUSSION ITEM

Subject:

Any other Old Business proper to come before the Committee.

Background:

(type text here)

Department Comment/Recommendation:

(type text here)



File #: 22-016

Agenda Date: 11/7/2022

Agenda #: 1.

ORDINANCE

Subject/Application:

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.

Background:

Town Council Meeting 10/13/2022: In considering a motion to set a public hearing date to receive comments regarding the proposed Commercial Vehicle Parking Ordinance, it was agreed that rather than create a separate ordinance that the provisions regarding the parking of Commercial Vehicles on town roads be added to Ordinance #300-027 (rev 1) “*An Ordinance Regulating Parking and Other Activities in Town Roads and Rights-of-Way and Providing Penalties for the Violation Thereof*”.

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 the draft dated October 13, 2022 is attached.

The LUPPW Committee discussed potential mechanisms to address regarding safety concerns pertaining to a large commercial tow truck/flatbed that was parked on a residential street, which included using an Ordinance versus the Zoning Regulations. They also discussed the complexity of the issue, noting that it was multi-faceted involving safety and inconvenience issues.

The LUPPW Committee discussed with Land Use Director/Town Planner Juliet Hodge a number of scenarios, the challenge to define the qualifying characteristics/criteria, and potential exemptions:

- Impeding sight lines, cannot see children getting on and off the school bus, neighbors cannot see to pull out of their driveways.
- Neighbors hearing large noisy trucks starting up at 2:00 a.m. to leave for work.
- Large pick-up trucks that could be registered as a commercial vehicle, but were used as a passenger truck; and was registered as such.
- Parking five limousines on the curb in front of their home.
- Parking an oil truck in front of their house.
- Public property cannot be used to subsidize private companies, which meant that commercial vehicles could not park on the street.

- Parking a tractor trailer on the side of the road without the cab portion of the truck.

❖ **Characteristics /Criteria**

- Size of Vehicle
 - ✓ Height - Bigger than 8 feet tall
 - ✓ Width - Longer than 20 feet long
 - ✓ Weight - Heavier than 12,000 pounds

❖ **Exceptions:**

- Commercial vehicles being parked on residential street during normal business hours if they were working on the property to provide services such as cutting grass, painting a house, tree removal, delivering oil or repairing a furnace, doing an addition, etc.

❖ **Ordinance versus Zoning Regulations:**

| Ordinance | Zoning Regulations |
|--|---|
| <ul style="list-style-type: none"> • Police Department could ticket for violators. • Tickets would be in accordance with State of Connecticut Complaint Ticket (Parking Ticket CGS 7-148; 7-148(c)) (i.e. Ordinance #600-003) | <ul style="list-style-type: none"> • Challenge to enforce. • Include provisions in both the Zoning Regulations and in an Ordinance. |

Should the town decide to implement an Ordinance or Zoning Regulations, or both, to limit/prohibit the parking of large commercial vehicles on the street, a Public Hearing would be held prior to the adoption of the Ordinance. Initially the Police Department could issue warnings to alert people that they were in violation of the new law, and if the situation continued then they could issue Tickets in accordance with State Statute Section 7-148; 7-148(c) which already included an “Appeals Process”.

Land Use Director/Town Planner Juliet Hodge offered to draft an Ordinance for the LUPPW Committee to consider, as well as a Zoning Regulation amendment for the Planning & Zoning Commission to consider.

Meeting Action Detail:

Administration Committee Meeting 9/28/2022

File #: [22016 <https://ledyardct.legistar.com/LegislationDetail.aspx?ID=5741897&GUID=F981DB10-B855-4128-A581-ED79AEAE6861>](https://ledyardct.legistar.com/LegislationDetail.aspx?ID=5741897&GUID=F981DB10-B855-4128-A581-ED79AEAE6861) Version: 1

Type: Ordinance

Title: MOTION to recommend the Town Council adopt a proposed “*An Ordinance Regulating Parking of Commercial Vehicles on Public Streets in Residential Zones and/or In Front of Residentially Used Properties*” as contained in the draft dated ~~June 8~~, **September 28**, 2022.

Mover: Irwin <<https://ledyardct.legistar.com/PersonDetail.aspx?ID=272274&GUID=E1753A3F-7EBE-4FAF->

B351-6D26580C6437> **Seconder:** McGrattan <<https://ledyardct.legistar.com/PersonDetail.aspx?ID=272272&GUID=3144F68E-E5F1-4DBE-8B3D-C8C2AF03B816>> □

Result: Recommend to Approve □

DRAFT: ~~6/8/2022~~ 9/28/2022

Ordinance #600-XXX

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

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

Section I: Purpose

To regulate parking of commercial vehicles on public streets/roads in residential zones and/or in front of residentially used properties.

Section 2: Regulations

- A. 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.
- B. 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 3: Violation

Whenever any motor vehicle is found to be parked in violation of Section 2 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.

The Fine Schedule, may be amended from time to time, with the approval of the Town Council, and is hereby incorporated in this Ordinance as fully set forth herein (Appendix)

~~First Offense: \$90 (Infraction)~~

~~Subsequent Offense: \$200 (Violation)~~

Section 4: Payment of Fine

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

Section 5: 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 6: Effective Date

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

Adopted by the Ledyard Town Council on: _____

Kevin J. Dombrowski, Chairman

Approved/Disapproved on: _____

Fred B. Allyn, III, Mayor

Published on: _____

Patricia A. Riley, Town Clerk

Effective Date: _____

History

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 # 600-XXX

APPENDIX

**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.

STATE.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 Irwin, seconded by Councilor McGrattan

Discussion: Councilor Ingalls explained in response to some resident's concerns regarding safety pertaining to a large commercial tow truck/flatbed that was parked on a residential street the LUPPW Committee discussed the appropriate mechanism to address the issue at their May 2, 2022 meeting.

Councilor Ingalls went on to state that the LUPPW Committee worked with Land Use Director Juliet Hodge to draft the proposed Ordinance dated June 8, 2022 as presented this evening.

The Administration Committee reviewed the proposed Ordinance and agreed that it was well written and would address the safety issues that were of concern.

Councilor Irwin suggested that rather state the Fines in the Ordinance itself that they put the Fines in an Appendix, as they have done for other Ordinances that have a fee schedule, so that if they want to make a change to the fines they would not need to go thru the process to amend the Ordinance itself.

The Administration Committee agreed to move the Fee Schedule to an Appendix as a "*friendly amendment*" as noted above.

Councilor Ingalls noted the draft Ordinance the Administration Committee would be forwarding to the Town Council for consideration would be dated **September 28, 2022**.

VOTE:3 - 0 Approved and so declared.

Action: [Recommend to Approve](#)

LUPPW Cmt Meeting 8/1/2022

File #: [22016 <https://ledyardct.legistar.com/LegislationDetail.aspx?ID=5741897&GUID=F981DB10-B855-4128-A581-ED79AEAE6861>](https://ledyardct.legistar.com/LegislationDetail.aspx?ID=5741897&GUID=F981DB10-B855-4128-A581-ED79AEAE6861) Version: 1

Type: Ordinance

Title: MOTION to recommend the Town Council adopt a proposed "*An Ordinance Regulating Parking of Commercial Vehicles on Public Streets in Residential Zones and/or In Front of Residentially Used Properties*" as contained in the draft dated June 8, 2022.

Mover: [Gary Paul <https://ledyardct.legistar.com/PersonDetail.aspx?ID=272274&GUID=E1753A3F-7EBE-4FAF-B351-6D26580C6437>](https://ledyardct.legistar.com/PersonDetail.aspx?ID=272274&GUID=E1753A3F-7EBE-4FAF-B351-6D26580C6437) Secunder: [John Marshall <https://ledyardct.legistar.com/PersonDetail.aspx?ID=272272&GUID=3144F68E-E5F1-4DBE-8B3D-C8C2AF03B816>](https://ledyardct.legistar.com/PersonDetail.aspx?ID=272272&GUID=3144F68E-E5F1-4DBE-8B3D-C8C2AF03B816)

Result: Recommend to Approve

Meeting Note:

Councilor Paul noted in response to some resident's concerns regarding safety pertaining to a large commercial tow truck/flatbed that was parked on a residential street the LUPPW Committee' began discussing the appropriate mechanism to address the issue at their May 2, 2022 meeting. He stated Land Use Director Juliet Hodge drafted a proposed Ordinance that the LUPPW Committee reviewed at the June 6, 2022 and that some additional editorials were made, as presented in the draft dated June 8, 2022 for review and discussion this evening.

- MOTION to recommend the Town Council adopt a proposed "*An Ordinance Regulating Parking of Commercial Vehicles on Public Streets in Residential Zones and/or In Front of Residentially Used Properties*" as contained in the draft dated June 8, 2022.
Moved by Councilor Paul, seconded by Councilor Marshall
Discussion: The LUPPW Committee discussed the proposed Ordinance (see above) and questioned the

following:

- Process to move the Ordinance forward to the Town Council. It was noted that the Ordinance would move on the Administration Committee for their review before being presented to the Town Council.
- Would the Finance Committee also need to be involved with the review process? It was noted that because the fines were set in the Ordinance and that the *Payment of the fine(s) associated with the issue of any Ticket would be in accordance with current Connecticut State Statutes (7-148*)* that it was not necessary for the proposed Ordinance to be forwarded to the Finance Committee.

VOTE:3 - 0 Approved and so declared.

Action: Recommended for Approval

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

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

Section I: Purpose

To regulate parking of commercial vehicles on public streets/roads in residential zones and/or in front of residentially used properties.

Section 2: Regulations

- A. 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.
- B. 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 3: Violation

Whenever any motor vehicle is found to be parked in violation of Section 2 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.

The Town Council shall establish a fine 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).

~~First Offense: \$90 (Infraction)~~

~~Subsequent Offense: \$200 (Violation)~~

Section 4: Payment of Fine

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

Section 5: 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 6: Effective Date

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

Adopted by the Ledyard Town Council on: _____

Kevin J. Dombrowski, Chairman

Approved/Disapproved on: _____

Fred B. Allyn, III, Mayor

Published on: _____

Patricia A. Riley, Town Clerk

Effective Date: _____

History

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.

APPENDIX

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.

STATE.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))

*An Ordinance Regulating Parking of Commercial Vehicles on Public Streets in Residential Zones and/or
In Front of Residentially Used Properties*

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

VIOLATIONS OF MUNICIPAL ORDINANCES
NOT RELATED TO PARKING OR MOTOR VEHICLES

The complaint ticket may be used for violations of municipal parking ordinances NOT related to parking or motor vehicles 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.

STATE.NO.

7-148* Municipal ordinance NOT related to parking or motor vehicles where the amount of the penalty is \$90.00 or less. (See Examples 1 and 2 Below)

7-148CI91-250 Municipal ordinance NOT related to parking or motor vehicles 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

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.

STATE.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

Sec. 7-148. Scope of municipal powers. (a) **Definitions.** Whenever used in this section, "municipality" means any town, city or borough, consolidated town and city or consolidated town and borough.

(b) **Ordinances.** Powers granted to any municipality under the general statutes or by any charter or special act, unless the charter or special act provides to the contrary, shall be exercised by ordinance when the exercise of such powers has the effect of:

(1) Establishing rules or regulations of general municipal application, the violation of which may result in the imposition of a fine or other penalty including community service for not more than twenty hours; or

(2) Creating a permanent local law of general applicability.

(c) **Powers.** Any municipality shall have the power to do any of the following, in addition to all powers granted to municipalities under the Constitution and general statutes:

(1) **Corporate powers.** (A) Contract and be contracted with, sue and be sued, and institute, prosecute, maintain and defend any action or proceeding in any court of competent jurisdiction;

(B) Provide for the authentication, execution and delivery of deeds, contracts, grants, and releases of municipal property and for the issuance of evidences of indebtedness of the municipality;

(2) **Finances and appropriations.** (A) Establish and maintain a budget system;

(B) Assess, levy and collect taxes for general or special purposes on all property, subjects or objects which may be lawfully taxed, and regulate the mode of assessment and collection of taxes and assessments not otherwise provided for, including establishment of a procedure for the withholding of approval of building application when taxes or water or sewer rates, charges or assessments imposed by the municipality are delinquent for the property for which an application was made;

(C) Make appropriations for the support of the municipality and pay its debts;

(D) Make appropriations for the purpose of meeting a public emergency threatening the lives, health or property of citizens, provided such appropriations shall require a favorable vote of at least two-thirds of the entire membership of the legislative body or, when the legislative body is the town meeting, at least two-thirds of those present and voting;

(E) Make appropriations to military organizations, hospitals, health care facilities, public health nursing organizations, nonprofit museums and libraries, organizations providing drug abuse and dependency programs and any other private organization

performing a public function;

(F) Provide for the manner in which contracts involving unusual expenditures shall be made;

(G) When not specifically prescribed by general statute or by charter, prescribe the form of proceedings and mode of assessing benefits and appraising damages in taking land for public use, or in making public improvements to be paid for, in whole or in part, by special assessments, and prescribe the manner in which all benefits assessed shall be collected;

(H) Provide for the bonding of municipal officials or employees by requiring the furnishing of such bond, conditioned upon honesty or faithful performance of duty and determine the amount, form, and sufficiency of the sureties thereof;

(I) Regulate the method of borrowing money for any purpose for which taxes may be levied and borrow on the faith and credit of the municipality for such general or special purposes and to such extent as is authorized by general statute;

(J) Provide for the temporary borrowing of money;

(K) Create a sinking fund or funds or a trust fund or funds or other special funds, including funds which do not lapse at the end of the municipal fiscal year;

(L) Provide for the assignment of municipal tax liens on real property to the extent authorized by general statute;

(3) **Property.** (A) Take or acquire by gift, purchase, grant, including any grant from the United States or the state, bequest or devise and hold, condemn, lease, sell, manage, transfer, release and convey such real and personal property or interest therein absolutely or in trust as the purposes of the municipality or any public use or purpose, including that of education, art, ornament, health, charity or amusement, cemeteries, parks or gardens, or the erection or maintenance of statues, monuments, buildings or other structures, require. Any lease of real or personal property or any interest therein, either as lessee or lessor, may be for such term or any extensions thereof and upon such other terms and conditions as have been approved by the municipality, including without limitation the power to bind itself to appropriate funds as necessary to meet rent and other obligations as provided in any such lease;

(B) Provide for the proper administration of gifts, grants, bequests and devises and meet such terms or conditions as are prescribed by the grantor or donor and accepted by the municipality;

(4) **Public services.** (A) Provide for police protection, regulate and prescribe the duties of the persons providing police protection with respect to criminal matters within the limits of the municipality and maintain and regulate a suitable place of detention

within the limits of the municipality for the safekeeping of all persons arrested and awaiting trial and do all other things necessary or desirable for the policing of the municipality;



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 22-676

Agenda Date: 11/7/2022

Agenda #: 2.

ORDINANCE

Motion/Request:

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*".

Background:

In 2018 the Town Council adopted Ordinance #100-018 "*An Ordinance Providing for Archery Hunting on Certain Town Owned Lands*".

He noted 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).

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.

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 was amended to include provisions for "*non-town owned properties/certain open space properties*".

This program was a Lottery System in which six people would win a lottery for each property to bow hunt.

This was an Administrative Action - 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.

Department Comment/Recommendation:

(type text here)

Mayor Comment/Recommendation:

(type text here)

Body:
(type text here)

Department Comment/Recommendation:
(type text here)

Mayor Comment/Recommendation:
(type text here)

Body:
(type text here)

AN ORDINANCE
PROVIDING FOR ARCHERY HUNTING
ON CERTAIN TOWN OWNED LANDS
AND CERTAIN OPEN SPACE PROPERTIES

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

Section 1. Establishment

Pursuant to the provisions the State of Connecticut General Statute, Section 26-65 permission is established for the hunting of deer on certain town-owned properties and certain open space properties not under town ownership in the Town of Ledyard.

Section 2. Authorization For Public Hunting

In the interest of developing a sound wildlife program the Town of Ledyard hereby authorizes Ledyard residents permission for the public hunting of deer on certain designated parcels of town-owned land and certain open space properties not under town ownership in accordance with the Appendix A “Town of Ledyard Hunting Rules and Regulations”.

Section 3. Penalty

Persons found to be in violation of the provisions of this ordinance shall have their permit revoked and could be subject to penalties in accordance with State Statutes.

Section 4. Annual Expiration

This Ordinance shall expire annually at the end of the calendar year, unless a vote of the Town Council is taken to approve to extend it for one year.

Section 4: 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 5. Effective Date

In accordance with the Town Charter 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: April 28, 2021

Linda C. Davis, Chairman

Approved/Disapproved on: _____

Fred B. Allyn, III, Mayor

Published on:

Patricia A. Riley, Town Clerk

Effective Date:

Revisions: Ordinance #149 “*An Ordinance Providing for Archery Hunting on Certain Town Owned Lands*” Adopted April 25, 2018; Effective: May 23, 2018. Renumbered to #100-018 September 25, 2019 as part of the Ordinance Update Initiative. Amended and Adopted on April 28, 2021.

History:

Special Town Meeting of October 28, 2020 the townspeople approved to transfer the Founders Preserve (332 Colonel Ledyard Highway) to Avalonia Land Conservancy. One of the conditions of the transfer was that Avalonia Land Conservancy would allow for the continuation of archery hunting on the property in accordance with Ordinance #100-018. With the land transfer the Founders Preserve Parcel language was added to Sections 1 and 2 of the Ordinance and to Appendix A to provide for archery on “*open space properties not under town ownership*”.

The Twenty-fourth Town Council (2017- 2019) Ordinance Update Initiative: Renumbered Ordinance #149 “*An Ordinance Providing for Archery Hunting on certain town Owned Lands*” to Ordinance # 100-018. No substantive changes were made to the ordinance.

Appendix A
Ordinance #100-018

Town of Ledyard
Hunting Rules and Regulations

All hunting activity will be strictly regulated to ensure the safety of all recreationalists and to protect the natural resources of Ledyard.

- 1) Hunting permits for hunting deer (archery only) on certain designated parcels of Town owned land shall be issued via lottery system to any legal resident of the Town of Ledyard who has completed a CT Bowhunting Safety Course and can pass a qualifications check administered by the Town.
 - a) A legal resident is one who has a legal permanent physical address in Ledyard, normally a state issued ID (requiring notification of change of address within 48 hours). Residence must be verified by presenting a valid CT Drivers License. Residents currently serving in the military must show appropriate proof of residence within Ledyard if they do not have a CT Drivers License (utility bill with current mailing address, etc.).
 - b) Applicants must present a certificate from the State of Connecticut showing they have completed the State's Bowhunting Safety Course.
 - c) Lottery applications may be submitted in writing between May 1 and May 31 for the hunting season during the current calendar year only.
 - d) The lottery will be held in Town Hall prior to July 1. Applicants need not be present, and will be notified via email. Winning lottery entries are valid for the current hunting season only.
 - e) Winning lottery permits are not transferable.
 - f) Applicants winning the lottery must pass the qualifications test administered by the Town to prove minimum competency with a compound bow (shoot from an elevated stand at various ranges at a 3D target, minimum score 75%).
 - g) A maximum of 6 permits shall be issued for each property (total of 12). Winning lottery permission slips may be picked up at the Town Clerk's office with proper identification and valid CT archery hunting license.
- 2) All hunters will be required to secure written permission from the Town of Ledyard using official CT DEEP Private Land Permission forms found on the CT DEEP website before hunting on Town owned and regulated deer hunting property as specified herein. The Town will administer written permission slips through the Town Clerk's office beginning July 1 for hunters holding winning lottery entry slips.
- 3) Hunters must hold a current, valid CT hunting license for archery deer with tags, and shall comply with all CT DEEP hunting regulations.
- 4) At the time of permit issuance, individuals shall be required to complete and sign the town's Hunting Legal Release Form and Waiver of Liability which relieves the Town of all liability in the case of accident or injury. Individual hunters must have read and understood all applicable federal, state, and Town of Ledyard hunting regulations before being issued a permit.
- 5) Hunting shall be limited to the following Town of Ledyard owned properties and open space properties not owned by the Town of Ledyard, as recorded on the Deed of the Land Records or with written consent of the property owner.
 - a) Clark Farm (1025 Colonel Ledyard Highway) (Town Owned Property)
 - b) Founders Preserve Parcel (332 Colonel Ledyard Highway) (Avalonia Land Conservancy)
- 6) Hunting days and times will follow State regulations with the following exceptions:
 - a) Hunting is prohibited on Sundays.
 - b) Hunting will be closed on Columbus Day.
 - c) Hunting hours will follow State regulations. In addition, all hunting must end at 10:00 a.m. every Saturday during the hunting seasons.

- 7) Applicants for recreational use of town owned property shall not be assessed a tax or charged a fee, for the granting of such privilege.
- 8) Only archery deer hunting will be permitted, subject to the regulations herein. All other types of hunting on Town owned land is prohibited.

Regulated Deer Hunting Rules

- 1) The methods of taking deer are limited by archery equipment consisting of a long bow (straight limb, reflex, re-curve, and compound bow) of not less than forty (40) pounds pull, and broad-head arrows with at least two cutting edges seven eighths inches (7/8") or greater at the widest point, and shall comply with all CT regulations.
 - a) A bowstring release device where the bow is hand-held, hand-drawn, and finger-released is allowed.
 - b) Legal bows must meet the definition of a legal bow as defined in these regulations.
 - c) Crossbows are not permitted.
- 2) Firearms or other weapons are not allowed at any time for any purpose.
- 3) No hunter shall harass, injure, hunt, or take any other wildlife while hunting deer on Town property.
- 4) Bowhunting while under the influence of, or in possession of, alcohol or any controlled substance is prohibited.
- 5) No permanent tree stands or ground blinds allowed.
- 6) The use of nails, spikes, bolts, or devices that may damage trees is prohibited.
- 7) Portable commercial tree stands and/or ground blinds are encouraged for all deer hunting activity. All such equipment must be removed at the end of each day's hunt.
- 8) The Town of Ledyard will not be responsible for lost, stolen, or damaged equipment.
- 9) Any hunter utilizing a portable tree stand must wear a fall arresting, full safety harness when hunting from a stand. Light pruning of trees and branches less than 2 inches in diameter (except for CT protected species) is permitted.
- 10) All deer hunting activity must be conducted from a stationary position.
- 11) Organized deer drives are strictly prohibited.
- 12) No motor vehicles are allowed for use on the premises except for those specifically authorized for use by the handicapped or for parking in designated parking areas or roadside parking not otherwise prohibited by law. All motor vehicle use (except for parking) shall be authorized in writing on the consent form.
- 13) No dressing of game shall occur on the property. All waste material shall be removed from the property.
- 14) Hunters must carry written permission slips, licenses, and deer tags on their person while hunting, in accordance with State law.
- 15) All other deer laws and regulations enacted by the State of Connecticut will be in effect and must be followed by all deer hunters.

Amended and Adopted by Ledyard Town Council on: April 28, 2021

Linda C. Davis, Chairman



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 22-032

Agenda Date: 11/7/2022

Agenda #: 3.

CONTRACT/LEASE

Subject/Motion:

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 .

Background:

Robert and Betsy Graham purchased a parcel of land on the twenty-three-acre Bush Pond which is parallel to Long Pond.

Mr. and Mrs. Graham removed a number of the decrepit cottages and cleaned up the property.

Mr. and Mrs. Graham would like to long-term lease an 0.80+/- acre portion of the parcel with approximately 550 linear feet of the pond frontage to the Town. Due to Health District requirements, a certain portion of property must remain as a reserve area for the remaining cottages on the parcel (one cottage on the south side and three cottages on the north side). Given that, direct donation of the ownership of the parcel in question could not occur.

Mr. and Mrs. Graham have offered the Town an opportunity to enter into a 99-year Lease for \$1 to provide a waterfront park for the Town.

The Town could not construct any enclosed buildings on the parcel but could erect a gazebo for picnicking, as well as allowing the town to put a port-a-john on the property seasonally.

The parcel would be under the Administrative Control of the Parks & Recreation Department and would allow fishing, picnicking canoeing and kayaking. Motorized boats are prohibited.

#200-009 “*An Ordinance Providing For The Transfer Of Certain Revenue From The Real Estate Conveyance Tax To Specific Town Of Ledyard Funds*”

“.....A sum equal to forty percent (40%) of the money thus received shall be deposited to Fund 8, the Parks and Recreation Capital and Non Recurring Expense Fund; an additional forty percent (40%) of said money shall be deposited to Fund 6, Capital and Non Recurring Funds, to be used only for capital/infrastructure expenses; and the remaining twenty percent (20%) of said money shall be deposited to Fund 6, Capital and Non Recurring Funds, with an Acquisition of Open Space Allocation.” (Please see attached ordinance)

Finance Director’s Recommendation:

(type text here)

Mayor Recommendation:

I support his motion and thank the Graham's for this opportunity. They are and continue to be excellent stewards of our lands and waterways. Also of note, the A-2 survey and Schedule A (legal description) cost was \$2,450. The land lease is being drafted by Counsel now.

Meeting Action Detail:

Town Council Meeting 7/27/2022

File #: [22418](#) Version: 1

Type: Land Use

Title: MOTION to authorize the Mayor to engage professional services to conduct a survey and draft a legal description of the .75-acre +/- parcel on Bush Pond in preparation to enter into a 99-year lease for \$1.00 with Robert and Betsy Graham.

In addition, appropriate up-to \$5,000 from Account # (Open Space Acquisition) to pay for the survey, the legal description and other administrative services associated to the proposed leasing of the parcel.

Mover: Saums [Seconder: Ryan](#)

Action: Approved

Minute Note:

Moved by Councilor Saums, seconded by Councilor Ryan

Discussion: Councilor Saums provided some background noting that Bob and Betsy Graham purchased a piece of land on the twenty-three-acre Bush Pond which was parallel to Long Pond. He stated Mr. and Mrs. Graham hired a demolition contractor to remove the decrepit cottages, which included the structures and all the subsurface infrastructure, foundations, etc., and the land has been returned to its original state. He went on to explain that Mr. and Mrs. Graham would like to give/gift about 550 linear feet of the pond frontage to the Town, which was the middle section of the pond. However, he explained because Ledge Light Health District required a certain amount of reserve area for the cesspools for the remaining cottages on the parcel (one cottage on the south side and three cottages on the north side) that the property could not be divided to give a portion of the parcel to the Town. Therefore, he stated that they were discussing a 99-year lease to provide a waterfront park for the Town. He because Mr. and Mrs. Graham have already taken on a lot of the expense, with the removal of the decrepit cottages as noted above, that there would be some expenses for the town that would involve surveying and drafting a legal description of the three-quarter acre parcel to attach to the Lease. He stated the leased property would be under the Administrative Control of the Parks & Recreation Department and would allow non-motorized activities such as fishing, picnicking, canoeing, and kayaking. Councilor Saums concluded by stating that this area of Bush Pond was previously inaccessible to the public because it was surrounded by private property owners. He concluded by stating that Mr. and Mrs. Graham's generosity was amazing

Mayor Allyn stated the Town would not be able to construct a building on the parcel, but they could put in a gazebo for picnicking, and the Graham's would allow the town to put a port-a-john on the property seasonally.

VOTE: 8- 0 Approved and so declared

Action: Approved

Finance Committee Meeting 7/20/2022

File #: [22418](#) Version: 1

Type: Financial Business Request (FBR)

Title: MOTION to authorize the Mayor to engage professional services to conduct a survey and draft a legal description of the .75-acre +/- parcel on Bush Pond in preparation to enter into a 99-year lease for \$1.00 with Robert and Betsy Graham.

In addition, appropriate up-to \$5,000 from Account # (Open Space Acquisition) to pay for the survey, the legal description and other administrative services associated to the proposed leasing of the parcel.

Mover: [Ingalls](#) [Seconder: Ryan](#)

Action: Recommend to Approve

Minute Note:

Moved by Councilor Ingalls, seconded by Councilor Ryan

Discussion: Mayor Allyn, III, stated Bob and Betsy Graham purchased a piece of land on the twenty-three-acre Bush Pond which was parallel to Long Pond. He provided an overview of the property as shown in Attachment *LHBA-Bush Pond Aerial* below and he noted the following:

- Two structures were condemned (south end of map).
- The third structure was a detached garage.
- The fourth structure located on the point was the only habitable cottage.
- The property also included two or three cottages further north on the parcel, which were in good condition, and would remain in place.

Mayor Allyn went on to state that Mr. and Mrs. Graham hired a demolition contractor to remove the decrepit cottages, which included the structures and all the subsurface infrastructure, foundations, etc., and the land has been returned to its original state.

Mayor Allyn continued to explain that Mr. and Mrs. Graham would like to give/gift about 550 linear feet of the pond frontage to the Town, which was the middle section of the pond. However, he explained because Ledge Light Health District required a certain amount of reserve area for the cesspools for the remaining cottages on the parcel (one cottage on the south side and three cottages on the north side) that the property could not be divided to give a portion of the parcel to the Town. Therefore, he stated that they were discussing a 99-year lease to provide a waterfront park for the Town. He stated because Mr. and Mrs. Graham have already taken on a lot of the expense, with the removal of the decrepit cottages as noted above, that there would be some expenses for the town that would involve surveying and drafting a legal description of the three-quarter acre

parcel to attach to the Lease. He stated the Town could not construct a building on the parcel, but they could put in a gazebo for picnicking, and the Graham's would allow the town to put a port-a-john on the property seasonally.

Mayor Allyn, stated the use of this parcel was a great opportunity for the town, noting that it would be under the Administrative Control of the Parks & Recreation Department and would allow fishing, picnicking, canoeing and kayaking.

Councilor Ryan stated with the decrepit cottages being removed the property has increased in value. He questioned if the town does move forward with leasing the .75 acres on Bush Pond whether the property owners would be responsible to pay the taxes on the property.

Mayor Allyn stated because the use of the .75 acres of land would be "Open Space" that he did not know the value of the property at this time and that he would talk to the Tax Assessor. He stated the use of the Open Space Fund would be appropriate to pay for the survey, and legal description that would be associated to the land lease. He stated because Mr. and Mrs. Graham would still own the property that it would not come off the tax role and he noted that the Grahams were aware of this, and they were willing to pay the taxes on the property that the town would be leasing.

Mayor Allyn also noted that Lantern Hill Valley Association and area property owners have provided letters of support to offer the .75 acres of land on Bush Pond to the Town for public access. Councilor Saums noted that the Conservation Commission has also provided a letter of support dated June 21, 2022.

The Finance Committee noted that Mr. and Mrs. Graham's generosity was amazing.

VOTE: 3 - 0 Approved and so declared

Action: Recommend to Approve

June 21,2022

Dear Town Councilors,

At the Conservation Commission's June 14, 2020, meeting, members unanimously voted to support the concept of the town acquiring land at 600 Lantern Hill Road to be used as a public park, as proposed by fellow commission member Betsy Graham.

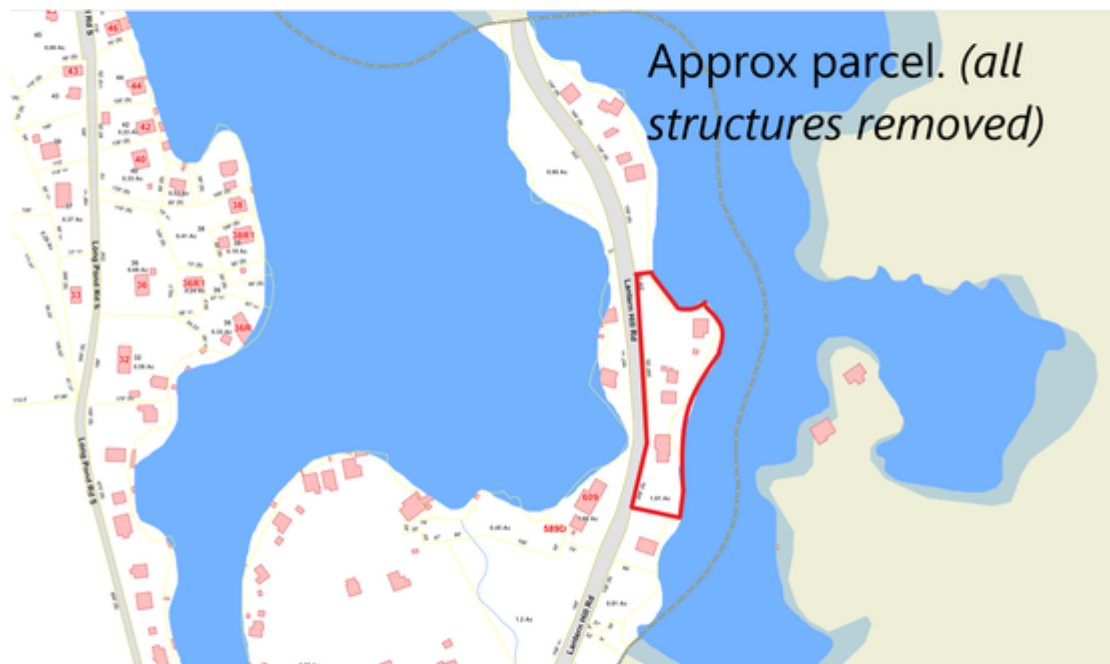
The land is owned by the Graham family and they wish to offer a portion of the property on the east side of Lantern Hill Road for a roadside park with parking and access to Bush Pond for small craft such as kayaks and canoes.

Thank you for your consideration and please do not hesitate to contact me if you have any questions.

Sincerely,

Mike Marelli

Chairman of the Conservation Commission





CT Gen Stat § 8-24 (2018)

No municipal agency or legislative body shall (1) locate, accept, abandon, widen, narrow or extend any street, bridge, parkway or other public way, (2) locate, relocate, substantially improve, acquire land for, abandon, sell or lease any airport, park, playground, school or other municipally owned property or public building, (3) locate or extend any public housing, development, redevelopment or urban renewal project, or (4) locate or extend public utilities and terminals for water, sewerage, light, power, transit and other purposes, until the proposal to take such action has been referred to the commission for a report. Notwithstanding the provisions of this section, a municipality may take final action approving an appropriation for any proposal prior to the approval of the proposal by the commission pursuant to this section. The failure of the commission to report within thirty-five days after the date of official submission of the proposal to it for a report shall be taken as approval of the proposal. In the case of the disapproval of the proposal by the commission the reasons therefor shall be recorded and transmitted to the legislative body of the municipality. A proposal disapproved by the commission shall be adopted by the municipality or, in the case of disapproval of a proposal by the commission subsequent to final action by a municipality approving an appropriation for the proposal and the method of financing of such appropriation, such final action shall be effective, only after the subsequent approval of the proposal by (A) a two-thirds vote of the town council where one exists, or a majority vote of those present and voting in an annual or special town meeting, or (B) a two-thirds vote of the representative town meeting or city council or the warden and burgesses, as the case may be. The provisions of this section shall not apply to maintenance or repair of existing property, buildings or public ways, including, but not limited to, resurfacing of roads.

CHAPTER 98*
MUNICIPAL POWERS

Sec. 7-163e. Public hearing on the sale, lease or transfer of real property owned by a municipality. (a) The legislative body of a municipality, or in any municipality where the legislative body is a town meeting or representative town meeting, the board of selectmen, shall conduct a public hearing on the sale, lease or transfer of real property owned by the municipality prior to final approval of such sale, lease or transfer. Notice of the hearing shall be published in a newspaper having a general circulation in such municipality where the real property that is the subject of the hearing is located at least twice, at intervals of not less than two days, the first not more than fifteen days or less than ten days and the last not less than two days before the date set for the hearing. The municipality shall also post a sign conspicuously on the real property that is the subject of the public hearing.

(b) The provisions of subsection (a) of this section shall not apply to (1) sales of real property, except parkland, open space or playgrounds, if the fair market value of such property does not exceed ten thousand dollars, (2) renewals of leases where there is no change in use of the real property, and (3) the sale, lease or transfer of real property acquired by the municipality by foreclosure.

AN ORDINANCE
PROVIDING FOR THE TRANSFER OF CERTAIN REVENUE FROM
THE REAL ESTATE CONVEYANCE TAX TO
SPECIFIC TOWN OF LEDYARD FUNDS

Be it ordained by the people of the Town of Ledyard, that Ordinance #101 entitled, “*Ordinance Providing for the Transfer of Revenue from the Real Estate Conveyance Tax to the Park and Recreation Capital and Non-Recurring Expense Fund*”, be amended and superseded (Ordinance #116) as follows:

Section 1. Allocation of Funds

Commencing on the effective date of this ordinance and continually thereafter, all revenue remitted to the town by the Town Clerk from the real estate conveyance tax shall be deposited to the following Town of Ledyard Funds in the specified percentages. A sum equal to forty percent (40%) of the money thus received shall be deposited to Fund 8, the Parks and Recreation Capital and Non Recurring Expense Fund; an additional forty percent (40%) of said money shall be deposited to Fund 6, Capital and Non Recurring Funds, to be used only for capital/infrastructure expenses; and the remaining twenty percent (20%) of said money shall be deposited to Fund 6, Capital and Non Recurring Funds, with an Acquisition of Open Space Allocation

Section 2. Recommendations in the Expenditure of Funds

Prior to bringing proposed expenditures to a Town Meeting, the Town Council shall seek the recommendations from appropriate Town agencies. In the case of expenditures from the Park and Recreation Capital and Non Recurring Expense Fund, the recommendation of the Mayor and the Parks and Recreation Commission shall be sought. In the case of expenditures for the Acquisition of Open Space Funds, the recommendations of the Mayor, the Planning and Zoning Commission, and the Conservation Commission shall be sought.

When the expenditure from any of the funds does not require a Town Meeting, the Town Council shall seek the Mayor’s recommendation prior to making an appropriation.

Section 3. Continuations of this Ordinance

Consistent with the dictates of Conn. Gen. Stat. Sec. 12-504, if the Federal government imposes a federal documentary stamp tax on real estate transfers at the same rate, or a higher rate than that imposed by Public Act 693 of the 1967 General Assembly (Conn. Gen. Stat. Sec. 12-494), this Ordinance shall cease to have any force and effect; but if such federal tax is imposed at a rate less than the imposed by said state statute, this Ordinance shall continue in effect.

Section 4. 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 5. Effective Date

Adopted: February 13, 2008

Effective Date: March 7, 2008

Renumbered by the Ledyard Town Council on: September 25, 2019

Linda C. Davis Chairman

Fred B. Allyn, III, . Mayor

Patricia A. Riley, Town Clerk

Revisions: Ordinance #14 *“An Ordinance Providing for The Transfer of Certain Revenue from The Real Estate Conveyance Tax to Specific Town of Ledyard Funds”* Adopted: December 11, 1967; Effective: December 29, 1967; Ordinance #87 *“An Ordinance Providing for The Transfer of Certain Revenue from The Real Estate Conveyance Tax to Specific Town of Ledyard Funds”* Adopted May 14, 2003; Ordinance #101 *“An Ordinance Providing for The Transfer of Certain Revenue from The Real Estate Conveyance Tax to Specific Town of Ledyard Funds”* Adopted: April 12, 2006; Effective: May 11, 2006. Ordinance #116 *“An Ordinance Providing for The Transfer of Certain Revenue from The Real Estate Conveyance Tax to Specific Town of Ledyard Funds”* Adopted: February 13, 2008; Effective: March 7, 2008.

History:
The Twenty-fourth Town Council (2017- 2019) Ordinance Update Initiative: Renumbered Ordinance #116 *“Ordinance Providing for the Transfer of Certain Revenue from Real Estate Conveyance Tax to Specific Town of Ledyard Funds”* to Ordinance #200-009.

1967: Ordinance #14 was adopted to provide an allocation from the real estate conveyance tax received to a Capital Non-Recurring Account (Fund 8) to provide funding for Parks and Recreation capital improvements to its parks and facilities.

2003: Ordinance #87 amended Ordinance #14 to change the appropriation of the real estate conveyance tax received to the Parks & Recreation Capital Non-Recurring Fund 8 as follows: *“Thereafter, the said Treasurer shall deposit directly to Fund 8, the Park and Recreation Capital and Non-Recurring Expense Fund, from the revenue remitted to the Town by the Town Clerk from the real estate conveyance tax , a sum equal to eleven one-hundredths of one percent (\$1.10 per \$1,000.00) of the consideration for the interest in real property conveyed. Any revenue in excess of eleven one-hundredths of the one percent (\$1.10 per \$1,000.00) of the consideration for interest in real property conveyed, received by the Town from the Town Clerk from any real estate conveyance tax, shall be deposited directly to Fund 6 Capital Non-Recurring Fund to be used only for capital/ infrastructure expenditures. Any revenue in excess of eleven one-hundredths of the one percent (\$1.10 per \$1,000.00) of the consideration for interest in real property conveyed, received by the Town from the Town Clerk from any real estate conveyance tax, shall be deposited directly to Fund 6 Capital Non-Recurring Fund to be used only for capital/ infrastructure expenditures.”*

2018: Section 1 “Allocation of Funds” adjusted allocation of funds to include a provision for open space as follows: *“Commencing on the effective date of this ordinance and continually thereafter, all revenue remitted to the town by the Town Clerk from the real estate conveyance tax shall be deposited to the following Town of Ledyard Funds in the specified percentages. A sum equal to forty percent (40%) of the money thus received shall be deposited to Fund 8, the Parks and Recreation Capital and Non Recurring Expense Fund; an additional forty percent (40%) of said money shall be deposited to Fund 6, Capital and Non Recurring Funds, to be used only for capital/infrastructure expenses; and the remaining twenty percent (20%) of said money shall be deposited to Fund 6, Capital and Non Recurring Funds, with an Acquisition of Open Space Allocation”*.

2019: Section 2. *“Recommendations in the Expenditure of Funds”* added *“and Zoning”*; Section 4 *“Severability”* was added to be consistent with town ordinances; Section 5 *“Effective Date”* was added to be consistent with town ordinances. No substantive changes were made to the ordinance.



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 22-670

Agenda Date: 11/7/2022

Agenda #: 4.

CONTRACT/LEASE

Subject/Motion:

MOTION set a Hybrid Public Hearing date for December 14, 2022 at 6:00 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.*

Background:

In accordance with CGS 7-163e a Public Hearing is required to enter into a lease of property.

CHAPTER 98*

MUNICIPAL POWERS

Sec. 7-163e. Public hearing on the sale, lease or transfer of real property owned by a municipality. (a) The legislative body of a municipality, or in any municipality where the legislative body is a town meeting or representative town meeting, the board of selectmen, shall conduct a public hearing on the sale, lease or transfer of real property owned by the municipality prior to final approval of such sale, lease or transfer. Notice of the hearing shall be published in a newspaper having a general circulation in such municipality where the real property that is the subject of the hearing is located at least twice, at intervals of not less than two days, the first not more than fifteen days or less than ten days and the last not less than two days before the date set for the hearing. The municipality shall also post a sign conspicuously on the real property that is the subject of the public hearing.

(b) The provisions of subsection (a) of this section shall not apply to (1) sales of real property, except parkland, open space or playgrounds, if the fair market value of such property does not exceed ten thousand dollars, (2) renewals of

leases where there is no change in use of the real property, and (3) the sale, lease or transfer of real property acquired by the municipality by foreclosure

Additional Background:

Bob and Betsy Graham purchased a piece of land on the twenty-three-acre Bush Pond which was parallel to Long Pond.

Mr. and Mrs. Graham removed a number of the decrepit cottages and cleaned up the property.

Mr. and Mrs. Graham would like to give/gift about 550 linear feet of the pond frontage to the Town, which was the middle section of the pond. Because Ledge Light Health District required a certain amount of reserve area for the remaining cottages on the parcel (one cottage on the south side and three cottages on the north side) that the property could not be divided to give a portion of the parcel to the Town.

Mr. and Mrs. Graham have offered the Town an opportunity to enter into a 99-year Lease to provide a waterfront park for the Town.

The Town could not construct a building on the parcel but could put in a gazebo for picnicking, and the Graham's would allow the town to put a port-a-john on the property seasonally.

The parcel would be under the Administrative Control of the Parks & Recreation Department and would allow fishing, picnicking canoeing and kayaking.

#200-009 “An Ordinance Providing For The Transfer Of Certain Revenue From The Real Estate Conveyance Tax To Specific Town Of Ledyard Funds”

“.....A sum equal to forty percent (40%) of the money thus received shall be deposited to Fund 8, the Parks and Recreation Capital and Non Recurring Expense Fund; an additional forty percent (40%) of said money shall be deposited to Fund 6, Capital and Non Recurring Funds, to be used only for capital/infrastructure expenses; **and the remaining twenty percent (20%) of said money shall be deposited to Fund 6, Capital and Non Recurring Funds, with an Acquisition of Open Space Allocation.**” (Please see attached ordinance)

Finance Director’s Recommendation:

(type text here)

Mayor Recommendation:

(type text here)

Meeting Action Detail:

Town Council Meeting 7/272022

File #: [22418](#) Version: 1

Type: Land Use

Title: MOTION to authorize the Mayor to engage professional services to conduct a survey and draft a legal description of the .75-acre +/- parcel on Bush Pond in preparation to enter into a 99-year lease for \$1.00 with Robert and Betsy Graham.

In addition, appropriate up-to \$5,000 from Account # (Open Space Acquisition) to pay for the survey, the legal description and other administrative services associated to the proposed leasing of the parcel.

Mover: Saums

Secunder: Ryan

Action:

Approved

Minute Note:

Moved by Councilor Saums, seconded by Councilor Ryan

Discussion: Councilor Saums provided some background noting that Bob and Betsy Graham purchased a piece of land on the twenty-three-acre Bush Pond which was parallel to Long Pond. He stated Mr. and Mrs. Graham hired a demolition contractor to remove the decrepit cottages, which included the structures and all the subsurface infrastructure, foundations, etc., and the land has been returned to its original state. He went on to explain that Mr. and Mrs. Graham would like to give/gift about 550 linear feet of the pond frontage to the Town, which was the middle section of the pond. However, he explained because Ledge Light Health District required a certain amount of reserve area for the cesspools for the remaining cottages on the parcel (one cottage on the south side and three cottages on the north side) that the property could not be divided to give a portion of the parcel to the Town. Therefore, he stated that they were discussing a 99-year lease to provide a waterfront park for the Town. He because Mr. and Mrs. Graham have already taken on a lot of the expense, with the removal of the decrepit cottages as noted above, that there would be some expenses for the town that would involve surveying and drafting a legal description of the three-quarter acre parcel to attach to the Lease. He stated the leased property would be under the Administrative Control of the Parks & Recreation Department and would allow non-motorized activities such as fishing, picnicking, canoeing, and kayaking. Councilor Saums concluded by stating that this area of Bush Pond was previously inaccessible to the public because it was surrounded by private property owners. He concluded by stating that Mr. and Mrs. Graham's generosity was amazing

Mayor Allyn stated the Town would not be able to construct a building on the parcel, but they could put in a gazebo for picnicking, and the Graham's would allow the town to put a port-a-john on the property seasonally.

VOTE: 8- 0 Approved and so declared

Action: Approved

Finance Committee Meeting 7/20/2022

File #: [22418](#) Version: 1

Type: Financial Business Request (FBR)

Title: MOTION to authorize the Mayor to engage professional services to conduct a survey and draft a legal description of the .75-acre +/- parcel on Bush Pond in preparation to enter into a 99-year

lease for \$1.00 with Robert and Betsy Graham.

In addition, appropriate up-to \$5,000 from Account # (Open Space Acquisition) to pay for the survey, the legal description and other administrative services associated to the proposed leasing of the parcel.

Mover: Ingalls

Seconder: Ryan

Action:

Recommend to Approve

Minute Note:

Moved by Councilor Ingalls, seconded by Councilor Ryan

Discussion: Mayor Allyn, III, stated Bob and Betsy Graham purchased a piece of land on the twenty-three-acre Bush Pond which was parallel to Long Pond. He provided an overview of the property as shown in Attachment *LHBA-Bush Pond Aerial* below and he noted the following:

- Two structures were condemned (south end of map).
- The third structure was a detached garage.
- The fourth structure located on the point was the only habitable cottage.
- The property also included two or three cottages further north on the parcel, which were in good condition, and would remain in place.

Mayor Allyn went on to state that Mr. and Mrs. Graham hired a demolition contractor to remove the decrepit cottages, which included the structures and all the subsurface infrastructure, foundations, etc., and the land has been returned to its original state.

Mayor Allyn continued to explain that Mr. and Mrs. Graham would like to give/gift about 550 linear feet of the pond frontage to the Town, which was the middle section of the pond. However, he explained because Ledge Light Health District required a certain amount of reserve area for the cesspools for the remaining cottages on the parcel (one cottage on the south side and three cottages on the north side) that the property could not be divided to give a portion of the parcel to the Town. Therefore, he stated that they were discussing a 99-year lease to provide a waterfront park for the Town. He stated because Mr. and Mrs. Graham have already taken on a lot of the expense, with the removal of the decrepit cottages as noted above, that there would be some expenses for the town that would involve surveying and drafting a legal description of the three-quarter acre parcel to attach to the Lease. He stated the Town could not construct a building on the parcel, but they could put in a gazebo for picnicking, and the Graham's would allow the town to put a port-a-john on the property seasonally.

Mayor Allyn, stated the use of this parcel was a great opportunity for the town, noting that it would be under the Administrative Control of the Parks & Recreation Department and would allow fishing, picnicking, canoeing and kayaking.

Councilor Ryan stated with the decrepit cottages being removed the property has increased in value. He questioned if the town does move forward with leasing the .75 acres on Bush Pond whether the property owners would be responsible to pay the taxes on the property.

Mayor Allyn stated because the use of the .75 acres of land would be "Open Space" that he did not know the

value of the property at this time and that he would talk to the Tax Assessor. He stated the use of the Open Space Fund would be appropriate to pay for the survey, and legal description that would be associated to the land lease. He stated because Mr. and Mrs. Graham would still own the property that it would not come off the tax role and he noted that the Grahams were aware of this, and they were willing to pay the taxes on the property that the town would be leasing.

Mayor Allyn also noted that Lantern Hill Valley Association and area property owners have provided letters of support to offer the .75 acres of land on Bush Pond to the Town for public access. Councilor Saums noted that the Conservation Commission has also provided a letter of support dated June 21, 2022.

The Finance Committee noted that Mr. and Mrs. Graham's generosity was amazing.

VOTE: 3 - 0 Approved and so declared

Action: Recommend to Approve

June 21,2022

Dear Town Councilors,

At the Conservation Commission's June 14, 2020, meeting, members unanimously voted to support the concept of the town acquiring land at 600 Lantern Hill Road to be used as a public park, as proposed by fellow commission member Betsy Graham.

The land is owned by the Graham family and they wish to offer a portion of the property on the east side of Lantern Hill Road for a roadside park with parking and access to Bush Pond for small craft such as kayaks and canoes.

Thank you for your consideration and please do not hesitate to contact me if you have any questions.

Sincerely,

Mike Marelli

Chairman of the Conservation Commission



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 22-726

Agenda Date: 11/7/2022

Agenda #: 5.

AGENDA REQUEST
GENERAL DISCUSSION ITEM

Subject:

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.

Background:

LUPPW Cmt Meeting 10/3/2022: A resident addressed recent land use developments in town, such as the former Dow Chemical Site; the Liquor Store in the former Veterinarian Building on Route 12, the new Bark N' Brew, or the Dollar General Store going in next to the McDonalds.

The resident noted in attending the Planning & Zoning Meetings he realized that most people in town have no understanding of *Land Use Regulations, Land Use Statutes, how things were done, who had the authority, what the Mayor's role was, what the Town Council's role was, what was the role of the myriad of Land Use Commissions and Boards, and who had the final say.*

It was suggested that the town teach residents about *Land Use*.

Based on the resident's suggestion the LUPPW Committee agreed to discuss how to get information out to residents pertaining the process to address land use matters at their November 7, 2022 meeting.

Department Comment/Recommendation:

(type text here)



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 22-096

Agenda Date: 11/7/2022

Agenda #: 6.

AGENDA REQUEST
GENERAL DISCUSSION ITEM

Subject:

Any other New Business proper to come before the Committee.

Background:

(type text here)

Department Comment/Recommendation:

(type text here)