

Roxanne Maher

From: John Rich
Sent: Wednesday, October 30, 2024 1:12 PM
To: Roxanne Maher
Cc: Alan Muench; Kenneth R. Creutz
Subject: RE: LUPPW Cmt - Noise Issues & Illegal Dumping

Roxanne,

Regarding the issue of illegal dumping, I'll do my best to chronicle the situation at 26 Lake Street, with an eye toward mitigation of the issue that's impacting the neighbors. I've noted that you included the state statute for littering and illegal dumping. Here's the definition of "litter" from a 2002 Office of Legislative Research Report:

CONNECTICUT LITTERING LAW

The law prohibits people from throwing, scattering, spilling, placing or causing to be blown, scattered, spilled, thrown or placed, litter upon any public property, private property belonging to another, or any state waters (CGS § 22a-250).

Litter is any discarded, used, or unconsumed substance or waste material, including bottles, cans, jars, and their detachable tops; unlit cigarettes, cigars, and matches; any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings, lawn or garden waste, newspapers, magazines, or glass, metal, plastic or paper containers, or other packaging or construction material (CGS §22a-248(4)).

Littering does not occur if a person is authorized to dispose of waste on property the state or a municipality has designated for such use, or if someone properly deposits waste in a receptacle.

It should be noted that the standard for illegal dumping includes a unit of measurement of one cubic foot. Therefore, it's my opinion that a trash bag of leaves, grass clippings, etc, placed on someone's property without permission would constitute littering/illegal dumping under the statute.

State of Connecticut DEEP offers the following on their website with regard to illegal dumping:

There are penalties for illegal dumping:

- *State law imposes a fine of \$219 for dumping anything bigger than one cubic foot.*
- *If you are caught dumping with your vehicle it will be confiscated, you will pay a fine and you are also subject to arrest.*
- *You can also be sued for clean-up costs and the collection of bigger fines – up to \$25,000 per day.*
- *Dumping can be punishable under federal law.*

Report illegal dumping to:

- ***Your Local Police Department:*** *If the dumping is ongoing and/or you know who did the dumping, call the local police. If a vehicle is involved, get the license plate number and a description of the vehicle doing the dumping --- vehicles can be seized.*

- **DEEP's Emergency Response Unit:** Only if the dumping poses an immediate threat to public health or the environment. [Reporting Environmental Emergencies](#)
- **Your Town/City Hall:** If the dumping has already taken place, call your Town or City Hall to report the incident. Usually, the contact at the Town Hall is your [local Health Department](#) or Public Works Department.

Recent Ledyard Police Call History regarding 26 Lake Street and 19 Marla Ave.

April 22, 2023—Walk-in complaint at LPD from resident of 19 Marla regarding neighbor throwing tree branches over a fence onto her property. Complainant advised she put the branches back onto the neighbor's property but did not confront them. Officer Buechel spoke to the reporting party, who states she would call back if there were further issues. There is no additional report in our systems regarding the issue.

October 5, 2023—Resident of 26 Lake Street called LPD for advice on a camera pointed toward her property from Marla Ave, Call number 23-31074

May 24, 2023 and August 13, 2023—Medical calls regarding elderly resident at 26 Lake Street

October 8, 2024—Untimely Death of the same elderly resident at 26 Lake Street

Suggestions for mitigation:

- 1) Determine the location of the property lines between the affected properties.
- 2) If littering or dumping occurs, contact the Ledyard Police Department. In this particular case, I'd encourage the complainant (s) to contact me by email at Chief.rich@ledyardct.org so I can assign and brief an officer on the history of the situation.
- 3) Depending on the officer's results in working with the parties, enforcement of the state statute is an option.
- 4) I do not believe there is sufficient cause for the town to enact an ordinance for a situation with a remedy that exists in state statute.

Issue #2—Noise from Prides Corner Farms at 691 Shewville Road

Summary:

This property appears to be an off-site growing location for Prides Corner Farms of 122 Waterman Road in Lebanon, CT, Phone (860) 437-5168.

From the minutes, it appears a resident is concerned with noise from construction of greenhouses and structures, as well as workers playing music on the property. It also appears the resident has spoken with workers about the music, and they have been cooperative in lowering the volume when asked.

Assuming the farming business is conforming with regulations and the hours of operation on their permit, it may be helpful to contact the main office in Lebanon to determine how much additional construction, if any, is planned, and the timeline for the construction. If this is communicated to the resident, at least they have some information.

Recent Ledyard Police Responses to 691 Shewville Road include routine patrol checks, traffic enforcement, and a report of low hanging wires.

Recent responses to 10 Linden Lane include a fire department call for smoke in the house due to an oven fire in 2022.

There is no record of any noise complaints to LPD regarding these properties.

As noted in other interactions with Land Use pertaining to noise complaints, there are many variables in play that make these situations somewhat complicated at times. It is my hope that this situation is temporary and can be mitigated with effective communication with the involved parties. If there is any way I can further support the committee's efforts, or if my presence at a meeting is desired, please let me know.

Sincerely,

Chief John Rich

From: Roxanne Maher <council@ledyardct.org>
Sent: Tuesday, October 29, 2024 3:12 PM
To: John Rich <chief.rich@ledyardct.org>
Cc: Roxanne Maher <council@ledyardct.org>; Gary St. Vil <GSVil@ledyardct.org>
Subject: LUPPW Cmt - Noise Issues & Illegal Dumping

Good Afternoon Chief Rich:

As a follow-up to my voice message, the LUPPW Committee has been discussing resident's concerns regarding the following issues:

- Noise Issue – 10 Linden Lane – a Business has been operating loud equipment in the early morning hours.
- Illegal Dumping – Resident on Lake Street has a neighbor who continues to dump debris over the fence onto their property.

The LUPPW Committee is looking for guidance as to the best approach for the Town to help these residents with their concerns (i.e. rely on state statute or draft an Ordinance).

I have attached the LUPPW Cmt Minutes as follows:
August 5, 2024 – Residents Comments

September 9, 2024 – New Business Item #1

Please contact me if you have any questions regarding this request.

Thank you for your help,
Roxanne

Roxanne M. Maher
Administrative Assistant to
The Ledyard Town Council
(860) 464-3203
council@ledyardct.org

Town Hall Hours:
Monday – Thursday 7:45 a.m. – 4:45 p.m.
Closed on Friday

