



TOWN OF LEDYARD CONNECTICUT

741 Colonel Ledyard Highway
Ledyard, Connecticut 06339

Land Use/Planning/Public Works Committee

~ AGENDA ~

Chairman Gary St. Vil

Regular Meeting

Monday, March 2, 2026

6:00 PM

Town Hall Annex - Hybrid Format

In -Person :Council Chambers, Town Hall Annex Building

Remote Participation: Information Noted Below:

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

<https://ledyardct.zoom.us/j/87197521565?pwd=iODK8UWubdKE0D6vXffa8JuGaUMYR6.1>

Or by Audio Only: Telephone: +1 646 558 8656; Meeting ID: 871 9752 1565; Passcode: 904885

- I. CALL TO ORDER
- II. ROLL CALL
- III. RESIDENTS & PROPERTY OWNERS COMMENTS
- IV. PRESENTATIONS / INFORMATIONAL ITEMS
- V. APPROVAL OF MINUTES

MOTION to approve the Land Use/Planning/Public Works Committee Minutes of February 2, 2026.

Attachments: [LUPPW-MIN-2026-02-02](#)

VI. OLD BUSINESS

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

Attachments: [LUPPW-ZEO STAFF REPORT 03-02-26](#)
[ORD-300-012-rev-1-Blight-Ordinance-and-Public-Nuisance-for-the-Town-of-Ledyard.pdf](#)
[ORD-#300-027 \(rev-2\)- PARKING-2023-01-11](#)

- 2. Continued discussion regarding the progress to designate the Spicer Homestead Ruins, within the Clark Farm property, as a Registered Historical Site.

Attachments: [Spicer Homestead Ruins-Chittum Ltr- dated 2026-01-05](#)
[LAMB-SPICER HOMESTEAD RUINS-EMAIL-2025-12-15](#)
[LAMB-SPICER HOMESTEAD RUINS-EMAIL-2025-12-18](#)
[Chapter 97a - Historic Districts and Historic Properties-LAMB-EMAIL-2025-12-18](#)
[SPICER HOMESTEAD RUINS HISTORIC DESIGNATION-LUPPW LTR-2025-08-25](#)
[LAND USE DIRECTOR-EMAIL-2025-08-04-STATUS UPDATE-SPICER HOMESTEAD RUINS-NOISE ORDINANCE](#)
[Spicer Homestead Ruins Timmeline- Parkson-2024-Parkinson](#)
[Spicer Homestead - 4.4 acres](#)
[Spicer Runis Screenshot \(2\)](#)
[Spicer Runis Screenshot \(1\)](#)
[Spicer Homestead Ruins- Next Steps for Historic Designation-Dombrowski email-2024-06-03.pdf](#)
[Spicer Homestead Report -Historic Research Sarah Holmes 2022.pdf](#)
[Spicerr Ruins- Photos.pdf](#)
[Historic District Commission Minutes-2023-12-18.docx](#)

3. Review and discuss the Agricultural Commission's proposed List of Criteria for the Leasing of Town-Owned Land such as Clark Farm and former Norwich State Hospital Property to encourage the properties continue to be used for Agricultural purposes.

Attachments: [CLARK FARM LEASE-DRAFT-2026-02-02](#)
[Clark Farm Property Lessee Recommendations-Agricultural Commission](#)
[Clark Farm Property-Agriculture Commission Ltr-2025-08-27](#)
[Clark Farm-LEASE-MAJCHER-2021-2026-AUTO RENEWAL](#)

4. Any Old Business proper to come before the Committee.

VII. NEW BUSINESS

1. Any 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 #: 26-0291

Agenda Date: 3/2/2026

Agenda #:

MINUTES

Minutes:

MOTION to approve the Land Use/Planning/Public Works Committee Minutes of February 2, 2026.

The LUPPW Committee agreed to forward the proposed Clark Farm Lease to the Mayor for his review and comments.

RESULT: DISCUSSED

Next Meeting: 3/2/2026 6:00 p.m.

4. Any other Old Business proper to come before the Committee. – None.

V. NEW BUSINESS

1. Establishment of a Long-Term Capital Plan for all of the town-owned facilities.

Councilor Lamb stated that the Board of Education and Public Works Director/Town Engineer Steve Masalin does a great job at putting together the little details. However, he stated they were lacking a Long-Term Strategy or Plan, with the Justification, for each of the buildings in town (both Board of Education Facilities and Town Facilities).

Councilor Lamb noted the High School as an example; and he stated he would not like to spend a significant amount of money on things like the boilers, and windows to find out two-years later the school needed to be torn down to build a new High School. He stated they needed to have a Long-Term Plan and time Phased Vision so they could find ways to execute them. He stated it seemed like they spend a lot on the Schools Operational Budgets, but they have been neglecting their Capital Expenses.

Councilor Thompson questioned the current procedure for prioritizing the Capital Projects. Board of Education Facilities Committee Brandon Graber, attending remotely via Zoom, explained that the Board of Education has a Five-Year Plan of Projects noting that they try to meter them to minimize the impact on the town. He stated in their Plan they also include inflation costs to show what the cost would be if they put the project off to next year; or kicked the can down the road.

Councilor Lamb noted that the Board of Education has included \$45 million of Bondable money in their Capital Plan; and he asked Mr. Graber whether he believed the Town would bond \$45 million in next year's budget (fy 26/27); or whether the Board of Education has included it as just a place holder. Mr. Graber stated that the expectation was that capital items listed in the Board of Education's Capital Improvement Plan (CIP) needed to be done. He stated how they do them would be left up to the powers to be, noting that Capital Items were listed in the Board of Education's Capital Improvement Plan (CIP) every year; and that they get more expensive every year. He stated that the Board of Education was letting them know what Capital Expenses were coming down the road.

Councilor Lamb stated he did not know the prioritization process for the Town side, noting that he needed to talk with Public Works Director/Town Engineer Steve Masalin to learn more about the process.

Councilor Buhle stated that she liked the idea of having a Long-Term Capital Improvement Plan. She stated realistically the Capital Improvement Plan Spreadsheet could show them

what could be expected in the upcoming years. She noted a good example was Administrator of Emergency Services Steve Holyfield's Fire Apparatus Replacement Plan Spreadsheet. Therefore, she stated having a spreadsheet that would detail the breakdown of future costs for all of the projected expenses and expected the replacement timeframes for elements such as windows, roofs, heating, parking lots, etc., for things they already had in their Five-Year Capital Improvement Plan (CIP) would be helpful and a great idea. She stated that they would probably talk about this at the Joint Town Council and Board of Education Finance Committee meeting on February 4, 2026.

Councilor Lamb stated it was already too late to include this type of Plan in the upcoming Fiscal Year 2026/2027 Budget. Therefore, he recommended that they start working on this now for next year.

RESULT: DISCUSSED

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

IX. ADJOURNMENT-

VOTE: Councilor Buhle moved the meeting be adjourned, seconded by Councilor Lamb
3- 0 Approved and so declared, the meeting was adjourned at 7:04 p.m.

Respectfully submitted,

James Thompson
Committee Chairman
Land Use/Planning/Public Works Committee



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 23-1953

Agenda Date: 3/2/2026

Agenda #: 1.

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.

Ledyard was one of the first towns in the area to adopt an Ordinance to address blighted properties. Since the Ordinance was initially adopted in 2013, it was revised in 2019 to include some language that Groton had in their Ordinance. Groton's Ordinance has been tested in court and held up.

The intent of Ordinance #300-012 (rev 1) "*An Ordinance Concerning Blight and Public Nuisance for the Town of Ledyard*" was to have property owners comply, and not necessarily impose punitive fines or take them to court. To-date they have had success with getting most properties owners to comply.

The Town Council only had authority to change the Ordinance, the enforcement authority lied with the Blight Officer.



TOWN OF LEDYARD

Zoning & Wetlands Official's Office

Hannah Gienau, Zoning & Wetlands Official/ Blight Enforcement Officer

Phone: (860) 464-3216 Fax: (860) 464 -0098

zoning.official@ledyardct.org

Zoning Official's Blight Report: March 2, 2026

Key

GREEN= RESOLVED

YELLOW= IN PROGRESS

GRAY= CONTINUE MONITORING

BOLD= RECENT UPDATES

➤ New Cases:

- **1642 Center Groton Rd:** Land Use Director observed trash on the side of the road. Conducted a site inspection on 1/8/26 and observed discarded items and junk/debris on the side of the road. Sent RVC on 1/8/26 and reinspected the property on 1/21/26, all trash and debris was removed from the side of the road. **CLOSED**
- **46 Inchcliffe Dr:** Complaint received on 1/15/26 regarding new tenants that appeared to have moved into the home had thrown out a lot of trash in bins not given out by the town/authorized for pick up by CWPM. Thus, due to large storms (wind/snow) bins were knocked over. A site inspection was conducted on 1/20/26 and observed the bags of trash buried in the snow. Sent RVC on 1/21/26. Owner followed up on 2/3/26 via phone call. **Update: Property owner followed up via email on 2/27/26 regarding the clean-up of the trash on the side of the road. A property manager has reported that the garbage issue has been resolved. Follow up inspection conducted on 3/2/26 and observed empty black bins originally containing the blown over trash. Trash bags had been picked up. Will follow up with the owner to have the bins taken off the front lawn via email.**
- **80 Christy Hill Rd:** Complaint received 11/13/25 for improper storage of trash. Site inspection conducted on 11/24/25 and observed an empty trash bin on the town right of way in the driveway entrance. The properties share a driveway and the owner does not bring their bins up the driveway for weeks at a time. No trash was observed at time of inspection however the complainant provided photos of minimal trash and stated it has been going on for several months. Will contact the owner and discuss blight remedy. RVC Sent on 12/18/25 via regular mail and email. Inspected the site on 12/18/25 and noted a few items left to be removed from the property. **Will follow up with owner ASAP and schedule reinspection. No new complaints have been made by the neighbor since December 2025.**

- **113 Church Hill Rd.** Complaint received on 12/11/25 for blight and improper storage of trash and junk from leaving trash bins outside for weeks at a time and constantly have the wind knocking them over. Will do drive by inspection on or about 1/5/26 to determine violations. If violations present, will send RVC to bring into compliance. Spoke to owner on of the property 1/27/26, who has set up bulk trash pick up for 1/28/26 for their tenants and will have a property manager out to monitor the property on a regular basis to ensure compliance has been achieved/ no further violations occur. **Reinspected on 3/2/26 and found all debris and trash has been cleaned up at the property. CLOSED.**

- **4 Devonshire Dr.** Complaint received 12/2/25 for roller dumpster left in the driveway for several months at a time full of trash. Will do drive by inspection 12/15/25 to determine any violations present. No visible trash, but dumpster was viewed from the yard. **UPDATE: RVC sent on 3/2/26 via certified and regular mail will follow up on or about 3/19/26.**

- **28 Devonshire Dr. :** Complaint received on 12/2/25 for roller dumpster and storage pod in driveway. Inspected on 12/9/25 to determine what blight violations are present at the property. Dumpster and POD observed in driveway during a site inspection on 12/15/25. **UPDATE: RVC sent on 3/2/26 via certified and regular mail will follow up on or about 3/19/26.**

➤ **Old/Ongoing Cases:**

- **1644 Rt 12:** **Email update on 12/8/25** from the current owner states they are waiting on abatement estimates for several different companies before demoing the building. The owner is moving forward with cleaning up the property for future development. Will continue to follow up to ensure compliance. **Owner has updated Staff on 1/28/26 with a timeline for demolition of the building and site clean up –**

Abatement

- 1/29 Sign contract with abatement provider.
- 2/13 10 business days : Notification of the state and federal (EPA)
- 2/20 1 week: Removal of heavy equipment and abatement of asbestos
- 2/27 1 week: Inspection and testing performed by Mystic Air Quality

Demo

- 3/3 Obtain demo permit from town of Ledyard
- 3/4 Begin demolition
- 3/13 Complete demolition

***Staff notes that the Building Official has to approve any demolition permit that has met all requirements per the building code. The timeline for such demo permit is not accurate as described by the property owner. The building official will make the owner aware of all requirements that shall be met prior to applying for the demo permits.**

Update: Received additional follow up email from property owner on 2/20/26 stating they began on 2/17/26 abatement with a licensed abatement company had Pre-abatement procedures which would take approximately 2 weeks to complete and will work with the Town Building Officials to file proper demolition permit applications that comply with the building code. 3/2/26 Drive by inspection conducted and observed abatement team had begun work on the building.

- **13 Arrowhead Dr.** Complaint received on 10/02/25. Called complainant on 10/6/25 and left voicemail. Site inspection conducted 10/27/25 (was out week of 10-14-25 through 10-20-25 for training) Property confirmed to have blighted conditions including overgrown grass and some junk items in the lawn. Repeat offender will continue to monitor.
- **12 Chapman Lane:** Complaint received on 9/30/25 for blighted vehicle with junk parts, trailers in the yard, and several vehicles. Inquired with resident who lives at the property and working with getting the property into compliance. Truck has been cleaned out of junk and screened on side of home. Registration for vehicles on the property received 10/27/25. Site inspection conducted on 10/27/25, significant progress to the site with the blighted vehicle and clean up of junk items. Will be reinspecting tentatively end of December with resident of the property. Has provided registration of all vehicles on the property and appears to be operable. In addition, all commercial equipment not associated with the construction of the approved garage will be removed off the property. **Site inspection conducted on 2/4/26, Excavator and additional junk/blighted items had been removed. Resident is continuing to work on removing additional items from the lawn. Will follow up ASAP to ensure compliance.**
- **9 Pinelock Dr.-** Complaint received on 9/10/25 for inoperable vehicle parked in front of the home, scheduled site inspection for 10/6/25. Site inspection conducted and inoperable motor vehicle observed. Ledyard PD followed up with owners of the property for a different complaint about a motorcycle parked in the roadway. Vehicle from complaint has been removed. **CLOSED.**
- **23 Devonshire Dr:** Complaint received on 7/21/25 for several properties that may be blighted. I inspected the complaints on 7/30/25. As I drove around the neighborhood, I observed a property with grass that had grown >9” in length. RVC sent to owner. Owner emailed on 9/23/25, lawn has been mowed and working on replacing siding in October. Site inspection conducted on 9/29/25, lawn has been confirmed to be mowed and will follow up with owner on or about 10/8/25 for timeline of repair of the siding on the home. Followed up via email for any updates to the property on 10/30/25. **Follow up email sent on 3/2/26 regarding the blight at the property. Requested a prompt response prior to formal enforcement proceedings. Will follow up on or about 3/12/26.**

- **26 West Dr.:** On 7/21/25 drive by inspection for a different complaint for blight, I observed another property at the end of west drive with an RV that appeared to be unregistered as well as the roof did not appear to be in good condition. RVC to be sent for RV registration and will confer with building official if roof is in violation of the building code. **RVC to be sent ASAP.**
- **5 Stoddards Warf-** Complaint received on 06/18/25 for overgrown vegetation onto sidewalk. RVC sent on 6/25/25. RVC received on 7/25/25, owner has 7 days to respond before further enforcement action. Follow up on or about 8/28/25. Issuance of citation if no response. On or about the week of 8/18/25-8/21/25 a former employee of DPW brought equipment to cut back the brush blocking the side walk. A follow up letter will be sent to the property owner, stating that a resident took it upon themselves to remedy the blight. However, the property owner shall maintain the sidewalk as it's their responsibility. If it becomes overgrown again, a Notice of Violation with Intent to Cite will be issued. **Closed, but will continue to monitor.**
- **11 Sunset Ave:** Complaint received on 06-11-25. The vegetation has grown > 9". RVC sent on 6/30/25. Owner made contact and stated they will have to find someone to mow the lawn. Unresponsive to follow ups. Additional site inspection conducted on 10/2/25, junk observed abutting roadway and on front lawn. Some of the lawn appeared to be cut but other portions still greater than 9" in height. No response from owner and will not return calls. Additional site inspection conducted on 10-27/25 and observed additional discarded items on the front lawn. Blight citation to be issued on or about 11/5/25. Junk and debris observed on the front lawn on 11/25/25. The home appeared to be abandoned, and the windows looked to be left open at the front of the house. Some neighbor's happened to be walking by and I spoke with them asking if they had any information on the homeowner. They explained the owner has had mental health episodes in the past and had two wellness checks conducted in the last two months. They stated that he was not taken out of the home for medical reasons the first time but appeared to have been taken by ambulance the second time. After conferring with the Police Chief on 11/25/25, the owner has a history of mental health. **As of right now clean up of the property is unclear and will have to evaluate further for ownership of the home. Will follow up ASAP.**
- **67 Meeting House Ln:** Complaint received on 06-05-25 for overgrown pollinator garden. Complainant stated that the garden has become too overgrown and has been possibly causing more mice to come over onto their property but has not been confirmed according to complainant. Drive by inspection conducted on 06-05-25 and signs showed the lawn was designated as a pollinator garden. However, there were many flowers but also overgrown weeds and tall grasses. A similar blight case was brought up in New London according to the Land Use Director. On 06/10/25 I reached out to the Blight Officer of New London who stated that to enforce their blight ordinance it was written so that pollinator gardens must be maintained to a certain degree as to not over grow onto sidewalks or block sight lines. They

stated that it would be possible to enforce the overgrown grass section of our blight ordinance and let the owner know it can be appealed to the citation officer. **Closed, but will continue to monitor in warmer weather. Issue enforcement letter as needed if not in compliance.**

- **20 Hurlbutt Rd:** Complaint received on 06/10/25 for junk throughout the front of the house and rear as well as unregistered motor vehicles. I inspected the property on 06/16/25 and observed several pieces of junk in the rear yard including various car parts, a dilapidated structure, old shopping cart, and various debris. **Follow up inspection needed.**

- **51 Kings HWY:** Complaint received on 3-27-25. A site inspection was conducted with the Director of Land Use and Planning, Building Official, and ZEO on 4-7-25. The windows on the second floor were broken and boarded up as well as boarded windows on the first floor. Broken electrical boxes and two AC units were ripped open and stripped of parts. The rear and side of the building had discarded junk and trash of various items including, lawn mower, pool lining, detergent bottles, etc. Siding was observed to have been stripped on one side. The vegetation in the parking lot and around the building was greater than 9" in height. RVC sent 5-7-25. Spoke with representative Howard Worst on 06/10/25. Mr. Worst stated clean up has begun at the site including, disposal of junk/trash dumped on the property, fixing of broken windows, clearing tall brush, and will be working on replacing the siding. Additionally, he stated they will implement preventative maintenance at the property to ensure no further junk is accumulated there or further damage to the building. Follow up inspection conducted on 8/28/25 showed grass had been cut back but windows still boarded up. Caretaker Howard Stern emailed on 9/2/25 to state they were working towards replacing broken windows and removing the boards from the windows to bring the property in compliance. Follow up inspection conducted on 9/11/25, significant progress has been made at the property. Property continues to be maintained. Site inspection conducted on 9/24/25 showed additional progress has been made with removal of boards from windows. Caretaker of the property had emailed on 10/13/25 to inform me that the plywood has been removed from most of the windows and are working on replacing all broken windows. Update was submitted via email given on the property on 11/24/25 as new windows are actively be replaced and boards still being removed. Reinspection conducted on 12/4/25, several boards removed from the windows and several windows have been replaced. Property caretaker working with Blight Officer to achieve compliance. Will continue to monitor. **Observed several workers taking off boards on the windows, owner is continuing to keep up the property and replace windows. Will continue to monitor. Continuing to monitor.**

- **967 Shewville Rd:** On 7/16/25 inspected the property for zoning compliance for a recently built deck. Upon observation, the front yard had several discarded open trash bags and junk furniture items on the property. **Follow up inspection and RVC pending.**

- **11 Allvn Lane-** complaint received 3/24/24- Several inspections conducted by previous ZEO, no contact was made via RVC or other documentation. However, the resident of the home is under the power of attorney and will need to contact them to begin clean up. Blighted driveway and yard had not been cleaned up. Owner called 7/31/25 to discuss removal of waste and junk items at the property. Owner as per property card is under Slater Madeline Estate with Beth Sabilia Law listed as the address. Reached out to Attorney Sabilia regarding the estate of Madeline Slater and will work with the town to clean up the yard. She did state that the property ownership is to be transferred to Leanord Slater who currently lives on the property. A drive by inspection was conducted on 9/3/25 and met with Mr. Slater in person. It was discussed why the property is Blighted and that currently we are working with Attorney Sabilia to start clean up. I explained once ownership is transferred to Mr. Slater that he is responsible for maintaining the property and/or clean up of blight. Will send out RVC to Attorney Sabilia on or about 9/4/25. Attorney Sabilia stated ownership of the home is supposed to be transferred to Mr.Slater the current tenant however there are some legal paperwork issues they are working on resolving. **Recently, Attorney Sabilia stated the ownership of the home is no longer with her office and that I will follow up with the new owner to reach compliance. RVC pending.**
- **1 Mull Berry-** **Complaint received in March 2024.** Complaint for abandoned or inoperable vehicles and equipment on property. Found contact information, will call owner for vehicle removal. **RVC pending.**
- **33 StonyBrook Rd:** Complaint received on 3-31-25 for large bags of trash on the property and spilled over trash cans that are not cleaned up for months at a time. Site inspection conducted on 4-15-25 showed two garbage cans on their sides with a large bag of trash on the ground as well as several other pieces of trash. RVC sent on 5-8-25. Contacted the owner on 05/26/25 and they stated they have dumpsters periodically brought to the property when their trash is too full. They stated 9 people live in the house and were not allowed to have additional trash/recycling receptacles when they reached out to the town. This was confirmed with the director of public works as it is a contract, and additional private arrangements cannot be made and the owner. Additionally, the director stated they will have to take the additional waste to the transfer station. **RVC sent on 1/7/26. RVC resent with correct updated address and contact information. New property owner as of 12/2025. Will do follow up inspection and contact new owner as needed.**
- **26 Lake St:** Ongoing blight case started in with junk and trash on the front of the property. Previous ZEO report stated junk had been removed but to reach full compliance the lawn will need to be mowed. Will follow up with drive by inspection on 2/24/25. Junk has been removed off the property and appears to be in good order. Complaint received on March 12, 2025. Site inspection conducted on 4-10-25 for blighted rear property of home. Junk and discarded items

were observed on the fence on the eastern portion of the property and along the back side of the house against the wall. The roof appeared to be in poor condition as well as the fascia and soffit of home had a hole. Additionally, greater than 30% of paint was chipped on the structure. Will follow up with an RVC and update the file as this is an ongoing case for several years. RVC sent on 6/30/25. Made contact with the owner. A site inspection was conducted on 7/Some progress has been made with the removal of mattresses and other pieces of discarded furniture and junk. The current resident is in probate court and will hear more information on 8/5/25 for updates as to the executor and who shall be responsible for the property and to maintain it. Follow up email and phone call placed on 9/3/25 regarding status of the property and to conduct a site inspection with executor of the estate to bring the home into compliance. Reinspected the property on 9/11/25, some progress has been made with clean up of junk but the property is still in poor condition. Follow up inspection conducted on 10/6/25. Improvements to the site include removal of junk items from side of home and front of garage, grass mowed, and vehicle registered. However, home still has large brush piles in the rear yard to be removed, paint of the home exceeds 30% chipped as stated in blight ordinance, and soffit has a large hole that will need repair. **Inspection conducted on 3/2/26 and observed further possible blight in the snow piles. Will contact owner to follow up for compliance. If not progress, issuance of formal notice of violation with intent to cite to be issued. This property is the subject of repeated offenses, Town staff monitors regularly.**

- **5 Long Pond Rd:** Received complaint via phone call on 2/12/25. Detailing the property has a camper close to the road that is being used as a residence with two dogs inside. The property also had a separate complaint from another neighbor that the property is blighted(see new blight cases for details). A site inspection was conducted on 2/12/25 and there was a camper present along the edge of the property. It could not be determined if there were animals inside or if there was any activity. However, upon further observation of the camper, there are two propane tanks hooked up that may be used for heating. Land Use Director and ZEO will have an in person meeting with the homeowner in the near future. 3/18/25 follow up email sent due to no response. Conducted site inspection on 06/04/25. RV is no longer on the property however have begun working with owner on the blight that is present throughout the property. Conducted follow up inspection on 8/28/25 with the owner. Will begin clean up of certain areas and expand from there. Follow up inspection to be conducted on 9/17/25 11am. Conducted follow up site inspection with the Director of Land Use and Planning and Mr. Bryson on 10/02/25. Mr. Bryson was instructed to clean up the front of the home and several pieces of equipment to be stored near the large barn on the property. Follow up inspection conducted on 10/16/25, some compliance achieved with items removed from the front yard, vehicles unregistered or inoperable still present at the property, working with the owner to remove them in a timely manner. Stated to the owner additional smaller areas requiring clean up. **Reinspected on 11/4/25. Property cleaned up in some portions however several**

unregistered and inoperable vehicles are present. The owner does not want to move a hot tub/ swim spa off the side of the road due to the cost of instillation and planned on installing it with proper permits in the spring of 2026. Will have owner come into the office to discuss deadline for clean up and to immediately remedy some of the blight still present at the property or will issue a NOV intent to Cite.

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

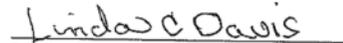
If any section, or part of a section, of this Ordinance shall be held by a court of competent jurisdiction to be invalid, such holding shall not be deemed to invalidate the remaining provisions hereof.

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

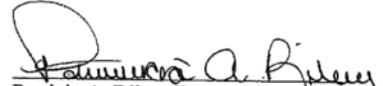

Linda C. Davis, Chairman


Fred Allyn, III, Mayor

Approved/Disapproved on: 10/24/2019

Published on: October 31, 2019

Effective Date: November 21, 2019


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.

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

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

Section 1. Purpose

It is hereby declared to be in the best interests of the public safety, convenience and welfare of the Town to regulate and place restrictions on the parking of vehicles and other activities in Town rights-of-way within the control and limits of said Town, in general and during periods of snow emergencies, so as to preserve proper material condition of roads and rights-of-way and to not impede the transportation and movement of food, fuel, medical care, fire, health, police protection and other vital facilities of the Town.

Section 2. Definitions

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

- a. The words "vehicle" shall be defined as in Connecticut Statutes Section 14-1(102).
- b. The words "parked vehicle" shall be defined as in Connecticut General Statutes Section 14-1(66).
- c. The word "street" shall mean any public highway, road or street in the Town of Ledyard.
- d. The words "snow emergency" is hereby defined to be a period of time as forecast by a contracted weather service or the United States Weather Bureau, during which period vehicular and/or pedestrian traffic is expected to be hazardous or congested due to the elements, and during which period the parking of vehicles could hinder, delay or obstruct the safe flow of such traffic and/or the proper cleaning, clearing and making safe of the public highways of the Town.
- e. For the purpose of this Ordinance "commercial or industrial vehicle" means any vehicle the principal use of which is the transport of commodities, merchandise, produce, freight, and any vehicle used primarily in construction, industry, including but not limited to, bulldozers, backhoes, tractors, tow trucks, dump trucks, tractor trailers (cab and/or trailer), or trucks fitted with cranes, air compressors, welders, tanks or similar equipment. "Commercial or industrial vehicle" also includes nonmotorized dumpsters, storage units, open or utility trailers greater than six (6) feet in length or in height, and tool lockers; taxicabs, limousines, and/or any passenger vehicle that is greater than eight (8) feet in height marked with a sign, letters, or emblem advertising a commercial enterprise.

Section 3. General Restrictions

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

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

Section 4. Construction Regulations

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

Section 5. Declaration of "Snow Emergency"

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

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

Section 6. Parking Restrictions

- a. No vehicle shall be permitted to remain parked on any street within the Town between the hours of 1:00 a.m. through 6:00 a.m. daily, during the period of December 1st through March 31st of each winter.
- b. It shall be unlawful at any time during the period of any snow emergency under provisions of this Ordinance for the owner of a vehicle or person in whose name it is registered, to allow, permit or suffer said vehicle to remain parked on any street in the Town of Ledyard.
- c. No vehicle shall be permitted to be parked on any street for a period of more than ten (10) consecutive days in any 365-day period. After such period, such vehicle will be considered a fixed obstruction according to Section 3 Paragraph (a).
- d. No person shall park or store any commercial or industrial vehicle on any public street or roadway within any residential district or in front of any property currently used residentially unless for the purpose of actively loading or unloading materials, or while actively engaged in providing commercial service at the premises; nor shall such vehicles be parked in a residential district or in front of an existing residence outside normal business hours unless on site for an emergency service call.

Section 7. Owner

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

Section 8. Towing

Whenever any motor vehicle is found to be parked in violation of Section 6 of this ordinance, the motor vehicle may be removed (towed) at the owner's expense and/or a State of Connecticut Complaint Ticket (a parking ticket) shall be issued by the Ledyard Police Department. Each day that a violation continues shall be deemed a separate offense.

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

Section 9. Penalties

- a. Any person, firm or corporation violation any provisions of Sections 3 or 4 of this ordinance shall be fined not more than Two Hundred (\$200.00).
- b. Any person found in violation of the provisions of Section 6 of this ordinance will be subject to the issuance of an infractions summons and be subject to a fine in accordance with a schedule, which may be amended from time to time with the approval of the Town Council. The fine schedule is hereby incorporated in this Ordinance as fully set forth herein. (Appendix A)
- c. Payment of the fine(s) associated with the issue of any Ticket shall be in accordance with current Connecticut State Statutes.

Section 10. Severability.

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

Section 11. Effective Date

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

Amended and Adopted by the Ledyard Town Council on: January 11, 2023

Kevin J. Dombrowski, Chairman

Approved / Disapproved on: _____

Fred B. Allyn, III, Mayor

Published on:

Effective date:

Patricia A. Riley, Town Clerk

Revisions: Ordinance #38 “*Ordinance Prohibiting Parking on Town Roads During Winter Storms and Providing Penalties for the Violation Thereof*” adopted July 27, 1987; Ordinance #75 “*An Ordinance Amending An Ordinance Prohibiting The Placing of Obstructions or the Drainage of Water on Town Roads*” Adopted: June 9, 1999; Ordinance #100 “*An Ordinance Regulating Construction of Driveways to or Other Work Right-of-Way Areas of Any Street or Highway of the Town of Ledyard*” Adopted: February 8, 2006 .Ordinance #152 “*An Ordinance Regulating parking and Other Activities in town Roads and Rights-of-Way and Providing Penalties for the Violation Thereof*” Adopted August 8, 2018; Effective: September 4, 2018. Renumbered #300-027on September 25, 2019. Amended on February 26, 2022 #300-027 (rev1); Effective: March 24, 2020.

History:

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

1999: Ordinance #38 “*An Ordinance Prohibiting the Placing of obstructions or the Drainage of Water on Town Roads*”. Section 1 added “*including portable or permanent basketball hoops*”

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

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

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

2023 (rev. 2): Updated in various places to incorporate prohibitions related to parking commercial and industrial vehicles in residential districts as follows:

Section 2 “Definitions” added subparagraph (e).

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

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

Section 9 “Penalties”

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

Added subparagraph (c)

Added Appendix – Fee Schedule

The 2023 changes noted above are further subject to the following background.

Sec. 7-148. Scope of Municipal Powers

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

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

(b) Notwithstanding any provision of any special act, local law or the general statutes, any violation of any ordinance, regulation or bylaw of any town, city or borough, except violations of building codes and the health code, for which the penalty exceeds ninety dollars but does not exceed two hundred fifty dollars shall be a violation as provided for in sections 51-164m and 51-164n. (P.A. 75-577, S. 9, 126; P.A. 80-483, S. 133, 186; P.A. 06-185, S. 9.)

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

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

No vehicle shall be permitted to remain parked within twenty-five feet of an intersection or a marked crosswalk at such intersection, except within ten feet of such intersection if such

intersection has a curb extension treatment with a width equal to or greater than the width of the parking lane and such intersection is located in and comprised entirely of highways under the jurisdiction of the city of New Haven, or within twenty-five feet of a stop sign caused to be erected by the traffic authority in accordance with the provisions of section 14-301, except where permitted by the traffic authority of the city of New Haven at the intersection of one-way streets located in and comprised entirely of highways under the jurisdiction of the city of New Haven.

No vehicle shall be permitted to remain stationary upon the traveled portion of any highway at any curve or turn or at the top of any grade where a clear view of such vehicle may not be had from a distance of at least one hundred fifty feet in either direction. The Commissioner of Transportation may post signs upon any highway at any place where the keeping of a vehicle stationary is dangerous to traffic, and the keeping of any vehicle stationary contrary to the directions of such signs shall be a violation of this section. No vehicle shall be permitted to remain stationary upon the traveled portion of any highway within fifty feet of the point where another vehicle, which had previously stopped, continues to remain stationary on the opposite side of the traveled portion of the same highway.

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

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

(1949 Rev., S. 2510; February, 1965, P.A. 448, S. 29; P.A. 75-577, S. 101, 126.)

History: 1965 act added provision requiring compliance with parking regulations when blocking drive or alley; P.A. 75-577 replaced provision for \$25 maximum fine with statement that violation of provisions is an infraction.

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



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 23-2143

Agenda Date: 3/2/2026

Agenda #: 2.

AGENDA REQUEST
INFORMATIONAL ITEM

Subject:

Continued discussion regarding the progress to designate the Spicer Homestead Ruins, within the Clark Farm property, as a Registered Historical Site.

Background:

(type text here)

Department Comment/Recommendation:

(type text here)

Ammie M. Chittim Ph.D., R.P.A.
972 Shewville Rd
Ledyard CT 06339
207-380-7898

January 2, 2026

Liz Berdick, Town Planner
Town of Ledyard
741 Colonel Ledyard Highway
Ledyard, CT 06339

cc: Land Use Committee, Chairman

Dear Ms. Berdick,

I am writing in my capacity as The Town of Ledyard Historic Commission's Director of Archaeological Research and Preservation. I am also a Registered Professional Archaeologist (RPA) with more than 20 years of cultural preservation experience. This letter provides a brief statement regarding the historical and archaeological significance of the 4.4-acre parcel located at 1025 Colonel Ledyard Highway, known as the Spicer Homestead. This letter reflects my referral for the Spicer Homestead site to be submitted as part of the Town's review of historic archaeological properties for inclusion in the Connecticut Historic Resources Inventory.

The Spicer Homestead parcel meets the criteria for historical significance under Connecticut's historic preservation framework due to its direct association with early colonial settlement patterns, documented 18th-century land use, and its potential 17th-century occupation. Probate and land records identify a dwelling, orchard, and barn belonging to John Spicer (4th) on this property by 1769, and documentary evidence suggests the site may also represent the first homestead of Peter Spicer, established on land granted to him in 1693. The parcel contains intact archaeological features—including cellar holes, a possible center-chimney fall, a stone well, stone walls, and a stone-walled paddock—along with a glacial erratic known in Spicer family oral tradition as "Spicer's Rock." These elements collectively represent a well-preserved agrarian landscape with high research potential and strong integrity, consistent with the significance standards outlined by the Connecticut State Historic Preservation Office.

The attached maps illustrate the parcel boundaries that best encompass the surviving historic landscape and the original homestead foundation. Protecting this defined area will ensure the preservation of the core archaeological features and their surrounding context, allowing the Town to safeguard the most meaningful and intact portion of the Spicer family's early farmstead.

Sincerely,

Ammie M Chittim, Ph.D., R.P.A.

Director of Research and Preservation
Ledyard Historic Commission

Roxanne Maher

From: Earl Lamb <TyLamb5350@outlook.com>
Sent: Monday, December 15, 2025 7:56 AM
To: Roxanne Maher
Subject: Fwd: wording for motion
Attachments: Chapter 97a - Historic Districts and Historic Properties.html

Motion for the LUPW committee to recommended to the full Town Council, TC Finance committee a comprehensive town wide CIP.

Sent from my iPhone

Begin forwarded message:

From: Earl Lamb <tylamb5350@outlook.com>
Date: December 14, 2025 at 6:14:11 PM EST
To: Ty Lamb <tylamb5350@outlook.com>
Subject: **Fwd: wording for motion**

Sent from my iPhone

Begin forwarded message:

From: karen parkinson <karen@thepaddockinc.com>
Date: December 14, 2025 at 6:11:58 PM EST
To: Earl Lamb <tylamb5350@outlook.com>
Subject: **wording for motion**

The Town Council hereby appoints the Ledyard Historic District Commission to conduct a study of the proposed Spicer Homestead and follow all steps according to State Statute Chapter 7a, Section 7-147q "procedures for establishing historic properties." attached

Roxanne Maher

From: Ty Lamb
Sent: Thursday, December 18, 2025 1:11 PM
To: Roxanne Maher
Subject: Ref information from - Archaeology Circuit Rider Preservation Connecticut

Roxanne,

I would like to include this e-mail as reference material for my proposed agenda point concerning the next TC - LUPW meeting.

If you have any questions or concerns, please contact me.

Yr.,
Ty Lamb

Hello Karen,

You never need to apologize for help! I am happy to supply it how I can and welcome the chance to assist you in the important work of preservation.

In my limited experience, I have always seen the Town appoint a Study Committee to create the Study Report for a new Local Designation, regardless of existing Historic District Commissions. The exact wording of CGS Section 7-147b(a) makes it clear, to my reading, that the Town Council still needs to approve the appointment of the HDC to a historic district study committee for the purpose of making an investigation and submitting a report. 7-147c(b) specifically states "by following the procedure for creation... in section 7-147b." So, I would say explicitly that you NEED approval from the Town Council before you can move forward with a Study Report.

I've CC'd my colleague Stacey Vairo who does Historic District Commission Trainings, and our colleague Mary Dunne from the State Historic Preservation Office who reviews Study Reports and also does Historic District Commission Trainings. If they have anything else to add or correct, please feel free to jump in.

Best,
Stefon

Stefon Danczuk
Archaeology Circuit Rider
Preservation Connecticut
940 Whitney Ave
Hamden, CT 06517
475-355-8287 (cell)

CHAPTER 97a*

HISTORIC DISTRICTS AND HISTORIC PROPERTIES

*Cited. 196 C. 596; 227 C. 71.

Cited. 29 CA 28.

Table of Contents

[Note: Readers should refer to the 2024 Supplement, revised to January 1, 2024, for updated versions of statutes amended, repealed or added during the 2023 legislative sessions.](#)

[Sec. 7-147a. Historic districts authorized. Definitions.](#)

[Sec. 7-147b. Procedure for establishment of historic district.](#)

[Sec. 7-147c. Historic district commission.](#)

[Sec. 7-147d. Certificate of appropriateness: Parking areas.](#)

[Sec. 7-147e. Application for certificate. Hearing. Approval.](#)

[Sec. 7-147f. Considerations in determining appropriateness. Solar energy systems.](#)

[Sec. 7-147g. Variations, permissible when.](#)

[Sec. 7-147h. Action by commission to prevent illegal acts.](#)

[Sec. 7-147i. Appeals.](#)

[Sec. 7-147j. Exempted acts. Delay of demolition.](#)

[Sec. 7-147k. Prior districts unaffected. Validation of prior creations and actions. Nonprofit institutions of higher education excluded.](#)

[Secs. 7-147l and 7-147m. Method of balloting; eligibility to vote; balloting on prior districts.](#)

[Secs. 7-147n and 7-147o. Reserved](#)

[Sec. 7-147p. Historic property ordinances authorized. Definitions.](#)

[Sec. 7-147q. Procedures for establishment of historic properties.](#)

[Sec. 7-147r. Historic properties commission.](#)

[Sec. 7-147s. Certificate of appropriateness.](#)

[Sec. 7-147t. Procedure for application for certificate.](#)

[Sec. 7-147u. Considerations in determining appropriateness.](#)

[Sec. 7-147v. Variations, permissible when.](#)

[Sec. 7-147w. Action by commission to prevent illegal acts.](#)

[Sec. 7-147x. Appeals.](#)

[Sec. 7-147y. Exempted acts. Delay of demolition.](#)

PART I*

HISTORIC DISTRICTS

*Cited. 196 C. 596, 602, 607.

Because part (Sec. 7-147a et seq.) provides comprehensive, detailed legislative scheme for establishment of historic district, including approval of legislative body, and because referendum authorized by town charter is not such a legislative body, provision of town charter is inapplicable to adoption of historic district ordinance in accordance with part and has no place in such scheme. 62 CA 298.

Sec. 7-147a. Historic districts authorized. Definitions. (a) As used in this part: ♦Altered♦ means changed, modified, rebuilt, removed, demolished, restored, razed, moved or reconstructed; ♦erected♦ means constructed, built, installed or enlarged; ♦exterior architectural features♦ means such portion of the exterior

of a structure or building as is open to view from a public street, way or place; ♦building♦ means a combination of materials forming a shelter for persons, animals or property; ♦structure♦ means any combination of materials, other than a building, which is affixed to the land, and shall include, but not be limited to, signs, fences and walls; ♦municipality♦ means any town, city, borough, consolidated town and city or consolidated town and borough; ♦appropriate♦ means not incongruous with those aspects of the historic district which the historic district commission determines to be historically or architecturally significant.

(b) Any municipality may, by vote of its legislative body and in conformance with the standards and criteria formulated by the Department of Economic and Community Development, establish within its confines an historic district or districts to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of the distinctive characteristics of buildings and places associated with the history of or indicative of a period or style of architecture of the municipality, of the state or of the nation.

(c) The legislative body of any municipality may make appropriations for the purpose of carrying out the provisions of this part.

(1961, P.A. 430, S. 1; February, 1965, P.A. 221, S. 2; P.A. 80-314, S. 1; P.A. 86-105, S. 1; June 30 Sp. Sess. P.A. 03-6, S. 210(e); P.A. 04-20, S. 3; 04-205, S. 5; May Sp. Sess. P.A. 04-2, S. 30; P.A. 11-48, S. 142.)

History: 1965 act added provision requiring district to conform to standards and criteria of historical commission; P.A. 80-314 added Subsec. (a) containing definitions and divided earlier provisions into Subsecs. (b) and (c); P.A. 86-105 added definition of ♦appropriate♦ in Subsec. (a); June 30 Sp. Sess. P.A. 03-6 and P.A. 04-20 replaced the Connecticut Historical Commission with the Connecticut Commission on Arts, Tourism, Culture, History and Film, effective August 20, 2003; P.A. 04-205, effective June 3, 2004, and May Sp. Sess. P.A. 04-2, effective May 12, 2004, both replaced Connecticut Commission on Arts, Tourism, Culture, History and Film with Connecticut Commission on Culture and Tourism; P.A. 11-48 amended Subsec. (b) to replace ♦Connecticut Commission on Culture and Tourism♦ with ♦Department of Economic and Community Development♦, effective July 1, 2011.

Cited. 153 C. 160; 171 C. 199; 189 C. 727; 196 C. 596.

Subsec. (a):

Includes objects embedded in the earth, such as posts, stakes and foundations connected to objects rising above the surface and very heavy objects ♦affixed♦ to the ground by gravity, but not isolated objects that rest lightly on the surface of the ground that can easily be moved. 282 C. 672.

[\(Return to Chapter \(Return to Table of Contents\) List of Chapters\) List of Titles\)](#)

Sec. 7-147b. Procedure for establishment of historic district. Prior to the establishment of an historic district or districts, the following steps shall be taken:

(a) The legislative body shall appoint or authorize the chief elected official of the municipality to appoint an historic district study committee for the purpose of making an investigation of a proposed historic district or districts. The legislative body of a municipality which proposes to establish more than one district may establish more than one committee if the proposed districts are not contiguous to each other nor to any existing historic district. Each committee established under the provisions of this section shall consist of five regular and three alternate members who shall be electors of the municipality holding no salaried municipal office. Such alternate members shall, when seated as provided in this section, have all powers and duties of a member of the committee. If a regular member of such committee is absent or has a conflict of interest, the chairman of the committee shall designate an alternate to so act, choosing alternates in rotation so that they shall act as nearly equal a number of times as possible. If any alternate is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting.

(b) The historic district study committee shall investigate and submit a report which shall include the following: (1) An analysis of the historic significance and architectural merit of the buildings, structures, places or surroundings to be included in the proposed historic district or districts and the significance of the district as a whole; (2) a general description of the area to be included within the district or districts, including the total number of buildings in each such district or districts listed according to their known or estimated ages; (3) a map showing the exact boundaries of the area to be included within the district or districts; (4) a proposed ordinance or proposed ordinances designed to create and provide for the operation of an historic district or districts in accordance with the provisions of this part; (5) such other matters as the committee may deem necessary or advisable.

(c) The historic district study committee shall transmit copies of its report to the Department of Economic and Community Development, the planning commission and zoning commission, or the combined planning and zoning commission, of the municipality, if any, and, in the absence of such a planning commission, zoning commission or combined planning and zoning commission, to the chief elected official of the municipality for their comments and recommendations. In addition to such other comments and recommendations as it may make, the Department of Economic and Community Development may recommend either approval, disapproval, modification, alteration or rejection of the proposed ordinance or ordinances and of the boundaries of each proposed district. Each such commission, board or individual shall deliver such comments and recommendations to the committee within sixty-five days of the date of transmission of such report. Failure to deliver such comments and recommendations shall be taken as approval of the report of the committee.

(d) The historic district study committee shall hold a public hearing on the establishment of a proposed historic district or districts not less than sixty-five nor more than one hundred thirty days after the transmission of the report to each party as provided in subsection (c) of this section, except that, if all such parties have delivered their comments and recommendations to the committee, such hearing may be held less than sixty-five days after the transmittal of the report. The comments and recommendations received pursuant to subsection (c) of this section shall be read in full at the public hearing.

(e) Notice of the time and place of such hearing shall be given as follows: (1) Written notice of the time, place and purpose of such hearing, postage prepaid, shall be mailed to the owners of record of all real property to be included in the proposed historic district or districts, as they appear on the last-completed grand list, at the addresses shown thereon, at least fifteen days before the time set for such hearing, together with a copy of the report of the historic district study committee or a fair and accurate synopsis of such report. A complete copy of the report, a copy of all recommendations made under subsection (c) of this section, a map showing the boundaries of the area to be included in the proposed district and a copy of the proposed ordinance shall be available at no charge from the town clerk during business hours or shall be mailed, upon request, to any owner of record of real property in the proposed historic district or districts with the notice of the hearing; and (2) by publication of such notice in the form of a legal advertisement appearing in a newspaper having a substantial circulation in the municipality at least twice, at intervals of not less than two days, the first not more than fifteen days nor less than ten days and the last not less than two days before such hearing.

(f) The historic district study committee shall submit its report with any changes made following the public hearing, along with any comments or recommendations received pursuant to subsection (c) of this section, and such other materials as the committee may deem necessary or advisable to the legislative body and the clerk of the municipality within sixty-five days after the public hearing.

(g) The clerk or his designee shall, not later than sixty-five days from receipt of such report, mail ballots to each owner of record of real property to be included in the proposed district or districts on the question of creation of an historic district or districts, as provided for in sections [7-147a](#) to [7-147k](#), inclusive. Only an

owner who is eighteen years of age or older and who is liable, or whose predecessors in title were liable, to the municipality for taxes on an assessment of not less than one thousand dollars on the last-completed grand list of the municipality on real property within the proposed district, or who would be or would have been so liable if not entitled to an exemption under subdivision (7), (8), (10), (11), (13), (14), (15), (16), (17), (20), (21), (22), (23), (24), (25), (26), (29) or (49) of section 12-81, may vote, provided such owner is the record owner of the property, thirty days before the ballots must be returned. Any tenant in common of any freehold interest in any land shall have a vote equal to the fraction of his ownership in said interest. Joint tenants of any freehold interest in any land shall vote as if each joint tenant owned an equal, fractional share of such land. A corporation shall have its vote cast by the chief executive officer of such corporation or his designee. No owner shall have more than one vote.

(h) The form of the ballot to be mailed to each owner shall be consistent with the model ballot prepared by the Historic Preservation Council of the Department of Economic and Community Development established pursuant to section 10-409. The ballot shall be a secret ballot and shall set the date by which such ballots shall be received by the clerk of the municipality. The ballots shall be mailed by first class mail to each owner eligible to vote in such balloting at least fifteen days in advance of the day on which ballots must be returned. Notice of balloting shall be published in the form of a legal advertisement appearing in a newspaper having a substantial circulation in the municipality 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 day on which the ballots must be returned. Such ballot shall be returned to the municipal clerk, inserted in an inner envelope which shall have endorsed on the face thereof a form containing a statement as follows: ♦I, the undersigned, do hereby state under the penalties of false statement that I am an owner of record of real property to be included in the proposed historic district and that I am, or my predecessors in title were, liable to the municipality for taxes on an assessment of not less than one thousand dollars on the last grand list of the municipality of real property within the district, or who would be or would have been so liable if not entitled to an exemption under subdivision (7), (8), (10), (11), (13), (14), (15), (16), (17), (20), (21), (22), (23), (24), (25), (26), (29) or (49) of section 12-81. ♦ Such statement shall be signed and dated. Any person who intentionally falsely signs such ballot shall be guilty of false statement as provided in section 53a-157b. The inner envelope, in which the ballot has been inserted by the owner, shall be returned to the municipal clerk in an outer envelope endorsed on the outside with the words: ♦Official ballot♦. Such outer envelope shall also contain, in the upper left corner of the face thereof, blank spaces for the name and return address of the sender. In the lower left corner of such outer envelope, enclosed in a printed box, there shall be spaces upon which the municipal clerk, before issuance of the ballot and envelopes, shall inscribe the name, street and number of the elector's voting residence and the date by which the ballot must be returned, and before issuance the municipal clerk shall similarly inscribe such envelope with his name and address for the return thereof. All outer envelopes shall be serially numbered. The ballots shall be returned to the municipal clerk by the close of business on the day specified, and such clerk shall compare each ballot to the list of property owners to whom such ballots were mailed to insure that each such ballot has been properly signed and returned.

(i) If two-thirds of all property owners voting cast votes in the affirmative, the legislative body of the municipality shall by majority vote take one of the following steps: (1) Accept the report of the committee and enact an ordinance or ordinances to create and provide for the operation of an historic district or districts in accordance with the provisions of this part; (2) reject the report of the committee, stating its reasons for such rejection; (3) return the report to the historic district study committee with such amendments and revisions thereto as it may deem advisable, for consideration by the committee. The committee shall submit an amended report to the legislative body within sixty-five days of such return. The committee need not hold a public hearing other than the one provided for in subsection (d) of this section, notwithstanding any changes in its report following such hearing, unless the legislative body has recommended a change in the boundaries of the proposed district or districts. The legislative body of the municipality may authorize another ballot of the owners within a proposed district or districts to be cast, other than the balloting provided for in subsection (g) of this section, notwithstanding any changes in the proposed ordinance following such balloting, if the boundaries of the proposed district in which the owners' property is situated are changed.

(j) Any ordinance, or amendment thereof, enacted pursuant to this part, which creates or alters district boundaries, shall contain a legal description of the area to be included within the historic district. The legislative body, when it passes such an ordinance, or amendment thereof, shall transmit to the municipal clerk a copy of the ordinance or amendment thereof. Such ordinance, or amendment thereof, shall be recorded in the land records of the municipality in which such real property is located and indexed by the municipal clerk in the grantor index under the names of the owners of record of such property.

(1961, P.A. 430, S. 2; 1963, P.A. 600, S. 1; P.A. 75-52; P.A. 77-338, S. 1; P.A. 80-314, S. 2; P.A. 87-167; P.A. 91-135, S. 1; June 30 Sp. Sess. P.A. 03-6, S. 210(e), 235; P.A. 04-20, S. 3; 04-205, S. 5; 04-257, S. 4; May Sp. Sess. P.A. 04-2, S. 30; P.A. 11-48, S. 125, 126.)

History: 1963 act amended Subsec. (c) to extend time for recommendations after receipt of report from 60 to 90 days and to authorize Connecticut historical commission to recommend re boundaries of proposed districts, amended Subsec. (d) to extend time within which hearing is to be held, amended Subsec. (e) to provide for sending a copy or synopsis of the study committee's report, together with a copy of the recommendations under Subsec. (c), a map and a copy of the proposed ordinance to property owners, amended Subsec. (f) to provide for inclusion of list of all buildings in report of committee and amended Subsec. (g) to provide for balloting by property owners; P.A. 75-52 added Subsec. (i) re ordinance contents; P.A. 77-338 deleted requirement in Subsec. (d) that hearing be held not less than 120 days after report; P.A. 80-314 amended Subsec. (a) to allow more than one committee and to include provisions for alternate members, amended Subsec. (b) to include in requirements for report consideration of architectural merit, description of area to be included, map of exact boundaries, proposed ordinance etc., amended Subsec. (c) to include combined planning and zoning commissions and to replace previous provision requiring that recommendations be read at hearing with provision for turning over recommendations to committee, amended Subsec. (d) to require that hearing be held not less than 65 days after report sent to commissions unless conditions specified in exception are met, amended Subsec. (e) to require 15 rather than 20 days' notice and to allow towns to have available on request rather than to automatically send out complete report and other data, amended Subsec. (f) to change deadline from 60 to 65 days and deleted specific accounting of report contents, amended Subsec. (g) to set deadline for mailing ballots and to replace general provisions for voting and action on result with detailed provisions for voting, deleted former Subsec. (h) re proposed amendments to ordinance replacing it with further voting detail, added Subsec. (i) re actions taken following vote and relettered former Subsec. (j) as Subsec. (j) and added requirement that copy of ordinance be sent to municipal clerk; P.A. 87-167 amended Subsec. (i) to reduce the affirmative vote requirement from 75% to two-thirds of all owners voting; P.A. 91-135 amended Subsec. (g) to transfer authority to mail ballots from the legislative body to the town clerk or his designee and amended Subsec. (h) to require that the ballot be consistent with a model ballot prepared by the Connecticut historical commission; June 30 Sp. Sess. P.A. 03-6 and P.A. 04-20 replaced the Connecticut Historical Commission with the Connecticut Commission on Arts, Tourism, Culture, History and Film in Subsec. (c), and June 30 Sp. Sess. P.A. 03-6 also amended Subsec. (h) to substitute Historic Preservation Council of Connecticut Commission on Arts, Tourism, Culture, History and Film for Connecticut Historical Commission, effective August 20, 2003; P.A. 04-205, effective June 3, 2004, and May Sp. Sess. P.A. 04-2, effective May 12, 2004, both replaced Connecticut Commission on Arts, Tourism, Culture, History and Film with Connecticut Commission on Culture and Tourism; P.A. 04-257 made technical changes in Subsec. (h), effective June 14, 2004; P.A. 11-48 amended Subsecs. (c) and (h) by replacing ♦Connecticut Commission on Culture and Tourism♦ with ♦Department of Economic and Community Development♦, effective July 1, 2011.

Cited. 153 C. 160; 171 C. 199; 189 C. 727; 196 C. 596; 227 C. 71.

Cited. 43 CS 297.

Subsec. (g):

Each condominium unit owner entitled to a vote proportionate to his freehold interest in the land. 196 C. 596.

Sec. 7-147c. Historic district commission. (a) Once an historic district has been established, the historic district study committee shall cease to exist and thereafter an historic district commission shall perform all the functions of the committee relative to the new district and to administering the provisions of this part.

(b) The historic district commission may from time to time, by following the procedure for creation of an historic district provided for in section [7-147b](#), suggest that an historic district be enlarged or that additional districts be created. Where additional property is to be included within an existing district, the owners of such additional property shall vote pursuant to subsection (g) of section [7-147b](#).

(c) Notwithstanding the provisions of section [7-147b](#), the legislative body of the municipality may enact amendments to the ordinance or ordinances of an historic district established pursuant to this part if such amendments do not involve changing district boundaries or the creation of new districts. No amendment shall be enacted until the substance of such amendment has first been submitted to the historic district commission having jurisdiction over the district affected for its comments and recommendations and either its comments and recommendations have been received or sixty-five days have elapsed without receipt of such comments and recommendations. The historic district commission may suggest amendments to the legislative body.

(d) The historic district commission established under the provisions of this part shall consist of five regular and three alternate members, who shall be electors of the municipality in which the district is situated holding no salaried municipal office. The ordinance shall provide that one or more of the members or alternates of the historic district commission shall reside in an historic district under the jurisdiction of the commission, if any persons reside in any such district and are willing to serve on such commission. Such alternate members shall, when seated as provided in this section, have all powers and duties of a member of the commission. If a regular member of said commission is absent or has a conflict of interest, the chairman of the commission shall designate an alternate to so act, choosing alternates in rotation so that they shall act as nearly equal a number of times as possible. If any alternate is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting. The method of appointment shall be fixed by ordinance. The appointments to membership in the commission shall be so arranged that the term of at least one member shall expire each year, and their successors shall be appointed in like manner for terms of five years. Vacancies shall be filled for the unexpired term and in the same manner as the original appointment. The commission shall elect annually a chairman, a vice-chairman and a clerk from its own number. Each member and alternate shall continue in office until his successor is duly appointed. All members and alternates shall serve without compensation. Any member or alternate may be appointed for another term or terms.

(e) The historic district commission shall adopt rules of procedure not inconsistent with the provisions of this part. The commission may adopt regulations not inconsistent with the provisions of this part to provide guidance to property owners as to factors to be considered in preparing an application for a certificate of appropriateness.

(f) The historic district commission shall keep a permanent record of its resolutions, transactions and determinations and of the vote of each member participating therein.

(g) A copy of any ordinance creating an historic district adopted under authority of this part, amendments to any such ordinance, maps of any districts created under this part, annual reports and other publications of the historic district commission and the roster of membership of such commission shall be transmitted to the Department of Economic and Community Development. The historic district commission shall also file with the department at least once every year a brief summary of its actions during that year, including a statement of the number and nature of certificates of appropriateness issued, any changes in the membership of the commission and any other information deemed appropriate by the historic district commission.

(h) The historic district commission may accept grants and gifts, employ clerical and technical assistance or consultants and incur other expenses appropriate to the carrying on of its work, subject to appropriation by the municipality or receipt of such grants or gifts and may expend the same for such purposes.

(i) A municipality which has more than one historic district may establish more than one historic district commission if the districts are not contiguous.

(j) Any historic district commission established under this section may, unless prohibited by charter, ordinance or special act: (1) Make periodic reports to the legislative body; (2) provide information to property owners and others involving the preservation of the district; (3) suggest pertinent legislation; (4) initiate planning and zoning proposals; (5) cooperate with other regulatory agencies and civic organizations and groups interested in historic preservation; (6) comment on all applications for zoning variances and special exceptions where they affect historic districts; (7) render advice on sidewalk construction and repair, tree planting, street improvements and the erection or alteration of public buildings not otherwise under its control where they affect historic districts; (8) furnish information and assistance in connection with any capital improvement program involving historic districts; (9) consult with groups of experts.

(1961, P.A. 430, S. 3; P.A. 77-338, S. 2; P.A. 80-314, S. 3; P.A. 86-105, S. 2; June 30 Sp. Sess. P.A. 03-6, S. 210(e); P.A. 04-20, S. 3; 04-205, S. 5; May Sp. Sess. P.A. 04-2, S. 30; P.A. 11-48, S. 143.)

History: P.A. 77-338 added Subsec. (b) re procedure for inclusion of individual's property in district after its establishment; P.A. 80-314 deleted previous Subsec. (b), inserted new material concerning enlarging districts or creating new ones and ordinance amendments as Subsecs. (b) and (c), placed provisions for commission membership, appointments, etc. in Subsec. (d) rather than Subsec. (a) as previously, amending provisions for alternate members and adding provision concerning vacancies and reappointments, placed provision for adopting rules in Subsec. (e) rather than Subsec. (a) and added provision concerning regulations providing guidance for property owners in preparing applications, added Subsecs. (f) and (g) re permanent records and information required to be sent to the state historical commission, amended provision re acceptance of grants and gifts and employment of personnel, formerly in Subsec. (a), and designated it as Subsec. (h) and added Subsecs. (i) and (j) re multiple commissions and further powers; P.A. 86-105 amended Subsec. (d) to require that one or more residents of historic district be included on commission as members or alternates; June 30 Sp. Sess. P.A. 03-6 and P.A. 04-20 replaced the Connecticut Historical Commission with the Connecticut Commission on Arts, Tourism, Culture, History and Film, effective August 20, 2003; P.A. 04-205, effective June 3, 2004, and May Sp. Sess. P.A. 04-2, effective May 12, 2004, both replaced Connecticut Commission on Arts, Tourism, Culture, History and Film with Connecticut Commission on Culture and Tourism; P.A. 11-48 amended Subsec. (g) to replace ♦Connecticut Commission on Culture and Tourism♦ with ♦Department of Economic and Community Development♦ and ♦department♦, effective July 1, 2011.

Cited. 153 C. 160; 171 C. 199; 189 C. 727; 227 C. 71.

Sec. 7-147d. Certificate of appropriateness: Parking areas. (a) No building or structure shall be erected or altered within an historic district until after an application for a certificate of appropriateness as to exterior architectural features has been submitted to the historic district commission and approved by said commission.

(b) No building permit for erection of a building or structure or for alteration of an exterior architectural feature within an historic district and no demolition permit for demolition or removal of a building or structure within an historic district shall be issued by a municipality or any department, agency or official thereof until a certificate of appropriateness has been issued. A certificate of appropriateness shall be required whether or not a building permit is required.

(c) The historic district commission may request such plans, elevations, specifications, material and other information, including in the case of demolition or removal, a statement of the proposed condition and appearance of property after such demolition or removal, as may be reasonably deemed necessary by the commission to enable it to make a determination on the application. The style, material, size and location of outdoor advertising signs and bill posters within an historic district shall also be under the control of such commission. The provisions of this section shall not be construed to extend to the color of paint used on the exterior of any building or structure.

(d) No area within an historic district shall be used for industrial, commercial, business, home industry or occupational parking, whether or not such area is zoned for such use, until after an application for a certificate of appropriateness as to parking has been submitted to the commission and approved by said commission. The provisions of this section shall apply to the enlargement or alteration of any such parking area in existence on October 1, 1973.

(1961, P.A. 430, S. 4; 1963, P.A. 600, S. 2; P.A. 73-473, S. 1; P.A. 80-314, S. 4.)

History: 1963 act redefined ♦exterior architectural features♦, deleted stone walls, fences, signs, light fixtures, steps and paving from purview of certificate and excluded exterior paint color from provisions of section; P.A. 73-473 added Subsec. (b) re parking areas; P.A. 80-314 deleted ♦restored, moved or demolished♦ and removed definition of ♦exterior architectural features♦ from Subsec. (a), added Subsec. (b) re certificates of appropriateness, added Subsec. (c) including provisions re signs and exterior paint color, previously in Subsec. (a), and stating what information is necessary for commission's decision on application and relettered former Subsec. (b) as Subsec. (d).

Cited. 153 C. 160; 171 C. 199; 189 C. 727; 196 C. 596.

Cited. 29 CA 28.

Subsec. (d):

A reading of the word ♦occupational♦ that restricts it strictly to for-profit commercial or industrial uses would render other words unnecessary surplusage, which would violate basic tenet of statutory construction that legislature does not intend to enact meaningless provisions; Subsec. plainly and unambiguously encompasses parking for private elementary educational facilities because legislature drafted statute with language clearly intended to subject a broad variety of nonresidential parking uses to historic district regulation; legislature's enactment of Sec. 7-147k(b) which exempts from provisions of historic district act ♦any property owned by a nonprofit institution of higher education, for as long as a nonprofit institution of higher education owns such property♦ further supports a construction of Subsec. subjecting nonprofit private elementary school to jurisdiction of commission. 284 C. 838.

[\(Return to Chapter](#) [\(Return to](#) [\(Return to](#)
[Table of Contents\)](#) [List of Chapters\)](#) [List of Titles\)](#)

Sec. 7-147e. Application for certificate. Hearing. Approval. (a) The historic district commission shall hold a public hearing upon each application for a certificate of appropriateness unless the commission determines that such application involves items not subject to approval by the commission. The commission shall fix a reasonable time and place for such hearing. Notice of the time and place of such hearing shall be given by publication in the form of a legal advertisement appearing in a newspaper having a substantial circulation in the municipality not more than fifteen days nor less than five days before such hearing.

(b) Unless otherwise provided by ordinance, a majority of the members of the commission shall constitute a quorum and the concurring vote of a majority of the members of the commission shall be necessary to issue a certificate of appropriateness. Within not more than sixty-five days after the filing of an application as required by section [7-147d](#), the commission shall pass upon such application and shall give written notice of its decision to the applicant. When a certificate of appropriateness is denied, the commission shall place upon its records and in the notice to the applicant the reasons for its determination, which shall include the bases for its conclusion that the proposed activity would not be appropriate. In the notice to the applicant the commission may make recommendations relative to design, arrangement, texture, material and similar features. The commission may issue a certificate of appropriateness with stipulations. Evidence of approval, as referred to in section [7-147d](#), shall be by certificate of appropriateness issued by the commission. Failure of the commission to act within said sixty-five days shall constitute approval and no other evidence of approval shall be needed.

(1961, P.A. 430, S. 5, 7; 1969, P.A. 37; P.A. 73-473, S. 2; P.A. 80-314, S. 5; P.A. 86-105, S. 3.)

History: 1969 act changed deadline for commission action in Subsec. (a) from 60 to 120 days; P.A. 73-473 specified parking as well as exterior architectural features as concern of certificate of appropriateness; P.A. 80-314 deleted reference specifying parking or exterior architectural features, changed number of times notice to appear in newspaper from seven to two and add specific time requirements, deleted requirement that commission record applications and activities and deleted former Subsec. (b) and placed in new Subsec. (b) procedure for action on application, changing deadline for action to 65 days, adding provisions re quorum, voting and denial of application or issuance with stipulations; P.A. 86-105 reduced newspaper notice requirements to one publication and provided that the bases for commission's determination shall be included in any notice of denial of certificate of appropriateness.

Cited. 153 C. 160; 171 C. 199; 189 C. 727; 196 C. 596.

Subsec. (a):

Failure to republish notice of continuance of a hearing in newspaper did not violate Subsec. 49 CS 498.

Subsec. (b):

In appeal from a decision by historic district commission, reviewing courts are limited to determining whether reason or reasons stated by commission are supported by substantial evidence in the record. 285 C. 755.

Although commission mailed notice of denial of the application to applicant 68 days after filing of the application, applicant was not entitled to automatic approval of the application on that basis since commission had acted within 65 days after filing of the application and applicant had actual notice of the commission's decision. 108 CA 682.

[\(Return to Chapter](#) [\(Return to](#) [\(Return to](#)
[Table of Contents\)](#) [List of Chapters\)](#) [List of Titles\)](#)

Sec. 7-147f. Considerations in determining appropriateness. Solar energy systems. (a) If the commission determines that the proposed erection, alteration or parking will be appropriate, it shall issue a certificate of appropriateness. In passing on appropriateness as to exterior architectural features, buildings or structures, the commission shall consider, in addition to other pertinent factors, the type and style of exterior windows, doors, light fixtures, signs, above-ground utility structures, mechanical appurtenances and the type and texture of building materials. In passing upon appropriateness as to exterior architectural features the commission shall also consider, in addition to any other pertinent factors, the historical and architectural value and significance, architectural style, scale, general design, arrangement, texture and material of the architectural features involved and the relationship thereof to the exterior architectural style and pertinent features of other buildings and structures in the immediate neighborhood. No application for a certificate of appropriateness for an exterior architectural feature, such as a solar energy system, designed for the utilization of renewable resources shall be denied unless the commission finds that the feature cannot be installed without substantially impairing the historic character and appearance of the district. A certificate of appropriateness for such a feature may include stipulations requiring design modifications and limitations on the location of the feature which do not significantly impair its effectiveness. In passing upon appropriateness as to parking, the commission shall take into consideration the size of such parking area, the visibility of cars parked therein, the closeness of such area to adjacent buildings and other similar factors.

(b) In its deliberations, the historic district commission shall act only for the purpose of controlling the erection or alteration of buildings, structures or parking which are incongruous with the historic or architectural aspects of the district. The commission shall not consider interior arrangement or use. However, the commission may recommend adaptive reuse of any buildings or structures within the district compatible with the historic architectural aspects of the district.

(1961, P.A. 430, S. 8; P.A. 73-473, S. 3; P.A. 80-314, S. 6; P.A. 81-326.)

History: P.A. 73-473 added specific provisions concerning certificates of appropriateness for parking; P.A. 80-314 added Subsec. (b) re exclusion of consideration of interior space except to recommend adaptive reuse and expanded considerations for certificate concerning exterior features with specific references to doors, windows, signs, etc.; P.A. 81-326 added provisions concerning issuance of certificate of appropriateness for exterior architectural feature designed for utilization of renewable resources.

Cited. 153 C. 160; 171 C. 199; 189 C. 727; 196 C. 596; 227 C. 71.

Subsec. (a):

Commission may consider historic value and significance of buildings in their existing locations, including outbuildings, as a **pertinent factor** in denying an application for alterations. 285 C. 755.

[\(Return to Chapter Table of Contents\)](#) [\(Return to List of Chapters\)](#) [\(Return to List of Titles\)](#)

Sec. 7-147g. Variations, permissible when. Where, by reason of topographical conditions, district borderline situations or because of other unusual circumstances solely with respect to a certain parcel of land and not affecting generally the district in which it is situated, the strict application of any provision of this part would result in exceptional practical difficulty or undue hardship upon the owner of any specific property, the commission in passing upon applications shall have power to vary or modify strict adherence to said sections or to interpret the meaning of said sections so as to relieve such difficulty or hardship; provided such variance, modification or interpretation shall remain in harmony with the general purpose and intent of said sections so that the general character of the district shall be conserved and substantial justice done. In granting variations, the commission may impose such reasonable and additional stipulations and conditions as will, in its judgment, better fulfill the purposes of said sections. In addition to the filing required by subsection (b) of section 7-147e, the commission shall, for each variation granted, place upon its records and in the notice to the applicant the reasons for its determinations.

(1961, P.A. 430, S. 9; P.A. 80-314, S. 7.)

History: P.A. 80-314 required that record of granted variance and commission's reasons for granting it be kept.

Cited. 153 C. 160; 171 C. 199; 189 C. 727; 196 C. 596.

[\(Return to Chapter Table of Contents\)](#) [\(Return to List of Chapters\)](#) [\(Return to List of Titles\)](#)

Sec. 7-147h. Action by commission to prevent illegal acts. (a) If any provision of this part or any action taken or ruling made by the historic district commission pursuant to the provisions of said sections or of any regulation or ordinance adopted under said sections has been violated, the commission may, in addition to other remedies, institute an action in the superior court for the judicial district wherein such violation exists, which court shall have jurisdiction to restrain such violation and to issue orders directing that the violation be corrected or removed. Such order may direct the removal of any building, structure or exterior architectural feature erected in violation of said sections or any bylaw or ordinance adopted under said sections or the substantial restoration of any building, structure, or exterior architectural feature altered or demolished in violation of said sections or any regulation or ordinance adopted under said sections. Regulations and orders of the commission issued pursuant to said sections, or to any regulation or ordinance adopted under said sections, shall be enforced by the zoning enforcement official or building inspector or by such other person as may be designated by ordinance, who may be authorized to inspect and examine any building, structure, place or premises and to require in writing the remedying of any condition found to exist therein or thereon in violation of any provision of the regulations or orders made under the authority of said sections or of any regulation or ordinance adopted under said sections.

(b) The owner or agent of any building, structure or place where a violation of any provision of this part or of any regulation or ordinance adopted under said sections has been committed or exists, or the lessee or tenant of an entire building, entire structure or place where such violation has been committed or exists, or the owner, agent, lessee or tenant of any part of the building, structure or place in which such violation has been committed or exists, or the agent, architect, builder, contractor, or any other person who commits, takes part or assists in any such violation or who maintains any building, structure or place in which any such violation exists, shall be fined not less than ten dollars nor more than one hundred dollars for each day that such violation continues; but, if the offense is willful, the person convicted thereof shall be fined not less than one hundred dollars nor more than two hundred fifty dollars for each day that such violation continues. The superior court for the judicial district wherein such violation continues or exists shall have jurisdiction of all such offenses, subject to appeal as in other cases. Each day that a violation continues to exist shall constitute a separate offense. All costs, fees and expenses in connection with actions under this section may, in the discretion of the court, be assessed as damages against the violator, which, together with reasonable attorney's fees, may be awarded to the historic district commission which brought such action. Any funds collected as fines pursuant to this section shall be used by the commission to restore the affected buildings, structures, or places to their condition prior to the violation wherever possible and any excess shall be paid to the municipality in which the district is situated.

(1961, P.A. 430, S. 10; P.A. 73-473, S. 4; P.A. 74-183, S. 166, 291; P.A. 76-436, S. 145, 681; P.A. 78-280, S. 1, 127; P.A. 80-314, S. 8.)

History: P.A. 73-473 included reference to parking; P.A. 74-183 substituted court of common pleas for circuit court and included reference to ♦county or judicial district♦; P.A. 76-436 substituted superior court for court of common pleas, effective July 1, 1978; P.A. 78-280 deleted reference to ♦county♦; P.A. 80-314 divided section into Subsecs. (a) and (b), replaced former provisions for proceedings to prevent unlawful acts with provisions for proceedings in superior court and added provisions concerning court costs, attorneys' fees and fines.

Cited. 153 C. 160; 171 C. 199; 189 C. 727; 196 C. 596.

Provision authorizing imposition of fines is directory rather than mandatory and the trial court's decision to refrain from imposing fines did not preclude it from awarding attorney's fees to commission; court's order to comply, standing alone, without affirmatively labeling defendant as a violator, is sufficient to implicate the court's authority under section to award attorney's fees to commission for its successful enforcement action; court may award attorney's fees, costs and expenses related to defense of a counterclaim under section. 152 CA 161.

[\(Return to Chapter \(Return to Table of Contents\) List of Chapters\) List of Titles\)](#)

Sec. 7-147i. Appeals. Any person or persons severally or jointly aggrieved by any decision of the historic district commission or of any officer thereof may, within fifteen days from the date when such decision was rendered, take an appeal to the superior court for the judicial district in which such municipality is located, which appeal shall be made returnable to such court in the same manner as that prescribed for other civil actions brought to such court. Notice of such appeal shall be given by leaving a true and attested copy thereof in the hands of or at the usual place of abode of the chairman or clerk of the commission within twelve days before the return day to which such appeal has been taken. Procedure upon such appeal shall be the same as that defined in section [8-8](#).

(1961, P.A. 430, S. 11; P.A. 76-436, S. 282, 681; P.A. 78-280, S. 1, 127; P.A. 80-314, S. 9.)

History: P.A. 76-436 substituted superior court for court of common pleas and added reference to judicial district, effective July 1, 1978; P.A. 78-280 deleted reference to county; P.A. 80-314 provided that appeal be made returnable to court in same manner as that prescribed for ♦other♦ civil actions.

See Sec. 51-197b re administrative appeals.

Cited. 153 C. 160; 171 C. 199; 189 C. 727. In appeals from administrative zoning decisions, decisions will be invalidated, even if they were reasonably supported by the record, if they were not supported by substantial evidence in the record; in an appeal from decision of a commission, the record is reviewed to determine whether there is factual support for commission's decision; should substantial evidence exist in record to support any basis or stated reason for commission's decision, the court must sustain that decision. 284 C. 838. Although judicial review of land use decisions is deferential, it is not a rubber stamp as a court cannot take view in every case that discretion exercised by local zoning authority must not be disturbed, for if it did the right of appeal would be empty. Id. Although defendant's decision in this case was guided by proper statutory factors under Sec. 7-147f, the application of those factors was not supported by substantial evidence and, therefore, was an abuse of its discretion; because neighborly animosity and outcry are not, without more, factors for defendant's consideration under Sec. 7-147f(a), testimony does not support defendant's conclusion in this case. Id. This section and Sec. 8-8, when read together, do not provide for statutory aggravement in historic district commission appeals. 325 C. 765.

If an appeal has been taken and the trial court remands a case to commission, the scope of the remand order determines the finality of the trial court's judgment for appeal purposes. 108 CA 682.

[\(Return to Chapter \(Return to Table of Contents\) List of Chapters\) List of Titles\)](#)

Sec. 7-147j. Exempted acts. Delay of demolition. (a) Nothing in this part shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in the historic district which does not involve a change in the appearance or design thereof; nor to prevent the erection or alteration of any such feature which the building inspector or a similar agent certifies is required by the public safety because of a condition which is unsafe or dangerous due to deterioration; nor to prevent the erection or alteration of any such feature under a permit issued by a building inspector or similar agent prior to the effective date of establishment of such district.

(b) If a building in an historic district is to be demolished, no demolition shall occur for ninety days from issuance of a demolition permit if during such time the historic district commission or the Department of Economic and Community Development is attempting to find a purchaser who will retain or remove such building or who will present some other reasonable alternative to demolition. During such ninety-day period the municipality may abate all real property taxes. At the conclusion of such ninety-day period, the demolition permit shall become effective and the demolition may occur. Nothing in this section shall be construed to mandate that the owner of such property sell such property or building.

(1961, P.A. 430, S. 6; 1963, P.A. 600, S. 3; P.A. 80-314, S. 10; June 30 Sp. Sess. P.A. 03-6, S. 210(e); P.A. 04-20, S. 3; 04-205, S. 5; May Sp. Sess. P.A. 04-2, S. 30; P.A. 11-48, S. 144.)

History: 1963 act deleted restriction on maintenance or repairs involving a change of material or outward appearance; P.A. 80-314 deleted references to construction, reconstruction and demolition and inserted references to ♦erection♦ and added Subsec. (b) re demolition procedure; June 30 Sp. Sess. P.A. 03-6 and P.A. 04-20 replaced the Connecticut Historical Commission with the Connecticut Commission on Arts, Tourism, Culture, History and Film, effective August 20, 2003; P.A. 04-205, effective June 3, 2004, and May Sp. Sess. P.A. 04-2, effective May 12, 2004, both replaced Connecticut Commission on Arts, Tourism, Culture, History and Film with Connecticut Commission on Culture and Tourism; P.A. 11-48 amended Subsec. (b) to replace ♦Connecticut Commission on Culture and Tourism♦ with ♦Department of Economic and Community Development♦, effective July 1, 2011.

Cited. 153 C. 160; 171 C. 199; 189 C. 727.

[\(Return to Chapter \(Return to Table of Contents\) List of Chapters\) List of Titles\)](#)

Sec. 7-147k. Prior districts unaffected. Validation of prior creations and actions. Nonprofit institutions of higher education excluded. (a) The provisions of this part shall in no way impair the validity of any historic district previously established under any special act or the general statutes. Any and all historic districts created under the general statutes, prior to October 1, 1980, otherwise valid except that such districts, district study committees, municipalities or officers or employees thereof, failed to comply with the requirements of any general or special law, and any and all actions of such districts or historic district commission, are validated.

(b) The provisions of this part shall not apply to any property owned by a nonprofit institution of higher education, for as long as a nonprofit institution of higher education owns such property.

(1961, P.A. 430, S. 12; P.A. 80-314, S. 11; P.A. 06-196, S. 39.)

History: P.A. 80-314 expanded validation to cover districts created before October 1, 1980, and added Subsec. (b) excepting property of nonprofit higher education institutions from provisions of Secs. 7-147a to 7-147k; P.A. 06-196 made a technical change in Subsec. (b), effective June 7, 2006.

Cited. 171 C. 199; 189 C. 727.

Subsec. (a):

Validation of the Farmington Historic District by statute rendered moot the basis for complaint. 189 C. 727.

Subsec. (b):

Where express exceptions are made, legal presumption is legislature did not intend to save other cases from operation of statute; the enactment of section indicates that legislature, when it desires to do so, knows how to exempt specific kinds of educational institutions from historic district regulation. 284 C. 838.

[\(Return to Chapter \(Return to Table of Contents\) List of Chapters\) List of Titles\)](#)

Secs. 7-147l and 7-147m. Method of balloting; eligibility to vote; balloting on prior districts. Sections [7-147l](#) and [7-147m](#) are repealed.

(1963, P.A. 600, S. 4, 5; 1971, P.A. 333; 1972, P.A. 127, S. 8; P.A. 75-158; P.A. 78-285; P.A. 80-314, S. 12.)

[\(Return to Chapter \(Return to Table of Contents\) List of Chapters\) List of Titles\)](#)

Secs. 7-147n and 7-147o. Reserved for future use.

[\(Return to Chapter \(Return to Table of Contents\) List of Chapters\) List of Titles\)](#)

PART II*

HISTORIC PROPERTIES

*Cited. 196 C. 596.

Sec. 7-147p. Historic property ordinances authorized. Definitions. (a) As used in this part: ♦Historic property♦ means any individual building, structure, object or site that is significant in the history, architecture, archaeology and culture of the state, its political subdivisions or the nation and the real property used in connection therewith; ♦altered♦ means changed, modified, rebuilt, removed, demolished, restored, razed, moved or reconstructed; ♦erected♦ means constructed, built, installed or enlarged; ♦exterior architectural features♦ means such portion of the exterior of a structure or building as is open to view from a public street, way or place; ♦building♦ means a combination of materials forming a shelter for persons, animals or property; ♦structure♦ means any combination of materials, other than a building, which is affixed to the land, and shall include, but not be limited to, signs, fences and walls; ♦municipality♦ means any town, city, borough, consolidated town and city or consolidated town and borough.

(b) Any municipality may, by ordinance and in conformance with the standards and criteria formulated by the Department of Economic and Community Development, designate within its confines an historic property or properties to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of the distinctive characteristics of individual buildings and places associated with the history of or indicative of a period or style of architecture of the municipality, of the state or of the nation.

(c) The legislative body of any municipality may make appropriations for the purpose of carrying out the provisions of this part.

(P.A. 84-286, S. 1; June 30 Sp. Sess. P.A. 03-6, S. 210(e); P.A. 04-20, S. 3; 04-205, S. 5; May Sp. Sess. P.A. 04-2, S. 30; P.A. 11-48, S. 145.)

History: June 30 Sp. Sess. P.A. 03-6 and P.A. 04-20 replaced the Connecticut Historical Commission with the Connecticut Commission on Arts, Tourism, Culture, History and Film, effective August 20, 2003; P.A. 04-205, effective June 3, 2004, and May Sp. Sess. P.A. 04-2, effective May 12, 2004, both replaced Connecticut Commission on Arts, Tourism, Culture, History and Film with Connecticut Commission on Culture and Tourism; P.A. 11-48 amended Subsec. (b) to replace ♦Connecticut Commission on Culture and Tourism♦ with ♦Department of Economic and Community Development♦, effective July 1, 2011.

[\(Return to Chapter \(Return to Table of Contents\) List of Chapters\) List of Titles\)](#)

Sec. 7-147q. Procedures for establishment of historic properties. Prior to the designation of an historic property or properties, the following steps shall be taken:

(a) The legislative body shall appoint or authorize the chief elected official of the municipality to appoint an historic properties study committee for the purpose of making an investigation of one or more proposed historic properties. The legislative body of a municipality which proposes to establish more than one historic property may establish more than one committee. An already existing historic properties commission or an historic district commission established in the municipality pursuant to part I of this chapter may be appointed to make this investigation. Each committee established under the provisions of this section shall consist of five regular and three alternate members who shall be electors of the municipality holding no salaried municipal office. Such alternate members shall, when seated as provided in this section, have all powers and duties of a member of the committee. If a regular member of such committee is absent or has a conflict of interest, the chairman of the committee shall designate an alternate to so act, choosing alternates in rotation so that they shall act as nearly equal a number of times as possible. If any alternate is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting.

(b) The historic properties study committee shall investigate and submit a report which shall include the following: (1) An analysis of the historic significance and architectural merit of the buildings, structures, objects or sites proposed as historic properties; (2) a map showing the exact boundaries of the area to be designated as the historic property or properties; (3) a proposed ordinance or proposed ordinances designed to designate and provide for the protection of an historic property or properties in accordance with the provisions of this part; and (4) such other matters as the committee may deem necessary or advisable.

(c) The historic properties study committee shall transmit copies of its report to the Department of Economic and Community Development, the planning commission and zoning commission, or the combined planning and zoning commission, of the municipality, if any, and, in the absence of such a planning commission, zoning commission or combined planning and zoning commission, to the chief elected official of the municipality for their comments and recommendations. In addition to such other comments and recommendations as it may make, the Department of Economic and Community Development may recommend either approval, disapproval, modification, alteration or rejection of the proposed ordinance or ordinances and of the boundaries of each proposed historic property. Each such commission, board or individual shall deliver such comments and recommendations to the committee within sixty-five days of the date of transmission of such report. Failure to deliver such comments and recommendations shall be taken as approval of the report of the committee.

(d) The historic properties study committee shall hold a public hearing on the designation of each proposed historic property not less than sixty-five nor more than one hundred thirty days after the transmission of the report to each party as provided in subsection (c) of this section, except that, if all such parties have delivered their comments and recommendations to the committee, such hearing may be held less than sixty-five days after the transmittal of the report. The comments and recommendations received pursuant to subsection (c) of this section shall be read in full at the public hearing.

(e) Notice of the time and place of such hearing shall be given as follows: (1) Written notice of the time, place and purpose of such hearing, postage prepaid, shall be mailed by certified mail to the owner or owners of record of the real property to be included in each proposed historic property, as they appear on the last-completed grand list, at the addresses shown thereon, at least fifteen days before the time set for such hearing, together with a copy of the report of the historic properties study committee or a fair and accurate synopsis of such report. A complete copy of the report, a copy of all recommendations made under subsection (c) of this section, a map showing the boundaries of the real property to be included in each proposed historic property and a copy of the proposed ordinance shall be available at no charge from the town clerk during business hours or shall be mailed, upon request, to any owner of record of real property in the proposed historic property or properties with the notice of the hearing; and (2) by publication of such notice in the form of a legal advertisement appearing in a newspaper having a substantial circulation in the municipality at least twice, at intervals of not less than two days, the first not more than fifteen days nor less than ten days and the last not less than two days before such hearing.

(f) The historic properties study committee shall submit its report with any changes made following the public hearing, along with any comments or recommendations received pursuant to subsection (c) of this section, and such other materials as the committee may deem necessary or advisable to the legislative body of the municipality within sixty-five days after the public hearing.

(g) The owner or owners of record of a proposed historic property may object to the proposed designation by submitting to the historic properties study committee or to the legislative body of the municipality a notarized statement certifying that the person filing such objection is the entire or partial owner of the property and objects to the designation. Unless persons holding fifty per cent or more of the ownership interest in a proposed historic property object to the proposed designation within thirty days following the public hearing held pursuant to subsection (d) of this section, the legislative body of the municipality shall, by majority vote, take one of the following steps: (1) Accept the report of the committee as to the proposed historic property and enact an ordinance to designate the historic property and provide for its regulation in accordance with the provisions of this part; (2) reject the report of the committee, stating its reasons for such rejection; or (3) return the report to the historic properties study committee, with such amendments and revisions as it may deem advisable, for consideration by the committee. The committee shall, within sixty-five days of such return, submit an amended report to the legislative body and mail by certified mail a copy of the amended report to the owner or owners of record of each proposed historic property covered by the report. The committee need not hold a public hearing other than the one provided for in subsection (d) of this section. Unless persons holding fifty per cent or more of the ownership interest in a proposed historic property object to the proposed designation within thirty days of receipt of the amended report by written submission in the manner set forth in this subsection, the legislative body of the municipality may accept or reject the amended report as provided in this subsection.

(h) Any ordinance, or amendment thereof, enacted pursuant to this part, which designates or alters historic property boundaries, shall contain a legal description of the area to be included within each historic property. The legislative body, when it passes such an ordinance, or amendment thereof, shall transmit to the municipal clerk a copy of the ordinance or amendment thereof. Such ordinance, or amendment thereof, shall be recorded in the land records of the municipality in which such real property is located and indexed by the municipal clerk in the grantor index under the names of the owners of record of such property.

(P.A. 84-286, S. 2; June 30 Sp. Sess. P.A. 03-6, S. 210(e); P.A. 04-20, S. 3; 04-205, S. 5; May Sp. Sess. P.A. 04-2, S. 30; P.A. 11-48, S. 146.)

History: June 30 Sp. Sess. P.A. 03-6 and P.A. 04-20 replaced the Connecticut Historical Commission with the Connecticut Commission on Arts, Tourism, Culture, History and Film, effective August 20, 2003; P.A. 04-205, effective June 3, 2004, and May Sp. Sess. P.A. 04-2, effective May 12, 2004, both replaced Connecticut Commission on Arts, Tourism, Culture, History and Film with Connecticut Commission on Culture and Tourism; P.A. 11-48 amended Subdiv. (c) by replacing ♦Connecticut Commission on Culture and Tourism♦ with ♦Department of Economic and Community Development♦, effective July 1, 2011.

[\(Return to Chapter \(Return to Table of Contents\) List of Chapters\) List of Titles\)](#)

Sec. 7-147r. Historic properties commission. (a) The first ordinance enacted by a municipality to designate any historic properties shall provide for the creation of an historic properties commission and for the termination of the historic properties study committee or committees. The historic properties commission shall administer the provisions of this part relative to all historic properties then or thereafter designated by the municipality and, relative to such historic properties, the commission shall have all of the powers and duties that historic district commissions have over historic districts pursuant to part I of this chapter except as is otherwise provided in this part. A municipality may designate an historic properties commission to administer historic districts in accordance with part I of this chapter in the event that no historic district commission exists when the historic properties commission is created. A municipality may designate an existing historic district commission to administer historic properties in accordance with this part.

(b) The historic properties commission may from time to time, in accordance with section [7-147q](#), initiate the designation of additional historic properties or the enlargement of the boundaries of an existing historic property.

(P.A. 84-286, S. 3.)

[\(Return to Chapter \(Return to Table of Contents\) List of Chapters\) List of Titles\)](#)

Sec. 7-147s. Certificate of appropriateness. (a) No building or structure located within the boundaries of an historic property shall be erected or altered until after an application for a certificate of appropriateness as to exterior architectural features has been submitted to the historic properties commission and approved by

such commission. No earthworks or site of recognized historic or archaeological importance within the boundaries of an historic property shall be altered until after an application for a certificate of appropriateness has been submitted to the historic properties commission and approved by said commission.

(b) No building permit for erection of a building or structure or for alteration of an exterior architectural feature within the boundaries of an historic property and no demolition permit for demolition or removal of a building or structure within the boundaries of an historic property shall be issued by a municipality or any department, agency or official thereof until a certificate of appropriateness has been issued. A certificate of appropriateness shall be required whether or not a building permit is required.

(c) The historic properties commission may request such plans, elevations, specifications, material and other information, including in the case of demolition or removal, a statement of the proposed condition and appearance of property after such demolition or removal, as may be reasonably deemed necessary by the commission to enable it to make a determination on the application. The style, material, size and location of outdoor advertising signs and bill posters within the boundaries of an historic property shall also be under the control of such commission. The provisions of this section shall not be construed to extend to the color of paint used on the exterior of any building or structure.

(d) No area within the boundaries of an historic property shall be used for industrial, commercial, business, home industry or occupational parking, whether or not such area is zoned for such use, until after an application for a certificate of appropriateness as to parking has been submitted to the commission and approved by said commission.

(P.A. 84-286, S. 4.)

[\(Return to Chapter Table of Contents\)](#) [\(Return to List of Chapters\)](#) [\(Return to List of Titles\)](#)

Sec. 7-147t. Procedure for application for certificate. In reviewing and acting upon applications for certificates of appropriateness, the historic properties commission shall follow the procedures set forth in section [7-147e](#) for use by historic district commissions in reviewing applications for certificates of appropriateness affecting historic districts.

(P.A. 84-286, S. 5.)

[\(Return to Chapter Table of Contents\)](#) [\(Return to List of Chapters\)](#) [\(Return to List of Titles\)](#)

Sec. 7-147u. Considerations in determining appropriateness. Except as otherwise provided in this part, in reviewing and acting upon applications for certificates of appropriateness, the historic properties commission shall apply the same standards and take into account the same considerations as set forth in section [7-147f](#) for use by historic district commissions in reviewing applications for certificates of appropriateness affecting historic districts. In passing upon the appropriateness of alterations to earthworks or sites of historic or archaeological importance, the commission shall consider, in addition to any other pertinent factors, their value and significance, size, design, arrangement, texture and materials. In its deliberations, the historic properties commission shall act only for the purpose of controlling the erection or alteration of buildings, structures, objects, sites or parking that are incongruous with the historic or architectural aspects of the historic property.

(P.A. 84-286, S. 6.)

[\(Return to Chapter Table of Contents\)](#) [\(Return to List of Chapters\)](#) [\(Return to List of Titles\)](#)

Sec. 7-147v. Variations, permissible when. Where, by reason of topographical conditions or location or because of other unusual circumstances, the strict application of any provision of this part would result in exceptional practical difficulty or undue hardship upon the owner of the historic property, the commission in passing upon applications shall have power to vary or modify strict adherence to the provisions of this part, provided such variance or modification shall remain in harmony with the general purpose and intent of this part so that the historic and architectural aspects of the historic property shall be conserved. In granting variances or modifications, the commission may impose such reasonable stipulations and conditions as will, in its judgment, better fulfill the purposes of this part. The commission shall, for each variance or modification granted, place upon its records and in the notice to the applicant the reasons for its determinations.

(P.A. 84-286, S. 7.)

[\(Return to Chapter Table of Contents\)](#) [\(Return to List of Chapters\)](#) [\(Return to List of Titles\)](#)

Sec. 7-147w. Action by commission to prevent illegal acts. If any provision of this part, or any action taken or ruling made by the historic properties commission pursuant to the provisions of this part or any regulation or ordinance adopted pursuant to this part, has been violated, the historic properties commission shall have, in addition to other remedies, those remedies available to historic district commissions as provided in section [7-147h](#).

(P.A. 84-286, S. 8.)

[\(Return to Chapter Table of Contents\)](#) [\(Return to List of Chapters\)](#) [\(Return to List of Titles\)](#)

Sec. 7-147x. Appeals. Any person or persons severally or jointly aggrieved by any decision of the historic properties commission or of any officer thereof may appeal such decision in the same manner and according to the same procedure as set forth in section [7-147i](#) for appeals from the decisions of the historic district commissions.

(P.A. 84-286, S. 9.)

[\(Return to Chapter Table of Contents\)](#) [\(Return to List of Chapters\)](#) [\(Return to List of Titles\)](#)

Sec. 7-147y. Exempted acts. Delay of demolition. (a) Nothing in this part shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature within the boundaries of an historic property which does not involve a change in the appearance or design thereof; nor to prevent the erection or alteration of any such feature which the building inspector or a similar agent certifies is required by the public safety because of a condition which is unsafe or

dangerous due to deterioration; nor to prevent the erection or alteration of any such feature under a permit issued by a building inspector or similar agent prior to designation of such historic property.

(b) If a building within the boundaries of an historic property is to be demolished, no demolition shall occur for ninety days from issuance of a demolition permit if during such time the historic properties commission or the Department of Economic and Community Development is attempting to find a purchaser who will retain or remove such building or who will present some other reasonable alternative to demolition. During such ninety-day period the municipality may abate all real property taxes. At the conclusion of such ninety-day period, the demolition permit shall become effective and the demolition may occur. Nothing in this section shall be construed to mandate that the owner of such property is under any obligation to sell such property or building.

(P.A. 84-286, S. 10; June 30 Sp. Sess. P.A. 03-6, S. 210(e); P.A. 04-20, S. 3; 04-205, S. 5; May Sp. Sess. P.A. 04-2, S. 30; P.A. 11-48, S. 147.)

History: June 30 Sp. Sess. P.A. 03-6 and P.A. 04-20 replaced the Connecticut Historical Commission with the Connecticut Commission on Arts, Tourism, Culture, History and Film, effective August 20, 2003; P.A. 04-205, effective June 3, 2004, and May Sp. Sess. P.A. 04-2, effective May 12, 2004, both replaced Connecticut Commission on Arts, Tourism, Culture, History and Film with Connecticut Commission on Culture and Tourism; P.A. 11-48 amended Subsec. (b) by replacing ♦Connecticut Commission on Culture and Tourism♦ with ♦Department of Economic and Community Development♦, effective July 1, 2011.

[\(Return to Chapter](#) [\(Return to](#) [\(Return to](#)
[Table of Contents\)](#) [List of Chapters\)](#) [List of Titles\)](#)



TOWN OF LEDYARD CONNECTICUT

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

Chairman Gary St. Vil

August 26, 2025

Mr. Early (Ty) Lamb, Chairman
Historic District Commission
95 Lambtown Road
Ledyard, Connecticut 06339

Dear Mr. Lamb:

During the Land Use/Planning/Public Works Committee's October 2, 2023 meeting you and Mrs. Karen Parkinson discussed an idea to preserve an area of the Spicer Homestead Ruins Site because of its proximity to the Tri-Town Trail where it passes through the Clark Farm property, located at 1025 Colonel Ledyard Highway, with the objective to obtain a Historic Designation. The idea presented at that time was to create small parks that were off shoots from the Tri-Town Trail where people could stop to take a rest and read plaques providing historical facts that would be placed along the Trail.

Over the past two-years members of the LUPPW Committee, along with Connecticut Preservation Archaeologist Stefon Danczuk, have participated in site walks of the property that were led by Mrs. Parkinson. The LUPPW Committee and Mr. Danczuk also outlined the process to seek a Historic Designation in accordance with CGS 97; Section 7-147(b) to provide guidance to the Historic District Commission.

In our many discussions with members of the Historic District Commission regarding their interest to preserve an area of the Spicer Homestead Ruins and the process to seek a Historic Designation the LUPPW Committee explained that in accordance with Ordinance #300-019 "*An Ordinance Establishing Historic District Boundaries And Establishing A Historic District Commission for the Town of Ledyard*" which cites CGS Section 7-147c "***The historic district commission may from time to time, by following the procedure for creation of an historic district provided for in section 7-14b, suggest that a historic district be enlarged or that additional districts be created***". Under this provision, the Historic District Commission is authorized to serve as a ***Historic District Study Committee*** and has the ability to take on tasks to investigate the feasibility of preserving historic properties such as the Spicer Homestead Ruins.

At our May 5, 2025 meeting Land Use Director Elizabeth Burdick offered to meet with Mrs. Parkinson and/or other Historic District Commission Members to: (1) Review the steps necessary to seek a Historic Designation; (2) Facilitate a meeting between Mayor Allyn and Mrs. Parkinson and/or other Historic District Commission Members to discuss the A2 Survey that was prepared by Dieter & Gardner Surveyors; and (3) Offered to attend a Historic District Commission meeting to review the step-by-step process required to move the initiative forward. As of our August 4, 2025 LUPPW Committee meeting Ms. Burdick had not been contacted by any members of your Commission.

As not to continue to keep unfinished business items on our agenda indefinitely, the LUPPW Commission is interested in the Historic District Commission's progress on this initiative and requests the following:

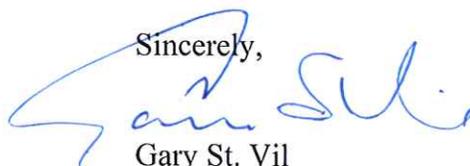
- What Steps the Historic District Commission has completed to date.
- What is your next Step.
- What is your timeline.

Your acknowledgement of the receipt of our request by October 3, 2025 would be appreciated. Should the LUPPW Committee not receive a response, this standing item will be removed from our agenda.

The LUPPW Committee admires and appreciates the Historic District Commission's passion, dedication, and work to preserve for our future generations the legacy of the families such as the Spicers who helped to settle our community, and we would like to see you be successful with this effort.

Should you have any questions regarding this request, please do not hesitate to contact me at (860) 980-0656; or email: gsvil@ledyardct.org.

Sincerely,



Gary St. Vil
Chairman

cc: Karen Parkinson, Historic District Commission Member
Councilor Barnes, Liaison Historic District Commission
Land Use Director Elizabeth Burdick

Attachments (highlighted with clarifying notes in blue font)

- (1) Councilor Dombrowski email dated June 3, 2024
- (2) Ordinance #300-019 *"An Ordinance Establishing Historic District Boundaries And Establishing A Historic District Commission for the Town of Ledyard"*
- (3) *Connecticut General State Statues* Section 7-147

From: Kevin J. Dombrowski <KJDom@ledyardct.org>
Sent: Monday, June 3, 2024 8:26 AM
To: Gary St. Vil <GSVil@ledyardct.org>; Roxanne Maher <council@ledyardct.org>
Subject: Spicer Ruins/next steps

Gary, looking at the statutes, I believe these would be the next steps to move forward.

Next Steps:

IAW CGS Chapter 97, Sec. 7-147b

1. The legislative body shall appoint or authorize the chief elected official of the municipality to appoint an historic district study committee for the purpose of making an investigation of a proposed historic district or districts. *(Per Ordinance #300-019 citing CGS Section 7-147 C(b) “The historic district commission may from time to time, by following the procedure for creation of an historic district provided for in section 7-14b, suggest that a historic district be enlarged or that additional districts be created”).*
2. The historic district study committee shall:
 - a. Perform an analysis of the historic significance and architectural merit of the buildings, structures, places or surroundings to be included in the proposed historic district or districts and the significance of the district as a whole.
 - b. Provide a general description of the area to be included within the district or districts, including the total number of buildings in each such district or districts listed according to their known or estimated ages.
 - c. Create a map showing the exact boundaries of the area to be included within the district or districts.
 - d. Develop a proposed ordinance or proposed ordinances designed to create and provide for the operation of an historic district or districts.
 - e. Determine such other matters as the committee may deem necessary or advisable.
3. The historic district study committee shall transmit copies of its report to the Department of Economic and Community Development, the planning commission and zoning commission, or the combined planning and zoning commission, of the municipality, if any, and, in the absence of such a planning commission, zoning commission or combined planning and zoning commission, to the chief elected official of the municipality for their comments and recommendations.
 - a. Each such commission, board or individual shall deliver comments and recommendations to the committee within sixty-five days of the date of transmission of such report.
4. The historic district study committee shall hold a public hearing on the establishment of a proposed historic district or districts not less than sixty-five nor more than one hundred thirty days after the transmission of the report to each party listed above.
 - a. except that, if all such parties have delivered their comments and recommendations to the committee, such hearing may be held less than sixty-five days after the transmittal of the report.

- b. The comments and recommendations received pursuant from the above listed, shall be read in full at the public hearing.
5. The historic district study committee shall submit its report with any changes made following the public hearing, along with any comments or recommendations received, and such other materials as the committee may deem necessary or advisable to the legislative body and the clerk of the municipality within sixty-five days after the public hearing.
6. The clerk or his designee shall, not later than sixty-five days from receipt of such report, mail ballots to each owner (for the Spicer Homestead Ruins the Town is the Owner) of record of real property to be included in the proposed district or districts on the question of creation of an historic district or districts, as provided for in CGS sections 7-147a to 7-147k, inclusive.
7. The form of the ballot to be mailed to each owner shall be consistent with the model ballot prepared by the Historic Preservation Council of the Department of Economic and Community Development established pursuant to CGS section 10-409. The ballot shall be a secret ballot and shall set the date by which such ballots shall be received by the clerk of the municipality. The ballots shall be mailed by first class mail to each owner eligible to vote in such balloting at least fifteen days in advance of the day on which ballots must be returned.
8. If two-thirds of all property owners (for the Spicer Homestead Ruins the Town is the Owner) voting cast votes in the affirmative, the legislative body of the municipality shall by majority vote take one of the following steps:
 - a. Accept the report of the committee and enact an ordinance or ordinances, (Ordinance #300-019 would need to be amended to include the Spicer Homestead Ruins, if established) to create and provide for the operation of an historic district or districts in accordance with the provisions of this part;
 - b. Reject the report of the committee, stating its reasons for such rejection;
 - c. Return the report to the historic district study committee (Historic District Commission) with such amendments and revisions thereto as it may deem advisable, for consideration by the committee. The committee shall submit an amended report to the legislative body within sixty-five days of such return.
9. Any ordinance, (Ordinance #300-019 will need to be amended to include the Spicer Homestead Ruins, if established) or amendment thereof, enacted pursuant to this part, which creates or alters district boundaries, shall contain a legal description of the area to be included within the historic district. The legislative body, when it passes such an ordinance, or amendment thereof, shall transmit to the municipal clerk a copy of the ordinance or amendment thereof. Such ordinance, or amendment thereof, shall be recorded in the land records of the municipality in which such real property is located and indexed by the municipal clerk in the grantor index under the names of the owners of record of such property.

Thanks
Kevin

AN ORDINANCE ESTABLISHING
HISTORIC DISTRICT BOUNDARIES AND
ESTABLISHING A HISTORIC DISTRICT COMMISSION
FOR THE TOWN OF LEDYARD

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

Section 1. Establishment

Pursuant to the following General Statutes of the State of Connecticut there is hereby established Defined Boundaries of the Ledyard Historic Districts and a Historic District Commission for the Town of Ledyard.

A. Defined Boundaries of the Ledyard Historic Districts and Regulating Hours

Pursuant to Section 7-147a, et seq., of the General Statutes of the State of Connecticut, there are established within the Town of Ledyard, historic districts as defined herein.

(1) Districts, Boundaries and Administrative Control of Assigned Properties

The boundaries for the historic districts are as follows:

Nathan Lester House Historic District

Said district consists of 134.76 acres more or less situated on the easterly side of the intersection of Long Cove Road and Vinegar Hill Road in Ledyard. The exact boundaries of this property are described in three deeds recorded in the Ledyard Land Records. The first recorded in Volume 67, page 345, upon which is situated the Nathan Lester House, consisting of approximately 98.85 acres; the second, which includes the Ledyard Oak Tract, consists of 10.8 acres and is described in deed recorded in Volume 55, page 434 - This property is shown on the town assessor's map as 153 Vinegar Hill Road; the third is 800 Long Cove Road, Gales Ferry which consists of 25.11 acres/Open Space described in the deed recorded in Volume 540 page 679.

Up-Down Sawmill Park Historic District

Said district consists of a tract of land comprising approximately 11.6 acres upon which there is a pond of approximately 2.24 acres. The Sawmill stands at the east end of the pond. Further east and close by is the old blacksmith shop. The tract is located 2 miles east of Ledyard Center. It is bounded by Connecticut State Highway 214, the Peckham cemetery and lands formerly of Harry Main, Ira and Ruth Marquardt and Frank and Aurilla Hewes. Descriptions of these boundaries may be found in Ledyard Land Records Volume 63, page 244, deeded from Harry C.W. Main to the Town of Ledyard. This property is shown on the town assessor's map as 172 Iron Street.

(2) Regulating Hours in Historic District

Except as hereinafter provided, those areas owned by the Town of Ledyard and designated as Historic Districts pursuant to the provisions of Sections 7-147a, et seq., of the General Statutes of the State of Connecticut, shall be open to the public only during such hours as may be established by regulations of the Historic District Commission.

Such areas shall be closed to the public during the hours after sunset and before sunrise and entry into, or presence in such areas during the hours after sunset and before sunrise, except with the express consent of the Historic District Commission, is prohibited.

Any person who shall enter into, or remain present in, any area owned by *the* Town of Ledyard and designated as a Historic District during the hours after sunset and before sunrise, without the express consent of the Historic District Commission, shall be fined not more than One-Hundred (\$100.00) dollars.

(3) Administrative Control of Historic District Properties and Assigned Town Properties

Upon the establishment of the *Commission for Ledyard Historic Districts* in accordance herewith, the said Commission shall exercise administrative control of Town owned properties within the Historic Districts within the Town as established at this time, or in the future, or other properties as assigned by the Town Council, including the One Room School House in Ledyard Center.

Included in such administrative duties shall be the planning of historic districts, applications for grants in aid relating thereto, including local, state and federal grants, and the administration of the expenditure of any such grants which may be received.

B Historic District Commission

Pursuant to Section 7-147c, et seq., of the General Statutes of the State of Connecticut there is hereby established a Historic District Commission, **which shall perform all the functions relative to the establishing of new districts** and otherwise administering the provisions of the Sections 7-147a to 7-147K of said statutes and as the same may be amended from time to time

Section 2. Membership

The *Ledyard Historic District Commission* shall consist of five regular members and three alternate members.

All members shall be electors of the town holding no salaried municipal office and who shall be appointed by the Town Council.

All members and alternates shall serve without compensation.

Section 3. Terms of appointment

Members shall be appointed by the Town Council for a term of five (5) years. Members shall commence to serve their terms immediately upon appointment and shall serve until their successor has qualified or they have been reappointed or removed by the Town Council.

Appointment and removal of any member of the Parks and Recreation Commission shall be as provided for in Chapter IV, Section 9, of the Town Charter.

Any vacancy in the Ledyard Historic District Commission, other than by expiration of term, shall be filled for the unexpired portion of the term by the Town Council.

Any member of the Commission who is absent from three (3) consecutive regular meetings and any intervening duly called special meetings shall be considered to have resigned from the Commission. The vacancy shall be filled as herein before provided. Additionally, the commission may vote to waive the requirements of this section in each case where illness or other extenuating circumstances make it impossible for a member to meet the attendance requirements of this action.

It shall be the responsibility of the Chairman of the Ledyard Historic District Commission to notify the Town Council when a member has not properly performed his duties.

Section 4. Implementation

With the adoption of this Ordinance all current members and current alternate members of the Historic District Commission for the Town of Ledyard shall continue to serve in accordance with the term of their appointment.

The Commission shall elect annually a chairman, vice chairman and a clerk from its own number.

The Commission shall adopt Rules of Procedure not inconsistent with the provisions of Sections 147a to 7-147 inclusive, and 19A 308 of the Connecticut General Statutes, and may, subject to budgetary appropriations by the town, employ clerical and technical assistance of consultants and may accept money, gifts and expend the same for such purpose.

Section 5. Purpose

The purpose of the *Ledyard Historic District Commission* is to promote the education, cultural, economic and general welfare of the Town of Ledyard through the preservation and protection of the buildings, historic places, and districts of historic interest within the Town by maintenance of such landmarks in the history of architecture of the Town, of the State, or of the Nation and though the development and appropriate settings for such buildings, historic places and districts.

The Historic District Commission may recommend and oversee improvements for buildings and structures in the Designated Historic District.

No building or structure shall be erected, altered, restored, moved for demolished within a historic district until after an Application for a Certificate of Appropriateness as to the exterior architectural features (as defined in the statues) has been submitted to the Commission and approved by said Commission.

Consideration of such applications, public hearing and approval shall be in accordance with General Statutes.

Section 6. Severability.

If any provision of this Ordinance shall be held invalid by a court having competent jurisdiction, such invalidity shall not affect any of the other provisions of this Ordinance that can be given effect without the invalid provision and for this purpose the provisions of this Ordinance are hereby declared severable.

Section 7. 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 Renumbered by the Ledyard Town Council on: September 25, 2019

Approve / Disapprove: _____
Linda C. Davis, Chairman

Fred B. Allyn, III, Mayor

Published on: _____
Patricia A. Riley, Town Clerk

Effective Date:

Revisions: Ordinance #18. "*Ordinance Establishing a Historic District for the Town of Ledyard*" adopted December 14, 1970; Amended and Adopted: September 13, 1972; Ordinance #51 "*An Ordinance Amending an Ordinance Establishing a Historic District Commission for the Town of Ledyard*"; Adopted on July 10, 1991; Effective: August 10, 1991; Ordinance #52 "*An Ordinance Defining the Boundaries of Ledyard Historic Districts*"; Adopted July 10, 1991; Effective August 10, 1991; Ordinance #53 "*An Ordinance Amending An Ordinance Regulating the Hours of Historic Districts in the Town of Ledyard*"; Adopted November 10, 1993; Effective: November 8, 1993.

History:

The Twenty-fourth Town Council (2017-2019) Ordinance Update Initiative: Combined Ordinance #18, #52, #53; renumbered Ordinance(s) to Ordinance #300-019.

2019: Section 1 "*Establishment*" paragraph A. (1) Added "*800 Long Cove Road*" assigned at the Town Council Meeting December 14, 2016; Section 1 "*Establishment*" paragraph A (3) added "*One Room School House in Ledyard Center*"; Section 3 "*Terms of Appointment*" clarified language regarding member attendance and removal; Section 5 "*Purpose - Application for a Certificate of Appropriateness*" removed language to submit Application to Zoning Enforcement Official. Section 7 "*Cancellation*" was removed, based on Attorney's recommendation, the "*Revision*" and "*History*" paragraphs indicate that the previous Ordinance(s) has been updated, and was therefore, being replaced/cancelled. Added new Section 7 "*Effective Date*" to be consistent with Town Ordinance format.

CHAPTER 97a*
HISTORIC DISTRICTS AND HISTORIC PROPERTIES
PART I*
HISTORIC DISTRICTS

Sec. 7-147c. Historic district commission. (a) Once an historic district has been established (Ordinance #300-019 Established a Historic District), the historic district study committee shall cease to exist and thereafter *an historic district commission shall perform all the functions of the committee relative to the new district and to administering the provisions of this part.*

(b) **The historic district commission** may from time to time, by following the procedure for creation of an historic district provided for in section [7-147b](#), suggest that an historic district be enlarged or that additional districts be created. Where additional property is to be included within an existing district, the owners of such additional property shall vote pursuant to subsection (g) of section [7-147b](#).

Roxanne Maher

From: Elizabeth Burdick
Sent: Monday, August 4, 2025 4:55 PM
To: Roxanne Maher
Cc: Gary St. Vil; Fred Allyn, III
Subject: RE: LUPPW Cmt Agenda - Monday August 4, 2024 @ 6:00 p.m.

8/4/25 Good afternoon, Roxanne, I'm not feeling great, so I won't be attending this evening's LUPPW Committee meeting.

With respect to the agenda, I would like to provide the following updates:

1. Hannah has provided her blight report for the Committee members to review. She can be reached by phone or email with any questions, as can I.
2. I have been only minimally involved with the Spicer Homestead project, so I have no update as to the status of the proposed preservation project.
3. The Land Use Dept. is still working with Pride's Corner regarding the final permitting of the greenhouses, but we have received no complaints regarding noise and I can say that all the greenhouses as shown on an As-Built plan submitted to this office meet the minimum setbacks required for the zoning district in which they are located and may be approved for zoning compliance.

The Committee is welcome to contact me by phone or email should it have any questions relative to the above. Thank you.

Liz Burdick, Director of Land Use & Planning Town of Ledyard
741 Colonel Ledyard Highway, Ledyard, CT 06339
Telephone: (860) 464-3215
Email: planner@ledyardct.org

-----Original Message-----

From: Roxanne Maher <council@ledyardct.org>
Sent: Thursday, July 31, 2025 4:14 PM
To: April Brunelle <ABru@ledyardct.org>; Carmen Garcia Irizarry <CGIri@ledyardct.org>; Gary St. Vil <GSvil@ledyardct.org>; Jessica Buhle <Jbuh@ledyardct.org>; Kevin J. Dombrowski <KJDom@ledyardct.org>; Roxanne Maher <council@ledyardct.org>; Timothy Ryan <tryan@ledyardct.org>; Tony Saccone <tsac@ledyardct.org>; William Barnes <wbar@ledyardct.org>; Fred Allyn, III <mayor@ledyardct.org>; Hannah Gienau <zoning.official@ledyardct.org>; Elizabeth Burdick <planner@ledyardct.org>
Subject: LUPPW Cmt Agenda - Monday August 4, 2024 @ 6:00 p.m.

LUPPW Cmt Agenda - Monday, August 4, 2025 @ 6:00 p.m.

TIMELINE OF SPICER RUINS “DISCOVERY” AND PURSUIT OF PRESERVATION, 4.4 ACRES WITHIN BOUNDARY OF 1025 COL. LEDYARD HWY, (CLARK FARM) UPPER SECTION, FORESTED.

Tri Town Trail conceptualized by David Holdridge prior to 2008

2008 Tri Town Trail Master Plan developed with SCCOG \$ 5,000 grant from Millstone

2016 first DEEP grant to Town of Ledyard

2019 permission given by Town of Ledyard to begin trail-blazing/trail building for Phase I, on Town owned property 1087 Col Ledyard Hwy (open space) and two easements

2020 permission given to trail blaze across town owned Clark Farm (by Mayor Allyn, adm control) The “Clark Farm” is 101 acres farmed by the Clark family for over 100 years. Became Town-owned property via exchange of property with Mashantucket Tribal Nation (2007)

2020 while blazing trail, “discovery” of remains of well and foundation (oldsters said may be Spicer)

2021 extensive research done by Karen Parkinson on Spicer family. Community Foundation grant written and granted for building bridges and archeology research of land records to verify ruins. Ruins are significantly “undisturbed” and stone walls/foundations undisturbed. Spicer Homestead dates to approximately 1670. Peter and Mary Spicer, first settlers, are the ancestors of many Mystic whaling captains (Spicer Marina), founders of Spicer oil, “Parke” Spicer (Preston’s long -serving selectman) and many Town of Ledyard and Preston early leaders. The Homestead was occupied for five generations and became over 200 acres. John and Cyrus each inherited half the farm in 1769; Cyrus sold east half to Isaac Geer in 1788; John and successors farmed west half for another hundred years. The original dwelling is referenced as “the mansion” in 1769 will of John (4). Its demise is not known and would need to be researched in land records.

2022 Completion of contracted archeology research by Sara Holmes, PhD. Verifying that site is Spicer Homestead settled circa 1670. Study was funded by Community Foundation grant to Tri Town Trail Association. Report shared with Town officials and copies donated to Bill Library and Preston Library. Ledyard Rotary granted TTT \$ 1,000 for signage and fencing of Homestead.

2022 study shared with State of CT Archeology. “site number” obtained.

2023-present. Continued working relationship with Town officials to develop plan for preservation, suggesting the Historic District Commission be assigned administrative control. Two site walks conducted with Land Use Commission (2023, 2024), Historic District Commission agreed to accept administrative control of site

Map of proposed “Spicer Homestead Ruins” constructed with the assistance of Chad Frost. There are no existing buildings. There is evidence of a dug well, twin cellar pits, corner foundations of dwelling, extensive stone wall system, foundation of small barn, and large erratic boulder, known as “Spicer Rock” referenced in Spicer genealogy books. The proposed 4.4 acres is outlined by existing stone walls, the unnamed brook, and the Eversource easement boundary. There is a wooden crossing (no foundations) of the brook built by Tri Town Trail volunteers. The crossing is referenced as “Spicer Bridge” and the unnamed brook is referenced as “Mary Spicer Brook.”

Submitted to Land Use Committee, Sept 9, 2024 by Karen Parkinson, Historic District Comm.

TRI TOWN TRAIL PHASE 2

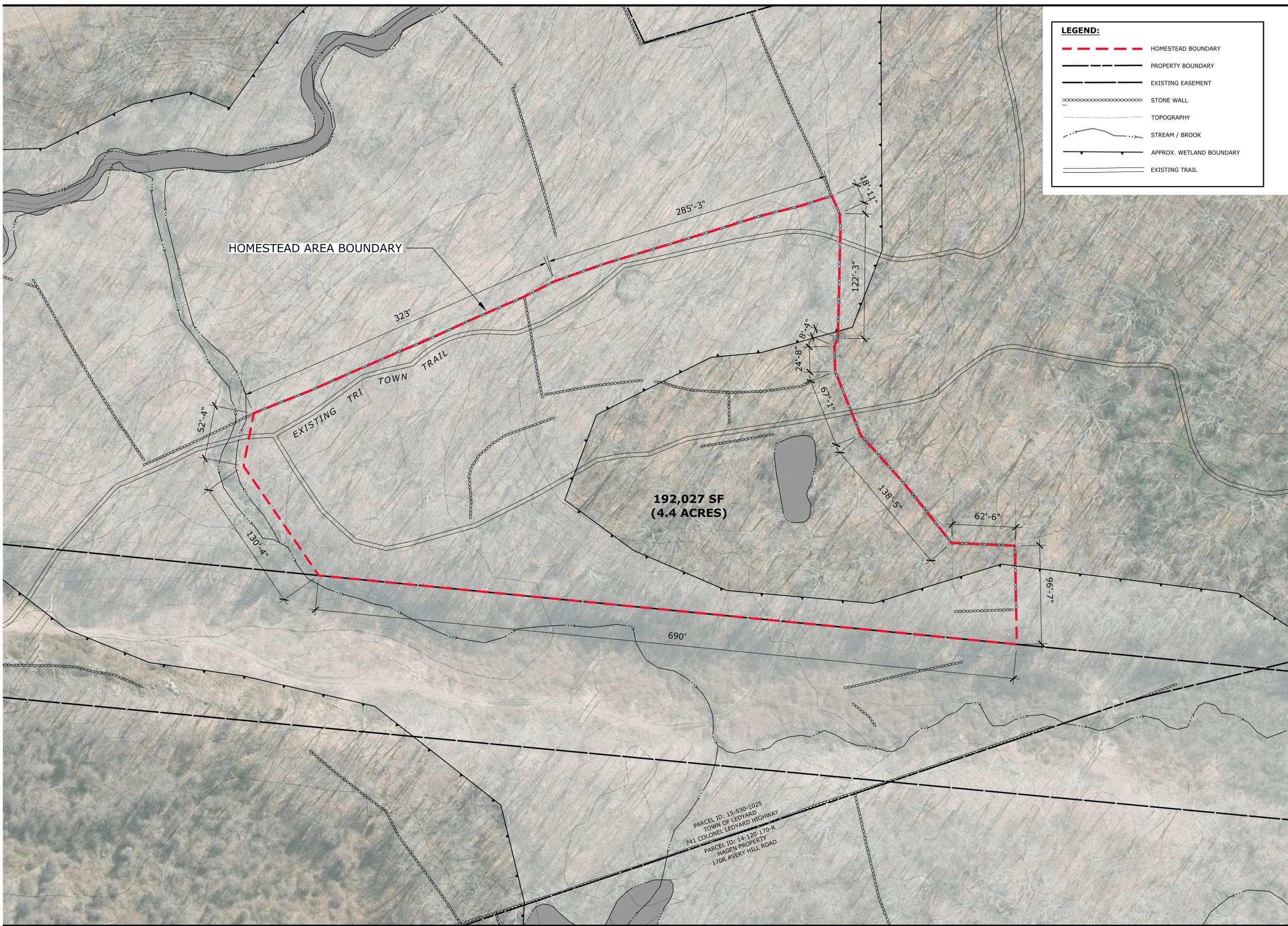
Ledyard, CT

LANDSCAPE
KENT+FROST
ARCHITECTURE

1 HIGH STREET
MYSTIC, CT 06355
860.572.0784
kentfrost.com

LEGEND:

- HOMESTEAD BOUNDARY
- PROPERTY BOUNDARY
- EXISTING EASEMENT
- STONE WALL
- TOPOGRAPHY
- STREAM / BROOK
- APPROX. WETLAND BOUNDARY
- EXISTING TRAIL



**PRELIMINARY
REVIEW**

Revisions	Date

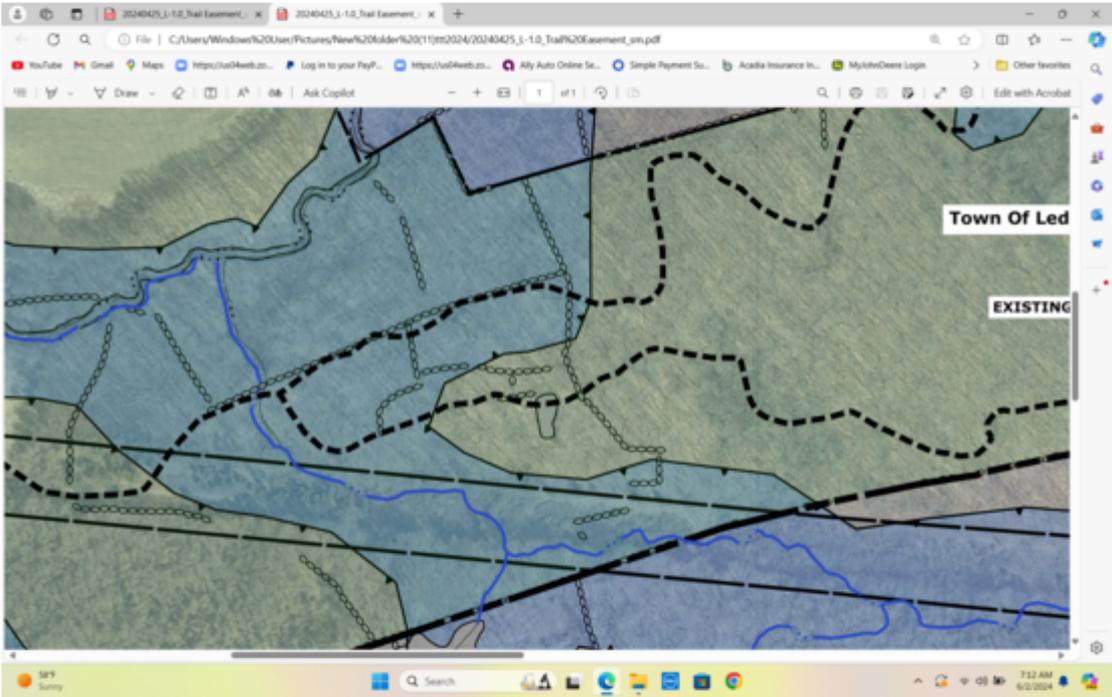


**HISTORIC
HOMESTEAD AREA**

PARCEL ID: 15-530-1025
TOWN OF LEDYARD
741 COLONEL LEDYARD HIGHWAY
PARCEL ID: 14-120-170-R
HAGEN PROPERTY
170R AVERY HILL ROAD

Scale	1" = 40'
Date	June 17, 2024
K-F Project No.	2023001
Drawing No.	

L-1.0



Pequot Trail - Hellgate Hiking | x

trailforks.com/trails/pequot-trail-hellgate/

United States > Connecticut > New London County > Preston

Pequot Trail - Hellgate BlueBlazes / hike trail

Overview Photos (0) Videos (0) Reports (0) Comments (0) Ride Logs Leaderboard Stats 3D Tour

3.6 miles Distance 258 ft Climb -343 ft Descent 281 ft High Point

Status no votes yet completed check-in save

Details

Activities: **Hike** Trail Running

Riding Area: Eastern Connecticut

Trail Number: BlueBlazes

Difficulty Rating: Blue **easy**

Hiking SAC Scale: **T1 Hiking**

Trail Type: Singletrack

Direction: Both Directions

Little-used blue trail. The northern section follows power lines and a helpful neighbor mows a section of that otherwise would be choked with briars. The high point of the trail is on part of the parcel deeded to the Mohegan Sachem Uncas. The old road that passes through a rocky slot has been known as Hellgate since Colonial times. Please respect areas that are posted by staying on the trail.

Directions to pequot-trail-hellgate trailhead (41.536400, -72.030390)

Pequot Trail -... Trail Reports

no reports have been added for Pequot Trail - Hellgate yet. [add a trail report](#)

77°F Mostly cloudy 11:16 AM 5/28/2024

Roxanne Maher

From: Kevin J. Dombrowski
Sent: Monday, June 03, 2024 8:26 AM
To: Gary St. Vil; Roxanne Maher
Subject: Spicer Ruins/next steps

Gary, looking at the statutes, I believe these would be the next steps to move forward.

Next Steps

IAW CGS Chapter 97, Sec. 7-147b

1. The legislative body shall appoint or authorize the chief elected official of the municipality to appoint an historic district study committee for the purpose of making an investigation of a proposed historic district or districts.
2. The historic district study committee shall:
 - a. Perform an analysis of the historic significance and architectural merit of the buildings, structures, places or surroundings to be included in the proposed historic district or districts and the significance of the district as a whole
 - b. Provide a general description of the area to be included within the district or districts, including the total number of buildings in each such district or districts listed according to their known or estimated ages
 - c. Create a map showing the exact boundaries of the area to be included within the district or districts
 - d. Develop a proposed ordinance or proposed ordinances designed to create and provide for the operation of an historic district or districts
 - e. Determine such other matters as the committee may deem necessary or advisable
3. The historic district study committee shall transmit copies of its report to the Department of Economic and Community Development, the planning commission and zoning commission, or the combined planning and zoning commission, of the municipality, if any, and, in the absence of such a planning commission, zoning commission or combined planning and zoning commission, to the chief elected official of the municipality for their comments and recommendations.
 - a. Each such commission, board or individual shall deliver comments and recommendations to the committee within sixty-five days of the date of transmission of such report.
4. The historic district study committee shall hold a public hearing on the establishment of a proposed historic district or districts not less than sixty-five nor more than one hundred thirty days after the transmission of the report to each party listed above
 - a. except that, if all such parties have delivered their comments and recommendations to the committee, such hearing may be held less than sixty-five days after the transmittal of the report.
 - b. The comments and recommendations received pursuant from the above listed, shall be read in full at the public hearing
5. The historic district study committee shall submit its report with any changes made following the public hearing, along with any comments or recommendations received, and such other materials as the committee may deem necessary or advisable to the legislative body and the clerk of the municipality within sixty-five days after the public hearing.
6. The clerk or his designee shall, not later than sixty-five days from receipt of such report, mail ballots to each owner of record of real property to be included in the proposed district or districts on the question of creation of an historic district or districts, as provided for in CGS sections 7-147a to 7-147k, inclusive.

7. The form of the ballot to be mailed to each owner shall be consistent with the model ballot prepared by the Historic Preservation Council of the Department of Economic and Community Development established pursuant to CGS section 10-409. The ballot shall be a secret ballot and shall set the date by which such ballots shall be received by the clerk of the municipality. The ballots shall be mailed by first class mail to each owner eligible to vote in such balloting at least fifteen days in advance of the day on which ballots must be returned.
8. If two-thirds of all property owners voting cast votes in the affirmative, the legislative body of the municipality shall by majority vote take one of the following steps:
 - a. Accept the report of the committee and enact an ordinance or ordinances to create and provide for the operation of an historic district or districts in accordance with the provisions of this part;
 - b. reject the report of the committee, stating its reasons for such rejection;
 - c. return the report to the historic district study committee with such amendments and revisions thereto as it may deem advisable, for consideration by the committee. The committee shall submit an amended report to the legislative body within sixty-five days of such return.
9. Any ordinance, or amendment thereof, enacted pursuant to this part, which creates or alters district boundaries, shall contain a legal description of the area to be included within the historic district. The legislative body, when it passes such an ordinance, or amendment thereof, shall transmit to the municipal clerk a copy of the ordinance or amendment thereof. Such ordinance, or amendment thereof, shall be recorded in the land records of the municipality in which such real property is located and indexed by the municipal clerk in the grantor index under the names of the owners of record of such property.

Thanks
Kevin

Sarah Holmes, PhD
Archaeology Consultant
860 501-1446 slh@att.net

Tri Town Trail Association
Karen Parkinson, President
860 464-1559
karen@thepaddockinc.com

November 21, 2022

Annotated Report on Land Deed Research for the Spicer Homestead in Ledyard, CT.

The earliest 17th century land deeds granted to Peter Spicer from New London only provide a vague description of the actual metes and bounds and in many instances are incomplete.

Initially, Peter Spicer's lands were bounded with a swamp on the west and south. Other early land records identify a brook on the northern bound. Although it was not definitively proven through title search where Peter Spicer's first dwelling was located, the landscape in the vicinity of the "Spicer Rock" contains extensive field systems enclosed within stonewalls, along with a well and cellar holes that suggest great time depth.

Peter Spicer's descendants, Edward (2) and John (3) Spicer lived in separate residences in 1723

John Spicer's (4) farm included the land recently purchased by John Spicer (4) from Daniel Whipple of approximately 16 acres 11 rods.

The Whipple purchase became the north line of the Spicer farm measuring 115 rods in width (east to west) and provided the location of the northeast corner bound at the brook and highway (located near to the newly installed footbridge on the northwestern side of the large field at 1025 Colonel Ledyard Highway).

John Spicer's (4) last will and testament, dated May 6, 1769, stated he left his two sons, John Spicer (5) and Cyrus Spicer (5), his farm. The estate was equally divided, although John (4) left Cyrus the house.

The division of John Spicer's (4) in 1772 describes a 146 acre farm.

John Spicer (5) also receives one half of the orchard lying east of the dwelling house on the eastern side of the 146 acres.

Survey of division agreement/line:

- to begin the division line at a heap of stones in the north line of said farm 55 (52?)¹ rods westerly from northeast corner
- running south from said heap of stones 11 degrees east 150 rods to a **heap of stones south of the barn**
- south 7 degrees east 95 ½ (15 ½?) rods to an heap of stones
- south 5 degrees west 22 rods to an heap of stones
- south 7 degrees east 14-1/2 rods to heap of stones on **north line of Capt. Robert Geer land**

Survey of John's orchard:

- **one half of orchard lying east of dwelling house**
- beginning at southwest corner of George Geer land
- running south 13 degrees east across said orchard to heap of stones by a wall
- east 22 degrees north 11 ½ rods to George Geer's land
- with said George Geer's land to the first mentioned bound
- containing 1 acre 20 rods

The title search indicated the abutters on the Spicer property remain constant over time in regard to Cyrus Spicer's inheritance from his father John Spicer (4) in 1769. Benjamin Geer and George Geer's property abutted the Spicer land on the east, often with a brook as a boundary.

To review, the clearest survey regarding the location of any appurtenances including the Spicer dwelling is from the last will and testament of John Spicer's (4) in 1769 and the division of his estate totaling 146 acres inherited by his sons Cyrus and John Spicer in 1772.

Suggestions:

If the Town is interested, a request for an archaeological site number and an archaeological site form could be filed with the Office of State Archaeology. The site form would describe, at a minimum, the immediate area to the south of the bridge near "Spicer Rock", the possible cellar holes and the stone-well. The archaeological site description could also include the field system in this area.

¹ The ink is faded on this page and difficult to decipher, the dimension could be 52 rods, although 55 rods is the more likely candidate

Maps related to Spicer landholdings.

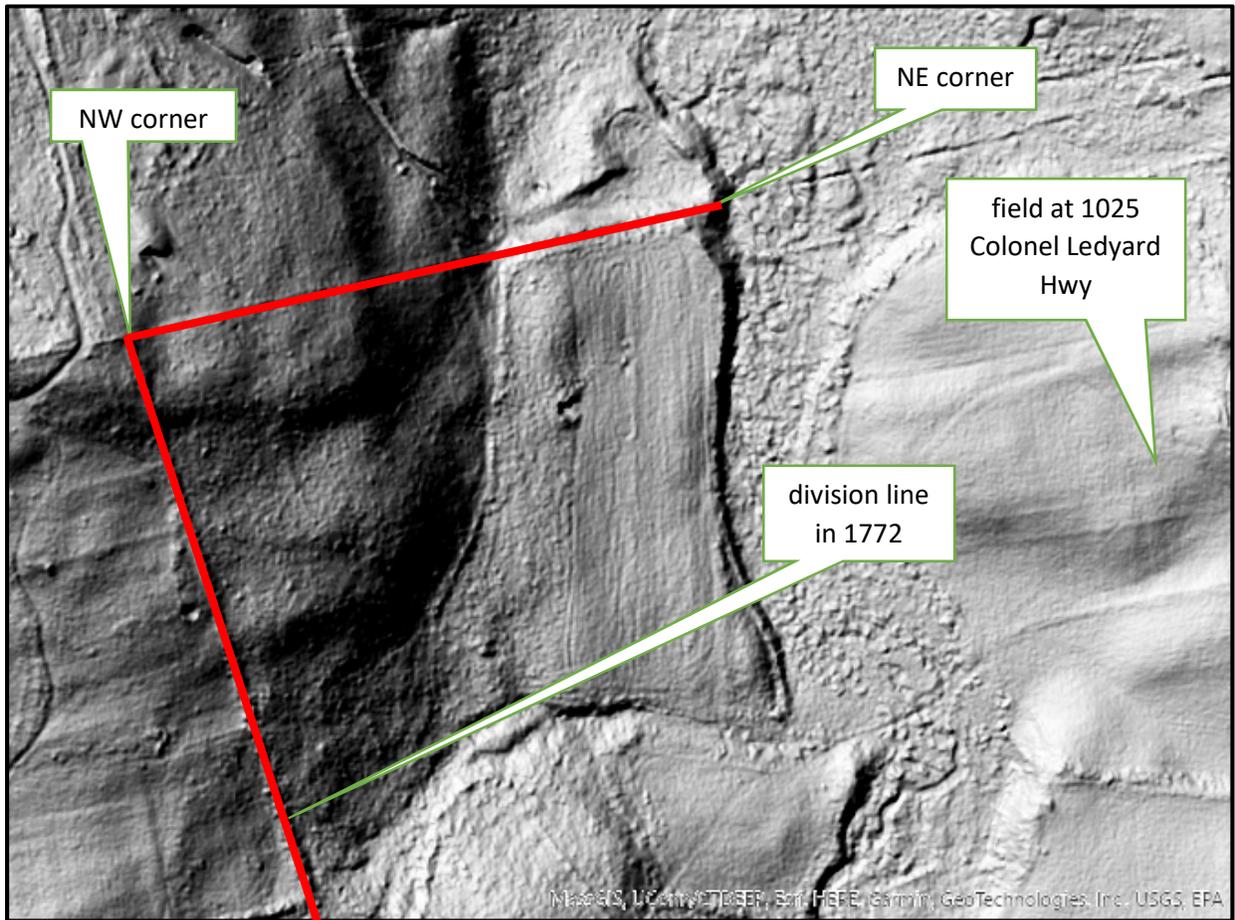


Fig 1. LIDAR of northern bound established for Cyrus Spicer's division of his father Hon. M. John Spicer's estate in 1772 measuring 55 rods in length beginning at the northeast corner at the brook just above or at the newly installed TTT bridge. Also note two anomalies or depressions visible in the middle of the field. (<https://cteco.maps.arcgis.com/>)

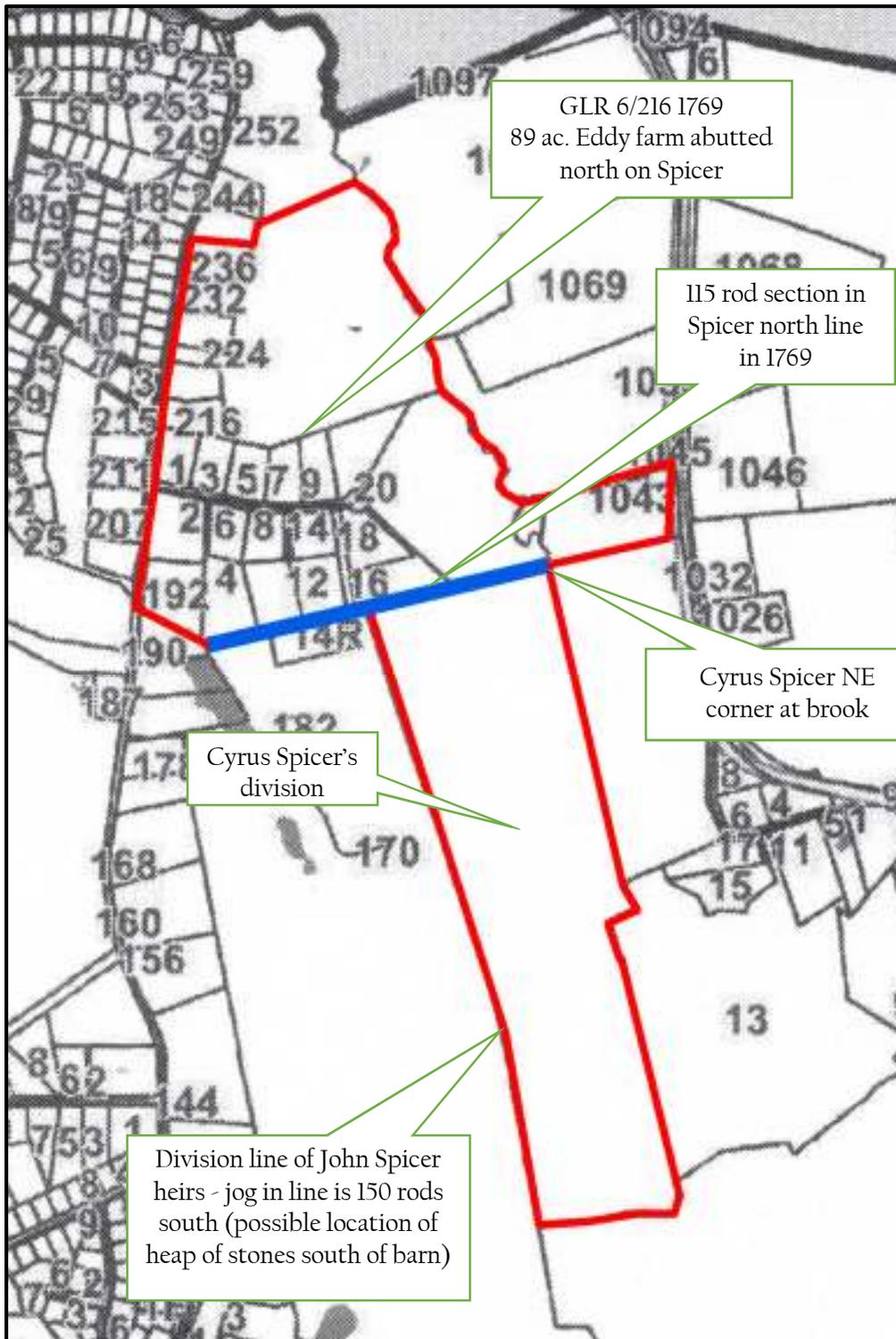


Fig. 2 Mark-up of Ledyard GIS property map. (<https://www.mapsonline.net/ledyardct/>)

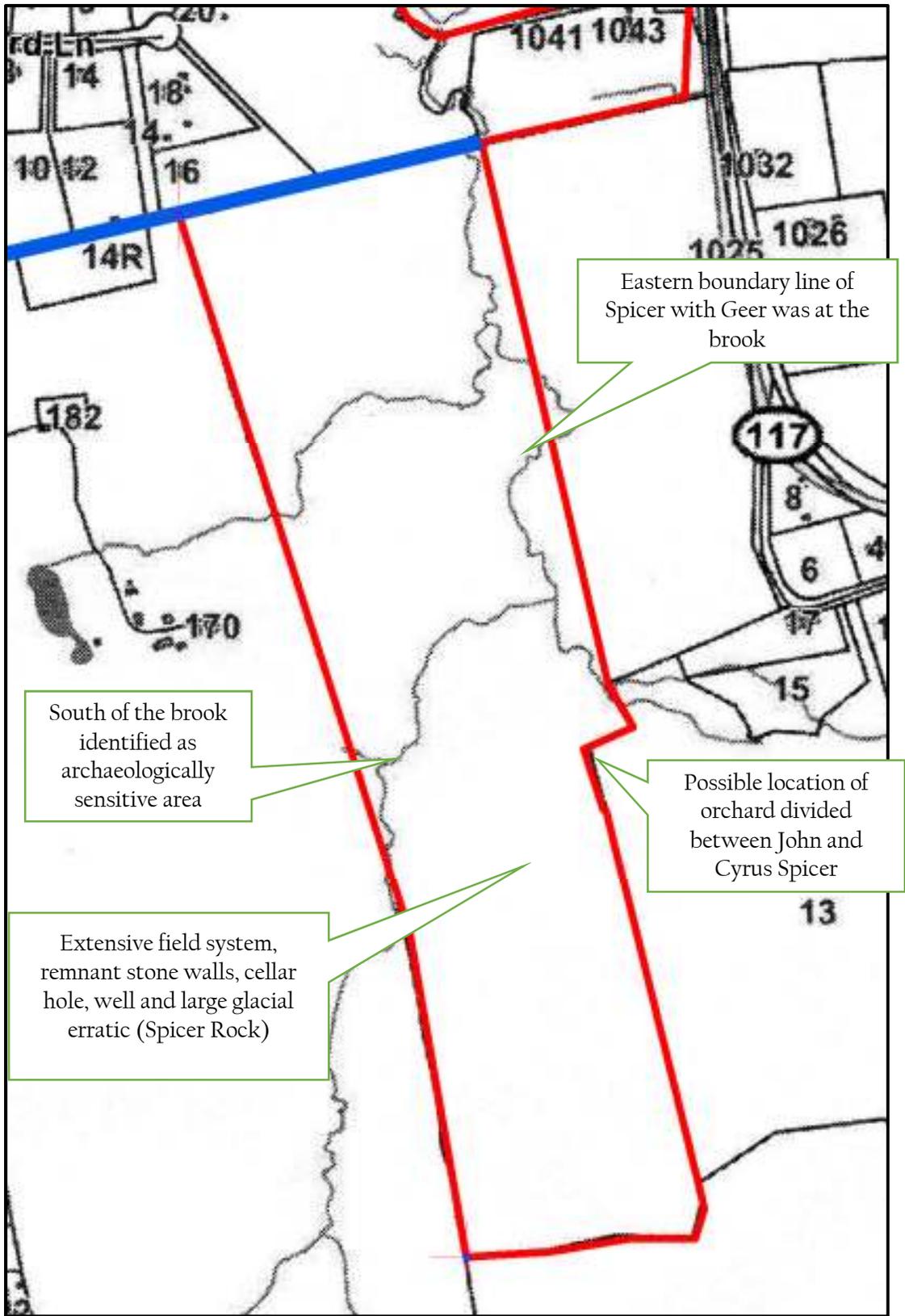


Fig. 3 Mark-up of Ledyard GIS map (<https://www.mapsonline.net/ledyardct/>)



Fig. 4 TTT map marks location of “Spicer Rock”. Note wall east of the rock that zigs and zags with approximately a 10 rod sections of wall, possibly the location of John Spicer’s orchard.

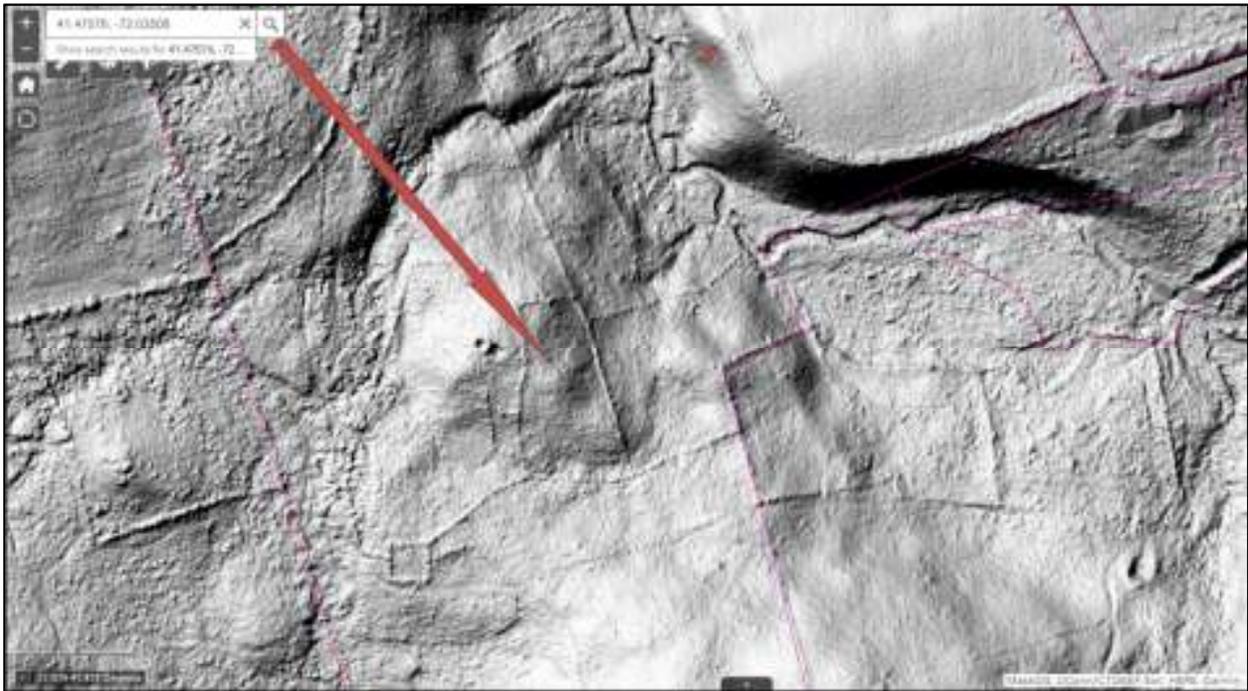


Fig. 5 TTT LIDAR image mark-up of location of “Spicer Rock”, with visible section of zig zagging wall to the east and identifies extensive walled in field system.

"SPICER BRIDGE" 2021

built by volunteers, funded by
THE COMMUNITY FOUNDATION OF EASTERN CONNECTICUT



Spicer Ruins
Site Access Bridge
Actual Photos of:
Existing Foundations
Rock Wall Pens
Old Orchard



Spicer Ruins

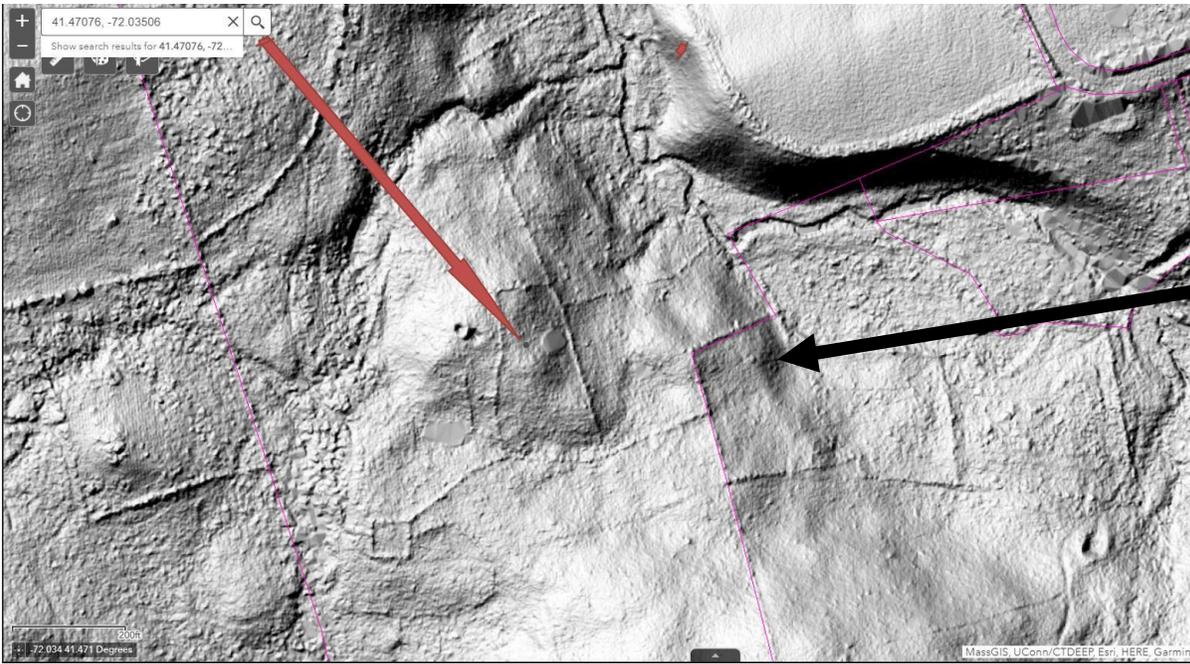
Lidar showing Rock Wall Pens, Foundations and well

Actual Photos of:

Existing walls

Spicer Rock

Spicer Well



Town of Ledyard Historic District Commission Meeting Minutes

12/18/23

Present:

Chairman Vincent Godino, Commissioners-Ty Lamb, William Barnes. Alternate Member Kelly Lamb.

Also in Attendance: Town Council Liasson: Tim Ryan

Members not in attendance: Commissioners: Douglas Kelley & Alternate Kenneth Geer.

Commissioner Melissa Dyson commission has expired and will not be coming back.

Review and approval of minutes Mover William Barnes and 2nd approver Ty Lamb. AYE all present

Fiscal Reports:

Saw Mill: \$1,180 spent, \$447 remaining

Nathan Lester House: \$2,740 spent, \$6960 remaining

Capital Account: \$36,036

ARPA Funds: \$125,800 includes recent contract/cut PO

Donations:

Saw Mill: \$7,424

Nathan Lester House: \$11,337

Misc Center School/Preservation & Research: \$1,500

Status of ARPA Funds:

Town has time limits for funds to be contracted by end of 2024 and spent by end of 2026

Vincent Godino sent out a Status of Historic ARPA funds estimates to Sheila Godino on 12/18/23

With Tim Ryan present conversations regarding the Saw Mill's projects-

William Barnes and Vin Godino: That the Line Penstock is a priority. He is looking for 3-5 qualified quotes. There is a need for expert advise to help write and evaluate the bids. There is a possibility of a company Stan Tech who has written similar RFP's. Bill referred to the town's ordinance purchasing guidelines.

Tim Ryan suggested reaching out to the Finance manager Matt Bonin or Steve Masalin from public works.

Continuing to discuss the projects for the Saw Mill that pose difficulty to quote out: The concrete pipes and pipes leading inside may need two approaches to repair estimate of 40-50k.

The Saw Mill is basically 3 parts for repair work: Mechanical, Water Flow and Intake pipes. The structure of the material needs to be water tight and last. Pipes go from Concrete to Steel. They are basically showing leakage at the connections between the two. They do not want to dig up the concrete. Plus, we need to be mindful of continuing to be Historically accurate.

Old Sturbridge Village has a similar mill and a member from the Village visits on occasion to discuss the mills.

Discussion to send the ARPA estimates to Matt tomorrow the ARPA estimates.

Committee Reports:

Sawmill:

Supplemental Assessments being done. Utilizing the CT website of Vendors, we can use or can be submitted.

Discussed the Penstock Tyier. Alan was watching the water levels with all the rain we had recently. Very happy to report water levels did not affect the mill.

This month the Saw Mill has shut down for the season.

There was a brief discussion on the Black Smith house and Chris who is a volunteer.

Nathan Lester House:

Vin presented tonight as Doug was absent from our meeting and Melissa's commission has expired and was also not in attendance.

Renovation on the East Side's RFP will be ready in Jan for submission. We are trying to find a contractor who is knowledgeable and dependable. The scope of this renovation is siding and trim replacement due to rot. Window also need attention. All repairs are mindful of being historically accurate.

There was a brief discussion of the Movie release. To date there is no update.

Preservation & Research:

Ty Lamb presented need for vote on the authorization of the Research and Preservation Group to pursue the development of a roadmap in conjunction with LU to establish the Spicer Sites as Historic sites and gain admin control of this new site. This was put off till we were discussing new business.

Land use: Ty has been working with others (Karen, Victoria, Alyssa & Amiee) on site walks, goals on mapping out areas to be included with the Spicer location.

Signs: Working on 3 more signs presently- Latham House, 9-mile Spicer, and Watson House.

Park & Pollination Garden: Missed a meeting due to illness with the GOSHA to get authorization. Continued work is being done with the help of Victoria (walk thru, developing a mapping of the area, Sign)

Donation Account specific to Preservation & Research: This was brought up due to people asking Ty to donate. Vin to talk to Matt about opening a separate account.

Gales Ferry Sign: Vin-completion of the replacement approx. \$750.

Center School: Ken was absent

Social Media: Kelly Lamb has taken on the social media. Missy is working with her with the face book and Instagram pages.

Old Business none

New Business

Annual Review of Rules of Procedure: the Procedure was emails to all the commissioners on 11/27/23 to be reviewed by the commission. Vin discussed if there are any changes, we need a month before a vote. In the past the financial position was eliminated that we may possibly want to re-establish this.

Next month is the election of Officers. Vin has let us all know he will not be seeking the chair position again. He would like to possibly stay on as an alternative and help the new Chair settle into the new position.

Decatur Letter: Doug sent a letter to Director of land Use and Planning regarding the proposed destruction of Mt Decatur. Discussion of its significance: 5 revolutionary war veterans within the cemetery that resides there.

Roadmap vote for Research/Preservation: Motion to Authorize the research and Preservation group to pursue the development of a "Roadmap" in conjunction with the Land use committee of the town, to establish the "Spicer Historic District" and to place under administrative control of the Historic District Commission.

Motion made by Ty Lamb; it was seconded by Bill Barnes. Result: 4-0, Motion to authorize was approved.

Adjournment: motion and unanimous agreement to adjourn.



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 25-2559

Agenda Date: 3/2/2026

Agenda #: 3.

AGENDA REQUEST
GENERAL DISCUSSION ITEM

Subject:

Review and discuss the Agricultural Commission's proposed *List of Criteria for the Leasing of Town-Owned Land* such as Clark Farm and former Norwich State Hospital Property to encourage the properties continue to be used for Agricultural purposes.

Background:

The Agricultural Commission has offered to develop a list criterial for the leasing of town-owned property such as the Clark Farm and former Norwich State Property to bring town properties back into agricultural use. (please see attached Memo dated August 27, 2025)

Also, please find attached the Lease between the Town of Ledyard and Mr. Majcher regarding the use of a portion of the Clark Farm for agricultural use. The five-year lease will expire on March 15, 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.*** (Please see attached Lease)

Mr. Majcher has indicated that the would not be interested in continuing to lease the Clark Farm Property when the Lease ends on March 15, 2026. To date the town has not received a letter from Mr. Majcher regarding his intent not to continue to use the Clark Farm for agricultural purposes when the Lease ends in 2026.

Department Comment/Recommendation:

(type text here)

KEY:

Blue Italic Font- Suggested by Agricultural Commission

Highlighted Text-Existing Language in Current Lease & similar to Agricultural Commission's Suggestion

LEASE 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 and _____ (Tenant) _____ Town of _____, 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 *to use solely* for agriculture *production*, and related *agricultural* purposes the property located at 1025 Colonel Ledyard-identified as ~~A-8.1-F1 and A-12.1-F2~~ consisting of approximately ~~20.29~~ acres situated in Ledyard, Connecticut with all improvements thereon. (See attached map.). Herein, the "Leased Premises". *The type of crop shall be approved in writing; and any change of crop must be approved beforehand in writing.*

Term of Lease - The provisions of this agreement shall be in effect for five (5) years commencing on the _____ day of _____, 2026 and ending on _____, 2031. *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 *at least yearly with a mowing height not to exceed eight inches*, 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 *lime, fertilize, and spray the field for weeds using approved agricultural methods and standards*. 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. *Any harvested crop may be stored on site at a location chosen by the Town. No harvested crop may be stored over one year, and all harvested hay must be removed at end of the lease.*

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. *The Lessee must have a means to fulfill lease terms; and references must be provided*

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 amount of \$_____ per acre for _____ acres located on the parcel at 1025 Colonel Ledyard Highway, total payment of \$_____ per year for designated area. 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

By _____
Fred B. Allyn, III, Mayor

Witness

By _____
Tenant

Witness



Chairman Bruce Garstka

TOWN OF LEDYARD
CONNECTICUT

LEDYARD AGRICULTURAL COMMISSION

Town of Ledyard
Ledyard, CT 06339
<http://www.ledyardct.org>

TO: Land Use/Planning/Public Works Committee
FROM: Chairman Bruce P. Garstka, Agricultural Commission
DATE: December 3, 2025

RE: Clark Farm Property Lessee Recommendations

The Agricultural Commission is setting forth a list of criteria that may be helpful in securing a new lessee for the 102-acre Clark Farm Property, located at 1025 Colonel Ledyard Highway, and the 42-acre 1087 Colonel Ledyard Highway Property. The Clark Farm has prime farmland soils and the 1087 Colonel Ledyard Highway Property has a deed restriction attached stating that the property may be used for agricultural purposes only. Our objectives are to keep the properties in agricultural use, keep invasive plants from encroaching into the fields, reduce/eliminate invasive plants and maintain soil health.

To accomplish these goals we recommend the following before a lease agreement is signed:

1. The land shall be used for the production of hay only.
2. Any change of crop must be approved beforehand in writing.
3. The fields must be mowed at least yearly with a mowing height not to exceed eight inches.
4. Any harvested hay may be stored on site at a location chosen by the Town.
5. No harvested hay may be stored over one year and all harvested hay must be removed at end of the lease.
6. All necessary insurance is to be in effect for the term of the lease.
7. A five-year renewable lease is preferred.
8. Lessee must have a proven track record.
9. Lessee must have a means to fulfill lease terms.
10. References must be provided.
11. Fields shall be limed, fertilized, and sprayed for weeds using approved agricultural methods and standards.
12. The fee is to be determined.

As a Commission, we feel that finding a good steward of the land will benefit the Town while freeing Town resources from maintaining the properties. The harvesting of hay will have the least impact on the land while keeping it in agricultural use for generations to come.

Cordially,

Bruce P. Garstka, Agricultural Commission Chairman

Bruce P. Garstka
Agricultural Commission, Chairman

August 27, 2025

Ledyard Town Council

Subject: Clark Farm Property

Dear Town Council Members,

The lease of the Clark Farm Property to Walter Majcher will terminate at the end of this year. To ensure that the Clark Farm property does not go fallow, the Agricultural Commission requests that the process to vet a new lessee begin. As a Commission, we also would like to see the former Norwich State Hospital property, at the head of the Tri-Town Trail, be brought back into agricultural use.

The Agricultural Commission would like to extend its willingness to list a set of criteria, for the Council's review, for the purpose of leasing the properties.

Respectfully,



Bruce P. Garstka,
Agricultural Commission, Chairman

LEASE AMENDMENT AGREEMENT

THIS AGREEMENT made this 12TH day of MAY 2021 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 15TH day of MAY, 2021 and ending on MAY 15, 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.

Lease Amendment-Clark Farm-Majcher-Town of Ledyard

Page 1 of 4

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.

[Signature]
Witness

TOWN OF LEDYARD

By [Signature]
Fred B. Allyn, III, Mayor

[Signature]
Witness

By [Signature]
Walter Majcher, Tenant

ADDENDUM A (Leased Premises)



Handwritten signature/initials