



TOWN OF LEDYARD CONNECTICUT

741 Colonel Ledyard Highway
Ledyard, Connecticut 06339

Land Use/Planning/Public Works Committee

~ AGENDA ~

Chairman S. Naomi
Rodriguez

Regular Meeting

Monday, June 3, 2024

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://us06web.zoom.us/j/83219418840?pwd=gCgXjbJw5Th6yk5PUWictD0de0RJoo.1>

Or by Audio Only: Telephone: +1 646 558 8656; Meeting ID: 832 1941 8840; Passcode: 631727

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

MOTION to approve the following and Use/Planning/Public Works Committee Minutes:

- Regular Meeting Minutes of May 6, 2024
- Site Walk Minutes of May 21, 2024

Attachments: [LUPPW-MIN-2024-05-06.pdf](#)
[LUPPW-MIN-2024-05-21-SITE WALK-SPICER RUINS.pdf](#)

VI. OLD BUSINESS

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

Attachments: [Blight Report May - March June 2024.pdf](#)
[ORD-300-012-rev-1-Blight-Ordinance-and-Public-Nuisance-for-the-Town-of-Ledyard.pdf](#)

- 2. Spicer Homestead Ruins - Historical Research and Photos.

Attachments: [Spicer Homestead Ruins- Next Steps for Historic Designation-Dombrowski email-2024-06-03.pdf](#)
[Spicer Homestead Report -Hiistoric Research Sarah Holmes 2022.pdf](#)
[Spicerr Ruins- Photos.pdf](#)
[Historic District Commission Minutes-2023-12-18.docx](#)

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

VII. NEW BUSINESS

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

IV ADJOURNMENT

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



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 24-0454

Agenda Date: 6/3/2024

Agenda #:

MINUTES

Minutes:

MOTION to approve the following and Use/Planning/Public Works Committee Minutes:

- Regular Meeting Minutes of May 6, 2024
- Site Walk Minutes of May 21, 2024



TOWN OF LEDYARD
CONNECTICUT
TOWN COUNCIL
HYBRID FORMAT

741 Colonel Ledyard Highway
Ledyard, CT 06339

860 464-3203
Roxanne Maher
Administrative Assistant

Chairman S. Naomi Rodriguez

MINUTES
LAND USE/PLANNING/PUBLIC WORKS COMMITTEE –
REGULAR MEETING

Monday, May 6, 2024

6:00 PM

Council Chambers, Town Hall Annex

DRAFT

I. CALL TO ORDER – The meeting was called to order by Councilor St. Vil at 6:00 p.m. at the Town Hall Annex Building.

Councilor St. Vil welcomed all to the Hybrid Meeting. He stated for the Town Council Land Use/Planning/Public Works Committee and members of the Public who were participating via video conference that the remote meeting information was available on the Agenda that was posted on the Town’s Website – Granicus-Legistar Meeting Portal.

II. ROLL CALL –

Table with 6 columns: Attendee Name, Title, Status, Location, Arrived, Departed. Rows include Jessica Buhle, Kevin Dombrowski, Gary St. Vil, S. Naomi Rodriguez, Karen Parkinson, Ann Roberts-Pierson, Carlo Porazzi, Douglas Schwartz, David Harned, Angela Cassidy, and Roxanne Maher.

III. CITIZENS' PETITIONS

Ms. Ann Roberts-Pierson, 4 Anderson Drive, Gales Ferry, thanked the members of the Land Use/Planning/Public Works Committee for their service to the Town. She stated the reason for attending tonight’s LUPPW Committee meetings was to address the firing of Director of Planning Juliet Hodge on April 25, 2024. She stated on May 2, 2024 she filed an FOIA Request to the town to obtain a copy noting that she did not see anything in the letter for cause. She asked the following questions:

- Whether the Mayor consulted with the Town Council or the Planning & Zoning Commission prior to the firing.
• Whether the Mayor acquired any legal advice prior the firing.

Councilor Dombrowski responded to Ms. Roberts-Pierson's question, stating that the Mayor did not consult the Town Council, noting that the Town Council has no authority regarding town staff. He stated although he could not speak for the entire Town Council that he would say that the LUPPW Committee was not aware of whether the Mayor consulted an attorney.

Ms. Roberts-Pierson continued by stating in speaking with Ms. Hodge since the beginning of the year that it was her understanding that there were some big Applications coming along and that the Planning & Zoning Commission was going to be very busy in the upcoming summer months. Ms. Roberts-Pierson stated the Town needed to have a Planner who was up-to-speed with the Zoning Regulations. She stated because Land Use Assistant Makenna Perry has taken another job, within the town, that the Land Use Department was not fully staffed. She stated the town needed a full-time Planner and a fully staffed Department to work on what was probably the most complex application the town has ever received, that being the proposed Quarry Application in Gales Ferry. She stated the Exhibit Record for the first Public Hearing for the Quarry Application, which was withdrawn was extensive; noting that the recently submitted Re-Application was even larger. She stated Juliet Hodge worked to uphold Ledyard's Zoning Regulations for all of us. She stated that the timing to fire this person from this position was inappropriate; and she recommended the following be done:

- (1) Rehire Juliet Hodge immediately.
- (2) Town Council take up an investigation into why Ms. Hodge was let go.
- (3) A Moratorium on all Land Use Application should be put into place until the Land Use Office was fully staffed and up-to-speed.

Ms. Roberts-Pierson questioned whether the Regular Planning & Zoning Commission meeting would be held on May 9, 2024, as scheduled. Administrative Assistant Roxanne Maher stated that the Regular Planning & Zoning Commission meeting would be held on Thursday, May 9, 2024.

Councilor Dombrowski stated the Town Council has no control over the Planning & Zoning Commission, other than the appointment of its members.

Councilor St. Vil stated this Land Use/Planning/Public Works Committee was a subcommittee of the Town Council. He explained that their role was to investigate and vet matters pertaining to the operation and the administration of the business of the town and to forward their recommendations to the Town Council for action. He stated per the Town Charter the Mayor was the appointing authority of certain positions within the town, noting that the Planning Director was one of the positions the Mayor appoints. He stated with respect to personnel matters that he was not comfortable discussing how personnel matters were handled by the Mayor in a public forum. He stated that he was sure there was a judicious process for the residents to question the Mayor regarding decisions that he makes. He stated as a resident they have a right to voice their concerns, noting that he would take

their concerns to Town Council Chairman S. Naomi Rodriguez who was also present this evening. He stated that Chairman Rodriguez may; or may not have additional knowledge that this LUPPW Committee does not have. He stated the best he could do was to take residents questions and pass them on to the Town Council for additional action, if the Town Council deemed it was necessary.

Councilor Dombrowski stated that town staff was hired by the Mayor noting that the Town Council does not make recommendations with regard to the hiring of town staff. He stated that he understands Ms. Roberts-Pierson's questions and concerns. He concluded by stating that a full-time Planning Director has been hired, who was well versed in the Town of Ledyard. He stated that he did not know the reason the previous Planning Director was dismissed; and that he did not know if it was within the Town Council's purview to get into the middle of that discussion.

Ms. Roberts-Pierson stated because the Mayor was just one person and the Town Council was a collection of other people, that she believed this matter was worthy of an investigation. Thank you,

Mr. David Harned, 13 River Drive, Gales Ferry, questioned whether the full Town Council would be meeting this week, for the public to speak in this same manner. Chairman Rodriguez stated the Regular Town Council meeting scheduled for May 8, 2024 was cancelled because they had no New Business. She stated the next Regular Town Council meeting was scheduled for May 22, 2024.

Mr. Harned stated he was present this evening to have a voice with some members of the Town Council. He stated that he shared similar concerns that were provided by Ms. Roberts-Pierson this evening regarding the risks to the town, based on the turnover. He stated that he understands that the person who has taken the Planning Director position used to work for the Town; and had a lot of experience, but not with the particular Applications that were in-play. He stated that he was under the impression that the Mayor would seek counsel from the Town Council regarding such matters. However, he stated that he appreciated learning that was not the case. He stated because of the order of magnitude of the Applications that it would take some time to digest them; and he expressed concern that something such as an administrative error could allow an Application to make its way through the process. He questioned, especially with the Land Use Assistant Makenna Perry also being gone, whether the Planning Director would be able to digest everything with the time allotted. He thanked the LUPPW Committee for hearing his comments.

Mr. Douglas Schwartz, 420 Long Hill Road, Groton, stated the Town was in the in the early stages of a Constitutional Crisis. He stated Ledyard had no checks and balances and no ethics commission. He stated three-quarters of the State's towns have an Ethics Commission, an Ethics Code, and a Policy to provide information for when people were required to recuse themselves; and not recuse themselves. He stated absent a Charter Revision, that he understands that nothing can be done in the short term.

Mr. Schwartz continued by presenting a copy of Ms. Juliet Hodge's Termination Letter, noting that it almost guaranteed litigation. He stated that they probably would be legally advised to remain silent, and not to have any public discussions. However, he stated this was not the big law suit problem, noting that the big lawsuit problem stemmed from a Supreme Court Decision that was made five years ago in 2019 "*Nick vs the Township of Scott*".

Mr. Schwartz stated the 2019 "*Nick vs the Township of Scott*" Decision changed the status of all Land Use Decisions. He suggested the town consult with their Attorneys Shipman and Goodwin, noting that they submitted a Brief to the Supreme Court urging them to adopt the "*Nick vs the Township of Scott*" Decision. He stated based on "*Nick vs the Township of Scott*" Decision that anyone whose property loses value due to a Land Use Decision that they had immediate access to the Federal Court. He stated under the *Civil Rights Act of 1871* they were entitled to full compensation for the loss of value of their property.

Mr. Schwartz provided a copy of "*Nick vs the Township of Scott*" Decision and the noted per 42 U.S.C. § 1983 (*the Civil Rights Act of 1871*) provides plaintiffs the following:

- Compensatory damages
- Punitive damages
- Attorney fees

The municipal government and the individual officials responsible for Takings Clause violations were those who become defendants if impacted property owners bring a federal action § 1983 .

Mr. Schwartz continued by suggesting they consult with Attorneys Shipman and Goodwin. He stated any individual on a Planning & Zoning Commission who was involved with depriving someone of the full value of their property was now subject to a Civil Rights Action (*Civil Rights Act of 1871*), noting that they need to be indemnified. He stated under Federal Jurisprudence the Municipality was considered a person, and was subject to the same Civil Rights Action in Federal Court. He stated there were people who were farming Oysters in the Thames River, and Mount Decatur was made of the type of rock that was high in arsenic, stating that this sediment would end up in the River, noting that this could be a lawsuit. In addition, there were people across the River with no sound barrier, noting that the proposal was to make a horseshoe area that would be like an amphitheater pointing across to Uncasville. He stated the Zoning Regulations were established by a deliberate democratic process, noting that there was a small minority that did not like the Zoning Regulations.

Mr. Schwartz stated what if a Blast Zone was placed in the middle of a tranquil neighborhood in Gales Ferry, and hundreds of plaintiffs all formed a Class from both Uncasville and Ledyard because they do not want to have their windows rattle, they do not want to have their health impacted by the dust in the air, and other negative impacts, noting that this could bankrupt the town.

Mr. Schwartz urged them not to listen to the employment attorneys, who would tell them to stay quiet, noting that Ms. Hodge was enforcing the Zoning Regulations, and he suggested that they review Mr. Treaster's two Exhibits that he submitted earlier this year.

Mr. Schwartz concluded by stating that it was incumbent on the Commission to investigate, and not hide behind a wall of silence. He suggested they get this out as quickly as possible, because the public would select their own FOIA requests, which was not a good way to do this; especially when this whole thing was done in secret. He stated that he also had a list of potential avenues of inquiry that they may want to investigate.

Mr. David Harned, 13 River Drive, Gales Ferry, stated that he was a fan of Ms. Hodge, not because of her bias, but because of her everything but her bias. He stated Ms. Hodge was balanced, fact based, and objective person. He stated that she provided help to him and his family for some emotional aspects related to health in his family. However, when he came to her with issues where he was pushing too hard, that Ms. Hodge pushed back really hard. Therefore, he stated that he did not want this to come across as a group of people who were lobbying for someone just because they liked them; or because they feel like she was their savior against the big bad company, etc. He stated that he believed that he could speak for all of them in that it was not about bias, noting that Ms. Hodge was completely impartial, well balanced, and put a good set of Zoning Regulations together, and that was where he saw the value and the potential loss.

Mr. Carlo Porazzi, 30 Chapman Lane, Gales Ferry, thanked the LUPPW Committee for the opportunity to address them this evening. He stated that Ms. Hodge seemed like a voice of reason; she was well balanced, logical and fair. He stated that he had the same comments that his fellow residents expressed who spoke earlier tonight. He stated that he was not big on town politics; however, some things have forced him to learn; which was the reason he was present this evening. He stated based on the LUPPW Committee's comments this evening that he understood that their job was to take the concerns they received to the Town Council, and he asked that they capture the comments this evening and bring them to the Town Council noting that this matter was only going to get bigger and louder; and they need to be aware. He stated that he would also take this matter up with the Planning & Zoning Commission and Town Council during their meetings as well.

Councilor St. Vil thanked the residents for their comments this evening. He explained that when residents share commentary in a public forum, such as tonight's meeting that they become part of the official record; and would remain available. He stated in addition to the written record that there would also be a video and audio record that was available on the town's website on their meeting portal. He stated he appreciated their input, noting as he explained earlier the LUPPW Committee's role and responsibility was limited, but that they would pass the information the residents provided this evening along; and that hopefully there would be some recourse.

Administrative Assistant Roxanne Maher noted that two people have joined the meeting remotely noting that one was Angela and the other was pixel7pro; and she asked that they identify who they were.

Angela stated that she was Angela Cassidy.
pixel7pro did not state who they were.

Councilor Dombrowski asked that *pixel7pro* provide their identity, noting that those who do not identify who they were would be removed from the meeting, explaining that they have had their meetings Zoom Bombed in the past; stating they had one a few months ago that was very offensive; and therefore, as a safety measure, those who do not identify themselves would be removed.

Councilor St. Vil questioned whether those who were attending remotely would like to comment. Hearing none, the LUPPW Committee waited a few minutes, with no response *pixel7pro* was removed from the meeting.

IV. PRESENTATIONS/INFORMATIONAL ITEMS- None.

V. REVIEW AND APPROVAL OF PRIOR MEETING MINUTES

MOTION to approve the Regular Meeting Minutes of April 1, 2024
Moved by Councilor Dombrowski, seconded by Councilor Dombrowski

VOTE: 2 - 0 Approved and so declared

IV. OLD BUSINESS

1. Progress regarding the enforcement of regulations to address blight issues

Councilor St. Vil noted the last Blight Report provided was for the period ending March 31, 2024; which the LUPPW Committee reviewed at their April 3, 2024 meeting. He stated for their June 6, 2024 meeting the Committee would look for an updated Blight Report to be provided.

RESULT: NO ACTION

Next Meeting:06/03/2024 6:00 p.m.

2. Process to designate the Spicer Homestead Ruins, within the Clark Farm property, as a Registered Historical Site.

Mrs. Karen Parkinson, 5 Rose Hill Road, Ledyard, Historic District Commission Member, stated Historic District Commission Chairman Earl (Ty) Lamb ask that she prepare a Milestone Map to layout the process to seek a designation from the State listing the Spicer Hill Homestead on the Historic Registry. Mrs. Parkinson presented and reviewed a Draft Milestone Road Map as follows:

DRAFT

MILESTONE ROAD MAP FOR SPICER HOMESTEAD PRESERVATION

Below is an outline from the original grant application to Community Foundation for funding in 2022.

“The project will seek to acknowledge, recognize, describe, protect and preserve an area tentatively identified as the "Spicer Ruins".

1. **Acknowledge** – The property needed to be verified, acknowledged and recognition need to be provided stating that the area was actually the ruins of the original Spicer Homestead.
2. **Recognize** - There needed to be a recognized value and historic importance of the site. Mrs. Parkinson stated that there were very few, if any, such well preserved, undisturbed homestead sites with intact stone walls.
3. **Describe** - The site needed to be appraised and evaluated by the appropriate experts of early American life, particularly the 100 years before the Revolutionary War.

Mrs. Parkinson stated as of May 2024, the first three steps have been accomplished. This was documented in the report titled “*The Spicer Ruins Project 2022*”. The site was acknowledged (verified), recognized and described in the report by Sarah Holmes, Ph.D. (Archaeology Consultant).

4. **Protect** – Mrs. Parkinson explained this site required some protection, as it becomes more visited and the Tri-Town Trail usage increases, the opportunities for possible accidental damage or vandalism would only increase. She commented that she was not saying that trail users would desecrate the site, but some level of signage, roping, or fencing should limit actual touching or moving rocks, etc. For example: *There should be no use of metal detectors, digs, or removal of rocks.*

Mrs. Parkinson stated that a Rotary Grant in the amount of \$ 1,000 has been made available to the Tri-Town Trail (TTT) Association to be used for signage and roping and/or fencing to afford some level of protection. The exact area to be “*protected*” was yet to be determined.

5. **Preserve** – Mrs. Parkinson stated the site needed some designation to ensure that it would be preserved, along with the preservation of the great trees. She noted that this site could possibly become a living laboratory for educational purposes; however, a plan needed to be developed by knowledgeable individuals and groups.

Mrs. Parkinson stated that they need to figure out how much of the Spicer Homestead they wanted to preserve and to what degree do they want to preserve the site.

Mrs. Parkinson went on to explained that once Administrative Control of the site was assigned to the Historic District Commission, that the Commission would seek the appropriate level of designation from the State Office of Archeology. A “site number” 72-290 for the site has already been assigned. The site number was only for identification purpose.

Mrs. Parkinson noted that the previous LUPPW Committee conducted a Site Walk of the Spicer Homestead Ruins on October 20, 2023, stating that Connecticut Preservation Archaeologist Stefon Danczuk accompanied them on the site walk, noting that it was very interesting, because Mr. Danczuk was able to answer a lot of questions. She stated that she hoped he could join them on their next Site Walk of the Spicer Homestead Site.

Mrs. Parkinson stated the next steps were as follows:

1. Assignment of Administrative Control of Spicer Homestead site.

Councilor Dombrowski stated that currently the Clark Farm was under the Administrative Control of the Town Council. Mrs. Parkinson stated that the Ledyard Historic District Commission has agreed to assume administrative control of the site, should the Town Council assign the Spicer Homestead Ruins to them.

2. The Land Use Committee will conduct a “Site Walk” and propose a “Site Map” to determine the boundaries of site.

Mrs. Parkinson stated that a Surveyor’s Map may be required. (cost and responsibility to be determined).

3. The Land Use Committee would refer to the Town Council for review and action.

Councilor St. Vil thanked Mrs. Parkinson for the update regarding the work that has been done to date. He suggested the LUPPW Committee schedule a Site Walk of the Spicer Homestead Ruins on Tuesday, May 21, 2024 at 5:00 p.m. Mrs. Parkinson stated that she would meet the LUPPW Committee at the Red Barn.

Councilor St. Vil requested that once the boundary area of the Spicer Homestead Ruins has been determined that the Historic District Commission define the area. He stated this would help them to clarify within the context of the State Statute the level of preservation they were interested in obtaining and to protect the area from other use going forward.

Councilor St. Vil went on to state that Councilor Dombrowski has been working to research the State Historic Preservation Process. Councilor Dombrowski stated that he would take the work that has been done to-date and try to create the framework required to accompany their Application to the State. He stated some additional information may be needed from the Historic District Commission, noting that they wanted to work cohesively to move this initiative forward. He stated as a personal friend of a descendant of the Spicer Family that he found the project interesting.

Councilor St. Vil provided a recap as follows:

- Site Walk May 21, 2024 at 5:00 p.m.; meet at the Red Barn.
- Continue to review the State Statute and develop Application Framework.
- Historic District Commission to define their desired level of historic designation.

Councilor St. Vil questioned whether there was anything else at this time the LUPPW Committee could do to assist the Historic District Commission. Mrs. Parkinson stated that the LUPPW Committee has been very supportive.

Ms. Ann Roberts-Pierson, 4 Anderson Drive, Gales Ferry, questioned whether the Historic Commission was searching for a designation or whether the State’s Historic Registered Designation their goal. Mrs. Parkinson stated Ms. Roberts-Pierson had a good question; however, she stated that she did not know the answer at this time. She stated that they were searching for a designation where nothing at the Spicer Homestead Ruins would be destroyed; however, they did not want the site to be controlled by the State.

Ms. Roberts-Pierson questioned whether this property had an Open Space Designation. Councilor Dombrowski stated that the Spicer Homestead Ruins, was located within the Clark Farm property; noting that the Clark Farm was not designed as Open Space.

Ms. Roberts-Pierson stated she was a member of both the Historic District Commission and the Conservation Commission when the Town and the Mashantucket Pequot Tribe swapped the Indiantown Park Property for the Clark Farm Property (Referendum held on May 22, 2007). She stated at that time the Conservation Commission recommended to Mayor Fred Allyn, Jr. that the Clark Farm be designated as Open Space. However, she stated the Mayor responded, at that time, by stating that when they had an idea of what they wanted to do with the Clark Farm Property that they would then decide if any area could be designated as open space. Mrs. Parkinson stated the Clark Farm was not designated as open space.

RESULT: CONTINUE

Next Meeting: 06/03/2024 6:00 p.m.

3. Safety issues at the Park on East Drive – Christy Hill Park

Councilor St. Vil stated that he has not heard about any additional issues since their April 1, 2024 meeting.

Chairman Rodriguez stated in talking with Mr. Jamison he stated that he locked the Park Gate on the weekends because no Parks & Recreation personnel work on the weekends. She noted that Mr. Jamison stated that the Park Gate remained locked until Walt unlocked the Gate on Monday. She stated that Mr. Jamison’s *Ring door camera* sees people late at night slowing down, but when they see the Park Gate was locked they continue on their way. However, she noted that Mr. Jamison also stated because the Park Gate was locked on the weekends that during the day people park along the outskirts of the Park to access the Park. Chairman Rodriguez continued to note that Mr. Jamison stated that there were no problems during the week and that he sees the Police drive by the Park. Chairman Rodriguez stated that she also told Mr. Jamison that the former Parks & Recreation employee, who locked the gate, retired.

Councilor Dombrowski stated that residents like to use the parks on the weekend; therefore, he questioned what made the Christy Hill Park on East Drive different from other Town Parks that residents had access to on the weekend.

Ms. Ann Roberts-Pierson, 4 Anderson Drive, Gales Ferry, stated the Chirsty Hill Park abuts the Avalonia Land Conservancy Property. She stated Southeastern Connecticut Water Authority (SCWA) was concerned about the property because the Park was their access to the aquifer that serviced about 800 homes in the area. She also stated the Park for the people who lived in the area was important for recreational purposes.

Councilor Dombrowski stated that gaining access to the aquifer and the security of the aquifer was Southeastern Connecticut Water Authority (SCWA) responsibility, not the Town of Ledyard's responsibility. He stated SCWA was not a town entity.

Councilor St. Vil stated at their April 1, 2024 meeting that Parks, Recreation & Senior Citizens Director Scott Johnson, Jr., stated that Parks & Recreation would make every effort to control the access to the Christy Hill Park on East Drive. He stated that he would contact Mr. Johnson about access to the Park on East Drive.

RESULT: CONTINUE

Next Meeting: 06/03/2024 6:00 p.m.

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

V. NEW BUSINESS

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

IX. ADJOURNMENT-

Councilor Dombrowski moved the meeting be adjourned, seconded by Councilor St. Vil.

VOTE: 2 - 0 Approved and so declared, the meeting was adjourned at 6:45 p.m.

Respectfully submitted,

Gary St. Vil
Committee Chairman
Land Use/Planning/Public Works Committee



TOWN OF LEDYARD
CONNECTICUT
TOWN COUNCIL
HYBRID FORMAT

741 Colonel Ledyard Highway
Ledyard, CT 06339

860 464-3203
Roxanne Maher

Chairman S. Naomi Rodriguez

MINUTES
LAND USE/PLANNING/PUBLIC WORKS COMMITTEE –
SITE WALK

Tuesday, May 21, 2024

5:00 PM

Spicer Ruins- Clark Farm Property

The Site Walk gathered at 1025 Colonel Ledyard Highway at 5:00 p.m.

DRAFT

Present were Land Use/Planning/Public Works Committee member Councilor St. Vil, Historic District Commission Member Karen Parkinson, Tri-Town Trail Vice-President Kevin DiFilippo, Connecticut Preservation Archaeologist Stefon Danczuk, and Resident Eric Treaster.

The Group walked the Spicer Homestead Ruins Site that was located within the Clark Farm Property.

The Group discussed some historical facts about the site along with information about the Tri Town Trail (Bluff Point to Preston Plains Park).

The Site Walk concluded at 6:30 p.m.

Respectfully submitted,

Gary St. Vil
Committee Chairman
Land Use/Planning/Public Works Committee



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 23-1953

Agenda Date: 6/3/2024

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

Land Use Department

Alex Samalot

Zoning & Wetlands Official/Blight Enforcement Officer

741 Colonel Ledyard Highway, Ledyard, CT 06339

Phone: (860) 464-3216

zoning.official@ledyardct.org

BLIGHT REPORT FOR LUPPW COMMITTEE 4/1/24-5/30/24

1. NEW COMPLAINTS :

V=VERIFIED

R=Remedied

- 33 Fanning Road (V)
- 58 Inchcliffe Drive (V) (R)
- 20 Maple Terrace (V)
- 11 Sunset Ave (V)
- 4 Sunset Ave (V)

2. NEW BLIGHT CASES OPENED THAT REMAIN UNRESOLVED

20 Maple Terrace – RVC sent 4/17/24 for improper storage of garbage; RVC returned to sender by 5/6/24; Met with Tax Assessor Department to determine ownership, and was referred to a tax service that paid the most recent taxes on the property; will continue to monitor.

11 Sunset Ave—RVC sent 4/17/24 for improper storage of garbage; will continue to monitor.

4 Sunset Ave— RVC sent 4/17/24 for improper storage of garbage; will continue to monitor.

33 Fanning Road— RVC sent 4/11/24 for improper storage of garbage; tenant called and Use Department 4/16/24; will continue to monitor.

3. OPEN BLIGHT CASES: OLD/ONGOING

109 Church Hill Road —RVC (originally sent 3/20/24) returned to sender, posted on property 4/10/24; will continue to monitor.

1 Mull Berry Drive—Dave DiPietro (owner) called Land Use Office 5/1/24 with plan to register and remove vehicles on property; will continue to monitor.

1644 Route 12—Ongoing Blight Case with various correspondence: 5/22/24 Jonathan Cohn, commercial real estate agent with Chozick Realty came in to Land Use Office to discuss best options for selling the property; will continue to monitor.

528 Colonel Ledyard Highway—Ongoing Blighted MV case (according to correspondence from Town Attorney 1/2/24-3/6/24, court has entered judgement lien on the property. Correspondence from owner 3/6/24 indicating frustration with the situation; will follow up with Town Attorney for updates.

4. CLOSED BLIGHT CASES SINCE 3/28/24:

New:

58 Inchcliffe Drive—RVC sent 4/17/24 for improper storage of garbage; owner responded via email 4/25/24 stating the property would be ready for reinspection after 4/29/24; no violation 5/6/24 inspection; (file closed).

Old:

116 Meetinghouse Lane—Ongoing Blight Case (RVC sent 3/20/24); no violation drive by inspection 4/2/24 (file closed).

27 Highland Drive—Ongoing Blight case: RVC sent 9/21/24 with varying levels of compliance: no violation observed during 4/25/24 inspection; (file closed).

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 or entity

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 provide for the removal of the motor vehicle from the property.

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

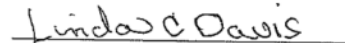
If any section, or part of a section, of this Ordinance shall be held by a court of competent jurisdiction to be invalid, such holding shall not be deemed to invalidate the remaining provisions hereof.


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

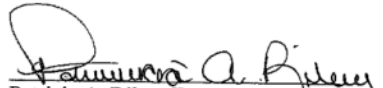

Linda C. Davis, Chairman


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.



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 23-2143

Agenda Date: 6/3/2024

Agenda #: 2.

AGENDA REQUEST
INFORMATIONAL ITEM

Subject:

Spicer Homestead Ruins - Historical Research and Photos.

Background:

(type text here)

Department Comment/Recommendation:

(type text here)

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.

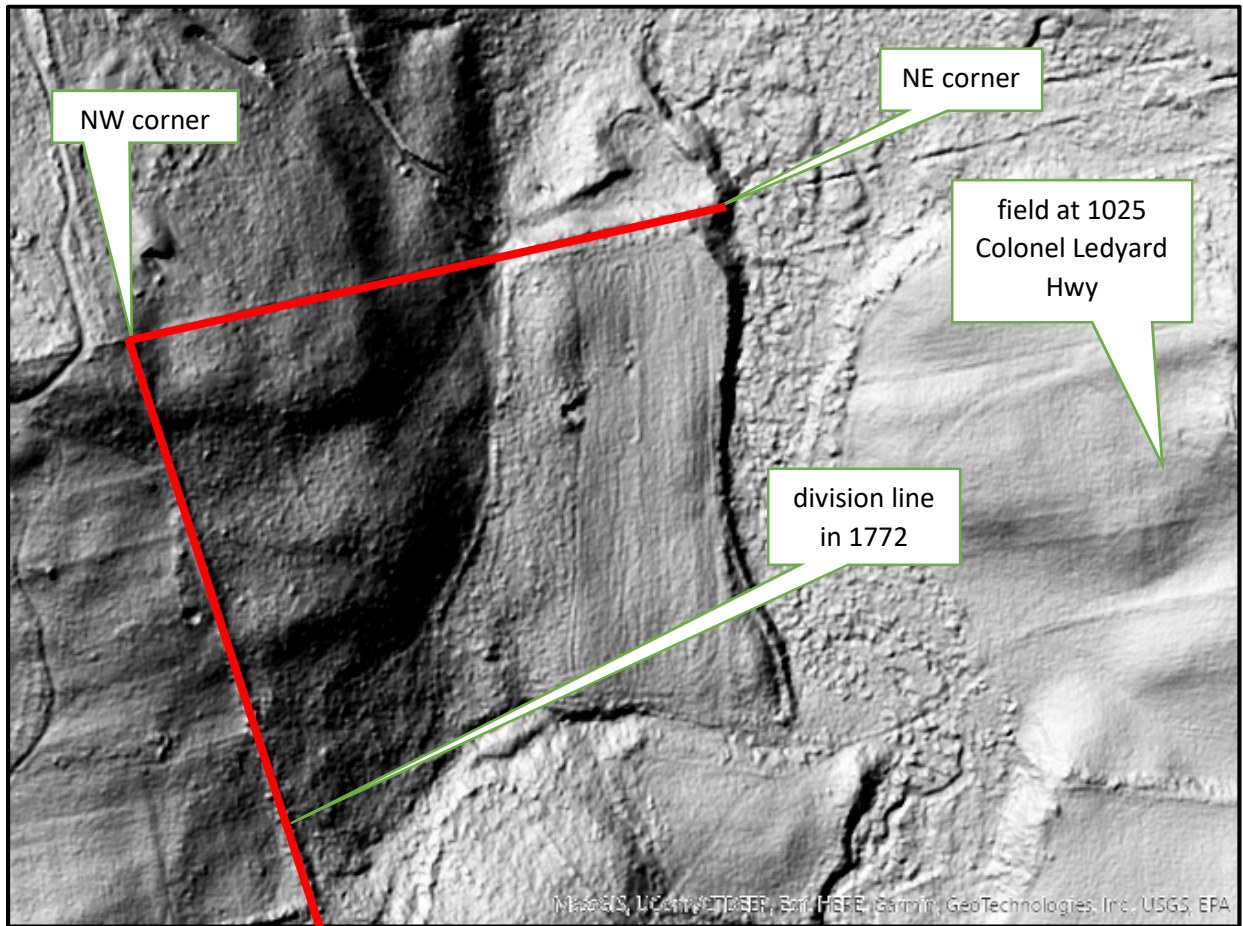


Fig 1. LIDAR of northern bound established for Cyrus Spicer's division of his father Hon. M. John Spicer's estate in 1772 measuring 55 rods in length beginning at the northeast corner at the brook just above or at the newly installed TTT bridge. Also note two anomalies or depressions visible in the middle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

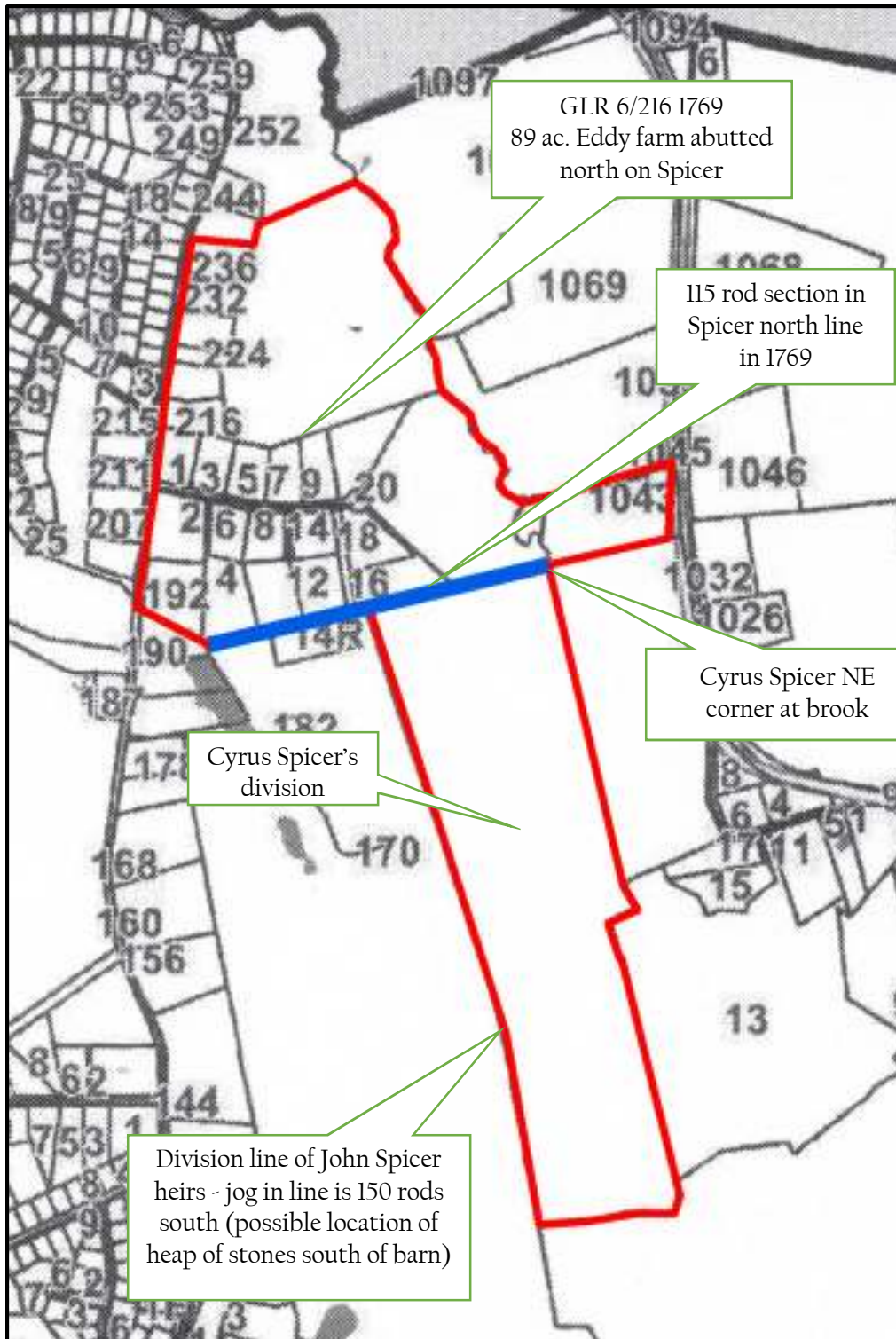


Fig. 2 Mark-up of Ledyard GIS property map. (<https://www.mapsonline.net/ledyardct/>)

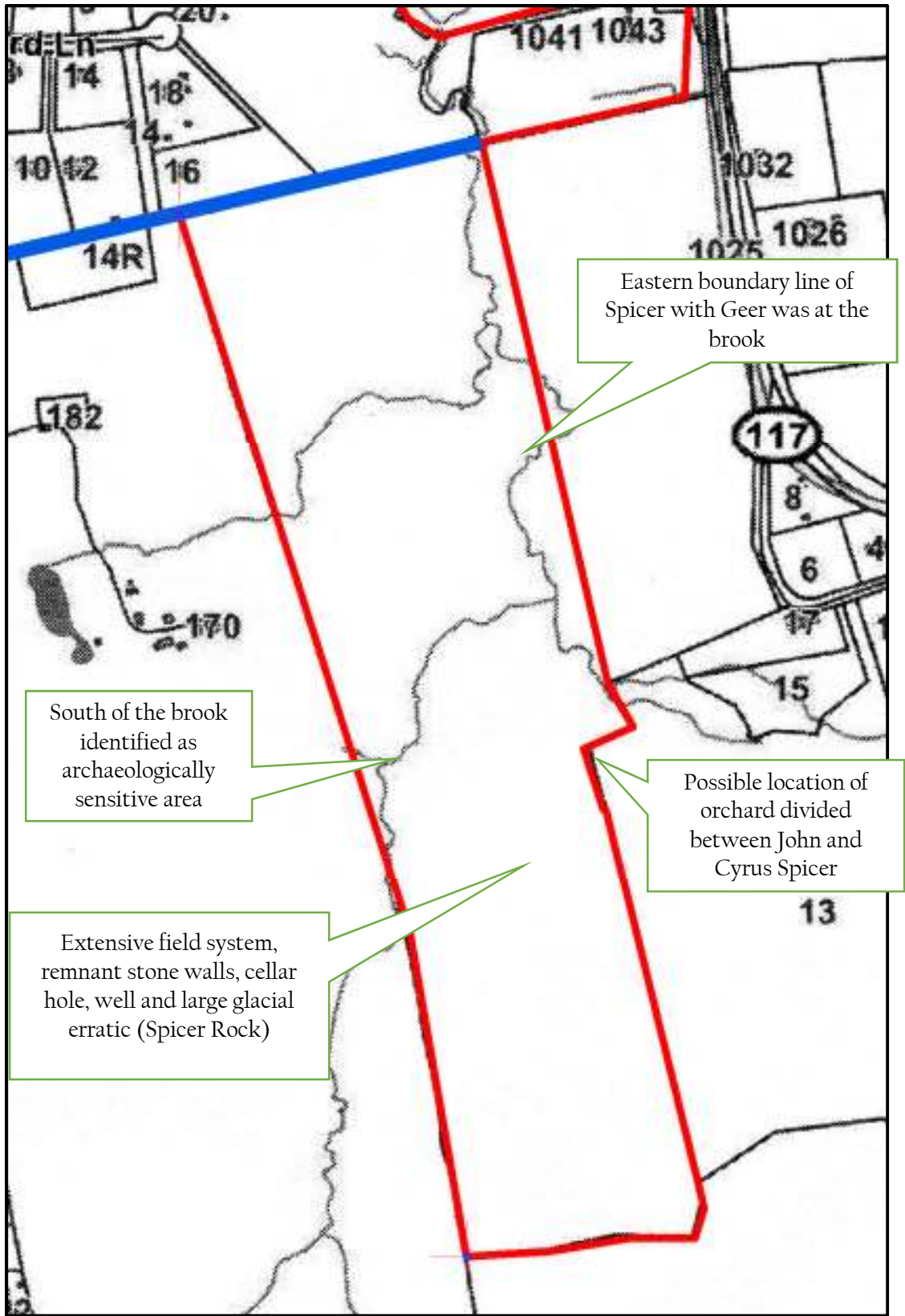


Fig. 3 Mark-up of Ledyard GIS map (<https://www.mapsonline.net/ledyardct/>)

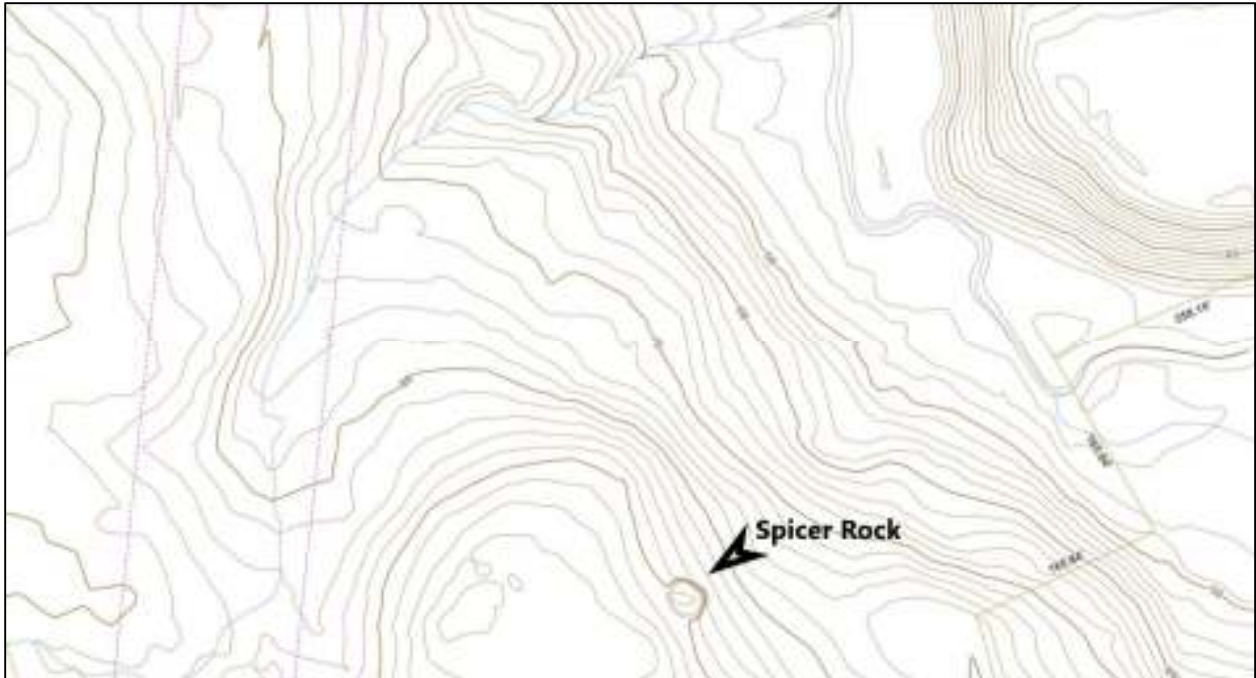


Fig. 4 TTT map marks location of “Spicer Rock”. Note wall east of the rock that zigs and zags with approximately a 10 rod sections of wall, possibly the location of John Spicer’s orchard.

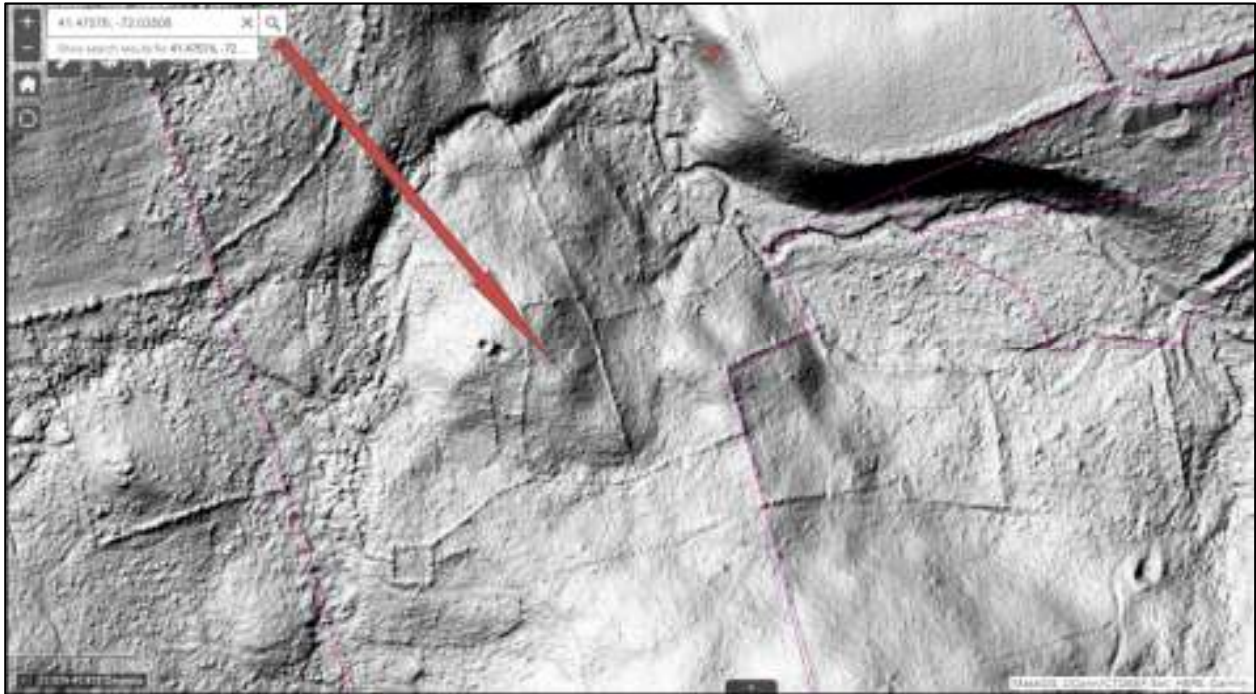


Fig. 5 TTT LIDAR image mark-up of location of “Spicer Rock”, with visible section of zig zagging wall to the east and identifies extensive walled in field system.

"SPICER BRIDGE" 2021

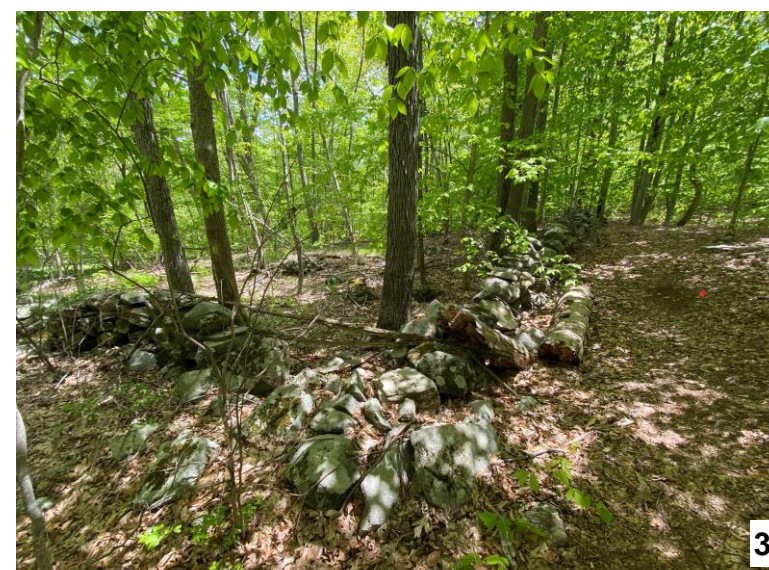
built by volunteers, funded by
THE COMMUNITY FOUNDATION OF EASTERN CONNECTICUT



Spicer Ruins
Site Access Bridge
Actual Photos of:
Existing Foundations

Rock Wall Pens

Old Orchard



Spicer Ruins

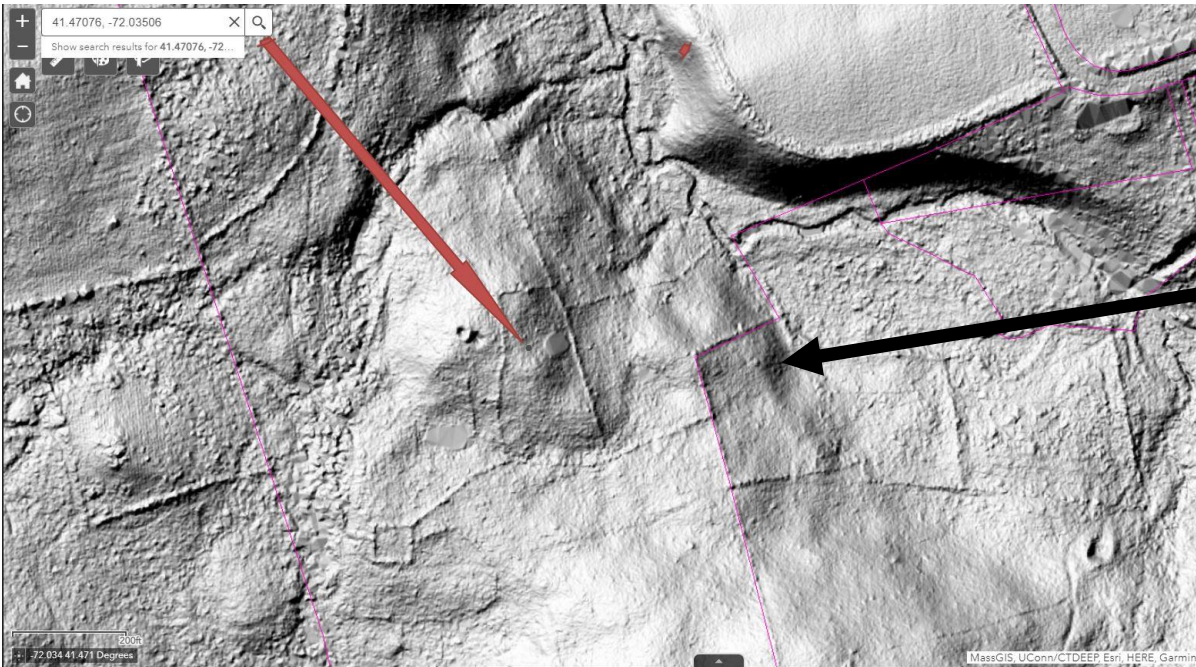
Lidar showing Rock Wall Pens, Foundations and well

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 #: 22-095

Agenda Date: 6/3/2024

Agenda #: 3.

AGENDA REQUEST
GENERAL DISCUSSION ITEM

Subject:

Any other Old Business proper to come before the Committee.

Background:

(type text here)

Department Comment/Recommendation:

(type text here)



TOWN OF LEDYARD

741 Colonel Ledyard
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File #: 22-096

Agenda Date: 6/3/2024

Agenda #: 1.

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