



Legislation Details (With Text)

File #: 22-019 **Version:** 1 **Name:**

Type: Land Use **Status:** Filed

File created: 7/2/2022 **In control:** Land Use/Planning/Public Works Committee

On agenda: 1/9/2023 **Final action:** 1/9/2023

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

Attachments: 1. CLARK FARM LEASE- REV2021-03-24-FINAL APPROVED.pdf, 2. Clark Farm Site Map-2018 Lease.pdf, 3. Land Recordi- Transfer Indaiantown Park 2007-09-04.pdf, 4. Land Recordi- Transfer Clark Farm-2007-09-04.pdf, 5. Clark Farm-Indiantown Park Landswap-Town Council Minutes2007-03-14.pdf, 6. Clark Farm-Indiantown Park Landswap-Attorney Ltr-2007-05-11.pdf, 7. Clark Farm-Indiantown Park Landswap-Frequently Asked Questions Attorney Ltr-2007-05-14.pdf, 8. Clark Farm-Indiantown Park Landswap-Agreement-2007-03-28.pdf

Date	Ver.	Action By	Action	Result
1/9/2023	1	Land Use/Planning/Public Works Committee	Completed	
12/5/2022	1	Land Use/Planning/Public Works Committee	No Action	
11/7/2022	1	Land Use/Planning/Public Works Committee	No Action	
10/3/2022	1	Land Use/Planning/Public Works Committee	No Action	
9/19/2022	1	Land Use/Planning/Public Works Committee	No Action	
8/1/2022	1	Land Use/Planning/Public Works Committee	Continue	

LAND USE

Subject/Application:

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

Background:

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

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

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

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

The Town renewed a Lease with Mr. Majcher in 2021. He noted the term of the Lease was *five years* and that

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

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

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

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

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

Background:

Meeting Action Detail:

Land Use/Planning/Public Works Committee Meeting 01/09/2023:

File #: [22019](#) Version: 1

Type: Land Use

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

Action: Remove from Agenda

Minute Note:

Chairman Dombrowski stated there were no updates regarding the Clark Farm usage, noting that Mr. Majcher was continuing his farming activity on the leased area and that the Tri-Town Trail was using the property to pass to get back onto Route 117. He explained the Town renewed a Lease with Mr. Majcher in 2021. He noted the term of the Lease was *five years* and that the Tenant (Mr. Majcher) agreed to pay rent in the amount of *\$80 per acre for 20.29 acres* located on the parcel at *1025 Colonel Ledyard Highway, for a total payment of \$1,623.20 per year for designated area*. He explained the rent was being paid on an annual basis and that the Lease was expanded to include an additional 5.30 acres located on the west side of the Joe Clark Brook. He stated the reason Mr. Majcher requested increasing the term of his lease from one (1) year to five (5) years was because he was looking to grow hay instead of silage corn because the market for corn was declining and because of the time involved to cultivate

hay.

Chairman Dombrowski continued by providing some background, stating that since the town acquired the Clark Farm in a land swap with the Mashantucket Pequot Tribal Nation for Indian Town Park (119 Indiantown Road) on September 4, 2007 that this item to review future uses of the Clark Farm Property has been on the LUPPW Committee's agenda. He stated at that time there was some discussions regarding Utopia purchasing the 70- acre former State Hospital Property located on Route 12; and so there were some discussions regarding the potential uses of the Clark Farm Property based on its proximity to the State Hospital property.

Chairman Dombrowski went on to explain that the Clark Farm property was under the Town Council's Administrative Control and was one of the larger open space properties owned by the Town. He stated should the town need a site to build a new High School, that the Clark Farm would most likely be a site for consideration. He stated there were no proposals to use the property at this time, other than the two uses he noted above. He stated the town was currently maintaining the Clark Farm as open space, using it for farming activity and for passive recreation activity. He suggested the LUPPW Committee remove the Clark Farm from their agenda, until a proposal comes forward.

By consensus the LUPPW Committee agreed to remove the Clark Farm Property update discussion from their future Agendas, noting that should any ideas/proposals come forward that they could put it back on their agenda.

Action: Remove from Agenda

Land Use/Planning/Public Works Committee Meeting 12/05/2022:

File #: [22019](#) Version: 1

Type: Land Use

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

Action: No Action

Minute Note:

No Action on the

Action: No Action

Land Use/Planning/Public Works Committee Meeting 11/07/2022:

File #: [22019](#) Version: 1

Type: Land Use

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

Action: No Action

Minute Note:

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

Action : No Action

Land Use/Planning/Public Works Committee Meeting 10/03/2022:

File #: [22019](#) Version: 1

Type: Land Use

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

Action: No Action

Minute Note:

No Action

LUPPW Cmt Meeting 9/19/2022

File #: [22019 <https://ledyardct.legistar.com/LegislationDetail.aspx?ID=5814186&GUID=E2C7069F-CBA6-4209-A4C0-5F8D44613280>](https://ledyardct.legistar.com/LegislationDetail.aspx?ID=5814186&GUID=E2C7069F-CBA6-4209-A4C0-5F8D44613280)
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Action: No Action

Minute Note:

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

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

Action: No Action (Continue)

LUPPW Cmt Meeting 8/1/2022

File #: [22019](#)

<https://ledyardct.legistar.com/LegislationDetail.aspx?ID=5741900&GUID=1D385F0B-B766-4FE6-9094-44797DE5F972>

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

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

- Town gave the MPTN Indiantown Park (119 Indiantown Road)
- MPTN gave the Town the Clark Farm(1025 Colonel Ledyard Highway)

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

Action: No Action (Continue)