

REPRESENTATIVE POLICY BOARD

LAND USE COMMITTEE

JANUARY 10, 2024

MEETING TRANSCRIPTION

Peter:

All right. Hello everyone in Teams land there and everyone here. We'll open our regular meeting January 10th, at 5:30, a little after. Safety Moments, very important. I was thinking of a Safety Moment on the way down this... Because our weather, one minute, we're fighting a snow storm. Now, we're getting flooded, but if you ever did get frostbite, it's very serious. Take care of yourself and stay warm. Review it. Take it to heart.

Peter:

Next is approval of minutes.

Greg:

So moved.

Charles:

Second.

Peter:

All right. Any objections or abstentions? Seeing none, all those in favor?

Committee members:

Aye.

Peter:

So, now, we go to review of Protecting Water Supply.

John:

Yes, so to lead into this, I saw this online a few months ago and I thought it might be a good special topic. What it is the film from 1951 about protecting the public water supply. As you can imagine, there's a lot of things that are anacronystic that are... You will giggle at some parts of it, but there's a lot that are still true today. In this film, they talk about all parts of what we look at today in water supply, from watersheds to distribution to treatment and all in between. I thought it was interesting. It does take about 25 minutes.

[VIDEO PLAYS FROM 5:39 P.M. TO 6:00 P.M.]

John:

Thought it just interesting to see how many things haven't changed and others have, like they talk about seeding clouds. Doesn't really happen too often, but they do talk about desalination also, in the same breath, I wonder if anybody had any questions around.

Peter:

Really interesting, actually. The whole technology changed, but it's almost not the same, but they had the same format.

Greg:

Or issues.

Peter:

Yes, similar issues and filter and pumps. Are there any question for John?

Greg:

Just my niece, their stepdaughter... They live in Massachusetts, and the stepdaughter has a baby, and the baby is autistic. And she found out the house is full of lead, including the pipes, the water coming in. I'm worried about it.

Charles:

Flint Michigan's problem, it was all that big controversy that happened. Thousands of people affected.

Sunny:

And that's the ones that the latest regulations update came out last couple of weeks ago. Small modifications to the LCRR that came out years ago, as we all know that they're working on it.

Peter:

But you would think they would... They're testing all the time, so that wouldn't these... Can Massachusetts see that lead in all the...

Sunny:

You did the house [inaudible 00:28:47].

John:

Not in someone's house.

Sunny:

Yes, so if you've [inaudible 00:28:49]. So, even for us, as a utility, we're responsible say to the tap, but even if they have to replace the pipes, we will go only up to the meter [inaudible 00:29:01]. So, beyond the meter, anything downstream of the meter is the customer's responsibility.

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John:

So, it'll be the homeowner's responsibility.

Peter:

Yes, they match it with their utility.

Sunny:

After their utility, right? So, even if you look at the latest LCRR that comes out, our responsibility typically ends at the curb valve-

Greg:

[inaudible 00:29:19] shut off the water?

Sunny:

No. How Regional Water is set up, the customer actually owns up to the water main, but we are responsible for service and taking care of the pipe from the water main to the curb valve. But the responsibility is still... The ownership still resides with the homeowner. Anything that happens from the curb valve to the meter is still the responsibility of the customer. We may choose at some point of time, as we go further along, depending on the grants and the loans and that they're available, and the [inaudible 00:29:55], we may go all the way to the meter, but anything downstream of the meter is still the customer's responsibility. So, if anything, what [inaudible 00:30:02] points is the entire [inaudible 00:30:04] within the house.

Greg:

Yes. But the real old house reminded me of the paint in a house [inaudible 00:30:09].

Sunny:

Right, they could pick a paint. Yes, [inaudible 00:30:11] is an example where paint is being restored. I mean, that's there for most [inaudible 00:30:17] a century.

John:

And it's been well established for many decades that there is no safe exposure to lead. It's zero, if you want a healthy person, especially during the young years-

Sunny:

Exactly.

John:

... I mean, when its brain is growing.

Greg:

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Did you hear or read about the plastic in the plastic bottles, water? You've probably seen this one, but there's very small particles of plastic when we drink out of the water bottle, [inaudible 00:30:53]. It's interesting, [inaudible 00:30:55].

Sunny:

Yes, bottled water isn't regulated [inaudible 00:30:59], regulate it enough so people actually go and buy the bottled water even though [inaudible 00:31:03].

Peter:

They think it's better. And it's not.

Sunny:

It's bad. But it's actually unregulated water.

Greg:

Then it's probably worse.

Sunny:

Yes, it's worse.

Greg:

So true.

Peter:

How about any questions?

Peter:

Joe, Brian, Naomi, Suzanne, any questions?

Committee members:

No.

Naomi:

No, more than to say they were saying earlier, that it seems like things have not changed that much, in one aspect, because you could clearly see if you look back when we were looking at some of the pictures and things, in how the designs are set up. Because I got the opportunity to go out, I guess, the water treatment in Lake Gaillard. And I was just noticing with the water, how it came in and things like that. So, it's interesting to see how it travels from the house to here to there, the whole path it takes. That was interesting.

Peter:

Yes, it is. Oh, again, back [inaudible 00:32:10]. Okay, thanks, John. Thanks so much. And if there's no other questions, we'll go to John again and our RWA properties and invasive species, I think.

John:

Yes. Excuse me. In the summary of December, you can see that, at the end of the month, we had 94% capacity compared to the end of 2022, which was 80%. And the long-term average is 72, so we had a very wet December. And you can see in the next table that December had nine point... This is at Lake Whitney. You had 9.49 inches of rain, and that makes it the worst December in the 112-year history of Lake Whitney. Our highest before that was 1973, which had 8.82 inches. Last year, we had 4.55, and the long-term average of 4.11.

So, we had more than double the historical average for December, and including several big rainstorms, one of which I could say for that first one, on the Menunketuck, we had... Can't remember how many inches of rain, that one there, but it had the highest lake level at the Menunketuck in the last 30-plus years. The only higher level that I have in my records was from the June '82 storm, but even then, you have to look at other factors in that, the spillway at the Menunketuck was a different configuration than what we have today. So, it was a lot of water, including last night.

Peter:

John?

John:

Yes.

Peter:

When does it become a danger, too much water?

John:

It doesn't. In what respect?

Peter:

Well, in our pumping stations, or we'll release it, I guess, right? We-

John:

Well, and pump stations only deal with finished water.

Peter:

Okay.

John:

[inaudible 00:34:02] portable water that's going to customers. That is not affected by this.

Peter:

At all-

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John:

[inaudible 00:34:07].

Peter:

... so I guess the dams [inaudible 00:34:08].

John:

Yes, then what you're talking about is dams. And what we often get questions about, and like, I received one call from Peters in town, on Circle Drive, where the person, "Hey. Can you stop releasing the water from the dam?" We're not releasing any water from the dam.

Then what happens in this guys backyard is that [inaudible 00:34:28], it comes more from the Guilford side, comes down through South Route 80, and then goes through his neighborhood, his backyard. Had nothing to do with us. It's all the rain.

Peter:

That [inaudible 00:34:38].

John:

Yes. And [inaudible 00:34:41] not only were we not releasing any water, we do release a downstream release, which is minor. We're required to do that. But it [inaudible 00:34:48] two and a quarter feet down from the snow [inaudible 00:34:52], so there's no water that's coming out of [inaudible 00:34:55]. That came out of the sky last night. All this is just through the normal rainfall and snow melt that we experience.

But is there any hazard to the dam? The answer is we do, as I said, pardon the meander. We have engineering go out after [inaudible 00:35:14] storms, to look at the dam, inspect them, make sure they is proper. Nothing is leaking where water should not be coming out of, et cetera. Everything has been fine.

We continue to do that, and after this morning, when I was saying before the summary. I can't remember who. That Dawson was at 2.2 feet over the spillway. I talked to the police chief at [inaudible 00:35:36] because they have [inaudible 00:35:38] water going out to the bottom of Bradley Road. I don't know if you're familiar with that, but and where that is and Route 69. But there's two roads that go to a little neighborhood that's east of Route 69, north of [inaudible 00:35:50] Parkway, or [inaudible 00:35:51] Parkway, and west of West Rock. So, they have no way in and out, except for these two bridges.

That is one of our places that we first look at when we get a lot of rain. And we saw that the bridge was still okay. You could stand on the bridge, and there was no water, but water was all around the approaches to the bridge because they were lower than the actual elevation of the bridge.

Peter:

[inaudible 00:36:13] overhead... Engineers usually build dams and everything on the 100-years storms. I mean, is that changed, or no? Is it?

John:

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Yes, and I don't think it's just dams. It's a lot of things.

Peter:

I think, well, it's a concern of everything. You're right.

Sunny:

Right. [inaudible 00:36:32], so going back to [inaudible 00:36:34], I think they're going to build something more than a 1,000-year flood. So, that's getting back to the climate change and things of that sort, so the design would be much greater than the [inaudible 00:36:43] 100 years.

John:

Yes. So, when you talk about the dams, they are designed to take and discharge the PM after the probable maximum flood, which is like the 1,000-year storm. We don't release water when we have big storms because the amount that you get out of a [inaudible 00:37:01] is nothing compared to what comes over the spillway.

The spillways are our greatest dam safety factor, or [inaudible 00:37:12].

Sunny:

I was going to say [inaudible 00:37:12] it releases-

Peter:

Yes, well-

Sunny:

... [inaudible 00:37:14].

Peter:

I guess I'm cheating a little. It's not only just dams and our water supplies. It's everything. I mean, you're seeing when you're building [inaudible 00:37:22] everything how you're putting your [inaudible 00:37:25] drains and everything.

John:

Correct.

Peter:

So, society has their hands full.

John:

And everything is changing.

Peter:

Everything is changing.

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John:

I mean, just driving down Route 69 on Monday, after the big snowstorm, it is the 8th of January. All other years I can ever remember, Dawson is frozen, and the snow is on top of the ice. On Monday, it was completely open. I mean, there wasn't one crystal of ice anywhere within sight, except for the snow on the ground, not in the lake itself. It's like, oh, my god, to see this.

And that will translate into other changes in the water itself when our treatment staff has to then treat it in the summer. When it's hotter, it stays warmer longer. The... No, not the bacteria, but the algae that grow in there, it can survive longer. It takes less time or more time for it to turn over. It factors into many things, I guess, like when I'm [inaudible 00:38:24].

Sunny:

[inaudible 00:38:24] changed, Yes. So, the lake, it was just...

John:

Correct.

Committee members:

[inaudible 00:38:30].

Peter:

Yes, that's pretty interesting.

John:

Going off on tangents over here.

Peter:

Yes, sorry.

John:

My apologies. So, my the fiscal year rainfall, we're at 37.87 inches. Last year, we had 23.86. And, excuse me, for historic value is 27.20.

Actually, this is fiscal year. For the calendar year, it was wetter than normal, but we didn't even crack the top 10 for wettest years. We did have a couple of very dry months in 2023, including February, which we knew we had an inch of rain. So, in the end, it was a wet year, but not the wettest.

[inaudible 00:39:08] we need the Water We Use Program. Talked to several property owners about acquisitions, two in Cheshire, a 50- and 20-acre, and one in Branford, three.

In Bethany, we talked to owners of properties of 60 and 30 acres, Hamden, 10-acre. Beech Street and Poms Lane, we shared our title work with the Land Trust there, and continuing to move forward towards closing for those two properties.

Seymour and Squantuck Road, excuse me, at the last meeting, Mike gave me a letter from their personal admin saying that they were interested in SE 5, which is about a five-acre piece on Squantuck Road. So, we started looking into the new environmental for the disposition, and I'll start working on that shortly.

Rental houses at 233 Skiff Street, we finally, amen, received the condemnation papers from the stat marshal, so we have filed with the court that we have accepted the town's offer. And once it is filed on the land record and the court releases the money, then we'll get that and everything will be ready for that to start into the disposition process.

At Ives Street, closing off again on 5,000. Then when we said, "We'll just take 5,000," that's what they came up with at the end, and that's fine. It's more important having disposed of the final vacant former rental house.

95 Ives Street, responded to a call from the new property owners, what are our former rental houses, about connecting the house to the water system. So, that's been done, I believe.

Forestry update is nothing new because nothing is in bold, but the bullets below, the continued discussions with two people for the future use of the sugar bushes at Saltonstall and Gaillard. We had a kick-off safety meeting for the timber sale out in Guilford and conducted a pre-harvest walkthrough with adjoining landowners.

We prepped for the LSR grant kick-off meeting with USFS, US Forest Service, the liaison, and we met with a procurement forester conducting a timber-harvest operation on abutting property in Killingworth with the idea that we might be able to sale some of our trees since they're logging right next to us. So, Casey's working on that. And he talked to the ag experiment station researcher about Nathan's Pond slash wall to collect stump sprouting/deer browse data.

Okay, go [inaudible 00:41:31] page. Excuse me. Recreation, we held the tree identification walk at the Lake Whitney Water Treatment Plant with 30 attendees. [inaudible 00:41:38] went very well. We cleared more trails at Genessee and Maltby Lakes and took delivery of four new dock sections at Lake Saltonstall. They will be installed this April, when we get to the fishing season.

And we spoke to others about the impending minimum... Well, actually, those [inaudible 00:41:54] now. Minimum wage increased at the beginning of January.

For the end of December, we had 4,742 permittees compared to last year was 4,851. And last month, we had 4,780, so a slight decrease. I apologize for the phlegmy throat.

Four special activity permits were issued by [inaudible 00:42:20] in the last month. Nothing out of the ordinary. All these were people who had requested special activity permits in the past.

Encroachments and agreements, we received the revised draft agreement and made comments about the Shingle Hill tank with agreement with [inaudible 00:42:40]. That they have a country club, said that they would not be paving the apartment within the licensed area. That was part of the new agreement that we signed within this past year.

At Great Hill Road Field, excuse me, the Pages have signed a new agreement for that field, so they'll be using it for another five years. Good news for that.

At 215 Forest Road, the current owner said she was selling her property, and we sent a draft license agreement to use with the new owners that have been executed, and that is now done.

Woodbridge tank radio, we received a letter from the towns who extend their agreement there for another five years. And Baldwin Road, also Woodbridge, we sent a draft license agreement to use with the Sextons, after learning their father had passed a couple of years ago, with the nature of license agreements are that if either property sells their land or, excuse me, one of the parties is deceased, then the license agreement terminates. So, talked to the son, who is now the owner, and he will sign the new license agreement for a driveway, a lawn, and a shed that's over the line.

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The invasive updates, we treated and documented invasive plant populations in North Branford, Madison, Killingworth and Guilford. Mapped area includes 105 acres, and treated area is only half an acre.

On the former trolley line in North Branford, we met virtually again with UI's real estate staff and contacted Murtha about preparing the conflict waiver documents. At Bormann Road, we had another call from this guy today through yesterday's rain. Corresponded with an abutter about water coming off the ridge. Is a lot of rain [inaudible 00:44:15] and coming down into the backyards of people at Bormann Road and Hellstrom.

Lake Whitney Dam access, we are waiting for Murtha's for a conflict waiver with UI again there. This is the license agreement to cross their property to get to the dam. Excuse me.

Madison Class III land, I met with a member of Madison's Affordable Housing Committee about Class III lands in town and told him what we could and could not do. Most of our land in Madison is Class I or Class II land, so we could not sell it. And that which is Class III is really very inaccessible, not easily conveyed about what other things going on.

Fox Den Way in Woodbridge, I received an email from town staff about drainage issues. I met with her out there. And what it turned out is that there's a small pond [inaudible 00:45:04] some houses, and there's supposed to be a drain there, a catch basin that allows water to go into a culvert. And it was all completely clogged with leaves and sticks. So, I went out there with waders and pulled up what I could, and she was going to tell the property owner that he needs to do it if they want to keep their water down in the pond and out of their basements.

And for the deer hunt, at the end of the month, what I did for the deer hunt is the surveys were distributed to all the hunters, and Nichole has started to receive them.

There's four articles here for you to read, including the first one talking about the Zombie deer, which is the chronic wasting disease, which is basically like mad cow disease or [inaudible 00:45:43] in deer. It's the prion that goes through the brain and the nervous system.

So, if anybody has any questions, I'll be happy to answer them.

Peter:

Any questions for John? Good report, John, as usual.

John:

Thank you.

Peter:

Any other item for the land use? Anyone [inaudible 00:46:11] at home, have any questions?

John:

Or if anyone has any suggestions for next month's special topic, I'm open to take suggestions.

Peter:

That's a good idea. Okay. We'll share. We'll put that out there to [inaudible 00:46:27].

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John:
All right.

Peter:
Greg is going to be attending in the Authority meeting like that. And our next regular meeting is the 14th at 5:30. And I need a motion to adjourn.

Charles:
So moved.

Pete:
Second.

Peter:
All in favor?

Committee members:
Aye.