

Representative Policy Board
South Central Connecticut Regional Water District

Application for the disposition of 4.98 acres :
located at 56 Squantuck Road, Seymour, : **February 27, 2025**
Connecticut that is part of Land Unit SE 5 :

Findings of Fact, Conclusions of Law and
Final Decision of the Representative Policy Board

A. The Applicant's Request

On October 28, 2024, the South Central Connecticut Regional Water Authority (“RWA” or “Applicant”), through its Five-Member Authority, submitted an application to the Representative Policy Board (“RPB”) for approval of the disposition of 4.98 acres of unimproved Class III land located west of Squantuck Road in Seymour, Connecticut that is part of Land Unit SE 5 (“Application” or “Subject Land”), for conservation use and conforming to any and all approvals that may be granted by the regulatory agencies of the Town of Seymour. The purchase price shall not be less than \$55,000, based on the appraisal prepared by Mark DiMarco.

The Subject Land is not needed for water supply purposes. Therefore, the RWA proposes to dispose of the Subject Land in a manner that will meet the following objectives:

1. To generate income to further protect the RWA’s public water supply by allowing the RWA to purchase additional water supply watershed land or conservation easements within the RWA’s public water supply watersheds; and
2. To benefit the RWA’s ratepayers by minimizing future water rate increases attributed to future borrowing needed to complete the purchase of additional water supply watershed land or conservation easements; and
3. To protect any outstanding natural areas and preserve important ecological functions.

B. Participants

In addition to the RWA, the district’s Office of Consumer Affairs (“OCA”) also participated in this proceeding. The OCA is authorized by Section 15 of Special Act No. 77-98, as amended (“Special Act”), to act as the advocate for consumer interests in all matters that may affect water customers in the district.

C. Statutory Standard

Pursuant to the legislation cited in paragraph A above, the RWA is required to obtain approval of a majority of the weighted votes of all of the members of the RPB, excluding vacancies, to sell or otherwise transfer a parcel of real property of twenty acres or less, except in certain circumstances not relevant to this

application. Section 18(c) of the Special Act stipulates that the RPB shall not approve such a sale unless it determines, following a public hearing, that the proposed action: (1) conforms to the established standards and policies of the RWA, (2) is not likely to affect the environment adversely, particularly with respect to the purity and adequacy of both present and future water supply, and (3) is in the public interest, giving due consideration, among other factors, to the financial impact of the proposed action on the customers of the RWA and on the municipality in which the real property is located.

D. Notice and Procedures

In accordance with Section 1-225a of the Connecticut General Statutes, the RPB was permitted to hold the hearing on the Application in person, and via remote access, and procedural requirements were met. On November 21, 2024, the RPB voted unanimously to accept the Application as complete and called a public hearing for Thursday, January 23, 2025 at 7:00 p.m. in-person at the Seymour Town Hall, 1 First Street, Seymour, Connecticut, and via remote access. The RPB designated Peter Betkoski (Beacon Falls Representative) to serve as Presiding Member at the public hearing.

As required by Section 10 of Special Act No. 77-98, as amended (“Section 10”), the RPB published in the *New Haven Register* and the *Connecticut Post* the date, time, and place of the public hearing to be held by the RPB to consider the Application. The notice was published on December 23, 2024. A notice of the hearing was also filed in the Office of the Clerk of each city and town within the district, the Office of the Secretary of the State of Connecticut and posted on the RWA’s website.

As required by Section 18(f) of the Special Act, the RPB submitted the Application, with attached Preliminary Assessment, to various state and local agencies for comment and review.

E. Public Hearing

At the public hearing on January 23, 2025, the Applicant provided sworn testimony from RWA employee, John Triana, the RWA’s Real Estate Manager, who provided a presentation of the proposed disposition. Mr. Triana highlighted various aspects of the Application including relevant provisions of the RWA’s Special Act 77-98, as amended, background, disposition objectives, preliminary assessment, alternatives, minimum sale price, location, and RWA’s policies enumerated in the 2007 initiative, “*The Land We Need for the Water We Use.*”

Members of the RPB asked questions of the Applicant with respect to alternative use, access, dam maintenance, price selection, and lot restrictions.

As stated in his memorandum dated January 16, 2025, the OCA noted that the land completes open space that the Town of Seymour acquired by Birmingham, it is non-water system land and therefore not required for water supply. He stated that the valuation is appropriate, and the property no longer has a

significant value for RWA's use and is appropriate for disposition. Further, the OCA found the proposed transaction described in the Application to be consistent with the Land Use Plan and in the public's interest. For those reasons, the OCA recommended approval of the Application.

Approximately ten (10) members of the public attended the public hearing. Mr. Rzasa of the Seymour Historical Society, Mr. Baryla of the Seymour Conservation Commission, and Ms. Philips, a Seymour resident provided testimony in favor of the Application.

F. Analysis

After considering all of the evidence presented, the RPB believes that the proposed disposition of the Subject Land is in accordance with the RWA's Land Use Plan, would financially benefit the RWA, is in accordance with established standards and policies of the RWA, is not likely to affect the environment adversely and is in the public interest. Further, the RWA stated that the Subject Land is not required for water supply purposes. Finally, the proposed disposition satisfies the legal requirements of Section 18(c) of the Special Act.

G. Conclusion

We, therefore, conclude that the Application for approval of the disposition of 4.98 acres of unimproved Class III land located west of Squantuck Road in Seymour, Connecticut that is part of Land Unit SE 5 be approved. Separately stated Findings of Fact and Conclusions of Law are attached hereto as Exhibit A.

Exhibit A
Representative Policy Board
South Central Connecticut Regional Water District

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Findings of Fact

1. The RWA, through its five-member Authority, submitted an application on October 28, 2024 to the RPB for approval of the disposition of 4.98 acres of unimproved Class III land located west of Squantuck Road in Seymour, Connecticut that is part of Land Unit SE 5 (“Application” or “Subject Land”).
2. The Application’s minimum price reflects the market value of the Subject Land as of April 15, 2024 when the appraisal was completed.
3. The sale of the Subject Land will have no adverse impact upon the public water supply due to the fact that the land is Class III, not on a watershed or aquifer of an existing or potential future public water supply source.
4. Under the proposed action, the Subject Land would be sold for conservation use, affording protection of its environmental benefits.
5. Revenue from the proposed sale is anticipated to be not less than \$55,000.
6. Net proceeds of the sale will be used to finance the RWA’s long-range plan to acquire and protect watershed property, thereby ensuring the protection of the public water supply.
7. The Town of Seymour and the State of Connecticut, by law, have priority rights to purchase the Subject Land, with the Town’s right taking precedence. The Town has expressed interest in acquiring the parcel.
8. The proposed action is consistent with the RWA policies enumerated in the 2007 initiative “*The Land We Need for the Water We Use,*” with the RWA’s initiative of generating funds to preserve watershed land.
9. The proposed action is consistent with the 2016 Land Use Plan.
10. The OCA recommended approval of the Application.

Conclusions of Law

1. The RWA's application, dated October 28, 2024, for approval of the disposition of 4.98 acres of unimproved Class III land located west of Squantuck Road in Seymour, Connecticut that is part of Land Unit SE 5 ("Application"), was filed pursuant to the statutory authority set forth in Section 18 of the Special Act.
2. Notice of the public hearing to consider the Application and to allow interested persons, including water users and property owners within the district to be heard was properly made pursuant to Section 10 of the Special Act.
3. The Application, with attached Preliminary Assessment, was submitted to state and local agencies for comment and review and made available for public inspection pursuant to Section 18(e) of the Special Act.
4. The public hearing took place on January 23, 2025, in-person at Seymour Town Hall, 1 First Street, Seymour, Connecticut, and via remote access, in accordance with Section 10 of the Special Act, and in accordance with Section 1-225a of the Connecticut General Statutes.
5. Based upon the above Findings of Fact, the RPB concludes that the RWA's Application for approval of the disposition of 4.98 acres of unimproved Class III land west of Squantuck Road in Seymour, Connecticut that is part of Land Unit SE 5, meets all requirements for approval.