

Representative Policy Board
Land Use Committee

South Central Connecticut Regional Water District
90 Sargent Drive, New Haven, Connecticut

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AGENDA

Regular Meeting of Wednesday, November 13, 2024 at 5:30 p.m.

1. Safety Moment
2. Approval of Minutes – October 9, 2024 meeting
3. Lead Pipe Inventory Update: S. Lakshminarayanan
4. Consider and act on recommendation to the Representative Policy Board regarding completeness, mode, and date of public hearing regarding the Authority’s Application for the proposed disposition of 4.98 acres located at 56 Squantuck Road, Seymour (Land Unit SE 5).
5. Updates on land and RWA properties, including invasive species update
6. Other land items
7. Set Calendar Year 2025 Regular Meeting Dates
8. Reminder: Volunteers for upcoming Authority meetings:
 - a. November 21, 2024 – J. Oslander
 - b. December 19, 2024 – G. Malloy
 - c. January 23, 2025 – P. Betkoski
9. Next Regular Meeting: Wednesday, December 11, 2024 at 5:30 p.m.
10. Adjourn

Members of the public may join the meeting in person at 90 Sargent Drive, New Haven, or by teams using the information at the top of the agenda. To view meeting documents, please visit <http://tinyurl.com/tvu5cy9m>. For questions, contact the board office at 203-401-2515 or by email at jslubowski@rwater.com.

SAFETY MOMENT

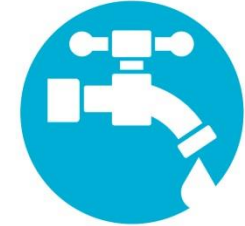
YOU CAN PREVENT CARBON MONOXIDE EXPOSURE – NOVEMBER SAFETY

Check or replace carbon monoxide batteries twice a year: when you change the time on your clocks each spring and fall. Replace smoke alarm alkaline batteries at least once a year. Test alarms every month to ensure they work properly.

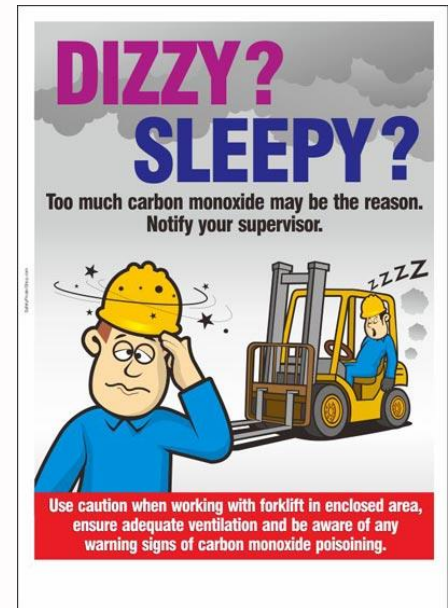
- **Do** have your heating system, water heater and any other gas, oil, or coal burning appliances serviced by a qualified technician every year.
- **Do** install a battery-operated or battery back-up CO detector in your home and check or replace the battery when you change the time on your clocks each spring and fall. If the detector sounds leave your home immediately and call 911.
- **Do** seek prompt medical attention if you suspect CO poisoning and are feeling dizzy, light-headed, or nauseated.
- **Don't** use a generator, charcoal grill, camp stove, or other gasoline or charcoal-burning device inside your home, basement, or garage or near a window.
- **Don't** run a car or truck inside a garage attached to your house, even if you leave the door open.
- **Don't** burn anything in a stove or fireplace that isn't vented.

Service – Teamwork – Accountability – Respect – Safety

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Safety



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Safety is a core company value at the Regional Water Authority .
It is our goal to reduce workplace injuries to zero.

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Representative Policy Board
Land Use Committee
South Central Connecticut Regional Water District
October 9, 2024

Minutes

The regular meeting of the Land Use Committee (“Committee”) of the Representative Policy Board (“RPB”), of the South Central Connecticut Regional Water District (“RWA”), took place on Wednesday, October 9, 2024, at the Lake Saltonstall, 100 Hosley Avenue, Branford, Connecticut.

Committee Members Present: M. Levine, P. Betkoski, P. DeSantis, B. Eitzer, M. Horbal, G. Malloy, J. Oslander and J. Mowat Young

RPB: R. Harvey and C. Havrda

Authority: C. LaMarr

Management: S. Lakshminarayanan, J. Triana, J. Hill, Capt. Ruggiero, Sgt. J. Alexopoulos, Sgt. K. Hall, and Sgt. D. Putnam,

Chair Levine called the meeting to order at 4:46 p.m. He reviewed the Safety Moment distributed to members.

On motion made by Mr. Malloy and seconded by Mr. Eitzer, the Committee voted to approve the minutes of its September 11, 2024 meeting, with Mr. Horbal abstaining.

Captain Ruggiero introduced three new RWA Police Officers: Sgts. Alexopoulos, Hall and Putnam and provided background information for each.

He reported on updates related to RWA owned property violations in June, July, and August, which included:

- June – 54 tickets issued for trespassing, swimming, illegal ATV use, and other violations;
- July – 20 tickets issued, and 15 verbal warnings given for other RWA violations; and
- August – 28 tickets issued, and 61 verbal warnings given for other RWA violations. Also, on August 18th the RWA police assisted the Madison Police Department regarding a missing persons case, who was found using a canine GPS. The owner, and dog, were found unharmed.

Committee members discussed ATV use during colder months, monitoring and cameras, ticketing process, police shifts, and permitting.

After discussion, Committee members thanked the RWA Police for the introductions and the updates provided.

Update on *The Land We Need for the Water We Use Program* – Mr. Triana, the RWA’s Vice Real Estate Manager, reported:

Reservoir Levels (Percent Full)

	Current Year	Previous Year	Historical Average	Drought Status
September 30	80%	89%	68%	None

Rainfall (inches)

	Current Year	Previous Year	Historical Average
September 2024	1.30	6.39	3.83
Fiscal YTD (6/1/24 – 9/30/24)	16.79	20.85	15.28

Land We Need for the Water We Use Program (Dispositions/Acquisitions)

- Cheshire – Corresponded with property owner of 20+/- acres.
- North Branford – Corresponded with property owner of 13+/- acres.
- Cheshire, Bis/Bowman property – Submitted draft survey to DEEP for the OSWLA grant. Sent letters to abutters about the acquisition. Received deeds back from the towns.
- North Branford, Beech St., and Poms La. properties (NB 4) – Signed the P&SA with the NBLCT.
- Seymour, 56 Squantuck Rd. (SE 5) – Submitted disposition application to FMA. They had questions so the application will go back to them in October. Corresponded with town staff about the disposition process.

Rental houses:

- Hamden, 233 Skiff St. (HA 9A) – Discussed the resubdivision for the lot to go with the house with the surveyor.

Forestry Update

- Killingworth - East Hammonasset Leaf Screen Thinning, (KI 4) – 75% complete.
- Hamden - Overstory removal and Tornado Salvage, (HA 36) – The harvest was halted in early June, and the logger pulled his equipment off the property on June 13th. It is uncertain at this point whether the buyer will continue with the salvage operation even if a market is found - 15% complete.
- Guilford - Menunketuc High-Grade Rehabilitation Cut and Conifer Release (GU12/12A) – **40% complete.**
 - Completed QFR’s for the Preisner and Bis properties. Submitted 490 applications to assessors’ offices.
 - Trained Natural Resource Specialists in forestry inventory techniques related to PA490 applications, including the proper use of a 10-factor prism, dbh tape, and Biltmore stick.
 - Participated in two site walks for CFPA’s Master Woodlands Manager program and co- led a forest ecology field day at Nathan’s Pond slash for twenty-five participants on the morning of September 21st.
 - Supervised and managed Natural Resource Specialists in overseeding and mulching treated roadside areas and ditches following steamweeder treatments.
 - Worked with CAES to ground-truth a remote sensing alert from the US Forest Service regarding a decrease in leaf density on a portion of the Totoket Ridge.

Recreation

- Kids archery event was attended by 20 children.
- Plant walk at LWWTP was attended by 15 people.
- North Branford Women’s Walk was attended by about 160 people.
- Cleared trails of fallen trees at Lake Chamberlain and Lake Bethany.
- New sign and bait recycling collection bin were installed at Lake Chamberlain.

- DEEP Stocking and Liberation permits were filled out for the walleye coming in October to Lake Saltonstall.
- Informed Bethany Horsemen and recreation permit holders (through FB) that the causeway at the head of Chamberlain will be closed soon while Engineering does repairs.
- Contractor opened up 2 miles of trails at Genesee.
- The Water Wagon attended three events in September.

	September		August	
	2024	2023	2024	2023
Permit Holders	4,846	4,827	4,880	4,883

Special Activity Permits

- Connecticut Chapter of the American Chestnut Foundation-(Mr. Jack Swatt) flowering chestnut trees on RWA property to harvest nuts to plant in their Germplasm Conservation Orchards to preserve genetic diversity of the species (9/1/23-9/30/23) – Revised date until 10/31/24.
- Connecticut State Police K9 Unit (Mr. Ryan Cloukey and designees)-training K9 teams in the discipline of tracking, Lake Gaillard, (9/5/24-9/5/25)
- Univ.of New Haven Army ROTC Program Coordinator (Robert Clark) - Squad Tactical and Platoon Tactical Training - 1955 Litchfield Turnpike/West River Training Area, Woodbridge (9/12/2024-9/12/2025).
- CTDEEP (Brooks Pitman) – to address the decline of the fisher population in CT, Lake Gaillard area and properties east of the property, (9/16/24 – 9/16/25).
- Boys Scouts of America Troop 610 (Michael Collins) – hiking trip to Woods Road that runs behind the filter plant located outside of fence line that encompasses West River Water Treatment Plant, (10/5/24).

Other items

- Encroachments/agreements –
 - Hamden, Hamden Hall athletic fields (HA 9A) – Working on an amendment to the lease that would set the annual fee for the remainder of the term.
 - Hamden, 0 Easterly Dr (HA 39) – Found and removed tree stand.
 - Cheshire, South Main St. (CH 4) – Corresponded with Southwick Condos staff about the history of the license agreement including the fee.
 - Agricultural agreements – Contacted Tanev about mowing the fields he is responsible for.
 - West Haven, Shingle Hill Tanks (WH 7) – Spoke to Yale representative about getting the payment and COI before they start installing the antennas.
 - Prospect, Roaring Brook Rd. (PR 7) – EP staff found hoses on our property coming from the Crandall property. Sent registered letter telling them to cease. Area will be checked in October for compliance.
- Invasive plants – Treated or documented invasive plant populations in Madison, Seymour, and North Branford. Treated stilt grass, mugwort and swallow-wort using steam at Lake Gaillard, approximately 0.6 acres (2000+ feet of road).

Invasive Species Documented/ Mapped (ac)	6 acres
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Invasive Species Treated (ac/MH)	0.6 acres
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- Deer hunt – The three pre-hunt safety meetings were completed. The final count of hunters is 134 at North Branford, 25 at Bethany, 20 at Prospect, and 8 at Seymour.
- Madison, North Madison Congregational Church land – Answered inquiry from member of the public about land sold to the church in 1998.
- Land Use Plan – Continued work on maps for next LUP update.
- North Branford, UI watermain easement – Murtha reviewed title report for UI property we wish to install a water main through.
- Drone flights - Flew drone in Prospect documenting construction at the Prospect Reservoir.

Committee members discussed a site visit related to an upcoming application for the disposition of an RWA owned property in Seymour.

The committee reviewed volunteer assignments for upcoming Regional Water Authority meetings on:

- October 24, 2024 – J. Mowat Young
- November 21, 2024 - J. Oslander
- December 19, 2024 – G. Malloy
- January 23, 2025 – P. Betkoski

The next regular meeting is on Wednesday, November 13, 2024, at 5:30 p.m. and will be held at 90 Sargent Drive, New Haven.

At 5:20 p.m., on motion made by Mr. Malloy and seconded by Mr. Eitzer, the Committee voted to adjourn the meeting.

Mark Levine, Chair

Inventory Development

- Vacuum excavation has been finished all towns.
- RWA has finished the predictive modeling and has submitted the initial inventory to the State by the October deadline.
- RWA has offered on a proactive basis sample collection to those customers where service line replacements are mandatory based on lines being identified as either lead or galvanized iron.
- Training has been provided to Field Service and Cross Connections staff on the use of LeadCast to enable real-time inclusion of service line information; RWA's field construction crews continue to update the field information into LeadCast.

Communication

- RWA promotes awareness through letters, social media, podcasts, participation in discussions organized by the towns.

Funding

- RWA submitted and has been approved for funding through DWSRF for engineering and inventory development; the RWA is working on securing significant grant funds for this phase of the LCRR work.
- RWA has submitted for DWSRF funding that will include both grants and loans for replacement of lead service lines (both customer and utility).

Schedule

- RWA will continue refining inventory into FY25 and also will commence replacement of the lead service lines during the latter half of FY25.

REPRESENTATIVE POLICY BOARD
LAND USE COMMITTEE
2025 PROPOSED MEETING DATES

Land Use
January 8 @ 5:30 pm
February 12 @ 5:30 pm
March 12 @ 5:30 pm
April 9 @ 5:30 pm
May 14 @ 4:30 pm
June 11 @ 5:30 pm
July 9 @ 5:30 pm
August 13 @ 5:30 pm
September 10 @ 4:30 pm
October 1 @ 4:30 pm*
November 12 @ 5:30 pm
December 10 @ 5:30 pm

**moved for Sukkot*

November 13, 2024
Land Use Committee Meeting

Reservoir Levels (Percent Full)

	Current Year	Previous Year	Historical Average	Drought Status
October 31	73%	87%	66%	None

Rainfall (inches)

	Current Year	Previous Year	Historical Average
October 2024	0.79	4.01	3.84
Fiscal YTD (6/1/24 – 10/31/24)	17.58	24.86	19.11

Land We Need for the Water We Use Program (Dispositions/Acquisitions)

- Madison – Corresponded with property owner of 24+/- acres.
- Cheshire, Bis/Bowman property – Spoke to some abutters about marking boundaries. 490 Forestland certification was approved. Corresponded with DEEP staff about the OSWLA grant.
- Branford, Cherry Hill Rd. ext (BR 10A) – Received the updated deeds and filed in the vault.
- North Branford, Beech St. and Poms La. properties – Executed the deeds and held closing transferring the properties to the North Branford Land Conservation Trust.
- Seymour, 56 Squantuck Rd. (SE 5) – Attended FMA meeting about the application. FMA approved and it was forwarded onto the RPB.
- Madison and Guilford (MA 2A and GU 21) – Spoke to representative from Guilford Sportsmen Association about their interest in the class III acres.

Rental houses:

- Hamden, 233 Skiff St. (HA 9A) – Consultant submitted the resubdivision application to P&Z. Public hearing is scheduled for November 12. Installed sign on the front lawn.

Forestry Update

- Killingworth - East Hammonasset Leaf Screen Thinning, (KI 4) – 75% complete.
- Hamden - Overstory removal and Tornado Salvage, (HA 36) – The harvest was halted in early June, and the logger pulled his equipment off the property on June 13th. It is uncertain at this point whether the buyer will continue with the salvage operation even if a market is found - 15% complete.
- Guilford - Menunketuc High-Grade Rehabilitation Cut and Conifer Release (GU 12/12A) – **45% complete.**
 - Inventoried ~300 acres of property in Prospect and Branford for future timber sales.
 - Gave tour of Nathan’s Pond slash for staff and volunteers of The American Chestnut Foundation.
 - Led a site walk of Nathan’s Pond slash wall and nearby research plots for scouts as part of their environmental education program and a nest-box construction grant.
 - Inspected GU 12/12A timber sale on a weekly basis. Also checked the new culvert crossing and sediment basin along the main access road through the Menunketuc property.

Recreation

- Oak identification walk was attended by 21 people.
- Cleared trails at Maltby Lakes and Lake Saltonstall.
- Boats and docks removed from Lake Saltonstall.
- Weeds and brush were removed from the dock area.
- About 1800 walleye fingerling (6-8”) were stocked in Lake Saltonstall.

- Locks were replaced at Lake Chamberlain and the Maltby Lakes after customer complaints.
- Tours of our recreation areas for two new customer service staff were held.
- Updated recreation pamphlet.
- The Water Wagon attended four events in October.

	October		September	
	2024	2023	2024	2023
Permit Holders	4,889	4,823	4,846	4,827

Special Activity Permits

- CT DEEP (Christopher McDowell, Fisheries Biologist)-To sample reservoir fish community via night boat electrofishing at Peat Swamp Reservoir and Lake Hammonasset to assess ecological health of fish population and perform waterbody wide inspection for invasive mosquito fish (10/8/24 – 11/15/24)
- New Haven Bird Club (Glen Cummings, Gilles Carter)-to maintain and monitor bluebird nesting boxes, Christmas Tree Fields (North Street and Great Hill Road) North Branford, (3/21/25-8/31/25).

Other items

- Encroachments/agreements –
 - Hamden, Hamden Hall athletic fields (HA 9A) – Corresponded with Murtha about amending the lease to reflect the new amount.
 - West Haven, Shingle Hill Tanks (WH 7) – Received COI from Yale’s contractor. Attended Teams meeting with parties involved to discuss conduit route.
 - West Haven, Allings Crossing Rd. (WH 6) – Received payment from UI.
 - Prospect, Roaring Brook Rd. (PR 7) – Checked area by Crandall’s house. Old hose was broken. Noticed dam within the stream (with logs) and an owl/wood duck box.
 - North Branford, 269 Forest Rd. (NB 17) – Saw letter from town staff to the owners of the property which included a comment about an encroachment. Property owner has a license agreement with us from when we acquired the property and has been in compliance.
- Invasive plants – Treated or documented invasive plant populations in North Branford. Finished treating stilt grass, mugwort and swallow-wort using steam at Lake Gaillard, totaling approximately 1.37 acres. Prepared for stilt grass study involving the steaming of seed heads to see if steam will kill the seed.

Invasive Species Documented/ Mapped (ac)	0.9 acres
Invasive Species Treated (ac/MH)	0.9 acres

- Deer hunt – Scouting period was completed. The hunt opened on October 28. Five deer have been harvested by the end of the month.
- Regional Conservation Partnership – Hosted part of field trip for 15 attendees talking about our land conservation efforts and timber sales.
- New Haven, Yale Golf Course drainage – Received signed MOU and filed in the vault.
- East Haven, Hellstrom Rd. – Checked slope behind houses for any movement of rocks, but did not find anything.
- Madison, Durham Rd. cell phone tower (MA 2D) – Forwarded plans from AT&T for installing a new diesel generator at the site to Environmental Planning.

- Bethany, Downs Rd. Cole easement – Spoke with potential buyer of the Cole property about the easement we hold on it.
- Branford, Hosley Ave. – Staff participated in clean up along the road.
- Boundaries – Checked and remarked boundaries in Orange.
- Land Use Plan – Continued work on maps for next LUP update.
- North Branford, UI watermain easement – Authorized Juliano to create survey for the easement. Contacted North Branford town staff about an easement over their property.
- Drone flights – Flew drone missions in Prospect documenting construction at the Prospect Reservoir. Flew drone missions in Ansonia and East Haven documenting the state of the hatches going into tanks.
- Watermain easement encroachments – Discussed the creation of a spreadsheet to track encroachments found through GIS.

Attachments

- October 4, 2024 - CT looks to ramp up resilience measures in the face of climate change – CT Public Radio
- October 6, 2024 - CT farmland, thought to be protected from development, is slated to be the site of a new luxury home – NH Register
- October 8, 2024 - CT spent \$300,000 to save farmland, now a luxury home is being built, official says – NH Register
- October 10, 2024 - \$5.8 Million Water Tower Dedicated In Derby – Valley Independent Sentinel
- October 24, 2024 - What's ailing America's oaks? Annual acorn count helps take pulse of CT's forests – CT Public Radio
- October 29, 2024 - CT's worst drought on record leads to 50 brush fires – WSHU

Upcoming Agenda Items

December 2024 - ???

CT looks to ramp up resilience measures in the face of climate change

Connecticut Public Radio | By Michayla Savitt - October 4, 2024

Connecticut is working to help towns and cities become more resilient to the impacts of climate change, in the wake of more intense and frequent extreme weather.

This summer in Connecticut started out with extreme heat in June and July. Then in August, unexpected heavy rainfall flooded southeast Connecticut, killing three people. Roads, bridges, homes and businesses were washed out, causing hundreds of millions of dollars in damages and leading to a federal disaster declaration.

Summer 2023 also brought its own share of disastrous flooding and extreme temperatures to the state.

“Knowing how climate impacts are accelerating and expanding, there's a lot of investment that communities are going to need to make in order to address these extreme weather challenges,” said Katie Dykes, commissioner of the state Department of Energy and Environmental Protection.

The DEEP Climate Resilience Fund (DCRF) is one response seeking to prepare communities for more climate impact. For the second time, the agency is looking to fund and assist municipalities to develop resilience projects, and apply for applications for federal funding.

In the coming month, DEEP is looking to hear the community's input on how to use state dollars for climate resilience.

The first DCRF projects were chosen last year, and include flood resilience for areas along rivers and efforts to reduce heat islands. Those climate projects and grants are in early stages of development, according to a DEEP spokesperson.

Infrastructure projects require many steps and take a while to complete. They also need a great deal of investment, and most federal funding for the projects requires a local match fund.

“That's a barrier for many of the municipalities, and that stops projects going forward,” said John Truscinski, director of resilient planning at Connecticut Institute for Resilience and Climate Adaptation (CIRCA). “That's another thing that DEEP is trying to fund with this new program.”

He said other things DEEP is looking to fund are also in CIRCA's recent Resilience Roadmap, such as establishing stormwater authorities in more towns.

“In a lot of cases, what we see is there's stormwater infrastructure that was designed for a different set of assumptions about the intensity of rainfall that we get in Connecticut,” Truscinski said, “anywhere that you dump 15 inches of rain is going to be a problem for the existing infrastructure.”

Along with bond funding for the DCRF, in 2024 the state legislature authorized a Climate Resiliency Revolving Loan Fund, which would make low-interest loans available to municipalities to use on infrastructure repairs and resiliency projects.

It was among the few state legislative efforts to combat climate change that passed both chambers. One bill tackling resiliency didn't get a floor vote, and a House-approved bill that sought to reduce greenhouse gases wasn't taken up in the Senate.

DEEP will accept written comments on the fund until Nov. 8. The first virtual public meeting will be held on Oct. 24, from 6-7:30 p.m. and the second virtual meeting will be on Oct. 30 from 1-3 p.m.

CT farmland, thought to be protected from development, is slated to be the site of a new luxury home

By Emily M. Olson - Oct 6, 2024 - NHR

SHARON — A tract of farmland in Litchfield County thought to be preserved in perpetuity for agriculture now has a long driveway running through it and the foundation for a house built high on a hill — and preservationists are outraged.

Morris Paley's efforts to preserve his 233-acre farm on Millerton Road in Sharon began in 1982, when he applied to be part of the Farmland Preservation Program through the state Department of Agriculture.

Working with the agriculture department and the American Farmland Trusts, Paley sold the development rights of 187.33 acres of his land to the state for \$300,000 in 1984, with assurances that the farm would remain in use only for agriculture, according to documents filed with the state.

After that, Paley opened Paley's Farm Market on Amenia Road in Sharon, just a few miles from the Millerton Road site.

Now, a New York couple owns the land and has earned approvals to construct a two-story home on the property. After a local land trust filed an injunction to stop the work, a judge is deciding whether the project can continue.

"It's tricky, because the state did what they did to preserve my father's farmland for agriculture, and this is a house, a residence," said Morris Paley's daughter, Sarah Paley, who runs the business there. "Sure, a house is fine, but my father would say, 'A house, right in the middle of a good field?' It sets a precedent, because what about other properties like this one? Could they be developed outside of agriculture, too?"

Jennifer Dillon, board president of the Sharon Land Trust, said her group has worked hard to preserve properties on Millerton Road across from and next to the Paley Farm.

"All the land to the (north of the farm property) has been preserved by citizens, and the land has been sold or donated, at a low market rate, about 300 acres," Dillon said. "The whole ridgeline could be preserved. It's incredibly frustrating for us to have been working on this scenic ridgeline, and this 200-acre farm to suddenly be developed, when we thought it was already protected.

After Paley put his property's development rights in safe hands, he continued to farm it; Paley died in 2010. In March 2022, after the land had been sold several times, David and Liza Bainbridge of Rye, N.Y., purchased 187 acres of the land and received local building department approvals to build a house there. The couple had first applied to the Department of Agriculture to build the house in November 2022, according to a letter dated Aug. 17, 2023.

In the letter, the agriculture department granted the Bainbridges permission to build, saying that the house wouldn't interrupt the use of the property for farming.

The couple applied for approval "to construct a two-story single-family residence with an attached two-car garage, pool, outdoor spa, septic system and leach field, well, electricity installation including buried utility lines and three utility vaults, backup generator with transformer and wood-clad fence, driveway, driveway court, and garage court," according to the Department of Agriculture's letter, written by Commissioner Bryan Hurlburt.

According to a sign at the bottom of the driveway, the house to be built there is designed by Workshop APD, an architectural and design firm with offices in New York; Nantucket, Mass.; Palm Beach, Fla.; and Greenwich.

The Bainbridges did not respond to requests for comment for this story.

In his letter, Hurlburt rolled out the history of the farm property's entry into the Farmland Preservation Program in 1984, then explained that since then, such protections for farmland are far more detailed.

"For your awareness, later deeds contained much more detailed restrictions on the types and sizes of residences permitted on preserved farmland," Hurlburt wrote. "It is likely that this house would not be permitted under our current statutes and deed requirements."

However, he wrote, the house would be allowed, because it was not impacting farmable land.

"The department has determined that the proposed residence does not materially decrease the acreage and productivity of arable land for crops and that due consideration was given to the impact of any decrease in acreage or productivity of arable land upon the total farm operation," Hurlburt wrote.

But after the agriculture department's approval was granted, the Sharon Land Trust filed an injunction to stop work on the property, gaining time to bring their concerns about the land to the Department of Agriculture. A hearing on the injunction was held Sept. 26 in state Superior Court in Torrington, according to Dillon.

"Morris Paley gave up his rights to develop his farmland, and he protected it with the clear intention of protecting it for agriculture," Dillon said, during an interview Sept. 27. "The easement was ground-breaking at the time, because it was one of the first transfer of development rights easements in the state.

"Today, when we write one of these easements, it's very exact. It's very precise. There was a lot of interest in large-scale development in the 1980s, for golf courses, houses ... in the easement; it says a percentage of the property can be developed for agricultural purposes, and that buildings should be related to agriculture. That's not what's happening here," she said.

If an easement for the Paley Farm were written today, "we wouldn't even be talking about it," Dillon said.

"It wasn't written in as airtight a way as they are now," she said. "It's a loophole, essentially. They think they have a right to do this, and we think the Department of Agriculture should protect it. But once the DOA gives approvals, local zoning has no say in upholding the easement (for developing the property). It's all on the DOA."

For now, the land trust is waiting on the judge's decision on whether the land's owners, the Bainbridges, should be allowed to continue with their development plans.

Protecting Sharon's sweeping views and hillsides, she said, is incredibly important. Sharon is one of the largest towns in Connecticut, "geographically, with the lowest population, and there's a lot of land," Dillon said. "We're doing our best to protect it."

CT spent \$300,000 to save farmland, now a luxury home is being built, official says

By Emily M. Olson – NHR - Oct 8, 2024

SHARON — While Department of Agriculture Commissioner Bryan Hurlbut's ruling on a luxury home being built on protected Connecticut farmland might be considered the end of the story, the Sharon Land Trust isn't done yet. "We're saying this decision was made in error," land trust president Jennifer Dillon said.

But before she and fellow members can go any further, they must prove they have the proper "standing" to object to the development, meaning that there is a direct connection between them and the impact of the farmland's use. "This is a property that was paid for by Connecticut taxpayers dollars to protect it," Dillon said. "Now, it's becoming someone's lawn, house and driveway."

The land trust gave testimony to the DOA in late September in state Superior Court in Torrington about protecting the former Paley Farm, which was designated for agriculture in 1984 by the Farmland Preservation Act. "As a neighbor, we have standing," Dillon said, adding that the community's and the land trust's investment to save the last open spaces in Sharon give them the right to object. That's particularly because some of the preserved land surrounds the old Paley Farm land, she said. "Another possibility is that we were an interested third party regarding the status of this land when it was first protected," Dillon said. "We're trying to get more people involved; to write letters to the department, and to our state representative, Maria Horn."

The former Paley Farm, a 187-acre property on Millerton Road in Sharon that was once owned by the late Morris Paley, became part of the state's Farmland Preservation Program through the DOA in 1984. Paley wanted the land's development rights to stay agricultural, and sold those rights to the state DOA for \$300,000, with assurances that the farm would remain in use only for agriculture, according to documents filed with the state.

Paley continued to farm on the land before he died in 2010. After the property changed hands several times, it was purchased in 2022 by David and Liza Bainbridge of Rye, N.Y., who received local building department approvals to build a house there. The couple had first applied to the DOA to build the house in November 2022, according to a letter dated Aug. 17, 2023. The Bainbridges did not respond to a request for comment.

When the development project began, a driveway was built from Millerton Road to a site above it on the former farmland, where a foundation for a house has been poured. A sign at the bottom of the driveway indicates the architectural firm that is designing the house.

In the letter, written by Hurlbut, the DOA granted the Bainbridges permission to build, saying the house wouldn't interrupt the use of the property for farming. The couple applied to the DOA "to construct a two-story single-family residence with an attached two-car garage, pool, outdoor spa, septic system and leach field, well, electricity installation, including buried utility lines and three utility vaults, backup generator with transformer and wood-clad fence, driveway, driveway court, and garage court," according to the letter. Dillon said the DOA decision-making process in this case was not public.

"We just want to find out if a statute was misapplied, but the commissioner (Hurlbut) decides, after he reviews it," she said. "There's no public hearing or anything. The process is opaque."

\$5.8 Million Water Tower Dedicated In Derby

Valley Independent Sentinel - by Jean Falbo-Sosnovich - Oct 10, 2024

DERBY – At the entrance to the high school/middle school campus, elected officials and employees of the Regional Water Authority used seltzer water to christen a 1 million gallon water storage tank on Thursday.

The move marked the end of a controversial story in Derby – where to put the 57-foot tall tower. Officials said the tower is needed to supplement water pressure and fire suppression in west Derby, a densely populated area that is also home to Griffin Hospital, one of the project's chief advocates.

But it took 13 years, three administrations and a lawsuit to get to Thursday's ceremony.

Regional Water Authority (RWA), the water tank's owner, originally wanted to put the tower on private land at the top of "Telescope Mountain" off Summit Street.

Neighbors opposed the location in 2011 and 2012, and so did then-Mayor Anthony Staffieri.

The RWA went back to the drawing board, and came back with a new location – off Nutmeg Avenue in the woods next to the Derby High School/Middle School entrance on Chatfield Street.

Mayor Richard Dziekan supported the new location, along with the Derby Fire Department.

The Derby Board of Aldermen/Alderwomen and the water company worked out a deal in 2018 in which the city leased city-owned land (about 2 acres) for \$1 a year for 99 years so RWA could build the tower.

A resident said a deed restriction prevented the tower from being located on the property, which is across from the entrance to Osbornedale State Park, where such development is prohibited. The resident tried to get a judge to stop the construction, but wasn't successful.

The background was water under the bridge on Thursday. Officials stressed the tower provides more reliable and better service for RWA's 13,000 customers in the area.

The project cost \$5.8 million. Construction began in July 2022 and was completed in December 2023. Guerrero Construction of Oxford served as the general contractor for the project, and DN Tanks and Tighe & Bond, both from Massachusetts, served as tank contractors and consulting engineers, respectively.

Sunny Lakshminarayanan, RWA vice president of engineering and environmental services, said the finished project represents much more than just a tank full of water.

"As we formally dedicate this new water tank today, let us remember that it is not just a large structure filled with water," he said. "It is a beacon of our collective efforts to make the necessary investments in the water infrastructure to ensure our communities continue to thrive."

Derby Fire Commissioner Gary Parker said the additional water storage will be beneficial to the fire department and the citizens it serves.

"Historically on this side of town, there's been issues with the water pressure," Parker said. "I'm not aware of any cases where we've (run out of water), but we've had to put extra pumpers on to pump the water to where we need to go. This tower takes that need away."

Former Mayor Dziekan was also on hand for the dedication. He was glad to see the project finally come to fruition.

"We have a great piece of equipment for the westside of Derby servicing 13,000 homes and businesses, servicing Griffin Hospital with better water pressure and volume for years and generations to come. And with the added benefit for the fire department, I think people can sleep a little better knowing there's more water in the area," Dziekan said.

Following the speaking presentation of the ceremony, city and RWA officials grabbed some pressurized bottles of seltzer water, aimed it at the tower and squeezed the handles to officially christen the massive structure.

Derby Mayor Joe DiMartino said the dedication marked a significant milestone for Derby.

"This new water tank represents a promise to our residents that we are dedicated to meeting their needs today and for generations to come," DiMartino said. "Water is the center of our community. It sustains our families and supports local businesses, including Griffin Hospital and our firefighters."

A 57-foot tower in a spot that used to be woods is pretty visible.

The Valley Indy asked an RWA official if a city or school logo or mural of some kind could be painted on the tower. However, RWA engineers don't allow such projects due to maintenance issues and costs.

What's ailing America's oaks? Annual acorn count helps take pulse of CT's forests

Connecticut Public Radio | By Jennifer Ahrens - October 24, 2024

J.P. Barsky is really passionate about trees.

"We have a number of challenges in our forest. A lot of people just see a giant green wall of things and think that everything is fantastic, when in reality, it's not," Barsky, an agricultural research technician with The Connecticut Agricultural Experiment Station, said.

It's his job every year to find out how Connecticut's oak trees are reacting to environmental stressors, like droughts or the invasive spongy moth.

He does it by conducting what he calls "the sore neck challenge," looking up and counting the acorns on hundreds of oak trees across Connecticut.

One of Barsky's survey spots included a hill at the edge of Sleeping Giant State Park in Hamden where he gathered data on several trees.

"I'm looking up into the canopy through my binoculars and counting the number of acorns that I can see in 30 seconds," he said.

The last two weeks of every August, Barsky travels all over the state and stops at nearly 600 oak trees to conduct the annual count. The data is not just important to determine if deer, bears and wild turkeys will have a plentiful food source in the fall; Barsky said it can paint a picture of how the trees are responding to stresses from defoliation and disease.

"What I'm also doing is getting a qualitative estimate of what percent of the canopy is carrying acorns. So I'm getting the quantitative data that is a useful hard number, as well as the more subjective qualitative data," he said.

While Barsky has only been conducting the annual survey for a few years, the state project has been going on for nearly two decades. The Connecticut Agricultural Experiment Station started counting acorns annually in 2007 to evaluate how wildlife populations respond to years when acorns are plentiful, versus scarce.

"They [acorns] drive a number of other ecological processes for small mammals, bird populations, insect populations — a number of insects feed on acorns — and so counting them gives a great picture for other ecologists to do their research work," Barsky said.

He surveys the same trees every year and if one dies, Barsky looks for another in the same vicinity.

Connecticut is one of several eastern states which conducts an annual acorn survey.

"That helps land managers determine whether they should have a forest harvest or not," he said.

Red oaks boom, white oaks bust

Forester and researcher, Joseph Barsky of the Connecticut Agricultural Experiment Station, explains the minor differences in oak tree leaves at Sleeping Giant State Park in Hamden. August 20, 2024.

This year's survey showed red oak trees had a bumper acorn crop.

Nearly 87% of red oaks produced acorns compared to a historical average of about 60%.

Barsky said he was surprised by the result. Red Oaks produce acorns on a two-year cycle. So he thought the hard frost in May 2023 would have negatively impacted the trees' ability to produce acorns this year, but it didn't.

Another result that puzzled Barsky, is the lack of acorns produced by white oaks, which go from pollination to fruiting in one growing season.

"I thought, this year, the flowering time in late May was really ideal for white oak trees," he said.

But that did not translate into a large number of white oak acorns.

By the end of Barsky's two week survey, he determined only 9% of white oaks produced acorns.

He said this year's results are becoming a disturbing trend.

"What I've seen is about 10% of the white oak trees have not had an acorn observed during the study period, which is really remarkable," Barsky said.

It's not just a Connecticut phenomenon. There is growing concern about the lack white oak saplings in the entire country. That's a real problem for the wine and whiskey industry, which relies on barrels made from white oak trees because they contain a crucial physical characteristic called "tyloses," which can make barrels watertight.

"If we don't have white oak coming for our next future forest, their industry is going to be really struggling to perpetuate itself," Barsky said.

So, a collection of private and public groups teamed up several years ago and launched the White Oak Initiative to promote the growth of future generations.

Barsky said it's hard to figure out why white oaks aren't regenerating because it is likely a multifaceted issue, involving weather patterns, growing conditions, invasive insects and even hungry deer, who feed on saplings, shoots and shrubs closer to the forest floor.

"White oak is a preferred species in the understory for white tailed deer," Barsky said.

As trees die, fewer young ones are repopulating CT forests

It's not just white oak Barsky is concerned about.

"There's not a lot of oak regeneration or even maple regeneration," he said.

The forest is blanketed in a thick layer of leaves, which can make it difficult for acorns and seeds to get to the soil and develop roots, Barsky said.

"Our land use patterns have changed, and we used to have a lot of different firewood harvesting processes for charcoal, and we used to have a lot more of a fire regime in the Northeast and across the country. We no longer have that," he said.

One thing we do have, he said, are invasive plants crowding out native species and invasive insects, which threaten our native trees.

"So all of these things are eating away at the thing that I love very much," Barsky said.

He hopes the data collected every year by his "sore neck challenge" helps find answers to the puzzle of what's ailing America's oaks.

CT's worst drought on record leads to 50 brush fires

WSHU - By Molly Ingram - October 29, 2024

Connecticut firefighters were monitoring around 50 brush fires across the state as of Monday afternoon.

Gov. Ned Lamont said the state is experiencing its worst drought on record, making it extremely susceptible to fires.

He outlined a list of things to avoid to prevent more fires.

"No open flames outdoors, no campfires, bonfires, fire pits, outdoor cooking, until we get that rain, until we get a soaking rain, not a little sample out there," Lamont said. "And if we do that together, we're going to get through what looks like a very flammable last month in the next couple of weeks."

Department of Energy and Environmental Protection Commissioner Katie Dykes said even small Halloween jack-o-lanterns could light a fire.

"We are a state that has a lot of trees, a lot of forests, and a lot of homes and buildings in close proximity to those forests," Dykes said. "So this is why it's important for us to really be mindful. Even parking cars on dry grass can be something that could start a fire."

The biggest fire started in Berlin. Officials believe it was caused by a campfire. On Monday afternoon, it burned about 120 acres of land.

The state's National Guard has dropped over 340,000 gallons of water from helicopters. The last time the National Guard dropped water on a fire in Connecticut was in 1995.