

Representative Policy Board
Land Use Committee
South Central Connecticut Regional Water Authority
90 Sargent Drive, New Haven, CT 06511

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AGENDA

Regular Meeting of Wednesday, April 9, 2025 at 5:30 p.m.

1. Safety Moment
2. Approval of Minutes – March 12, 2025
3. Drone flight updates on RWA properties: J. Tracy
4. Updates on land and RWA properties, including invasive species update
5. Other land items
6. Upcoming Meetings:
 - a. **Joint meeting of Consumer Affairs and Land Use** – Thursday, April 17, 2025 at 5:30 p.m. (FY 2026 Budget Review – All *RPB members are invited to attend*)
 - b. **Next regular Land Use Committee meeting** - Wednesday, May 14, 2025 at 4:30 p.m.
7. Adjourn

****Members of the public may attend the meeting in person or via remote access using instructions at the top of the agenda. To view meeting documents, please visit <https://tinyurl.com/3antbz44>. For questions, contact the board office at 203-401-2515 or by email to jslubowski@rwater.com**

SAFETY MOMENT

YARD CLEANUP TIPS

There are hazards associated with yard cleanups, so take a few minutes to look at these safety tips.

More than 60,000 people are treated in emergency rooms each year for lawn-mower injuries:

- Rake before you mow to prevent any stones and loose debris from launching into the air
- Never operate a mower in your bare feet and avoid wearing loose clothing.
- Never start a mower indoors.
- Refueling your mower, make sure the engine is off and cool. Don't spill gasoline on a hot engine - and DON'T SMOKE while pouring gasoline.
- Never leave your mower unattended.
- Don't use electric mowers on wet grass.

At least 55,000 people each year sustain injuries from trimmers, lawn edgers, pruners and power saws:

- Read the manufacturer's instructions carefully before using the tools.
- Inspect the product for damage and don't use it if there are problems.
- Make sure blade guards are in place on all cutting equipment.
- Don't let tools get wet unless they are labeled "immersible".
- Unplug all tools when not in use.
- Make sure the tool is in the "off" position before you plug it in.
- Wear safety glasses when you are performing tasks when using hand or power tools.
- Use EXTRA CAUTION when working on ladders

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 Regional Water Authority

Representative Policy Board
Land Use Committee
South Central Connecticut Regional Water District
March 12, 2025

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, March 12, 2025, at the South Central Connecticut Regional Water Authority, 90 Sargent Drive, New Haven, Connecticut and via remote access. Chair Levine presided.

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

RPB: R. Harvey, N. Campbell(R), T. Clifford(R), J. DiCarlo(R), C. Havrda(R).

Authority: C. LaMarr(R)

Management: S. Lakshminarayanan(R), V. Benni, J. Hill, C. Savoy, and J. Triana

Chair Levine called the meeting to order at 5:30 p.m. He reviewed the Safety Moment distributed to members.

On motion made by Mr. Horbal and seconded by Mr. Malloy, the Committee voted to approve the minutes of its February 12, 2025 meeting, as presented.

Mr. Savoy, the RWA’s Sr. Project Engineer, provided an update on the Lake Whitney Dam project, which included:

- Historical background
- Project goals
- Challenges and risks
- Evolution and approach
- Permitting
- Early contractor involvement methodology
- Next steps

Committee members discussed high hazard qualifications, lake drainage, permitting challenges and financing opportunities.

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

Reservoir Levels (Percent Full)

	Current Year	Previous Year	Historical Average	Drought Status
February 28	81%	95%	82%	None

Rainfall (inches)

	Current Year	Previous Year	Historical Average
February 2025	3.08	1.60	3.31
Fiscal YTD (6/1/24 – 2/28/25)	29.49	45.42	34.07

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

- Madison – Corresponded with property owner of 24+/- acres.
- Cheshire, Bis property (CH 5) – Received marked up survey from DEEP with comments.
- Cheshire, Moran/Ricci property – Corresponded with DEEP staff about the OSWLA grant for this property.
- Seymour, 56 Squantuck Rd. (SE 5) – RPB approved the disposition application. Jennifer noted the public notice will go into the newspapers on March 3rd.

Rental houses:

- Hamden, 233 Skiff St. (HA 9A) – P&Z approved the re-subdivision application. Corresponded with Juliano about filing the map on the land records.

Forestry Update

- Removed some trees from CAES plots where they were interfering with the growth of study trees.
- Sent out firewood program renewal packets.
- Contacted USFS's grant administrator to inquire about the future of the LSR grant and requested a meeting to discuss said administrator's impending retirement.
- Inspected Menunketuc timber harvest and witch hazel harvest.

Recreation

- Compiled events for the next newsletter.
- Passed along information to permit holders that the causeway at the head of Lake Chamberlain would be closed to vehicular access, but open to horses and people on foot.
- Addressed several complaints about the lock at Lake Chamberlain parking lot.
- Ordered trout for stocking this year and applied to DEEP for the liberation permit.
- Reviewed applications and started interviewing applicants for recreation staff.

	February		January	
	2025	2024	2025	2024
Permit Holders	4,730	4,771	4,775	4,743

Special Activity Permits

- Woodbridge Fire Department (Sean Rowland) – ice water rescue training, Lake Dawson, (2/4/2025).
- New Haven Bird Club (Patrick T. Leahy) – Maintain and monitor bluebird nesting boxes on 7 sites – Downes Road, Bethany, adjacent to Lake Bethany property and field below Lake Dawson dam, Woodbridge, farm field on Sperry Road and Lake Chamberlain below the dam, Lake Watrous, and other properties – (2/1/2025-12/31/2025).
- Branford Land Trust (Tom Cleveland) - Tracking class - Lake Saltonstall woods – (3/1/2025).
- CT Dept. of Energy & Envir. Protection Wildlife Biologist (Dr. Devaughn Fraser) - acoustic monitoring of bats to determine species occupancy of hibernacula and species presence/bat activity in Fall, Spring, and Summer to help inform tree management activities, Lake Gaillard, Lake Saltonstall added 2/26/25 to permit and all have been notified (2/28/2025-2/28/2026).

- A. DiCesare Associates (Clay Carlson)—perform a routine and underwater inspection of the Lake Saltonstall Bridge, contracted by CTDOT to perform the inspection; (3/20/25 & 3/21/25).

Other items

- Encroachments/agreements –
 - Hamden, Booth Terrace (HA 22 and HA 22A) – Signed license agreement to allow extension of lawn over the property line.
 - Guilford, Saw Mill Hill Rd. (GU 12) – Corresponded with licensee about parking a car over the property line.
 - North Haven, 45 Sackett Pt. Rd. (NO 5) – Informed by North Haven wetlands staff that there was an encroachment from 366 Old Maple Rd. and they were issuing a cease and desist order to the owner to remove items from the floodplain.
 - North Branford, Great Hill Rd. field (NB 4) – Reviewed herbicide applications for the field with the tenant.
 - North Branford, hay field (NB 5A) – Notified tenant that spreading manure on frozen ground is not allowed.
- Invasive plants – Treated or documented invasive plant populations in North Branford, Killingworth, and Guilford. CIPWG Invasive Plant Review Subcommittee to discuss language to be used in the invasives bill that will allow for sterile cultivars of Japanese barberry and winged euonymus to be allowed for sale at nurseries.

Invasive Species Documented/ Mapped (ac)	18.5 acres
Invasive Species Treated (ac/MH)	0 acres

- East Haven, Beach Ave. watermain – Received Notice of Insufficiency from DEEP. Discussed responses to DEEP with consultant.
- New Haven, Sachem St. easement – Sent draft easement to Yale to review.
- Hamden, 205 Skiff St. – Met with ACES staff and Murtha staff about the lease to the school. We believe that any amendment to the lease would require DPH and RWA approvals. Asked them to draft a lease amendment for us to review.
- Hamden, Olin Powder Ponds valve – Question came through our Engineering Dept. about a sluice valve next to Treadwell St. Responded through our staff that we did not own the valve and had no information on it since it was not on our property.
- Woodbridge, Laurel Rd. discontinuance – Replied to Woodbridge staff again that we had no objection with the town discontinuing the end of the road that abuts our property (WO 11).
- Hamden, Quinnipiac proposal (HA 17) – Responded to inquiry from university about selling or leasing part of the old tank property.
- Orange, Baldwin Rd. guy wire (OR 4) – Replied to UI staff about getting a license agreement in place for the guy wire.
- North Branford, UI watermain easement – Got draft survey and made comments. Asked surveyor to add a polygon for the easement area. Forwarded to Murtha to get title company's comments.
- Hamden, South Sleeping Giant wellfield – Answered questions about the limits of our easement at the golf course from Engineering staff.
- Land Use Plan – Sent out Introduction section to staff for comments.

- Boundaries – Worked on marking boundaries in Madison, Guilford, Killingworth, North Branford, and Hamden.
- North Branford, Sea Hill Rd. – Emailed and left VM for town engineer to find out the status of Sea Hill Rd. behind the gate. Have not gotten a reply.
- Guilford, Haggarty property – Noted that the monastery bought the field from Haggarty that contains the tunnel access and air release valve.
- North Haven, easement for Whitney/Wintergreen Tank (HA 25) – Assisted GIS with finding easement documents for accessing tank in Hamden from road in North Haven.
- Drone flights – Performed drone flights at the West Pond Tank in North Branford for Engineering staff.

There were no other land items to report.

Chair Levine reviewed upcoming meetings, including:

- a. Finance Committee regular meeting – Monday, April 7, 2025 (FY 2026 Budget Review – *All RPB members are invited to attend*)
- b. Next regular Land Use Committee meeting - Wednesday, April 9, 2025 at 5:30 p.m.
- c. Joint meeting of Consumer Affairs and Land Use – Thursday, April 17, 2024 at 5:30 p.m. (FY 2026 Budget Review – *All RPB members are invited to attend*)

At 6:21 p.m., on motion made by Ms. Young and seconded by Mr. Eitzer, the Committee voted to adjourn the meeting.

Mark Levine, Chair

(R) = Attended remotely.

April 9, 2025
Land Use Committee Meeting

Reservoir Levels (Percent Full)

	Current Year	Previous Year	Historical Average	Drought Status
March 31	90%	100%	91%	None

Rainfall (inches)

	Current Year	Previous Year	Historical Average
March 2025	4.57	9.57	4.34
Fiscal YTD (6/1/24 – 3/31/25)	34.06	54.99	38.42

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

- Madison – Corresponded with property owner of 24+/- acres.
- Cheshire, Bis property (CH 5) – Checked and marked boundaries. Juliano updated survey and property description. Forwarded to DEEP for the OSWLA grant.
- Cheshire, Moran/Ricci property – Received copy of letter sent from Audubon to Town saying they would not give them expected funds for management since a management plan was never developed.
- Seymour, 56 Squantuck Rd. (SE 5) – Notice of the decision was published in the newspapers.
- New Haven, Route 80 PRV – City conveyed an easement for the PRV to be moved to school grounds.

Rental houses:

- Woodbridge, 1029 Johnson Rd. – Corresponded with potential buyer of the property.
- Hamden, 233 Skiff St. (HA 9A) – Tried to file maps on the land records, but was told that Engineer and Planner needed to review and sign. Then told to update property owners to present time.

Forestry Update

- Joshua Tracy was endorsed as an Audubon Forester.
- Met with Landscape Scale Restoration grant manger to discuss his departure, continued funding and reimbursement strategies.
- Submitted a letter of support for a grant proposal developed by Dr. Susanna Kerio to work on a biocontrol for chestnut blight.
- Met with former maple taper at Lake Gaillard and discussed possible Audubon certification of RWA sugarbushes for another taper.

Recreation

- Held star gazing event with astronomical society with about 80 attendees.
- Held two maple sugaring events with about 25 attendees.
- Application sent to DEEP for a bass tournament in June.
- Trout were stocked in Lake Saltonstall by DEEP.
- Continued to review applications and interview applicants for recreation staff. Two people were hired by the end of the month.

	March		February	
	2025	2024	2025	2024
Permit Holders	4,842	4,827	4,730	4,771

Special Activity Permits

- University of New Haven (Dr. Albert C. Nyack) - studying qualitative and quantitative data at different locations along the West River watershed. Lesson entails sampling flow rate, water's width, DO, temperature at the Lake Bethany Dam culvert on the downstream side (3/5/2025 1 PM – 2 PM and 3/6/2025 10 AM – 11 AM).
- Six Lakes Coalition (Dr. Gaboury Benoit) - to use a doppler flow meter to measure discharge leaving the Six Lakes property, Treadwell St., Hamden (3/12/2025-3/6/2026).
- Connecticut Agricultural Experiment Station (Dr. Chris T. Maier, Agricultural Scientist)-Conduct research on insects, particularly longhorned beetles (continuation of 2024 project), and flower flies and to survey for abnormal emergencies of periodical cicadas, Near Lake Gaillard and Totoket Mountain complex (North Branford); near Beaver Head Road, especially Beaver Head Swamp (Guilford); River Road Hamden (3/13/2025-11/30/2025).
- West River Watershed Coalition (Mr. Ron Walters)-hike to the Yale Nature Preserve to discuss regional open space, Maltby Lakes, West Haven (3/23/25).
- Northeast Work & Safety Boats, LLC (Mr. Jack Casey)-inspection of the Lake Saltonstall Bridge I-95 for CTDOT with inspection firm ATANE; (3/26/25 – 3/27/25).
- Stephen Trumbo, Ph.D. (Dept. of Ecology and Evolutionary Biology, UConn Waterbury) - Continue research on the behavior and ecology of burying beetles.- Off Route 42 (near the Cheshire-Bethany-Prospect line) just east of traffic light at Rt.69-Rt. 42 juncture (5/15/2025-9/20/2025).

Other items

- Encroachments/agreements –
 - Madison, 752 Summer Hill Rd. (MA 9) – Found encroachments of equipment and material over the property line. Emailed property owner.
 - Madison, 702 Summer Hill Rd. (MA 9) – Discovered multiple encroachments including vehicles, boat with trailer, antique farm equipment, firewood, storage container, shed, and dumped brush over the property line. Drafted letter to go out in April. Contacted surveyor to find corners again and will install fence.
 - Cheshire, 795 Mountain Rd. (CH 5) – Found several trees girdled by abutter with brush in large piles over the line.
 - Watermain easement encroachments – Discussed further with Murtha staff. Authorized title search to clarify the situation in Branford.
- Invasive plants – Treated or documented invasive plant populations in North Branford. Attended CIPWG Invasive Plant Review Subcommittee to discuss language to be used in the invasives bill that will allow for sterile cultivars of Japanese barberry and winged euonymus to be allowed for sale at nurseries. Issued PO's to land clearing vendor and All Habitat to cut and treat invasives in the Great Hill Rd. field, North Branford (NB 4).

Invasive Species Documented/ Mapped (ac)	10 acres
Invasive Species Treated (ac/MH)	0 acres

- East Haven, Beach Ave. watermain – Replied to Notice of Insufficiency from DEEP.
- Branford, Vaiuso ditch (BR 14) – Assisted Environmental Planning staff with addressing work by Vaiuso in the ditch that drains from his property north of I-95.
- Hammonasset Fishing Association – Discussed beaver management with HFA staff in the area of Nathan's Pond.
- Deer hunt – Sent out applications for 2025 hunt.
- North Branford, UI watermain easement – Got work details from Operations and forwarded to Murtha staff.
- Land Use Plan – RWA staff reviewed North Branford, Saltonstall, and Mill River sections.

- Drone flights – Performed a drone flight for Engineering looking at the pipe bridge that spans under the Quinnipiac River. Performed drone flight over witch hazel harvest.

Attachments

- March 4, 2025 – Supreme Court makes it harder for EPA to police sewage discharges – AP
- March 12, 2025 - Winter was colder than average, but Connecticut still experienced a snow drought – CT Insider
- March 21, 2025 - Boil water advisory issued for certain Branford streets – WTNH
- March 23, 2025 - Penalty in Southbury tree-cutting case could reach \$9M as CT has 'one of the strongest' laws in US – Waterbury Republican
- March 24, 2025 - Invasive tick species being found in more CT counties than previous years, report says – NH Register
- March 18, 2025 - The Rising Demand For Clean Water: Market Trends And Projections – Water Online website

Upcoming Agenda Items

May 2025 - Skiff St., Hamden

Supreme Court makes it harder for EPA to police sewage discharges

By MARK SHERMAN – AP - March 4, 2025

WASHINGTON (AP) — A divided Supreme Court on Tuesday made it harder for environmental regulators to limit water pollution, ruling for [San Francisco](#) in a case about the discharge of raw sewage that sometimes occurs during heavy rains.

By a 5-4 vote, the court's conservative majority ruled that the [Environmental Protection Agency](#) overstepped its authority under the [Clean Water Act](#) with water pollution permits that contain vague requirements for maintaining water quality.

The decision is the latest in which conservative justices have reined in pollution control efforts.

Justice Samuel Alito wrote for the court that EPA can set specific limits that tell cities and counties what can be discharged. But the agency lacks the authority "to include 'end-result' provisions," Alito wrote, that make cities and counties responsible for maintaining the quality of the water, the Pacific Ocean in this case, into which wastewater is discharged.

"When a permit contains such requirements, a permittee that punctiliously follows every specific requirement in its permit may nevertheless face crushing penalties if the quality of the water in its receiving waters falls below the applicable standards," he wrote.

One conservative justice, [Amy Coney Barrett](#), joined the court's three liberals in dissent. Limits on discharges sometimes still don't insure water quality standards are met, Barrett wrote.

"The concern that the technology-based effluent limitations may fall short is on display in this case," Barrett wrote, adding that "discharges from components of San Francisco's sewer system have allegedly led to serious breaches of the water quality standards, such as 'discoloration, scum, and floating material, including toilet paper, in Mission Creek.'"

The case produced an unusual alliance of the liberal northern California city, energy companies and business groups.

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The EPA has issued thousands of the permits, known as narrative permits, over several decades, former acting general counsel Kevin Minoli said.

The narrative permits have operated almost as a backstop in case permits that quantify what can be discharged still result in unacceptable water quality, Minoli said.

With the new restrictions imposed by the court, "the question is what comes in place of those limits," Minoli said.

Alito downplayed the impact of the decision, writing that the agency has "the tools needed" to insure water quality standards are met.

Winter was colder than average, but Connecticut still experienced a snow drought

CT Insider - Tim McGill - March 12, 2025

Meteorological winter wrapped up a couple of weeks ago, and all the climatological data for December, January and February is now in. Those numbers point to a paradox: Winter was colder than average, but Connecticut still experienced a snow drought.

The lack of snow could have significant implications as the state moves into spring and summer.

It was a colder-than-average winter for most of the Northeast. Of the Northeast Regional Climate Center's 35 major sites, 30 were colder than normal during winter. Connecticut's winter had an average temperature of 28.6 degrees, .8 degrees colder than average. Bridgeport ended up just under a degree below average overall, while Hartford was just over a degree above average.

While the winter was certainly cold enough in Connecticut for snow, the season ended with a snow drought. Hartford finished winter with just over 17 inches of snow below average. Bridgeport came up nearly 7 inches below average.

Most of the Northeast region experienced a snowfall shortage. Just over 71% of the region's 35 major sites came up short for winter snowfall.

Despite a fairly steady succession of major winter storms parading across the country, Connecticut and most of the Northeast were relatively unscathed. The Arctic outbreaks that fueled most of the storms penetrated the U.S. deep enough to steer most of the storms to the south of Connecticut. Pensacola, Florida had more snow in January than Hartford, Bridgeport, Norwich and New Haven.

"The concern with the lack of snow again, similar to last winter, is the risk of any significant dry period could lead back to the same scenario, late summer and early fall stress on crops and the fires that broke out," said Paul Pastelok, AccuWeather lead long-range expert meteorologist. A significant dry period is two to three weeks of much-below-average precipitation.

"Roots are not as strong, and stress from the lack of deep moisture from snow pack early in the year," Pastelok said. "The fire season this spring is a low to moderate risk. The second fire season will have to be watched for any dry periods that form later in the summer and fall again."

The state's fire season is right around the corner. Dry weather last fall brought an unusual fire risk to the Northeast. At one point last October, more than 100 wildfires were either active or being monitored in Connecticut.

Climate Central, an independent group of scientists and communicators who do research and report their findings on the impacts of Earth's changing climate, analyzed more than 2,000 U.S. locations to see their snow trends. Nearly two-thirds (64%) of them now receive less snow than they did compared to the early 1970s.

Winter snowfall has also been shrinking in many locations in Connecticut, according to the National Weather Service. Bridgeport has seen an average of just over 27 inches of snow per winter over the past 10 years. In the 20 winters prior, when there were records available, Bridgeport was averaging 38.5 inches.

Hartford has been averaging just over 36 inches of snow each winter over the past 10 years compared to just over 43 inches over the 20 winters prior that had climate records available.

"This marks four winters in a row with below-average snowfall," Pastelok said, referring to Hartford. The last three, including this winter, have been between 45-50% of the historical average. The 2021-22 winter season was 60-65% of average."

"The multi-billion dollar winter recreation industry is an important part of the regional economy and culture," according to Climate Central's National Climate Assessment report. "The industry already takes an economic hit during low snow years, and future emissions scenarios suggest that the winter recreation season is likely to become shorter and smaller throughout much of the Northeast as winters continue to warm."

Winter is the fastest warming of all the seasons for most of the country, according to Climate Central. The warming the Northeast winters have experienced over the past more than half a century has disrupted snowfall patterns. This winter was colder than average, something that will become more of a rare feat in the future.

Boil water advisory issued for certain Branford streets

by: [Jareliz Diaz](#) – WTNH - Mar 21, 2025

BRANFORD, Conn. (WTNH) — The Regional Water Authority issued a precautionary boil water advisory for certain streets due to a 20-inch main break on East Main Street in Branford Friday morning.

Officials said the water main break has caused a loss of water pressure in surrounding areas.

The streets with a boil water advisory include:

- Damascus Road
- Deforest Drive
- Frank Street
- Gay Lea Drive
- Indian Woods Road
- Knollwood Drive
- Limewood Avenue
- Marks Court
- Meadow Circle Road
- Patrick Lane
- Pine Orchard Road
- Totoket Road
- Windmill hill Road
- Woodvale Road

Customers in the affected area should boil all water, including when brushing their teeth, washing dishes, and preparing food.

Officials said no water quality issues have been detected.

Water service has been restored at approximately 12:15 p.m., according to the North Branford Fire Department.

The advisory will remain in effect until water quality tests assess the safety of the water, officials anticipate this to take roughly 24 hours.

Penalty in Southbury tree-cutting case could reach \$9M as CT has 'one of the strongest' laws in US

By [Paul Hughes](#), Staff Writer - March 23, 2025 – Waterbury Republican

SOUTHBURY — A [Southbury couple being sued](#) for the cutting, felling or topping nearly 140 trees on neighboring town-owned open space land are potentially facing a \$9 million judgment for restoration costs and penalties under a 2006 law that was enacted to increase the price for violating preserved lands for trespassers.

The town is asking a state judge to order [Alan and Teresa Salzman to pay \\$1.5 million](#) to cover the cost of replanting and restoring the damaged landscape and quintuple damages pursuant to the anti-encroachment law designed to protect lands owned by the state, municipalities and nonprofit land conservation organizations. The town is also seeking up to [\\$7.5 million in damages](#).

Alan Salzman declined Friday to comment on the legal action that is pending a decision following a bench trial in state Superior Court in Waterbury that concluded Feb. 20.

The town's lawsuit is alleging the Salzmanns paid a tree crew to cut, top and fell 138 trees on a 40-foot-wide, 100-yard-long swath of town-owned open space land leading down to Lake Lillinohah to improve the view of the man-made lake on the Shepaug River from their overlooking \$1.1 million two-story, Colonial-style home with a rooftop deck and windows. The Salzmanns are contesting the town's allegations.

The combined potential \$9 million verdict in the Southbury case puts in the shade the [court-ordered \\$67,500 fine the owner of the Goodspeed Airport in East Haddam](#) paid 20 years ago for a clear-cutting incident that helped to spur passage of the 2006 law increasing the protections for preserved lands and the penalties for trespassing on them or causing damage to them.

How much the Salzmanns might have to pay if a judgment is entered against the couple could be considerably less depending on how Judge Joseph Pellegrino rules. He set a March 31 deadline for attorneys for both sides to submit post-trial briefs on the 2006 law.

'Open season on open spaces'

Previously, state law had required penalties for trespassers found liable for illegal tree cutting to be based on timber values. With certain species, the worth of standing trees or wood could amount to very little, and, according to conservationists like Lori Brown who pushed for the 2006 changes, the accompanying deterrent value of any fine.

"Even the penalties now are nothing compared to what they should be. If you're wealthy, you can do whatever you want," said Brown, the president of the Connecticut chapter of the League of Conservation Voters.

Keith Ainsworth, a land-use and environmental attorney, said under the previous law that it was "open season on open spaces" because the value of enhancing a vista for trespassing property owners was so much greater than potential penalties to be paid, particularly if they were wealthy and could afford the fines. He said it came down to an economic calculation in many cases.

"If I cut these trees, I can get my view to the river, to the lake, to the ocean and increase my property value by hundreds of thousands of dollars, and I only had to pay a few thousand dollars for it. Even if I know I am absolutely doing something wrong, it is my economic interest to do that, and that, of course, makes for open season on open space," Ainsworth said.

While encroachments on preserved lands continue to be a frequent problem today, Amy B. Paterson, executive director of the Connecticut Land Conservation Council, said the 2006 law has worked to restore damaged landscapes and hold intentional and unintentional trespassers accountable.

"That statute is one of the strongest, if not the strongest, encroachment law in the country, and it is quite effective as a deterrent," Paterson said.

Ainsworth largely agreed with that assessment. He estimated that he has filed between 40 and 50 lawsuits on behalf of clients under the 2006 law.

"It is the most potent environmental statute that exists on the books. Period, bar none," Ainsworth said. "Does it have a deterrent effect? Most people don't know about it, and so what is happening is it's holding people accountable."

He said most legal actions invoking the 2006 law are settled out of court. "I can tell you having done 40 or 50 of these cases I have only had to try two of them," Ainsworth said.

He said he was aware of only four cases that have been litigated since the law took effect on Oct. 1, 2006.

Paterson said land trusts are able to frequently settle encroachment cases once trespassing property owners are made aware of their illegal intrusions and the potential costs for restoration and damages under the 2006 law.

"Some of the cases are settled through a note from the attorney advising the encroaching landowner and their attorney of the statute and the repercussions of the encroachment," she said. "Sometimes, of course, it has to go further. It has to go to court."

Goodspeed Airport owner cut down 340 trees

In the seminal East Haddam case, airport owner Timothy Mellon cut down 340 trees on 2.5 acres of land owned by the East Haddam Land Trust and The Nature Conservancy in December 2000 to allow safe passage of incoming and outgoing planes.

[A complicated legal case](#) ensued involving Mellon, the two land conservation groups, the town and the then-state Department of Environmental Protection.

Ultimately, the state Supreme Court in 2005 upheld the trial court's ruling that Mellon was liable. The justices also found the trial court properly rejected requests that Mellon be required to restore the land to its original condition and the court impose fines sufficient to cover the restoration costs because the controlling state statutes at that time did not provide for such remedies.

In the end, Mellon was ordered to pay \$17,500 in damages to the town. The trial court imposed a fine of \$500 per day for violating the state Inland Wetlands and Watercourses Act up to the maximum 35-day period allowed under state law then. This was half of the maximum daily fine of \$1,000 under the law.

In addition, the court ordered Mellon to pay \$50,000 to the DEP to support an academic or government-funded research project related to environmental protection or conservation of natural resources.

In addition to damages, the Supreme Court also ruled that the town and the land trusts were not entitled to attorney's fees.

Environmental advocates and state legislators frequently cited the Goodspeed Airport case in the legislature's 2006 deliberations on increasing the protections for preserved lands and the penalties for encroachment.

Another incident that was cited in the 2006 debate occurred in Farmington. The owner of a new subdivision cut down eight trees on an adjacent preserve owned by the Farmington Land Trust.

Brown, the state president of the League of Conservation Voters, was a land trust member at that time.

"You could see where all the trees had been cut, and they had a big, thick tree that had a land trust sign on it, and it was cut right above the sign," she said.

The Farmington Land Trust filed a criminal complaint. Farmington police investigated and identified the developer as the culprit, but state prosecutors declined to prosecute. This left the land trust to pursue a civil remedy.

The state Council on Environmental Quality recounted in a 2005 report that the Farmington Land Trust hired an attorney and environmental consultant who estimated the cost of restoring the property to be \$120,000.

State law at that time only permitted treble damages. The market value of the severed wood was estimated to be less than \$400, according to the report. "The neighboring landowner almost certainly gained many times that amount in land value because of the enhanced view," the report said.

Madison and Lyme cases

[The Madison Land Conservation Trust](#) won a state Superior Court judgment against a neighboring property owner for illegally cutting down seven 90 to 100 year old trees and clearing brush on open space land it owned in the Hammonasset Watershed in spring 2016.

The parcel was part of a larger open space corridor on the west side of the Hammonasset River that the land trust assembled as buffer to protect the Hammonasset River and Long Island Sound. The property owner believed that he owned the strip of preserved land when he clear cut it.

The judge awarded the Madison land trust \$22,000 in restoration costs and \$28,610 in attorney fees and court costs, but the court declined the land trust's request to impose multiple damages under the 2006 law.

Ainsworth represented the land trust. Citing the property owner's willful ignorance, he had requested a penalty of 1.7 times the restoration cost, according to court filings. The damages would have added up to \$37,400. Consultants for the land trust had estimated a restoration cost of \$28,000.

The Lyme Land Conservation Trust had won a \$650,000 judgment under the 2006 law from a property owner who landscaped a meadow in 2007 on open space land that it owned. The trial court ordered Beverly Platner to restore the property and pay \$300,000 in attorney's fees and \$350,000 in punitive damages after determining her actions were willful and caused great damage.

The state Supreme Court in 2017 ordered the trial court to recalculate the damages after Platner had appealed that decision. Platner successfully appealed a second time after the trial judge declined to recuse himself after the case had been remanded.

In the second appeal, the Supreme Court directed that the damages and attorney's fees awarded to Lyme land trust be recalculated by a new judge. Court records show that a stipulated judgment was entered in June 2022, but that judgment was not accessible from the Judicial Department's online case lookup system.

BNE Energy sued by Canaan nonprofit

A three-judge panel of the state Appellate Court in 2016 turned back an appeal from the Berkshire-Litchfield Environmental Council over the clearing of 30 trees on 2.5 acres in the Canaan Mountain Wilderness Natural Area Preserve.

The Canaan-based nonprofit had sought to invalidate a consent order that the state Department of Energy and Environmental Protection and BNE Energy Inc. negotiated after the West Hartford-based wind turbine maker over the incident. It complained that the consent order did not seek damages from BNE.

BNE cut the trees down to place a device on the land to measure wind speeds because it was hired to see if a wind turbine on private property could generate enough electricity to power a farm. The company relied on a survey map that the state Department of Agriculture had commissioned in 1987, according to the consent order.

The trial court dismissed the court challenge from the environmental group because it failed to allege specific instances of environmental harm the consent order caused. The judge noted the consent order required BNE to have a new survey done, establish a new boundary line, monitor the 2.5-acre parcel through 2016, and pay \$10,000 to DEEP to finance environmental research.

In its ruling, the three-judge appellate panel determined the trial court made the correct determination, calling the judge's 30-page ruling thoughtful and well-reasoned.

BNE subsequently established the first wind farm in Connecticut atop Flagg Hill in Colebrook. Two of the three planned turbines started operating there in October.

Ainsworth, the land-use and environmental attorney, said state officials determined to treat the tree-cutting incident as an enforcement case and negotiate a consent order, as opposed to filing a lawsuit seeking restoration costs and damages under the 2006 law.

"The numbers would have been so astronomical that the company would have gone bankrupt and they wouldn't have been able to collect it any way. So, they had to cut a deal. At some point, you may never get the money back," he said.

Lamont fined for tree cutting

Ainsworth said the town of Greenwich could have used the 2006 law to pursue damages against [Gov. Ned Lamont and neighbors](#) for having a tree crew illegally cut down 180 trees in a protected wetland in town in November 2023.

[The town's Inland Wetlands and Watercourses Agency](#) ordered Lamont, his neighbors and the Ashton Drive Association to replant 180 trees and thousands of bushes that were chopped down, and Lamont agreed to pay the cost. Lamont and his neighbors were each fined \$1,000.

The tree cutting crew also crossed over a property line and felled trees on land owned by INCT LLC, an entity associated with Access Industries, an international conglomerate founded by billionaire Len Blavatnik. Ashton LLC, another entity associated with Access Industries, is part of the Ashton Drive Association.

The town investigation found there was no clear-cutting on Lamont's and his neighbor's land, but that there was clear-cutting on the shared, open land owned by the Ashton Drive Association.

Both sides submitted hundreds of photos, analyses, maps, diagrams and other documents to the Inland Wetlands and Watercourse Agency as they argued for their preferred replanting plan.

Ainsworth said Greenwich officials could have sued for restoration costs and damages under the 2006 law, but choose the local enforcement option. He speculated the cost and the time involved in litigation played factor in the town's decision-making.

"Municipalities usually don't fight big battles. They try to resolve things because they don't want to spend money on legal disputes. They like to keep their legal budgets as low as possible. But the town absolutely had the ability to enforce that if they wanted to more aggressively," he said.

Brown, the state president of the League of Conservation Voters, said she thought Lamont, his neighbors and the neighborhood association got off easy. She said the case also demonstrated challenges of enforcement actions concerning encroachments on preserved lands.

"Just look what the governor did," Brown said. "The battle that ensued had to do with, well gee, how wide were the trees, how big were they considered to be. You can really tangle up in the details on that."

AG Tong suing Meriden developer

Attorney General William Tong just [sued a Meriden developer](#) for illegally encroaching on Lamentation Mountain State Park on the border of Meriden and Berlin.

A lawsuit filed in state Superior Court in Hartford alleges Carabetta, a property development and management company, illegally clear-cut acres of state forest and unlawfully built numerous fixtures on state property, including a guest house, a basketball court, two sheds, an animal shed, an asphalt driveway and a drainage system with runoff into the state park.

The lawsuit also claims Carabetta took additional measures to prevent public access to the state park lands, including padlocking the access road with large "Private No Trespassing" signs affixed to state park trees, according to the lawsuit.

Carabetta ran into opposition last year when he unsuccessfully sought the legislature's approval to [purchase 2.7 acres of the park land](#) in question. DEEP Commissioner Katie S. Dykes told the Government Administration and Elections that selling the land to Carabetta at fair market value with no penalties would undermine the 2006 anti-encroachment law.

The Democrat-led committee voted 12-7 to recommend approval, with state Sen. Mae Flexer, the committee's Senate chairwoman, and two other Democrats voting with committee Republicans against the bill. The legislation died after advancing out of committee.

Carabetta has yet to respond to the lawsuit that Tong filed on March 10.

Invasive tick species being found in more CT counties than previous years, report says

By [Josh LaBella](#), - NH Register - March 24, 2025

Two [invasive species of ticks](#) — [the lone star tick and the long horned tick](#) — were found in twice as many Connecticut counties in 2024 than they were in previous years, officials say.

The Connecticut Agricultural Experiment Station announced in a news release Monday that researchers at its Center for Vector Biology and Zoonotic Diseases have released findings from the fifth year of the statewide active tick surveillance program.

Officials said more than 4,000 ticks were collected from 40 publicly accessible locations across all eight Connecticut counties during the spring, summer, and fall of 2024. Those ticks were then tested for pathogens [that can cause diseases in humans](#).

While [the most common tick](#) collected was the blacklegged, also known as a deer tick, officials said, longhorned and lone star ticks were found in Fairfield, New London, Middlesex and New Haven counties.

Those species were only detected in New London and Fairfield Counties when surveillance began in 2019.

"The spread of lone star and longhorned ticks in Connecticut, along with increasing blacklegged tick populations, highlights the importance of continued tick surveillance," Dr. Megan Linske, a vector ecologist specializing in tick-host-habitat dynamics at CAES, said. "Residents should take routine precautions and check for ticks after being outdoors."

To minimize exposure to tick bites and reduce the risk of tick-borne diseases, officials encouraged residents to:

- Stay on established trails and avoid bushy or wooded areas.
- Conduct routine tick checks after outdoor activities.
- Wear long sleeves, pants, and light-colored, tightly woven clothing.
- Tuck pant legs into socks when hiking in tick habitat.
- Wear permethrin-treated clothing to repel and kill ticks

The Rising Demand For Clean Water: Market Trends And Projections

By Mayur Gunjal – Water Online website – March 18, 2025

The [global water market](#) is poised for significant growth between 2021 and 2031. Water, a fundamental necessity, has become a critical product across both residential and commercial applications. Depending on specific requirements, water is utilized for various purposes, making it an indispensable commodity worldwide.

While the COVID-19 pandemic adversely impacted multiple industries, it served as a catalyst for growth in the global water market. The rising number of cases prompted consumers to prioritize clean and safe drinking water, leading to increased demand and subsequent market expansion. This trend is expected to continue even in the post-pandemic era, as consumers remain conscious of the importance of high-quality water.

Trends And Opportunities

Several factors are driving the growth of the global water market. The demand for clean, nutrient-rich water remains a key driver. Additionally, the increasing need for desalination plants, wastewater treatment, and water reuse establishments is creating lucrative opportunities for market players.

Innovative packaging solutions are also contributing to market expansion. The adoption of aesthetically appealing and eco-friendly packaging techniques is attracting consumers and boosting product sales.

Government initiatives focused on raising awareness about water safety and providing financial support for research and development efforts are further fueling market growth. Other contributing factors include rapid urbanization and rising disposable incomes, which are encouraging increased water consumption across various population segments.

The offline distribution channel remains the dominant revenue generator in the market, as consumers prefer purchasing water bottles from supermarkets and hypermarkets. However, with the rising prominence of e-commerce platforms, online sales of bottled water are expected to grow, contributing further to the market's expansion.

Competitive Landscape

The global water market is highly competitive, with several well-established companies holding significant market shares. These players have gained success through consistent performance and innovation. Key strategies such as new product launches, research and development initiatives, and collaborations with smaller firms are expected to enhance market positions.

Research and development activities are projected to be crucial for revenue generation, as companies strive to offer superior and sustainable water solutions. Partnering with emerging players may also help industry leaders expand their market presence.

Some of the leading companies in the global water market include Xylem Inc., The Danaher Corporation, ITT Corporation, and American Water. These firms are actively investing in advanced technologies and sustainable practices to maintain their competitive edge.

Regional Assessment

The global water market is segmented into five key regions: North America, Europe, Asia Pacific, the Middle East and Africa, and Latin America.

Asia Pacific is expected to dominate the market, driven by rapid urbanization and industrial expansion in countries like India and China. The growing need for clean water in these nations is significantly contributing to market growth.

Europe is anticipated to witness strong growth, particularly due to rising bottled water consumption in Germany and the UK. Similarly, North America is projected to experience steady expansion, supported by increased demand in the utilities sector across the U.S. and Canada.

Meanwhile, the Middle East and Africa, along with Latin America, are expected to register moderate growth, influenced by infrastructure development and [evolving water management strategies](#).

Conclusion

The global water market is on a promising growth trajectory, driven by increasing consumer awareness, technological advancements, and government support. As key players continue to innovate and expand their offerings, the market is set to witness sustained demand and new opportunities in the years ahead.