

## REPRESENTATIVE POLICY BOARD

### PUBLIC HEARING

*(Disposition of Beech Street, North Branford, Connecticut)*

SEPTEMBER 28, 2023

### PUBLIC HEARING TRANSCRIPT

Charles:

Good evening everyone like to open this public hearing.

The first thing I'd like to announce is that we are operating remotely and we'd really like to keep the background noise down because we're not sure of the equipment to cd, so keep that down, I appreciate it, maybe the folks at home can mute theirs so that we don't have any unnecessary background noise.

Another thing I would like to remind everyone is that this evening we are being recorded. The first item of business, I will read the notice of the public hearings.

Representative policy board of the South Central Regional Water District will hold public hearings to consider the South Central Connecticut Regional Water Authority's application for the disposition of number one, 17.22 acres located west of Beech Street in North Branford, and two, 19.462 acres located north of Poms Lane in North Branford.

The application, public hearings will take place on Thursday, September 28th, 2023 at 7:00 PM. Members of the public may attend the meeting in person at North Branford Town Hall Chambers 909 Foxon Road, North Branford, Connecticut, or via remote access.

For information on attending the meeting via remote access and to view the application and accompanying information, please go to <https://tinyurl.com/mu6vxn53>.

The public hearings are being held pursuant to the sections 10 and 18, the Special Act 77-98 as amended. All users of the public water system of water supply system, residents of the Regional Water district, owners of property served or to be served, and other interested persons shall have the opportunity to be heard concerning the matters under consideration. Questions may be submitted in writing to the board office by emailing [jslubowski@rwater.com](mailto:jslubowski@rwater.com) or by calling 203 401 2515. Robert Harvey, Jr., Chairperson, Representative Policy Board, South Central Connecticut Regional Water District, 90 Sargent Drive, New Haven, Connecticut.

Okay, the procedures for this evening's hearings are as follows: first of all, anyone that is either speaking or public, we had a signup sheet. I think we have everybody that's here this evening. I don't plan on setting any time limits, but as far as speaking this evening, but please be considerate of each other's time As far as repetitiveness, that type of thing. Anyone that will be offering testimony will be sworn in, they will be asked to state their name, residence and business affiliation, if any and may be subject to questioning by the presenting member or members of RPB. Members of the public will be given the opportunity to ask questions at the end of the public hearing and are not required to be sworn in.

Just so you understand this hearing this evening is for two properties and what we plan on doing is presenting the first property, I think it is Beech Street, we'll present that first, go through all the questions and comments and then proceed to present Poms Lane, okay? We ask that all members who will testify to identify themselves by name, home address and organization, those present rise, raise their right hand, those attending remotely raise their right hand to be sworn in.

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Okay, do you solemnly and sincerely swear or affirm and declare that the evidence you shall give concerning the case now in question shall be the truth, the whole truth and nothing but the truth upon the pains and penalties of perjury or false statement?

John:

Yes.

John:

John Triana for the Regional Water Authority, you can begin the first presentation, I believe.

John:

Yes. So introduction. My name is John Triana. I am the Real Estate Manager for the Regional Water Authority. I'm here to present the property disposition application for Beech Street. I will start off the part of the name of the legislation that speaks to dispositions. Section 18 of the Special Act 77-98 requires RPB approval for all land dispositions. In this instance, no land use plan amendment was needed because this property, this parcel and two others near it were approved for disposition of the RPB in 2001 and 2011. At that time the market was very different. I'll go into those details. Each land use plan amendment is needed at this time because these properties have gone through specifically the purpose of today is to really change the asking price and to work with a deal where we've been working with the North Branford Land Conservation Trust in order to sell them the property.

So the details of this parcel, it's part of Land Unit NB 4, which is the large parcel that includes Lake Gaillard. It's 17.22 acres. The parcel is completely unapproved and is all raw land is Class III land completely off the public water supply watershed. And this is all part of the 2007 initiative, The Land We Need for the Water We Use where we plan to sell 900 or so acres and use those proceeds to buy 3000 acres that are the 900 acres that are off the watershed in order to buy 3000 acres that are on the watershed.

So the disposition objectives for this is to reduce PILOT and maintenance costs and the application you will have read that PILOT for this is very small, it's only about \$50 per year, but the maintenance for it is estimated to be about \$50 per acre. So it comes out to be \$850 more or less so a total of \$900 per year that we would be saving. We minimize future water rate increases attributed to future borrowing and we generate funds for watershed purchases. As I said, this is part of The Land We Need for the Water We Use program and to protect any outstanding natural areas and preserve important ecological functions. This is all raw land. There's some wetland soils on this as well. So conveying it to the North Branford Land Conservation Trust will be in the land's interest and in the Water Authority's interest. The preliminary assessment that was done by Beth Evans in May of 2022 as part of the application shows that the disposition will have no impact on the public order supply.

The alternatives in the application, the first one is no action and no benefits would be realized. We would still have the PILOT and maintenance costs that go along with it. The second alternative is actually the sale of the property with the conditions of the 2011 disposition approval. So that would be the same price that was approved by the RPB in 2011, which was very high at the time for two reasons. One was that the market was better, but also that the zoning has changed in the area. It used to be R40 zoning, it is now R80 zoning, so you can only get half the number of lots. So that greatly reduced the price, the

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value of the land. And after 12 years we had no one inquire to us about the property because of the high price.

The third alternative is a sale to a private person or organization. If we were to do that now, we would then lose the benefits of the natural resources that are there as compared to selling to the land trust. And we would also start to have all those problems of extra neighbors, meaning loose dogs and trespassing, those types of things, hazardous trees that we have when we have neighbors next to our property.

And finally, the fourth alternative is still sort of viable is their sale to the town of North Branford or the sale to the State of Connecticut. These are rights of first refusal that are in the enabling legislation. And even if and when the RPB approves the sale, I still have to send the rights of first approval letters to each one where each one could step in and buy the property for the amount that we have here today.

So the minimum sale price is \$276,000, was based on two independent appraisals and as I said, it was reduced from the 2011 disposition due to market conditions and the change in zoning.

What you see here is a wide view of North Branford. The gray or black line around there are the town bounds. You see Lake Gaillard, the large teardrop shaped body of water in the middle. And then the two polygons in red are the two properties that we're going to be bringing to you for disposition today in the public hearings. The one to the south is the Beech Street property and subject of this public hearing. This is a little zoomed in and you can see the relationship of Beech Street and Poms Lane. The Beech Street property parcel is the one to the south. It is as shown on the map, 17.22 acres and all of our properties. The dash line that you see there is the watershed boundary and it is all off the watershed Class III land.

In conclusion, the disposition is consistent with the goals of the Regional Water Authority. It will not impact the environment or the public water supply and the disposition is in the public interest, questions?

Greg Malloy:

Greg-[Inaudible 00:12:29] Your statement, what was the original price we were asking John?

John:

I don't remember the individuals and when Diane, Tom brought them through, they had individual amounts for each one collectively, all three, and I didn't bring it up when we had the map, but there were the island parcel, the parts that's on the inside of the Beech Street and Poms Lane here, that was 1 of the 3, each 1 had individuals. Collectively there was \$2.1 million for all three. The appraisals were approximately double in 2010 as what you see today. So I don't remember the exact number. I should have looked that up, but it's about double what you see us asking for today.

Greg Malloy:

Thank you

Brian Eitzer:

John. This is Brian Eitzer. Just out of curiosity, is there any reason why the NB 4 property, which is between the 2, is not also being put back up because you seem to have indicated that it was up before.

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John:

I don't know if Jen, can you put up the map where it showed? I think it's the second to last slide. Yes, there it is, that's it. Thank you. So to answer Brian's question, you are talking about NB 4(A)?

Brian Eitzer:

Yes.

John:

Okay, thank you. And NB 4(A) is what I was calling the island parcel during Greg's question that is on the inside of turn. When we talked to the North Branford Land Conservation Trust, they had no interest in that, so I did not bring that into another disposition application. It still is there, we can still sell it for what was approved in 2011, but because North Branford Land Conservation Trust was not interested in it, we did not do anything about that here. But it can still be sold for the price that was approved in 2011.

Brian Eitzer:

Okay, thank you. Yes it does.

Stephen:

Charles, this is Steve Mongillo.

Charles:

Go ahead Steve.

Stephen:

Yes, Steve Mongillo, Hamden representative. A couple of questions for John. You're saying this, these pieces are off the watershed, so am I correct in assuming that they drain away from Lake Gaillard? They seem pretty close.

John:

That's correct. They drain away from Lake Gaillard. It's on the other side of the watershed boundary.

Stephen:

Okay, so I guess there's a ridge there right along that side of the lake?

John:

Correct.

Stephen:

Okay. And property, if the properties are reduced and sold, will they definitely go to the land trust?

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John:

That is the plan. As we have now, we have MOU in place with the land trust that this is what we're going to follow through. The only way that would grid off the rails is if the state or the town invoke their rights of first refusal.

Stephen:

Okay. That's it. Thank you.

John:

Thank you.

Charles:

Anyone else? Okay, next. Jeff from the OCA. Do you want to have any comments?

Jeff Rio:

Yes, thank you. Good evening everyone. Jeff Donofrio, Office of Consumer Affairs. I wrote, and Jennifer was kind enough to circulate last Thursday, a memorandum dated September 21st concerning the OCA's analysis of the application and some of you also received 12 years ago, a memo from me I was able to find in my file dated April 29th, 2011. And in that memo I analyzed and made a recommendation with respect to the disposition of the subject property. To answer Greg Malloy's question, the property we're talking about right now on Beech Street back in 2011 was appraised at \$603,000 and the Poms Lane piece was appraised at \$682,500. So here we are 12 years later and we've got an average of the two appraisals done by two competent appraisers, Mark Nadu and Steve Pryor at \$276,000.

As you know from my memo, the OCA once again supports the proposed disposition of the subject property. There is not a lot to really say here, it is unimproved Class III land under the Authority's land use plan from 2016. It's designated as non-water system land. It's not needed for water supply purposes. As you heard from the Authority's presentation under the 2007 initiative that we refer to as The Land We Need for the Water We use this property is slated for disposition. So really the only change from 2011 when the RPB approved this property for disposition only changes are the new minimum sales price and the classification, if you will, of the North Branford Land Conservation Trust as the potential purchaser. But if you look at the appraisals, and I've used both of these appraisers.

So I have a lot of respect for their work and the comparable sales that they have to use in 2023 versus what they did look for back in 2010 when they actually, it was our Estrada activity back in 2010. We're based of course on highest and best use and highest and best use really comes down to what's legally permissible and physically possible.

And so the change in the zoning from R 40 to R 80 is really kind of a game changer in terms of what you can develop at the property. And by selecting comparable sales, you have to select properties that are comparable. So the zoning here unfortunately causes this property to be less valuable. However, we also have to recognize that property was available at that minimum price of \$603,000 and there wasn't anybody interested in paying \$603,000 for it.

So that's what it is. I still think that it's the best interest of the authority to get \$276,000 for this property and use it for appropriate purposes to further protect public water supply through purchase of additional water supply watershed lands or conservation easements within the authorities watersheds.

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So for the reasons that I just articulated and for what's in my memo, the OCA supports approval of the application.

Charles:

Any questions for the OCA? Are there any members of the public that want to offer testimony and or comment at the time of this property? State your name please.

John:

Michael.

Dave:

Good evening. I'm David Sargent. I'm president of North Branford Land Conservation Trust. I Live in Northford on 271 Forest Road.

We're very excited to have this as an opportunity. I'm just going to read this because I'm not a good public speaker, but I realize there are two parcels here and two dispositions, but I'm going to consider them as one because that's how our Land Trust has handled this from the beginning, if that's okay, so I don't have to repeat myself in the next disposition.

About 2 and a half years ago, resident of North Branford approached John Triana with concerns about the fact that these two parcels, there might be renewed interest in developing them. And he wanted to know if there was any way he might be able to help protect them. John Triana reached out to me as he knew our land trust was very interested in preserving these parcels. Since then, we've received letters of support from Senator Christine Cohen, representative Vinny Candelora, South Central Regional Council of Governments and all of our town officials through many small donations of townspeople, business donations, and most importantly, state DEEP Osmo grant of \$385,450. We raised the total asking price for the two parcels from the state level down to our citizens. There's healthy support for our land trusts who acquire these two parcels. It's truly a win-win all the way around. We will provide revenue for the land we need, for the water reuse program, provide a land buffer to Lake Gaillard. We mentioned it's very close to Lake Gaillard, provide valuable open space for wildlife and passive recreation and preserve a neighborhood. And that's it.

Charles:

Any questions?

Stephen:

This is Steve Charles.

Charles:

Okay, go ahead Steve.

Stephen:

Yeah, I was just wondering if there's currently any trails on this property.

Dave:

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There are no trails, but part of our deep application will require us to make a trail and it's probably just going to be a loop trail. There's going to be one, there's a gate, there are two gates, right? One in each parcel, John.

John:

Well, there's a gate between the two parcels.

Dave:

We are going to have a small parking area at the Beech Street Parcel and have a loop trail on each parcel and hopefully maybe down the future we can sort of connect them along Beech Street, which is, I think still, that's Class III land a very narrow section.

Jamie:

Anything else, Steve? No, I just want to commend them land trust for the work that they do. I mean, this is great when we can dispose of property and have it remain basically as open space. It is a win-win. And I know the Land Trust has to put a lot of energy into making this happen. So good job.

Dave:

This is our largest acquisition ever financially. Thank you and appreciate your efforts. Any other questions? Thank you.

Stephen:

Thank you.

Charles:

Okay, I think that will end the beach street. So John, you want to go into the next one?