

Preston Redevelopment Agency  
Public Hearing  
Preston Veterans Memorial School  
January 28, 2010 7:30 pm

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Kent Borner – Chairman  
Allyn Brown – Vice Chairman - excused  
Jim Bell  
Joe Biber  
Michael Clancy  
Bob Congdon  
Sandy Ewing  
Kerry Gentry  
Merrill Gerber  
Sean Nugent  
Linda Riegel

Chairman Borner encouraged the audience to take a look at the maps presented on easels and then introduced the Preston Redevelopment Agency Members to the audience.

Chairman Borner went through the powerpoint presentation;

1. Timeline
2. Recap of Sate statute that created the Preston Redevelopment Agency
3. Town Ordinance
4. Program Overview – goal #! - Draft Redevelopment Plan.
5. Town Objectives
6. Charter (Guiding Principles)
7. Prgram Organization and Task Assignment
8. CMP contents
9. Task work Flow
10. Overall Program
11. FlowCMP
13. Development Section

Sean Nugent discussed the development section of the CMP.

Kerry Gentry discussed the Management and financial sections of the CMP.

First Selectman Robert Congdon discussed the Town approval process which is written into Connecticut General Statutes Chapter 130, Section 8.

Jim Bell discussed the procurement of funding.

First Selectman Robert Congdon discussed the State Purchase and Sale Agreement. The State let the Town purchase the property for a dollar with the stipulation that the Town be liable for the cleanup and before any part of the property was sold, the Town had to bond the entire clean up. The PRA has recently sat down with State Agencies; Department of Public works, Department of Environmental Protection, The Office of Policy and Management to talk about a phased development of the property. A ten acre parcel could then be sold with the stipulation the money be pumped back in the property for cleanup, until all the property is cleaned up.

Chairman Borner opened up the Public hearing for questions.

David Cannon, Preston resident asked what the next step would be.

Chairman Borner answered that the Agency would approve the Plan at its regularly scheduled meeting next Wednesday, then the Board of Selectmen will set a meeting for February 11th.

David Cannon asked if the decision would be made at a Town meeting or does it go to Referendum.

Chairman Borner answered the statute says the legislative body will determine it at the town meeting.

Park Spicer, Preston resident stated that he was born in Preston a number of years ago and he was really impressed with the presentation tonight and the people who made the presentation. You have really crafted quite a document in less than a year, using over 4500 volunteer hours. You folks have done a great job and presented a great plan. Is this going to go over \$100,000, is there any money involved in getting this passed.

Chairman Borner answered no there is no money involved to get it approved.

Park Spicer stated thank you, you have really done a great job.

*Audience applauds*

Chairman Borner stated that tonight's presentation will be posted on the Town of Preston Website.

Dick Moran, Preston resident asked first Selectman Robert Congdon about the parcels with unknown property owners at the property.

First Selectman Robert Congdon answered that there were five properties with unknown owners. Title searches have been done for all five properties. We have gone to the probate courts in both new London and Norwich researching those properties. Some of the properties do have heirs and we have directed the Tax Collector and Assessor to start sending tax bills to those properties. There are one or two of those properties where we have not been able to find any known heirs. It will not effect the redevelopment of this property. Long term it probably will make sense for the Town to acquire those properties, because they are not paying taxes and they are on the hill side of the forested part of the property which will most likely be open space or less intensive development because of the topography. Dick Moran asked since this has been going on for over thirty years, are we going to take any action to take these properties.

First Selectman Robert Congdon answered we have discussed our options with legal council how we can take those properties if we decide to acquire them. We are now generating tax bills for those

properties, the Town believed they were all part of the State Hospital property until we got this Purchase and Sale Agreement. These stranded parcels is a fairly new finding on the part of the Town. Dick Moran stated that the PRA is looking for revenue and here is property that no one has paid taxes on for 30 to 50 years, you have located people, how long should they be given to pay this tax before the Town takes it.

First Selectman Robert Congdon answered that you can only go back 15 years. But if you have a parcel that you didn't know and have not been sending a tax bill to, you can only go back three years. So right now there are three years of taxes due on those properties. They are land locked parcels with no access, so the outstanding taxes due to the Town are pretty small. People have asked why we just don't take it with a tax sale since we don't know who the owner is. Well we cant just go take it. We could do a tax sale but the legislature has changed the rules. We would have to escrow the fair retail value of that property with the court until the Governor took it to help with the State budget, and we'd be out the money.

Dick Moran asked what the land owners who have been located want to do with the property.

First Selectman Robert Congdon answered that one of the owners has started paying taxes and the others have not been heard from yet.

Park Spicer stated that the PRA should invite some people from Washington because two categories I've heard here tonight, I've been hearing in Washington, but I really think they are going to happen here, and that's oversight and transparency.

David Verhasselt, Preston resident asked what the time frame is for the State okaying the phased development.

First Selectman Robert Congdon answered that is unknown but we have talked to our legislative delegation, Tom Reynolds, Andrew Maynard, Edith Prague and some of the Norwich delegation and they are in favor of this phased development and will put a legislative fix through. If that didn't happen we would bond the clean up. Originally there was talk that there was forty million dollars worth of clean up. According to the Purchase and Sale Agreement we only have to bond the amount of money that would satisfy the Transfer Act. The Transfer Act only concerns soil and ground water, so the amount we would have to borrow if a developer came in and wanted to buy ten acres wouldn't be to abate the buildings, it would be about seven million dollars to satisfy the Transfer Act.

Andrew Bilodeau, Preston resident asked if that parcelization is delayed for some period of time, does the Plan say what you just said, so the residents can vote on a plan with a contingency plan B, so that we can bond the property and get things rolling, and if we start cleaning up the property will the contamination migrate from the other areas of concern.

Chairman Kent Borner answered that the only time that bonding kicks in is with the transfer so right now the set of facts that we are dealing with is all we really can deal with and that is how this Plan has been constructed. We hopefully will receive clean up grants for remediation the property, the Town will have the decision when a developer comes forth which will trigger the transfer which will trigger the bonding. You will have the opportunity to vote on plan B at that time, which would be no we don't want to do it.

Chairman Borner stressed that he and First Selectman Robert Congdon have met in Hartford with all the agencies involved and they are very motivated to get this parceling done. It is just a matter of crafting the proper language to satisfy all the interested parties, and I am confident that it is going to happen.

Chairman Borner answered Andrew Bilodeau's second question: the Rap is being done right now, the environmental professionals and EPA are figuring the exact Remedial Action Plan for the whole site, and they figure in migration and disturbance of what is there.

David Verhasselt, Preston resident stated that there could be a percentage of low income housing on the site, because the developer has to follow existing Planning and Zoning laws and how will that be handled. The State regulation permits a developer to build so much housing on a site and a percentage of that is sold as low income housing.

First Selectman Robert Congdon explained that there is a requirement at the state level that the town has ten percent of their housing stock defined as low income housing, if you don't have that ten percent a developer can come in and propose low income housing and circumvent zoning. In this Plan we can't sell an acre of this land with out coming back to a Town Meeting, so if a developer wanted to put in low income housing, and the Net to the town is negative, it would be difficult to get that approved at a town meeting. The Town has more control of the Hospital Property than any other piece of property in the Town.

Dick Moran, Preston resident asked if these decisions on the percentage of low income housing were made at the State and Federal level.

First Selectman Robert Congdon answered yes, the Town has nothing to say about it, if private property is sold to a developer.

Bill Legler, Preston resident said there are a number of financial statements in the Plan that go against the ordinance.

Chairman Borner answered that the agency will be operating under a very strict budget. Money can not be spent unless it is in a line item, and it can't go above the line item. It will ultimately be approved by the town each year.

First Selectman Robert Congdon stated that there is nothing that the Chairman can spend that is not part of an approved budget. You don't see that in the document and we should put in the document that no one has any authority to spend anything unless it is an approved expenditure through a budgetary process approved by the PRA and the taxpayers from the town of Preston? Would that satisfy your concern?

Bill Legler stated that there is no disclaimer in the plan, it should say something like you will go by all State and Town ordinances.

Chairman Borner explained that the PRA had the Plan reviewed by legal council and conversations with the Board of Finance. Legal council believes that there is nothing in this plan that contradicts local ordinance and boards and commissions in town. Everything the Chairman signs off on is going to be in an approved budget. Nothing can be done unless it has already been approved by the Agency, if that is not clear in the document, we will have to take another look at it.

Park Spicer asked who can vote on February 11<sup>th</sup> to approve the Plan.

Chairman Borner answered electors of the Town of Preston.

Michele ? Stated that the Plan showed there was a very closed hiring process.

Chairman Borner stated that the only closed hiring process is the people sitting on this Agency. By town Ordinance we have to be non compensated and if we leave the Agency, the Town ethics kick in and we can't be hired for two years. There are no limitations in the plan as far as hiring someone else.

David Verhasselt asked if there have been any steps taken to market the assets of the property, like sand and gravel.

Chairman Borner answered yes, but we can't do anything until we have an approved plan. We will make \$4,000.00 next month from Ghost Hunters filming. We are exploring every revenue option available, but the big money is in the Federal grants.

First Selectman Robert Congdon answered that sand and gravel and foresting will be looked at as a revenue source, but the PRA will be very careful not to reduce the value of the property to make a short term dollar.

Andrew Bilodeau asked if there is a cumulative spreadsheet with expenditures and revenue for the past ten months that have been part of the property.

Chairman Borner answered that the PRA is in the process right now of drafting a budget. The PRA will submit monthly to the Board of finance and it will be a public document that can go up on the town Web site.

Andrew Bilodeau, asked if there are opportunities to partner with Norwich to still exercise some type of grant with them to benefit the property.

Jim Bell answered we are proceeding on what is available to us as a Town.

Andrew Bilodeau, asked if there is a serious monetary loss now that we are not partnering with Norwich.

Jim Bell answered that he did not think so.

Bill Legler asked about negotiations with the pumping station on the property.

First Selectman Robert Congdon explained that there is a sewage pumping station at the site, when the incinerator was built they put a pumping station at there and pumped it to Norwich Hospital and then pumped it from there to Norwich. We have put the incinerator on notice that come March 12th they will be responsible for one hundred percent for the operation and maintenance of that facility.

Andrew Bilodeau asked if we currently pay money for water and is the pier structurally sound.

Chairman Borner answered that the water was turned off to the site three years ago and the last document on the pier indicated that it was sound.

First Selectman Robert Congdon explained that the pier was used for pumping number six fuel oil, any future use of that pier would be for some other use like ferry customers. So that pier would have to be rebuilt by a developer

David Verhasselt asked if there is a right of way across the rail road tracks.

Chairman Borner answered yes there are a few cross overs.

The Public Hearing ended at 9:30 pm

respectfully submitted,

Roberta Charpentier  
recorder