

## **PUBLIC HEARING – OCTOBER 19, 2011**

EAST RIDGE MIDDLE SCHOOL AUDITORIUM, 10 East Ridge, Ridgefield, CT  
7:30 P.M.

### **REVISED/APPROVED MINUTES**

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These minutes are a general summary of the meeting and are not intended to be a verbatim transcription.

In attendance: R. Marconi, A. Bodner, M. Kozlark, B. Manners, D. Masters

### **Notice of Public Hearing**

Pursuant to Section 3-9 of the Town Charter, the Board of Selectmen of the Town of Ridgefield will meet in the East Ridge Middle School Auditorium, 10 East Ridge, Ridgefield, CT on Wednesday, October 19, 2011 at 7:30 P.M. (E.D.T.) for the purpose of holding a public hearing on the following resolution:

**RESOLUTION APPROPRIATING \$7,000,000 FOR THE ACQUISITION OF  
45 ACRES OF LAND FROM SCHLUMBERGER TECHNOLOGY CORPORATION ON OLD  
QUARRY ROAD IN THE TOWN OF RIDGEFIELD AND AUTHORIZING THE ISSUANCE OF  
\$7,000,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE  
ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE**

R. Marconi called the Public Hearing to order at 7:30 p.m., and read the resolution under discussion. He then presented some slides to provide an overview of the Schlumberger property with pictures of the buildings on the site as they exist today. A map depicted the location of the buildings on the property, with state-owned open space to one side and approximately 12 acres of wetlands to the east. The current driveways are off of Sunset Lane and Old Quarry Road. 16 acres of the property are currently developed and were used for a research facility. Sewer, water, gas and electric service are all available. The first buildings were built in 1948, with exterior renovation in 1979 and additional buildings built in the 1990's. The buildings include a Sky Dome Building and a Library.

The Town of Ridgefield hired a consulting firm to assess the value of the buildings for potential re-use. The firm recommends saving the Philip Johnson building which received an AIA Merit Award for Architecture and is considered an historic building, and the auditorium of the Howard Bernstone Building, and demolishing the remaining structures. The B-2 Business Zone determines the uses for some of the property. There is concern about the affordable housing option with an estimate of 290 units. If the Town of Ridgefield does not take advantage of this opportunity to purchase 45 acres in the center of town, someone else will come in and the town will be defenseless to control what is built on the property, and result in possible legal expenses.

What about the contamination issue? There are several acres with ground water and soil contamination. Schlumberger has hired a consulting firm and has done extensive testing on the property. R. Marconi pointed out on the map where an oil tank has leaked, with some concern about possible resulting water table contamination. The other area of concern is down at the lower parking lot where an unusual amount of beryllium is present. Schlumberger will certify restoration to the most stringent clean-up criteria.

The next step in the process is for the Town of Ridgefield to send to Schlumberger a Letter of Understanding (LOU) on October 20 following this Public Hearing. The parties involved then need to meet at one location and work on a contract. The clean-up must be complete eight years from the date of transfer of the property or Schlumberger will be subject to damages and/or penalties. Re-development and clean-up of the property can proceed concurrently. Sixty (60) days is the due diligence time for

reports to be obtained and reviewed. The Town of Ridgefield plans to spin off ten acres for development in order to get some income from the property as soon as possible with perhaps 17 – 18 single family units and 2 apartment buildings – all in harmony with the neighborhood. The reusable buildings could be used for office rentals. Also planned would be extension of the existing walking rail trail.

B. Manners stated how 290 affordable housing units could result in 290 units x up to 5 stories.

Dom D’Addario, Tanton Hill Rd., stated that he is in complete agreement that the Town should purchase the entire piece of property. How will this purchase affect the local taxpayer? If a homeowner currently pays \$10,000 in property taxes, the increase will be +\$40. If the homeowner currently pays \$20,000 in property taxes, the increase will be +\$80.

Jan Rifkinson, New Rd., stated that he does not understand the make-up of the \$7 million cost. R. Marconi responded that in addition to the \$6 million in cost for the property, the estimate for the demolition is \$600,000 – \$700,000, expenses for environmental consultants, bonding and attorney costs.

Andy Bodner stated that the question being asked is what is the impact on taxes going forward?

Paul Sutherland, resident of Casagmo, stated how the Schlumberger property is in a high density area and he is concerned about the resulting traffic. Does the Town have a traffic plan whether the property is purchased or not? What are the actual costs if the Town does not acquire the property? If housing units are built on the property, there will be property tax income for the Town, but what is the cost of the infrastructure needed to support this housing? Do we know how long clean-up and remediation will take before the property is usable? If the possible impact for letting the property go is so damaging, why can the town not change the zoning rules? R. Marconi responded that the hope is to offer for development the ten acres within 6 months to 3 years. Affordable housing is a State of Connecticut mandate (8-30G) and cannot be changed by the local community. The housing density can be determined by the developer and the local P&Z has to prove why this density is not appropriate.

William Osgood, Ivy Hill Rd., expressed support for the purchase of the property. \$7 million is not a large amount.

R. Marconi stated that a Town Meeting is set for November 1<sup>st</sup>. A Town Meeting is required by our charter with regard to the purchase, sale or lease of property. No vote will be taken at the Town Meeting. A special vote will be taken on December 6<sup>th</sup>. Additional public hearings will be set in the interim.

Dr. Michael Autori stated how he wanted to hear what others had to say. Hindsight is always 20/20. The IBM (Bennett’s Pond) property has cost us so much in litigation. There is no limit to how high legal costs can go. The Schlumberger property is an area that could be massive “over-built” and result in costing the Town many dollars to fight it. Purchasing this property is planning for the real future.

Jack Baldaserini, Ned’s Lane, stated that he knows the Schlumberger property well. He indicated that there might be a third area of contamination concern – the old Digitech property where chemicals were discharged into the ground. R. Marconi stated that this area has also been discussed.

John Palermo stated that he does support the purchase of the Schlumberger property, but we need to be very sure about the contamination issue – due diligence needs to be complete and thorough. Otherwise, the Town could be liable for a long period of time. The Town should have a master plan of items to be addressed – everything needs to be brought to the public. This list would include the Library, gas line to the high school (an investment that would pay back), Branchville development. These are issues on a “wish list” that the public can rally around and support.

Chris Moomaw, Prospect St., is a resident of Quail Ridge and supports the purchase of the property. With regard to the proposed cleanup of inside the courtyard site, he feels the reason for the underground passage was to allow access for fire equipment. R. Marconi had stated that the building on the site would have to be demolished to provide access to the courtyard for the cleanup.

R. Marconi indicated that he would like to schedule a time for residents to walk the Schlumberger property for a better understanding of what is involved on the site.

Michelle Boustreau, Bennett's Farm Rd., raised a list of questions:

- 1) Why do we have to pay to remove the buildings?
- 2) Why do we have to pay for removal of the beryllium?
- 3) What happens if the cleanup is not completed in 8 years?
- 4) Is the housing going to be for low-income residents?
- 5) Seniors continue to be concerned about their property taxes.

R. Marconi's responses were as follows:

- 1) In the beginning we did not know what buildings should be saved and what buildings should be demolished. We want the property cleaned up to the highest standards possible and Schlumberger is to pay for the cleanup. It is better to demolish the buildings and start over.
- 2) Regarding the possibility of low income housing, they are looking at what will fit with the neighborhood. The goal is to not negatively impact traffic.
- 3) The 8 year cleanup ruling is State statute - Section 22A-134B. R. Marconi read aloud part of the ruling.
- 4) Regarding property tax relief for seniors, residents above 65 are eligible for \$1,080/year in credit once they have been a Ridgefield resident for at least one year. There is also a senior tax deferment program in amounts of 5%, 10%, 50%, 100%, but this does require a mortgage on the property equal to the amount of the deferment. The Town is then "made whole" at the time of sale of the property. More and more seniors are taking advantage of this program.

Jan Rifkinson, New Rd., does favor the Town of Ridgefield's control of the Schlumberger property. The residents need to have a very clear explanation of what scenarios could occur if the property is not purchased by the Town. The voters should not be voting the purchase down for the wrong reasons. Residents need to be well informed on this issue. Is it possible to see the LOU before it is submitted to Schlumberger for their signature? R. Marconi stated that the LOU is going to Schlumberger on October 20 (tomorrow). Once it is signed by both parties, it will be put on the Town's website. There has been interest in the Philip Johnson building, but R. Marconi indicated that he cannot discuss this further at this time. The interested party wants to remain anonymous. The contamination remediation will be completed and signed off by the DEP. Once that occurs and the land has been transferred to the Town of Ridgefield, the liability will be ours.

Sean Connelly, Barrack Hill Rd. indicated that it is important to engage the town in how the property should be used, what is our "ideal" plan and then development of a marketing plan to make this happen. R. Marconi stated that we will continue to hold public hearings to solicit input from Ridgefield's residents.

D. Masters stated that this situation is an "awkward position". People have come forward with ideas but we do not own the property. Much more can be discussed once the Town owns the property.

Becky Mucchetti, Chairman of Planning & Zoning, stated that an 830-6 provides for affordable housing, not subsidized housing. 30% of the units being built need to be set aside for affordable housing. P&Z's concern is the density issue. Affordable housing has to be deed restricted. The State

requires 10% of the housing to be affordable housing. Ridgefield has only 2%. The State of CT has taken a very pro-active approach to this issue. P&Z can approve one plan and a developer can appeal. The result is legal expenses.

Michelle Boustreau, Bennett's Farm Rd., requested an "e-mail blast", a town-wide mailer, a flyer to everyone with info on this issue. Not everyone reads the Ridgefield paper.

R. Marconi commented on the legal fees that have been associated with Bennett's Pond as a comparison. The BOS was authorized in '96 of up to \$12M in expenses for Bennett's Pond. The cost was \$8.5 million and \$3.2 million and did get back \$5 million from the State. For a total of \$7.2 million, about \$1 million has been spent to date on legal expenses.

Ellen Perrott, Prospect St., stated that a big mistake was made with Bennett's Pond. Residents need to see the "real numbers" and not repeat an error. What is the condition of the Philip Johnson building? R. Marconi responded that there are some leaks from the skylights, and needs some attention to the exterior landscaping. The building needs some "tender loving care".

David Coles, New St., inquired if there are any plans for a municipal building for the Town? Are there any plans for the public to look at for the fire department facility? R. Marconi responded that we do need to have a vision.

Ed Tyrrell, Pond Rd., inquired as to where will any income from the property go? Are there plans to lower the effect on the mill rate as quickly as possible? R. Marconi responded that a Town Meeting is scheduled for November 1<sup>st</sup> and public hearings for full transparency on the contract.

The public hearing was closed at 9:05 p.m.

Respectfully submitted,

Janet L. Johnson