May 28, 2019

GOVERNMENT ADMINISTRATION

AND ELECTIONS COMMITTEE

CHAIRPERSON: Representative Daniel Fox

SENATORS: Haskell, Maroney, Sampson

REPRESENTATIVES: Blumenthal, France, Exum, Phipps, Winkler

REP. FOX (148TH): Good morning. I'd like to call to order, today's GAE meeting. Before I begin, Representative Winkler has an announcement he'd like to make.

REP. WINKLER (56TH): Please note the location of exits in this hearing room, the doors to which you entered and the emergency door behind the legislators. In the event of an emergency, please walk quickly to the nearest exit. After exiting the room, proceed to the main stairs or follow the exit signs to one of the fire stairs. Please quickly exit the building and follow any instructions from the capitol police. Do not delay and do not return unless and until are you advised that it is safe to do so. In the event of a lockdown announcement, please remain in the hearing room, stay away from the exit doors and wait until an all-clear announcement is heard.

REP. FOX (148TH): Thank you, Representative. I want to clarify this is a public hearing and not a committee meeting. I apologize for that mistake so I want to clarify that. On the agenda today, bills for review, section 101. House Bill 7283 AN ACT CONCERNING A STUDY BY THE DEPARTMENT OF TRANSPORTATION As amended by House Amendment Schedule A.
We have several speakers on the list to testify today. I ask before you testify if you could please announce yourself, your name and your title, that'd be very helpful. First up is Representative Christine Conley, John Burt, Mark Oefinger, I'm not sure if they're going to testify together or alone. Perfect, great thank you.

REP. CONLEY (40TH): Good morning, Mr. Chair, Representative Chris Conley. I very much appreciate you doing this hearing so quickly. We are also joined by Mr. Bill Vogel who is here on the sail. The sail is a very important piece for USS Groton.

REP. FOX (148TH): Will you please turn the other mic on as well, great.

REP. CONLEY (40TH): There we go, thank you. So, the USS Groton was built in Groton, sailed around the world with men and women who spent a lot of time being stationed in Groton and has been available by the U.S. Navy for use as a monument for some time. For a few years, the Groton Sail Committee has been trying to find the proper location for the sail not only will people will see it and be able to enjoy it and appreciate the history of Groton but also an area that's approved and a good area for the land.

There's been a lot of discussion about putting the sail by the water and the town does not own a lot of land that is water front property. Mostly that's the water front property and the river is owned a lot by Electric Boat and the Navy. And then the water front property with ocean is owned privately, there's not a lot of, as you can expect, open land, that is water front in the town or the City of Groton.

So, the parcel that was recently selected right next to the library is a good spot. So, we're looking for a right to purchase the right of way for this
spot. Please note that the parcel in front of this land up to the corner, the right of way has already been purchased by a private business. So, this right of way would not impact the corner or any expansion of the road by the light on the corner. And I'll turn it over to my colleagues who have more information about the project.

MR. BURT: Good morning. I'd like to reiterate my appreciation of you looking at this, very much appreciated.

REP. FOX (148TH): Sir, could you just give us your name please, thank you.

MR. BURT: Oh, sorry. John Burt, Groton Town Manager. Sorry about that. As mentioned, I think it was back in 2014 the USS Groton submarine named after, of course, the city and town of Groton. We found out that the sail, the fairwater planes and the rudder were available across country. The city and the town jointly formed a committee to look at obtaining them and bringing them to Groton. Luckily, a donor came forward to help effectuate that.

Later on, that committee became the USS Groton Sail Foundation, a 501(c)(3) tax-exempt non-profit. They have looked at initially 29 different sites around the town to look for an appropriate location. Later expanded as more sites became available. I think 35 sites or so were eventually looked at. For a number of years, there was a primary spot picked out.

The USS Flasher Memorial along the Thames River, the library site was sort of the back up site. The Flasher site next door had ran into some issues, drag downed a little ways and then finally it fell through just recently kind of turning into this kind of short timing, would have liked to, you know, had a little more timing on it.
The, as I said, library site had been number two. We had reached out over the years to DOT just to find out options on the library site but we still had the number one site, that's why we hadn't pursued something earlier on for the library site. The Foundation voted unanimously to move forward with the library site recently. Went to the -- made the request to the Town Council because this location is within the town -- it's an actual town property next to it there. The Town Council meets tonight to have public comment and to likely vote on moving forward.

The Planning Commission is also meeting tonight to discuss and it is a use by right in this property so we don't anticipate any issues. It's a fantastic spot with the library and the senior center right along there. Across the street is Claude Chester school but with our new middle -- there's a middle school being put up and some other changes with the elementary. We will be tearing that down in a few years and it's going to make an ideal public square basically there with this road in the middle.

This location, there's a lot of right of way here. It was initially the Bluff Point connector intended for that back in the seventies, I believe, from Bluff Point State Park. That fell through back in the seventies and as Representative Conley mentioned, right next to this right of way going to the intersection of Route 1 and Route 117, some of that was sold. The right of way now is only 13 feet there where as in front of our library site it's about 80, 81 feet, somewhere in that ballpark.

The proposed memorial would be 30 feet off the pavement. As I said, that next site is only 13 feet of right away so we'd be about 30 feet off. I've got a couple other people here.
MR. VOGEL: Bill Vogel. I'm Bill Vogel, I'm the Chairman of the USS Groton Sail Foundation. And so, what we are here today to try to convince the Committee and the Department of Transportation to grant us the land that we are asking for. And we really appreciate the fact that you're fitting us in, in your really busy schedule and we know that it's a bit of an inconvenience.

But it is timely and time is an important factor in this. Because we're tied very much into Electric Boat doing a lot of work, gratis for us, and we don't want to be in the business of trying to bring our work over to Electric Boat when they're full steam ahead doing what they're doing.

The right now might say that well, they've granted us this charity, if you will, but if you know anything about Electric Boat, once they get churning away and the work is overtaken them, priorities have to be made and we don't want to be at the wrong end of the priority list when that comes. So, we are asking for some timely action on this.

And Mark Oefinger who is the retired City Manager is going to give you a little bit of history of the area so that you can understand what went on. Mark.

MR. OEFINGER: Good morning. My name is Mark Oefinger. I'm a member of the USS Groton Sail Foundation and retired in 2017 from the Town of Groton after 35 years of service serving as town manager from 2002 to 2017. And prior to that, served the down as its Director of Planning and Development.

I did provide written testimony that provides a lot of the background as to what we've been up to over the last four or five years. What I would specifically like to touch upon is why this location
and some of the issues associated with this, what I call functionally excess right of way.

Prior to the formation of the Sail Foundation, the town established a site selection committee. We looked initially at 29 sites, there were five or six others added as we went on. As John Burt alluded to initially, we were focusing on the USS Flasher location which is down on Thames Street just south of the Gold Star Bridge. After four years of trying to secure the property, the Foundation Board at the end of last year, began to investigate other potential sites.

After numerous meetings and discussions and most importantly with upfront input from our landscape architect, Chad Frost, the Foundation Board unanimously decided to pursue the Groton Public Library location and that is why we're today.

The Route 117 parcel is on the west side of the roadway immediately adjacent to the Groton Public Library/Senior Center Complex. The requested parcel is approximately 70 to 80 feet deep by approximately 900 feet long and is 1.5 acres in area. The area in question is part of the Route 117 right away but could be considered functionally access right of way which I want to touch upon.

This portion of Route 117 which is also known as Newtown Road, it is a fairly new road, this portion being built in the sixties. At the time, the right away for this portion of the road was acquired to support what was known as the Bluff Point Connector.

This connector would have provided direct access via a flyover express way through the Fort Hill neighborhood to the south leading to a developed state park beach facility at Bluff Point. The concept at the time would have been very similar to
what we now know as Rocky Neck State Park in the east line.

In the early 1970's, Bluff Point was officially designated a permanent coastal reserve and all efforts to plan or build this so-called connector were abandoned by the legislature and then Governor Meskill. In the early 1980's, a three story office building was built at the corner of Route 117 and Route 1 just south of the requested parcel. The developer of this building acquired "excess" right of way from the State which enabled him to build his three story office building, effectively blocking any future thought of resurrecting the Bluff Point Connector.

The proposed new right of way would simply extend the right of way line that was established when DOT previously transferred the excess right of way to the adjacent property to the south. The requested land would be used to support the installation of the USS Groton Sail Memorial and it is proposed that the additional property be added to land currently owned by the Town of Groton.

The town has been maintaining this land as part of the front lawn area of the Groton Public Library/Senior Center Complex since the mid-1970's. And to the casual observer, it already appears as if it's being owned -- that it's already part of the town complex.

Access to the memorial would be gained via the existing driveway and parking lots serving the Groton Public Library/Senior Center and support facilities such as restrooms, additional display space. Meeting presentation rooms could be made available at either the library or the Senior Center or both.
The public access/front of the memorial will be from the existing parking lot, not from Route 117 but from the existing parking lot. It is envisioned that the proposed USS Groton Sail Memorial would also be connected to the existing veteran's memorial which is located on the property.

This proposed location is highly visible, is in the center of Groton and is within easy access of many community facilities, including the library, senior center, community center, town hall, schools, parks, thereby assuring easy access to visitors and residences alike.

The USS Sail Foundation respectfully requests your favorable consideration of this legislation. Thank you.

REP. FOX (148TH): Okay are they any questions or comments from the Committee? Representative Winkler.

REP. WINKLER (56TH): Yes. My dad designed submarines at Electric Boat for 30 years. But for the record and in this context, could you describe what a sail is.

MR. OEFINGER: Sure. The sail is when you're looking at a submarine when it's in the water, you only see a very small portion of the actual whole structure. This is the part of the boat that is above that. It sometimes has wings on it. I probably should let Bill Vogel explain it. But it's basically, it's where historically periscopes, the lookout area is but it's the upper most portion of the submarine that sticks above the top of the haul.

REP. WINKLER (56TH): Thank you, Mr. Chair.

MR. OEFINGER: Maybe a third down the way of the haul.
REP. FOX (148TH): Any further questions or comments? Representative France.

REP. FRANCE (42ND): Thank you, thank you, Mr. Chairman. Having looked at the conceptual drawing, I talked to you before, as I like that Chad Frost has done, I think it's a great tribute. Certainly, it is an honor for the host town to have the sail once the boat is decommissioned. There are a number across the country.

The concern that I have as I look at that, once again, I like the layout, I like the concept, but it appeared that in my conversations following Wednesday night when the conveyance and then it was brought forward and referred to JE that neither DOT nor Electric Boat new about that process. Certainly, there are members on the Sail Association from Electric Boat representative on the Sail but it was a surprise to DOT if you know it was being brought forward. And since then, the right of way commission has looked at it and they're against.

And so, I guess the -- from any of you, commentary of the interaction with DOT since their assertion in the email was the first interaction was about two years ago that at that time, they asked for a formal request. I do understand the dynamic of, you know, what you just described as far as the different locations. But I guess where did that process not follow through to get to where we are today?

REP. CONLEY (40TH): Representative France, I'll let the others speak of the process but I did want to, for the record, specify that as of this morning, Department of Transportation and their testimony could support the bill if it were amended to allow final say on any area release the size, location, materials of the monument. To maintain the road
property and that the monument does not propose a safety issue for the traveling public.

So, as they've learned more over this long weekend, I would not -- I would say that they're not opposed, they are looking for final approval. So, I did want to correct that. But I will let the others speak of the process.

MR. BURT: In terms of the process and, of course, the other two have been around a lot longer than me so they may have more to add. But the USS Flasher Memorial adjacent site has been the primary site for about four years. The library site has kicked around during that time with a couple of the Sail Foundation members being very pro that library site.

So, we were -- I was asked -- I was going to ask just look at the process, you know, if we had to -- if this other one didn't work out to fall back. It was really an information gathering. This other site, the primary site did not fall out until right at the end of this year. So, there was never an intent to formally request the library site in the past. I don't know if there's anything to add.

MR. OETINGER: I had reached out to DOT more than two years ago simply for information purposes. We actually, we the town, actually leases a very small footprint of this right of way currently for placement of a location sign for the senior center/library site. So, we're, you know, we've had that lease in place for quite a few years.

But it's really only been in the last couple of months that this site has come to the forefront. And it would have been presumptuous on the part of the Sail Committee to pursue acquiring it on behalf of the town when we hadn't even talked to the town at that point. So, previous inquires during my tenure as Town Manager was simply for information --
to get a handle on what the process potentially would be.

REP. FOX (148TH): Than you for that clarification and understanding. I think you mentioned that there was final approval by the town or at least moving forward to Sail Associate a vote. What was the timing of that decision?

MR. BURT: The Sail Foundation met at their last meeting approximately a month ago and then they presented to the town. Of course, as this evolved over the last few months, I have been giving verbal updates to my Town Council along the way. But they made a formal presentation to the Council about two weeks ago.

REP. FRANCE (42ND): Okay. So, the challenges or concerns that have been raised, I wish I had reached out to DOT to see if they were going to be here today to also provide additional context to what Representative Conley had said.

The other, as I look at the layout conceptual drawing that Kent and Frost has done, is there a reason that the right of way request extends substantially beyond the principal land that where the monument will go?

MR. OEFINGER: Simply the thought being that in my mind it's all excess right of way and that is the footprint of the town owned property right there. If DOT wanted to hold on to that or the Committee didn't want to have that portion, a couple hundred feet not turned over as part of that, I mean, it wouldn’t impact the sail, it just seemed like the right thing to do.

REP. FRANCE (42ND): So, for clarification, that 930 foot long segment is essentially from the north end of the senior center to the south end of the public
library. That's the extent of the town owned land so essentially that's the reason for the length of that.

MR. OEFINGER: Correct. The town does own another property after a driveway or a right of way going to the north which is open space land. But we're not asking for that right of way, the right of way is very wide there also.

MR. BURT: And this would blend right into that right of way to the south so that you don't have any kind of drive or anything.

REP. FRANCE (42ND): Thank you. I appreciate that because that was one of the questions I was -- I didn't understand why the need for the [inaudible - 00:25:29]. There's some logic in the decision. The one in looking at the conceptual drawing, it appears that the monument itself in its conceptual placement doesn't allow much room between, you know, fairly fast moving traffic along 117 and the potential for people to be walking in the vicinity of the monument. Has there been any discussion amongst the Sail Association or the town about how to, you know, kind of deal with that particular issue?

MR. BURT: Yes, we have had that discussion and first of all, as pointed out earlier, you would actually enter the sail from the parking lot side. There's an opening that leads right up to the sail. And then the walking area is basically a three foot kind of trough with the berm around it to keep people from going further towards the right of way.

But we've also talked about additional, some sort of barrier also along the road to keep people from getting any closer to the road. And again, this would be about 30 feet off -- the edge of the berm would be about 30 feet off of the edge of pavement. Whereas further on down with that business is about
13 feet. So, 30 feet should be plenty, I would think.

MR. VOGEL: Yeah and that's been brought up and we've discussed that at our meetings. Because, you know, the fear would be is some child would be interested in the monument and then would run around and what not and get into the road. And so, we've talked about coming up with some kind of a barrier that's low enough that people -- it doesn't interfere with the view of the monument but it offers some kind of an impediment to children that might not be paying attention to the road.

REP. FRANCE (42ND): No, I think that's important because I note the design of where people are supposed to walk but having lived on this earth a number of years, the design is not always what people decide to do. And certainly, the grass area that's around walking around the front of the bough and kind of looking through, looking at the sail from the road side would be something that people would want to take pictures and certainly that creates that potential conflict. Thank you for your question, thank you for your answers.

REP. FOX (148TH): Was there any further questions or comments? Seeing none, thank you for time and testimony today, I appreciate you being here.

REP. CONLEY (40TH): Thank you for your time.

REP. FOX (148TH): Up next on our list is Senator Heather Somers.

SENATOR SOMERS (18TH): Good morning.

REP. FOX (148TH): Good morning, Senator, thank you for being here.

SENATOR SOMERS (18TH): Thank you and thank you for letting me testify on this bill. I am here in
support of the concept of putting the USS Groton Sail on the parcel that has been identified near our library on Newtown Road. I understand that it is late in the hour and I appreciate you having this hearing, you know, above and beyond day.

I have been in contact with the DOT and it appears that they are willing to enter into an agreement with the town, a lease agreement because the right of way is not for sale as they have indicated to me. I don't know if that's -- that was of late Friday afternoon, so I'm not sure, I haven't spoken with them this morning.

Therefore, the details of the plan could be worked out with them as far as what they would require for safety, et cetera. And I am in full support of that moving forward in just a lease agreement. That may be easier at this late hour and that all the bills that we are going to try to get passed in the next days.

But either way, I am in support of the town being able to place this sail in the location that they have selected. It is visited by many people as you've heard. I also would like to say that Electric Boat has offered to help restore and paint the sail. They have been very good to us at any time in the past. We had the big submarine capitol of the world sign spray painted with graffiti years back and they were the first one to call and say we'll repaint it for you.

So, although I do know that the sail, the naval base would like it removed from holding it at their location, I do think that regardless of when this lease agreement could be worked out with the DOT, I'm sure that Electric Boat would be willing to help us maintain and paint the sail. So, I just wanted
to lend my support and if you have any questions, I'm happy to answer them.

REP. FOX (148TH): Thank you, Senator, I appreciate you being here. Any questions or comments for Senator Somers? Representative France.

REP. FRANCE (42ND): Thank you, Mr. Chairman. I guess since your time as Senator, I'm sure you've been involved in working with the Sail Association to try to move this forward. Maybe you could describe from your perspective, you know, kind of where the Sail Association has been, kind of the process they described and the details of all the different locations. And what you see as, I guess, the next steps that need to be done besides this conveyance moving forward.

SENATOR SOMERS (18TH): Well, I'm not actually intimately involved with all the different site locations that they have looked at. I know that they have looked at different locations throughout the town of Groton within the city also. And I think that, you know, they've gone through their committee process and where they feel the best location is.

There is already a memorial at that location so people do visit it and it is easy access off the highway. So, I will have to defer to them on how they went through their site location. I do think it's a nice location. It's visible, gets a lot of traffic. I can understand why the DOT has some concerns as far as, you know, the safety aspect because it's a busy road, there's a school across the street. And I think that's something that definitely needs to be addressed in a way that makes everybody comfortable because it is on a state road.

From reading the information that I got from the DOT, you know, they're concerned because they are
not -- they haven't received the detailed plan that they -- at the level of detail that they would prefer to make this decision. So, going forward, they seem very willing to work with the town to enter into, as I said, a lease agreement. They're not interested in selling that ROW, they said it's not for sale. But as you've heard from the former town manager, the town has an ability right now or is leasing a certain parcel. I'm sure that could be worked out going forward.

And as I said, the Electric Boat has offered to do some painting for us. I'm not really clear that that's time sensitive. I know that there has been some different information coming in on the time sensitivity as far as EB's ability to do that or not. There's conflicting information on that.

But I do think that the Sail is in the process of the raising money also for the monument. I think they still have a million dollars to go, if I'm not speaking out of turn, they could correct me if I'm wrong. They have a generous, I guess, fundraising goal and I know that they're -- they've hosted events to try to raise money and trying to get everyone in Groton on board. Because the host community would like to host the USS Groton Sail. And we're excited about this.

I remember years ago when our former historian wanted to bring it from the west coast across to Connecticut. I think it was either in California or Seattle at the time and just the cost to transport it was outrageous. We were able to figure out a way to get it here in another manner. So, it's been a long process that started years and years ago and we're looking forward to seeing it come to fruition.

But that being said, I wanted to defer to you because you have much more experience as far as the
conveyance goes. And I know it's the late hour and we do need to have a significant support in the vote. And because DOT has weighed in in the way that they have, I'm concerned that it would not necessarily be able to get passed the House and the Senate at this late hour with their information.

So, if you feel that the best is to pursue the lease agreement which I'm kind of leaning that way because we do have confirmation that they would be willing to entertain that, I will defer to you on the conveyances.

REP. FRANCE (42ND): Thank you for that answer and notwithstanding the email that Representative Conley represented as a follow up from Friday. The DOT indicated that either lease or sale could be done under existing statute without the conveyance. I don’t know what the process would be or how more difficult that might be for the town but at least there would be a path if there's not available through the conveyance process.

And in conversation as you did point out, the, I think the issue with the sail location is actually the sub base not wanting it still on their property and dealing with it. And it is a great opportunity for the apprentices to work on a piece of a submarine that isn't going to sea. And if they make a mistake, they can fix it and learn from it and there's a lot of benefit that EB generates in that process. So, I appreciate it, thank you for your answer.

SENATOR SOMERS (18TH): Absolutely.

REP. FOX (148TH): Any further questions or comments for Senator Somers? Senator, thank you for time and testimony, I appreciate you being here.

SENATOR SOMERS (18TH): Thank you for having me.
REP. FOX (148TH): Anyone else here wish to testify that has not signed up? Seeing none, we'll close the public hearing for today. Thank you very much for your time today, thank you.