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TOWN OF LEDYARD

Department of Land Use and Planning

Hannah Gienau, Zoning and Wetlands Official

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MEMORANDUM FOR THE RECORD

APPLICATION #IWWC25-22SUB

REGULAR MEETING – TUESDAY, November 18, 2025

Prepared by Hannah Gienau, Zoning and Wetlands Official on 11/18/25

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| Agent/Applicant(s): | Peter C. Gardner (Agent) & R+H Holding Company (Applicant) |
| Property Owner(s): | John Hale Almy II & Marcy Zwerling Almy |
| Project Address: | 939 Long Cove Rd, Gales Ferry CT, 06335 |
| Meeting Date: | November 18, 2025 |
| Date Received by IWWC: | October 7, 2025 |

Applicant/Owner Requests:

Proposed regulated activities include the subdivision of the Site into three lots, the repair of an existing wetland crossing on proposed Lot 963 Long Cove Road, and the construction of a new wetland crossing on proposed Lot 943 Long Cove Road within a wetland and intermittent watercourse. In addition regulated activities in the Upland Review Area (URA) includes the installation of two footing drains and a reserve tank for a septic system in association with the construction of two proposed single-family homes on the aforementioned lots (943 and 963 Long Cove Road), temporary disturbance for installation of Erosion & Sediment Controls, and grading associated with new driveway construction for lots 943 and 963 Long Cove Rd.

Property Info:

Zone District: R40

Total-Area: 48.55 Acres

Total Wetlands: Per the Applicant, 10 Acres.

Public Water Supply Watershed: No.

Flood Hazard Zone: X (FIRM ID:09011C0362J)

Referrals:

Town Engineer: Referred 10/01/25. Comments received on 11/18/25. See FD#10.

Town Planner: Referred 10/01/25. No Comments received to date.

Fire Marshal: Referred 10/01/25. No comments received to date.

Building Official: Referred 10/01/25. No comments received to date.

LLHD: Referred 10/01/25. No comments received to date.

Tax Assessor: Referred 10/01/25. No comments received to date.

Regulated Activity Description:

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|---|--------------|
| Wetland Disturbance Area | 1200 SF +/- |
| Watercourse/Waterbody Disturbance Area- 943 Long Cove Rd | 38ft +/- |
| Watercourse/Waterbody Disturbance Area- 963 Long Cove Rd | 38ft +/- |
| Upland Review Disturbance Area | 23,900SF +/- |

Staff Comments:

Please be advised the following comments with regard to my review of the Application, supporting documents, and plan set entitled "Plan Showing Kineo Estates Subdivision Prepared for MT. Kineo Builders, Property of John Hale Almy II and Marvy Zwerling Almy, 939 Long Cove Rd, Ledyard CT, September 2025." (FD#6)

1.) Regulated Activities (Wetlands & Intermittent Watercourse):

According to the applicant, the current proposal is to subdivide the parcel into 3 lots. Regulated activities within the wetlands will include repairing an existing wetland crossing at 963 Long Cove Road and constructing of an additional crossing on the proposed subdivision lot at 943 Long Cove Road. In addition, temporary disturbance within the wetland will include installation of Soile Erosion and Sediment Controls and minimal grading for driveway construction. According to the Applicant, the wetland/watercourse area is 1,200 square feet (400 square feet at 963 Long Cove Road and 800 square feet at 943 Long Cove Road).

Wetlands report (copy attached). The report of Ian Cole, Professional Soil& Wetlands Scientist, dated October 16, 2025, states in relevant parts:

1. The driveway to be constructed on proposed lot 943 Long Cove Rd will have to cross a "narrow flagged wetland associated with the source of an ephemeral stream."
2. The second dwelling that is proposed on lot 963 Long Cove Rd, currently has an abandoned dwelling that is to be demolished and removed. To access the home site the previous existing wetland crossing will have to be replaced with a similar culvert.
3. The proposed activities are not likely to have a significant effect on the environment for the following reasons:
 1. There is minor filling of an inland wetland and/or watercourse to facilitate two driveway crossings, one of which is at a location where a driveway previously crossed the wetlands and was removed.
 2. The project will not substantially change the natural channel or negatively inhibit the natural dynamics of the wetland system.

3. The proposed activities within the uplands will not diminish the capacity of the wetland. The wetland will provide the same wetland functions and values post development.
 4. The erosion and sediment controls will protect the environment from the proposed activities and if appropriately installed, monitored and maintained will not likely cause or have the potential to cause substantial turbidity, siltation or sedimentation in a wetland or watercourse.
- 4.) "In my professional opinion there will be no significant adverse impacts resulting from the development of the project as currently proposed. The activities required to facilitate development will not result in any loss of function to wetlands and watercourses." See Following Reasons in FD#8.

3.) Regulated Activities (Upland Review Area):

Regulated activities within the Upland Review Area will include as follows:

- A.) The installation of two footing drains associated with the construction of the proposed new single-family homes on lots 943 and 963 Long Cove Rd. The footing drain locations are shown on the proposed Site Plan and will discharge within the 100ft URA as shown on the site plan.
- B.) The installation of the Reserve Septic Tank area located on the northwest portion of the proposed lot 963 Long Cove Rd as shown on the proposed site plan.
- C.) Temporary Erosion and Sediment Controls will be installed on lots 943 and 963 for the duration of the project within the 100ft URA and installed for the duration of construction/repairment of wetlands crossings on lots 943 and 963.
- D.) Temporary disturbance for grading and driveway construction on lots 943 and 963.

4. **Town Engineer:** In a Staff Memo dated 11/18/25 (FD#10) the Town Engineer stated that the Drainage Report stated an 18" pipe will be utilized for Lot 963 but is shown as 15" on the Plans. I find that the application is otherwise acceptable in managing stormwater impacts." Applicant has addressed these comments and revised the plans.

Commission Actions: The Commission will need to:

1.
 - a. Make a finding as to whether or not the proposed activities are significant impact activities Class "B" (not significant impact) or "C" (significant impact) as defined by the Regulations (see *definition of Significant Impact Activity* below);

OR

- b. If it is found to be a Class "B" not significant impact activity or, in the alternative, set a public hearing for the application if it is found to be a Class "C" significant impact activity.

Staff recommends the Commission shall make a finding of whether the proposed regulated activities meet the definition of a significant impact activity, per IWWC Regs Section 2 (*Terms and Definitions*) as follows:

"Significant impact" means any activity, including, but not limited to, the following activities which may have a major effect as determined by the IWWC.

1. Any activity involving deposition or removal of material which will or may have a substantial effect on the wetland or water course or on wetlands or water courses outside the area for which the activity is proposed.
2. Any activity which substantially changes the natural channel or may inhibit the natural dynamics of a water course system.
3. Any activity which substantially diminishes the natural capacity of an inland wetland or water course to: support aquatic, plant or animal life and habitats; prevent flooding; supply water; assimilate waste; facilitate drainage; provide recreation or open space; or perform other functions.
4. Any activity which is likely to cause or has the potential to cause substantial turbidity, siltation or sedimentation in a wetland or water course.
5. Any activity which causes substantial diminution of flow of a natural water course or groundwater levels of the wetland or water course.
6. Any activity which is likely to cause or has the potential to cause pollution of a wetland or water course.
7. Any activity which damages or destroys unique wetland or water course areas or such areas having demonstrable scientific or educational value.

Staff Recommendation: Staff suggests the activities are not significant impact.

CONSIDERATIONS FOR ACTION:

1. If the Commission believes the proposed regulated activities do not meet the criteria of significant impact, the following Motion is suggested:

MOTION #1 (Finding that the proposed activities are not Significant Impact Activities)

a. I make a MOTION that the Commission find that the proposed regulated activities within the watercourse/waterbody as submitted in the Application #IWWC25-22, plans and all supporting documents, do not meet any of the criteria of significant impact activities as defined the Town of Ledyard Inland Wetlands & Watercourses Regulations per IWWC Regs Section 2 and therefore are Class "B" activities.

OR

2. If the Commission believes the proposed regulated activities meet the criteria of significant impact, the following Motion is suggested:

MOTION #1 (Finding that the Proposed activities are Significant Impact Activities)

***b. I make a MOTION that the Commission find that the proposed regulated activities within the watercourse/waterbody as submitted in Application #IWWC25-22, its plans and all supporting documents, meet the criteria of significant impact activities as defined the Town of Ledyard Inland Wetlands & Watercourses Regulations per IWWC Regs Section 2 (Terms and Definitions)as follows:
LIST SECTIONS HERE:***

STAFF RECOMMENDATION: Approve regulated activities with Conditions and forward favorable report to the PZC for Subdivision.

CONSIDERATIONS FOR ACTION:

If the Commission is inclined to approve this application, the following language for a motion of approval is suggested:

M O T I O N # 2 (A Motion to Approve)-Regulated Activities

After giving due consideration to all relevant factors, including those in Section 6 of the Ledyard Inland Wetland Regulations and Section 22a-40 of the Connecticut General Statutes, I move to APPROVE Application #IWWC 25-22SUB, submitted by the Agent, Peter Gardner, , Applicant, R+H Holding Company, and the Property Owner John Hale Almy II & Marcy Zwerling Almy, for regulated activities relative to the subdivision of 3 lots & associated site improvements as more fully described in the application & supporting documents, dated September 29, 2025 and a plan entitled "Plan Showing Kineo Estates Subdivision Prepared for MT. Kineo Builders, Property of John Hale Almy II and Marvy Zwerling Almy, 939 Long Cove Rd, Ledyard CT, September 2025".

1. Soil erosion and sediment controls shall be installed prior to the start of work and maintained in good working order until any disturbed soils are permanently stabilized with vegetative cover.
2. Prior to the start of any work at the site, the Ledyard Wetlands Enforcement Officer shall be notified and shall conduct an inspection to verify soil erosion and sediment controls have been properly installed at the wetland crossings and throughout the site.
3. Revise the notes on Sheet 4 of 4 on the proposed site plan to state the most up to date Connecticut Guidelines for Soil Erosion & Sediment Controls, Effective Date March 30, 2024.
4. Any future proposed changes to the proposed site plan submitted as part of this application shall be reviewed and approved by the Wetlands Official and/or the IWWC.
5. Individual home construction containing regulated activities shall be reviewed & approved by the WEO and/or IWWC.

M O T I O N # 3 (Finding favorable report to Planning & Zoning Commission)

- a. I make a motion the IWWC forwards a favorable report to the PZC Per Section 11.5 of the Town of Ledyard Inland Wetland and Watercourses Regulations.

M O T I O N # 3 (Finding unfavorable report to Planning & Zoning Commission)

- b. I make a motion the IWWC forwards and unfavorable report to the PZC, *reasons shall be stated on the record.*

If the Commission is inclined to deny the permit, reasons shall be stated on the record.