



TOWN OF LEDYARD CONNECTICUT

741 Colonel Ledyard Highway
Ledyard, CT 06339-1511

Ad Hoc Committee to Evaluate Separation of the Planning Commission & Zoning Commission ~ AGENDA ~

Regular Meeting

Tuesday, August 11, 2026

6:00 PM

Town Hall Annex

REMOTE MEETING INFORMATION

<https://ledyardct.zoom.us/j/83597122029?pwd=b1a0l9hI9vDO3C1Ruwjw4uJyJVgPyt.1>

Meeting ID: 835 9712 2029

Passcode: 097045

One tap mobile

+16465588656,,83597122029#,,,,*097045# US (New York)

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

1. MOTION to approve Ad Hoc Committee to Evaluate the Separation of the Planning Commission & Zoning Commission special meeting minutes of July 14, 2026.

Attachments: [Ad Hoc Committee to Evaluate Separation of the Planning Commission & Zoning Commission Special Meeting Minutes 07.14.2026](#)

IV. COMMUNICATIONS

1. Communications List-August 11,2026

Attachments: [Ad Hoc Committee-Milton David Schroeder Jr.- 08.4.2026](#)
[Carmen Garcia Irrizary Email Response to Suggested Research Topics](#)
[Staffing and Administrative Implications 08.03.2026](#)
[Correspondence between Mike Cherry & Carmen Garcia Irizarry -Re](#)
[Planning Zoning Insights 07.26.2026](#)
[Email Correspondence between Mike Cherry and Carmen Garcia Irrizary](#)
[Re Possible Research Topic for the Ad Hoc Committee 07.22.2026](#)
[Email- Eric Treaster -Comments Regarding 71426 Meeting of the Ad Hoc](#)
[Committee To Evaluate Separation of PZC-07.28.2026](#)
[Ad Hoc Separation Comments 7.27.26 Eric Treaster Comments](#)
[Email-Jim Gauld in favor of separate P&Z Commissions 08.04.2026](#)
[Email-Vivian Zoe in Support of Separate P&Z Commissions 07.15.2026](#)
[Possible Research Topic for the Ad Hoc Committee-Milton David](#)
[Schroeder Jr. 07.21.2026](#)
[Proposed Agenda Items for Next Ad Hoc Committee Meeting- Milton](#)
[David Schroder Jr 08.05.2026](#)
[Public Records of Interest to Ad Hoc Committee- Milton David Schroeder](#)
[Jr 08.04.2026](#)
[Suggested Research Topics Staffing and Administrative](#)
[Implications-Milton David Schroeder 07.29.2026](#)
[Email Correspondence between David Schroeder Jr and Beth Ribe-Re](#)
[Public Comments during Ad Hoc Meetings-08.05.2026](#)
[Sarah Monroe- Email Correspondence in favor of separate P& Z](#)
[Commissions-08.09.2026](#)
[Richard Morange-Email correspondence in support of separate P&Z](#)
[Commissions-08.09.2026](#)
[Karen Parkinson-Email Correspondence in Support of separate P&Z](#)
[Commissions-08.10.2026](#)
[Lee Ann Berry-Email Correspondence in Support of Separate P&Z](#)
[Commisison-08.09.2026](#)
[Liz Burdick-Email Correspondence 08.11.2026](#)
[Kim Millar-Email Correspondence-08.10.2026](#)
[Waleed Albakry-Email Correspondence 08.11.2026](#)

V. BUSINESS OF THE MEETING

1. Review and Discuss Town Resolution 002-2026/Mar 25.

Attachments: [Resolution Establishing an Ad Hoc Committee to Evaluate the Separation](#)
[of the Planning Commission and Zoning Commission](#)

2. Review and discuss Town Charter IV Section 3.

Attachments: [Chapter IV Section 3 Town Charter](#)

3. Discussion of relevant factors, such as the ones outlined below, to evaluate whether to

separate the Planning & Zoning Commission into two individual commissions or retain the existing combined commission structure.

- a. Historical reasons for combining the two commissions into one.
- b. Changes to the Town Charter, local ordinances, etc.
- c. Financial
- d. Administrative burden of running two separate meetings and legal notices.
- e. Application Process-timeline, efficiency, etc.
- f. Number of volunteers needed-recruiting and retention
- g. Commission members specialization
- h. Long term planning and implementation of POCD under the current structure of two separate commissions.
- i. Consistency between the POCD and zoning decisions.
- j. Review timeline for zone changes/regulations and amendments.
- k. Any documented problems due to the combined structure (i.e. diminished planning, conflicts of interest, delayed applications, zoning regulations improperly applied, litigation, etc.
- l. Feedback from other towns that have separate commissions and towns that have a combined commission.
- m. Any other factors not mentioned above.

Attachments: [Letter 7-7-26 Proposed Topics - Schroeder](#)
[7-8-26 Executive Summary of Treaster 12-25 Letter](#)
[Reasons to Reestablish Separate Zoning and Planning - Treaster](#)
[Useful Links](#)
[Land Use Budget Analysis 1998-2027](#)
[Town Council Public Hearing 06.13.2012](#)
[Town of Ledyard Town Council Regular Meeting Minutes 06.27.2012](#)

VI. OLD BUSINESS

1. Any Old Business proper to come before the Committee

VII. NEW BUSINESS

1. Any New Business proper to come before the Committee

VIII. ADJOURNMENT

DISCLAIMER: Although we try to be timely and accurate these are not official records of the Town.



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 26-1100

Agenda Date: 8/12/2026

Agenda #: 1.

MINUTES

Minutes:

MOTION to approve Ad Hoc Committee to Evaluate the Separation of the Planning Commission & Zoning Commission special meeting minutes of July 14, 2026.



TOWN OF LEDYARD

741 Colonel Ledyard Highway
Ledyard, CT 06339-1511

Ad Hoc Committee to Evaluate Separation of the Planning Commission & Zoning Commission

Meeting Minutes SPECIAL MEETING

Tuesday, July 14, 2026

6:00 PM

Town Hall Annex-Hybrid Format

I. CALL TO ORDER

Chairperson Carmen Garcia-Irrizary called the Ad Hoc Committee to Evaluate Separation of the planning Commission and Zoning Commission special meeting to order at 6 p.m.

II. ROLL CALL

Present Board Member Tony Capon
Board Member Kevin Dombrowski
Board Member M. Dave Schroeder Jr.
Board Member Beth E. Ribe
Board Member Carmen Garcia-Irizarry

III. APPROVAL OF MINUTES

1. MOTION to approve the Ad Hoc Committee to Evaluate the Separation of the Planning Commission & Zoning Commission organizational meeting minutes of June 23, 2026.

RESULT: APPROVED AND SO DECLARED

MOVER: Kevin Dombrowski

SECONDER: Tony Capon

IV. BUSINESS OF THE MEETING

1. Review and Discuss Town Resolution 002-2026/Mar 25.

RESULT: CONTINUE

2. Review and discuss Town Charter IV Section 3.

RESULT: CONTINUE

3. Discuss Pros & Cons of a Separate Planning & Zoning Commission vs. a Combined Planning & Zoning Commission.

The committee began the discussion by reviewing the history and timeline of the previously separate Planning Commission and Zoning Commission, as well as their eventual consolidation. The Planning Commission was established in 1961 and the zoning commission was established in 1973. Prior to 1973, the Town Council served as the Zoning Commission. Following changes

to the state statutes in 1973, a separate Zoning Commission was established. The Planning and Zoning Commission was ultimately combined in 2012, and the commission's composition was formally documented during the 2018 Charter Revision.

The committee discussed at length the respective roles and responsibilities of the Planning Commission and the Zoning Commission. The Commission also reviewed the purposes of the Plan of Conservation and Development and the Zoning Regulations. During the discussion, Connecticut General Statutes §§ 8-2, 8-3, and 8-4 were referenced and examined.

The committee also held a brief discussion regarding the legal implications of maintaining a combined Planning and Zoning Commission versus separate commissions, as well as the potential financial impacts of each structure. It was agreed that this topic warrants further review, and additional discussion will be scheduled for a future meeting.

The committee discussed the staffing implications of maintaining a combined Planning and Zoning Commission versus separate commissions. The Commission agreed that staffing requirements would remain unchanged, as both structures would continue to require a Planner and a Zoning Enforcement Officer.

The possibility of increasing the number of members serving on a combined Commission was also raised, and the potential advantages and disadvantages of such a change were discussed. The committee further discussed the ongoing challenge of recruiting and retaining qualified individuals to fill commission vacancies. As part of this conversation, the process by which the Town Council reviews and appoints applicants to serve on commissions was also discussed.

The committee devoted a substantial amount of time to discussing the Plan of Conservation and Development (POCD). Topics included the process for completing a comprehensive revision of the POCD, the amount of time the Planning and Zoning Commission dedicates to reviewing the document during regular meetings, whether consultants are necessary to assist with the revision process, and the various people who provide input during the revisions.

The committee discussed how they would determine how research assignments and discussion topics would be divided among Committee members for review and discussion at the next meeting, scheduled for August 11, 2026.

To conclude the meeting, the Committee reviewed the purpose and objectives of the Ad Hoc Committee and discussed the information and topics that are relevant to fulfilling its duties.

V. ADJOURNMENT

Chairperson Carmen Garcia-Irrizary adjourned the meeting at 8:36 p.m.

DISCLAIMER: Although we try to be timely and accurate these are not official records of the Town.



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 26-1099

Agenda Date: 8/11/2026

Agenda #: 1.

AGENDA REQUEST
GENERAL DISCUSSION ITEM

Subject:

Communications List-August 11,2026

Background:

(type text here)

Department Comment/Recommendation:

(type text here)

From: Milton David Schroeder Jr <mdschroederj_pub@yahoo.com>
Sent: Tuesday, August 4, 2026 3:23 PM
To: Jessica Michaud
Subject: Ad Hoc Committee
Attachments: Land Use Budget Analysis 1998-2027.pdf

Dear Ms. Michaud,
Please forward the attached PDF, "Land Use Budget Analysis 1998-2027," to the other members of the Ad Hoc Committee, and add it to the list of exhibits available to the public on the Town's website.

Thank you for your assistance.

Sincerely,

Dave Schroeder

From: Carmen Garcia Irizarry
Sent: Monday, August 3, 2026 12:55 PM
To: Milton David Schroeder Jr
Cc: Jessica Michaud
Subject: Re: Suggested Research Topics - Staffing and Administrative Implications

Hi Mr. Schroeder,

I just wanted to let you know that I received your email and that I am looking into your suggestions. I didn't want you thinking that I don't read your emails due to a lack of a response from my part. I always read them and take them in consideration when drafting the agenda. I appreciate very much all your thoughts and input as many of the questions you are asking are making me think about things that I would not have thought just on my own.

I hope you had a nice weekend and I'll see you next Tuesday.

Carmen
Sent from my iPad

On Jul 29, 2026, at 12:44?PM, Milton David Schroeder Jr
<mdschroederj_pub@yahoo.com> wrote:

Dear Chairwoman Garcia-Irizarry,

One of the Ad Hoc Committee's charges is to evaluate the staffing and administrative implications of separating the PZC. As I've been thinking about our discussion at the last meeting, I believe there are several questions that would need research.

For example, during our last meeting Mr. Capon stated that, under separate commissions, the Zoning Enforcement Officer would need to be planner-certified in order to assist a separate Zoning Commission. Similarly, Eric Treaster's recent letter to the Committee refers to CAZEO certification.

Rather than relying on assumptions, I think it would be helpful for the Committee to gather objective information on questions such as:

- * What certifications or qualifications are required for a Zoning Enforcement Officer to fulfill the responsibilities outlined in the Town Charter and Connecticut law? Is the town's current ZEO qualified to do so?
- * Would separating the commissions require any changes to those qualifications?
- * Are there statutory or practical reasons why additional certifications

would or would not be necessary?

How would you suggest is the best way of obtaining answers to those questions?

I also think it is important that we consider staffing from the opposite perspective. Today, the Town Planner provides support to a combined Planning & Zoning Commission on both planning and zoning matters. If the commissions were separated, the Town Planner's primary responsibility would once again be advising the Planning Commission on long-range planning matters, including development and implementation of the Plan of Conservation and Development (POCD). It would be useful to understand whether that shift in responsibilities could reduce the need

for outside consulting services or otherwise improve the Town's planning capacity.

Similarly, questions have been raised regarding administrative support. Some have suggested that two commissions would require additional administrative resources. Before accepting that assumption, I think we should better understand how the current workload is distributed. For example:

- * Would separating the commissions actually increase the total administrative workload, or would it simply divide the existing workload between two meeting schedules?

- * How much additional work, if any, would be created?

- * Would it be helpful for the Committee to speak with the Town staff responsible for preparing agendas, posting notices, and compiling meeting minutes to better understand the practical implications?

As I've been reviewing Planning & Zoning records, I've also noticed that the level of detail in Commission meeting minutes varies considerably over the years. Some years contain detailed summaries of the issues discussed, while others contain only brief references to agenda items with

little explanation of the deliberations. There may be many reasons for this,

and I don't want to speculate. However, it may be worthwhile to ask whether staffing levels, workload, or changing administrative practices have influenced the quality and completeness of the public record.

Finally, I've begun reviewing historical Town budgets to better understand

the costs associated with preparing previous POCDs. My preliminary review of budgets dating back to 2007 has not identified a budget line item

for outside consulting services related to preparation of either the 2010 or

2020 POCD. I intend to continue that research and present my findings to the Committee at our next meeting.

I offer these suggestions because I believe the Committee's recommendations will be strongest if they are based on a thorough

understanding of the staffing, administrative, and budgetary implications of both governance models.

Thank you for your consideration.

Sincerely,

Dave Schroeder Jr.

From: Carmen Garcia Irizarry
Sent: Sunday, July 26, 2026 9:57 PM
To: Mike Cherry
Cc: Roxanne Maher; Fred Allyn, III; Elizabeth Burdick; Jessica Michaud; Gary St. Vil
Subject: Re: Planning & Zoning Insights

Hi Mike,

Your experience and observations will be greatly appreciated by the committee. As of right now, the committee doesn't have in the agenda a public comments section, but everyone is welcomed to attend our hybrid meetings which are the second Tuesday of the month at 6pm in the Council Chambers. There will be a discussion item in the agenda for the next meeting about scheduling a workshop with the public. In the meantime, if you can send us your experience and observations in writing that would be greatly appreciated. Correspondence will be included in the agenda by our Admin support - Jessica Michaud.

Thank you very much for your help.

Regards,
Carmen

Sent from my iPad

On Jul 23, 2026, at 11:13?AM, Michael Cherry <mj.cherry@comcast.net> wrote:

I would be happy to share my insights and opinions
When and where is your meeting?
I'll prep a single sheet bulleted list based on my experience and observations
and be willing to answer any questions the committee may have

Sent from my iPhone

On Jul 22, 2026, at 22:44, Carmen Garcia Irizarry <CGIri@ledyardct.org> wrote:
Hi Mike,

I hope you are doing well. The ad-hoc committee to study the potential separation of the P&Z commission into two separate commissions had in June its organizational meeting and in July our first meeting. I am the Chair of the committee and I am reaching out because you are a former member of the Planning & Zoning Commission. Were you a member of either the Planning or the Zoning Commission before they were

combined and right after when they were combined? Could you share any insights, information, advice, etc. that you might have regarding your experience before and after the commissions were combined? Your thoughts on this topic will be greatly appreciated even if you were not a commissioner back then. Also, do you remember who were or might have been the members of the combined commission at that time? I would like to gather their thoughts too. Mr Treaster shared with us some of his thoughts and insights which are very much appreciated as they contain a lot of relevant information, but I would also like the committee to hear from other members at that time.

Thank you very much for your help and I hope you have a nice weekend.

Regards,
Carmen

Sent from my iPad

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From: Carmen Garcia Irizarry
Sent: Wednesday, July 22, 2026 10:21 PM
To: Milton David Schroeder Jr
Cc: Jessica Michaud
Subject: Re: Possible Research Topic for the Ad Hoc Committee

Hi Mr Schroeder,

I hope you are doing well. The person I talked with was from Old Saybrook not Stonington, but I do agree with you about asking other towns with separate commissions about their experiences. I will reach out to other towns and then bring to the committee any insights, information, or advice that they might have. I am also planning to reach out to Ledyard former members that became part of the P&Z commission when it was combined.

Jessica and I are also trying to find the POCD from 2013 that you mentioned at our last meeting.

Thank you very much for the suggestion and I will bring up to the next meeting any information that I receive.

I hope you have a nice weekend.

Regards,
Carmen

Sent from my iPad

On Jul 21, 2026, at 8:33?PM, Milton David Schroeder Jr
<mdschroederj_pub@yahoo.com> wrote:

Dear Chairwoman Garcia-Irizarry,

I've been thinking about one of the points Mr. Capon raised regarding the relatively small number of Connecticut municipalities that continue to operate with separate Planning and Zoning Commissions.

An interesting question occurred to me. Rather than asking why so many municipalities have combined their commissions, perhaps it would be equally worthwhile to ask why a number of municipalities have chosen to retain separate commissions after all these years. What advantages have they found in maintaining that structure, and what lessons might they be able to share with us as we conduct our own evaluation?

With that in mind, I wondered whether it might be worthwhile to contact the Planning Commissions in the municipalities Mr. Capon mentioned—East

Lyme, Stamford, Danbury, Bristol, and Roxbury—to ask whether they would be willing to share their experiences and perspectives on maintaining separate commissions. I also recall that you mentioned possibly speaking with someone from Stonington, which could provide another useful point of comparison.

Before pursuing this, however, I wanted to ask whether you think this would be a productive avenue of inquiry and consistent with the Committee's work.

If so, my initial thought was to begin by sending a brief letter addressed to each Planning Commission, care of the Town Planner, explaining our Committee's charge and asking whether they would be willing to share any observations or recommendations. My guess is that a written response may not always be practical, so I would likely follow up with a phone call to the Town Planner to see whether they could put me in contact with the Chair of the Planning Commission or another appropriate representative.

Do you think this would be a reasonable approach, or would you suggest another method that might be more likely to produce useful information?

I'd appreciate your thoughts.

Sincerely,

Dave Schroeder

From: Eric <bsaofnl-eric@yahoo.com>
Sent: Tuesday, July 28, 2026 12:33 PM
To: Jessica Michaud
Subject: Comments Regarding 7/14/26 Meeting of the Ad Hoc Committee To Evaluate Separation of PZC
Attachments: Ad Hoc Separation Comments 7.27.26.pdf

Ms. Jessica Michaud
Mayoral Assistant

Please provide this email and its attachment to Chairman Carmen Garcia-Irizarry and members of the Ad Hoc Committee to Evaluate Separation of the Planning & Zoning Commission.

You are welcome to contact me if any questions.

Respectfully,

Eric Treaster

**Remarks Regarding the 7/14/26
Meeting of the Ad Hoc Committee to Evaluate Separation of the PZC**

Eric Treaster
7/27/26

In my opinion, the Committee's 7/14/26 discussion on the advantages and disadvantages of a combined versus a separate Planning Commission and Zoning Commission fell into eight overlapping categories. Based on my experiences as a member of the Zoning Commission from 1987 through 2012, my role as its Chairman for over two years, my experience in proposing zoning regulations, and my continued interest in land use and the development of our Town, I believe it would be best if the combined Planning and Zoning Commission is restored to a separate Zoning Commission and a separate Planning Commission. The following comments are intended to be helpful:

Category 1 – Consistency of Zoning Regulations with the POCD

Everyone should have the same understanding of the POCD and its statutory relationship to the Zoning Regulations.

≈**12:40 DS** (Dave Schroeder) Indicated that the zoning regulations "*must*" or "*shall*" be made in accordance with the POCD.

≈**12:50 KD** (Kevin Dombrowski) Indicated that the zoning regulations "*must*" be in concert with the POCD. "*So it has to be consistent.*" "*Zoning regulations need to be in concert with the POCD.*"

≈**21:20 KD** Indicated that "*All that I have to do is add a statement that we reviewed the regulations and believe they are consistent with the POCD. That is all we have to say is that regulations are within the framework of the POCD.*"

However, under the statutes, the Zoning regulations are *only required* to be made "in consideration" of the POCD. This is supported by the following:

CGS §8-2(b) "Zoning regulations adopted pursuant to subsection (a) of this section shall:

(1) Be made ... in consideration of the plan of conservation and development adopted under section 8-23."

CGS §8-3(b) "... In making its decision, the Commission shall take into consideration the plan of conservation and development, ..., and shall state on the record its findings on consistency of the proposed establishment, change or repeal of such regulations and boundaries with such plan."

As such, the zoning regulations are not required to be "*in accordance*," "*in concert*," or "*consistent*" with the POCD.

Consistency with the POCD is *only required* to be "considered" when amending the zoning regulations.

The Commission is, however, required to make a "*finding*" if proposed regulations are, or are not, "*consistent*" with the POCD. Legally, it does not matter if the zoning regulations are *consistent* with the POCD, which is reasonable because, otherwise, conflicting goals in the POCD would result in conflicting and ambiguous zoning regulations.

The "*finding*" requirement was presumably intended to ensure the Commission truly *considered* the POCD when it develops and adopts zoning regulation amendments. However, in the real world, PZC motions to adopt proposed zoning amendments, if remembered, include only the perfunctory phrase that "*the proposed change is consistent with the POCD.*" The statement is normally meaningless because explicit "goals" in the POCD are seldom, if ever, discussed during the PZC deliberations or identified in its approval motions.

The ≈37:30 entry on page 4 identifies an example (#4) of what happened when the PZC forgot the "*finding*" requirement. The PZC also overlooked the "*finding*" requirement when it adopted the recent parking amendments to the regulations. I am not aware of the "finding" requirement being overlooked when the Zoning Commission adopted amendments to its zoning regulations before 2012.

Category 2 – Efficiency of Combined versus Separate Commissions

≈32:00 KD, TC (Tony Capon) Initiated a discussion regarding the efficiency of meetings of a combined commission versus the efficiency of separate commissions.

≈50:05 KD Said that "*A lot of times, a site plan review goes to Planning first before it goes to Zoning.*"

≈1:53:45 KD & BR (Beth Ribe) Asserted that the combined Commission was doing the same amount of work in one meeting per month today as the separate commissions were doing in three or four meetings per month (before 2012) because of the types of applications it is processing.

They claimed, but provided no examples, that combined commissions would be more efficient by avoiding the need for an applicant to appear before both commissions. One said that the Planning Commission could require a public hearing (up to 120 days) before the Zoning Commission would see the application, followed by the Zoning Commission having its public hearing, which could take another 120 days, which would not be efficient. They agreed that if wetlands were involved, it could require three hearings.

I am not aware of examples of site plan applications that required a meeting or hearing with the Planning Commission followed by a meeting or hearing with the Zoning Commission. A subdivision application would require a hearing with the Planning Commission, and, after approval, the proposed development of uses in the subdivision (i.e., a warehouse, office building, apartment complex, etc.) would require a hearing with the Zoning Commission. It is also possible that an applicant may require a regulation change before he can submit his application, which would also require two hearings.

The assertion that such applications happen "*a lot of times*" should be confirmed by listing examples processed by the Planning Commission and the Zoning Commission before 2012, and by the PZC, wearing its Planning hat and then wearing its Zoning hat, after 2012. I believe such situations may be possible but are exceedingly rare. I can provide an electronic copy of the 2009, 2010, 2011, and 2012 Zoning Commission and joint Planning/Zoning meeting minutes, which may be helpful.

Category 3 – A "Healthy Tension" Between the Planning Commission and the Zoning Commission

≈22:23 **KD** Said that the Planning Commission once disagreed with proposed zoning regulations, and a supermajority vote of the Zoning Commission was required. He indicated that although he was opposed to the new regulations, they were adopted.

≈36:55 **BR** Suggested that there is, and should be, a "*healthy tension*" between the Planning Commission and the Zoning Commission. She suggested "*quality*" as perhaps the reason, not size, workload, or budgets, for why some towns have separate commissions. DS agreed.

≈1:08:55 **TC** Said that "*All of our decisions are unanimous.*"

≈1:12:40 **KD** Said that, when he was on the Zoning Commission, he adamantly abhorred an application, but voted in favor of it anyway because he had no choice under the regulations.

≈1:56:34 **TC** Asked, if separate commissions are a great idea, why do not more than 5 out of 59 of the sampled communities have separate commissions?

If *all decisions are unanimous*, then alternative ideas were likely not adequately reviewed and considered. A variety of opinions means that alternative ideas were discussed, argued, and adopted or discarded, especially when the Commission is reviewing complex zoning regulation amendments, or when a proposed use should or should not require conditions of approval for a special permit. Separate commissions would more likely have the time to engage in robust discussions that result in non-unanimous decisions than a combined commission, which would be good for our Town.

Regarding the statement that a Commissioner voted in favor of an application he abhorred – I do not remember this event. It would be interesting to know why the application was approved. Applications that comply with well-written regulations should not be abhorrent.

There are multiple reasons towns may prefer separate instead of combined Planning and Zoning Commissions. Perhaps they believe it is important to have checks and balances, aka a "*healthy tension*," because it results in better and more useful POCD's, better Affordable Housing Plans, better subdivision regulations, better zoning regulations, better CAM reviews, and better and more attractive overall development. They may believe that quality is more important than efficiency, that separate commissions have more time to do quality work, and separate commissions are less dependent on planners and consultants.

Or perhaps they believe that volunteers would be more effective if they had time to specialize in "Planning" or specialize in "Zoning," depending on their interests, and did not need to have an interest in both planning and zoning. For example, how many people who have a high level of interest in planning for the development of our Town also have a high level of interest in writing zoning regulations, such as the regulations that limit the number of chickens and rabbits allowed on a residential lot, defining what is a "farm," or a definition of "height"?

Separate commissions with complementary duties would likely attract more volunteers than if their duties were the responsibility of a single commission. Separate commissions would also provide more time for their members to make better decisions and be less dependent on staff.

Category 4 – The Number of Lawsuits of Combined vs. Separate Commissions

≈2:27:05 TC Indicated that the PZC has been sued *very rarely*.

≈37:30 TC Suggested looking at the number of Lyme Zoning Lawsuits (which has separate commissions) and emphasized how many suits were filed as a result of it being a separate zoning commission compared with suits filed against combined commissions of other towns.

Except for the appeal of the Zoning Commission's denial of an 8-30g affordable housing three-unit multifamily at 83 Inchcliffe Drive, I do not remember the Zoning Commission being sued between 1987 and 2012.

However, the combined Ledyard Planning and Zoning Commission has been sued multiple times. These include:

1. The GFI's appeal of the PZC's denial of its special permit application to excavate 4,000,000 cubic yards over 10 years from Decatur Mountain. (IMO, this costly suit would have been avoided if the regulations were clear.)
2. Third Garden Park, L.P. vs. Ledyard Zoning Commission et al. (2013) (Regarding Stonegate Village MHP.
3. The City of Groton's recent appeal of the Ledyard Planning and Zoning Commission's approval of the Avery Brook Homes development.
4. Appeal of the PZC approval of new zoning regulations (2018) due to noncompliance with the POCD "*finding*" requirement and material deficiencies in its approved regulations. (I have an electronic copy of the complaint.)
5. Thomas A. Riffle Et Al. v. Town of Ledyard Planning and Zoning Commission, November 28, 2017 (Regarding an open space subdivision).

Category 5 – Staffing, Workload, and Dependency of Combined vs. Separate Commissions

≈42:00 BR Reported that "... *staffing must be a concern ...*" and that "*it is hard to find a Planner who finds it hard to work with a zoning commission,*" "*We are a small town, lots of us who have been on multiple commissions and not everyone is joining commissions, with two separate commissions, how will we get people to serve on two commissions?*"

(TC disagreed, believes staffing is not an issue.)

≈49:15 TC Reported that the ZEO *does not review site plans*. He stated that "*You need the Planner to review site plans, not the ZEO, unless the ZEO is planner certified.*"

≈56:45 TC Said that the Commission *does not write regulations*; the Planner is the one who writes the regulations.

≈1:02:30 TC Said that "*We already have a problem in this town, we cannot staff the commissions we have.*"

≈1:56:00 BR Said she has a lot of confidence in our land use director and our staff, and that has helped a lot She did not see a shortfall.

≈2:05:00 KD Alleged that the state mandated more uses to be allowed as-of-right, which *reduced the load* on the combined PZC.

≈2:10:35 KD Indicated that the PZC *has had nonmembers participate in the preparation of the POCD*. When asked when, he said he did not know, but said it has been done.

≈2:14:34 - KD, TC, CG (Carmen Garcia-Irizarry) - Entered into a discussion regarding the hiring of consultants to prepare the POCD.

There are, of course, many mandates, but few, if any, materially reduce the load on the PZC.

There is a mandate that allows accessory apartments as-of-right, which is reflected in the POCD and the current Zoning Regulations, but is of little significance. It allows a single accessory dwelling unit in a rear, side, or front yard, as-of-right. Very few residents want an accessory dwelling unit on their property, and due to septic and well constraints, few will take advantage of this law. It is a non-issue as far as PZC workload is concerned.

The new enabling statute (PA25-1) allows for "*priority housing development zones*," which permit a minimum of 10 units per acre as-of-right for a multifamily development. However, priority housing development zones are not mandated, and Ledyard does not have any "*priority housing development zones*." It does not impact the workload on the PZC.

A separate Zoning Commission, to protect health, safety, convenience, and property values, would likely have time to develop and promulgate regulations, consistent with the explicit POCD goal that the zoning regulations must *carefully protect the character* of Ledyard, would likely require a special permit, limit multifamily height to three stories, and, importantly, reestablish reasonable character requirements for multifamily and mixed uses. [Contrary to what was reported at 2:07:25, Zoning Regulations can impose character requirements on residential developments. An example is provided on page 10 & 11.]

A separate Zoning Commission, consistent with the explicit POCD goal to "*promote the development of diverse types of housing units*," would likely restore the regulations for age-restricted land-lease communities, which resulted in the development of Stonegate Village, Ledyard's 17th-largest taxpayer.

The Committee should determine why a consultant is needed to establish the development goals for Ledyard. The preparation of the POCD should be the duty of the PZC (wearing its Planning hat) or, preferably, a separate Planning Commission.

If a town is satisfied with its POCD, and a consultant is hired, all the consultant is likely to do is update the POCD cover with a new date and make minimal changes necessary to comply with amended statutes, if any. Is the PZC, when wearing its Planning hat, satisfied with the current POCD? It should know the answer to that question before deciding it needs a consultant. If it is not satisfied, what changes to the POCD does it recommend? A consultant should not be necessary to answer fundamental land development *policy* questions. The only time the cost of a consultant might be justified is when the PZC and the Town Planner do not have time to plan for the future of our Town.

It would be good for the Town to develop a POCD, without conflicts and ambiguity, that can, in reality, be used as a tool for amending the zoning regulations necessary to guide the development of Ledyard in a manner that enhances the quality of life and protects the health, safety, convenience, and property values of town residents.

IMO, the allegation that "*the PZC has had nonmembers participate in the preparation of the POCD*" is mistaken. During the last update of the POCD, I believe the PZC Chairman assigned responsibilities for one or more sections of the POCD to individual commissioners, but I do not remember if anyone outside of the PZC was asked to submit changes. It is my understanding, based on budget line items, that between 2007 and 2020, the Planning Commission and the PZC did not contract with consultants to support POCD updates. However, support may have been provided from other sources. The Chairmen may remember if consultants were hired to help prepare the POCD's, and the cost of such support.

IMO, Commissioners should be responsible for and exercise their own independent judgment. However, the lack of time, as a result of the workload assigned to the combined Planning and Zoning Commission, versus the responsibilities and workload that would be split and assigned to a separate Planning Commission and a separate Zoning Commission, may have created a situation where the PZC has become overly dependent on its staff and consultants. It appears that the Town Planner and her consultants, due to a lack of time and the PZC's inability to provide oversight, are establishing land use policy. IMO, the PZC, wearing its Planning hat, should establish land use policy, not the Town Planner and her consultants.

For example, during the recent public hearing on the parking regulation amendment to the Zoning Regulations, more than 38 comments and suggested improvements to the application were submitted by members of the public. I remember that only two were discussed during the Commission's deliberations, neither of which was adopted, and that the Commission adopted staff's and the consultant's recommendations without considering the POCD.

IMO, the PZC did not properly evaluate the 38 comments and suggestions, and as a result, did not make an informed independent decision. Was the public hearing, due to lack of time, only a show mandated by statute, or did it help the Commission make an informed decision? I believe this is an example, due to the PZC's lack of time, of the Town Planner and her consultant establishing land use policy?

There was also no *discussion* or "*finding*" of whether the new parking regulations were consistent with the POCD, even though a "*finding*" was required by statute. One amendment to the application was posted in the Clerk's office for 9 days before the hearing was continued, even though the law required proposed regulations to be posted for at least 10 full days before the public hearing. Did the Commission's workload contribute to these mistakes? Before 2012, the Zoning Commission was not as dependent on staff and did not make these types of mistakes.

Page 23 of the Town Charter shows that "*The Town Planner shall have the duty of assisting and advising ... the Planning and Zoning Commission on planning and on a master plan of development and land use, ... and ensuring that economic development projects are consistent with the Town's Plan of Conservation and Development, and shall ... have the duty of advising any office or agency concerning the effect of any office or agency on the plan of development.*"

The "*master plan of development and land use*" consists of the zoning regulations and zoning map. It is not the POCD.

As such, under the Charter, the Planner *assists and advises* the PZC on the development of the POCD, the zoning regulations, the zoning map, and whether economic development projects are consistent with the POCD. The Planner *is not required* to develop the POCD or the Zoning Regulations. She *is not required* to review zoning applications, review site plans, or assist the Commission to interpret the zoning regulations or land use statutes as they apply to individual land use applications. The Planner *is not required* to establish land development policies, which, IMO, is the duty of the Planning Commission, or the PZC while wearing its Planning hat.

Page 22 of the Town Charter shows that "*The Zoning Official shall have the duty of assisting and advising ... the Planning & Zoning Commission ... on land-use issues and State laws, the ... zoning regulations, and perform such other duties as the Mayor may prescribe, including enforcement, The Zoning Official shall have the duty of advising any office or agency concerning the effect of any action of said office or agency on the zoning regulations.*"

As such, under the Charter, our CAZIO-certified (or about to be certified) ZEO *assists and advises* the Commission (wearing its Zoning hat) on the development and review of Zoning

Regulations, the review of zoning applications and site plans, and on the interpretation of the land use statutes. She does not write zoning regulations or establish land use policy.

IMO, because the PZC is responsible for Planning (Subdivisions, POCD, Affordable Housing Plan, etc.) and for Zoning (Zoning regulations, site plan reviews, and special permit applications), the PZC is overworked and has become overly dependent on the Town Planner and her consultants. As a result, the PZC appears unable to independently perform both its "Planning" duties and its Zoning duties, and instead has little choice but to endorse the Planner's recommendations, often with little or no debate.

I believe that if the workload were split into a planning component and a zoning component, and the planning component were assigned to an independent Planning Commission and the zoning component to an independent Zoning Commission, the workload on each Commission would be less than the workload on the current combined Planning and Zoning Commission.

I also believe that the Planner's workload would be reduced and she would be able to do more high-level "*assisting and advising*" and "*promoting of economic development*," consistent with the Charter and the POCD, if our ZEO provided technical support to the Zoning Commission. There would be no change in the number of evening hours per month the ZEO attends in support of Commission meetings. The benefits of separating the PZC into two commissions would include:

- The Town Planner's "zoning" workload would be reduced;
- The Planning Commission "zoning" workload would be reduced;
- The need for consultants would be reduced;
- The POCD would likely be improved, with fewer conflicting goals;
- The POCD would more likely become a useful tool for the development of the Town;
- The AHP would likely be reviewed and improved;
- The Subdivision regulations would likely be reviewed and improved;
- The Zoning Regulations would likely be reviewed and improved.

There may also be other reasons why commission staffing might be an issue. It may be because the need for volunteers is not adequately publicized; the amount of knowledge required to make meaningful contributions on a land-use Commission requires too much time and effort to acquire; the workload on a commission may be too much; or perhaps the emotional reward for a volunteer's service is insufficient to justify the required effort.

For example, the time and effort to be a productive member of the Library, Cemetery, or Senior Citizen Commissions are likely less than the time and effort required to be an effective member of a combined Planning and Zoning Commission.

Many residents may not want to be in a position where they have to deny an application submitted by a neighbor. They may not want to be involved in litigation when the Commission is sued, which, IMO, is more likely for land use commissions than for other commissions. Or, it may be because many residents believe that property owners should have the right to do whatever they wish with their property, if they pay their taxes and the use does not harm their neighbors.

Category 6 – Quality of the POCD and the Zoning Regulations

≈1:37:00 CG indicated that the 2020 POCD contains internal conflicts, which is one of the reasons the Planner is requesting a consultant to resolve. She asked *if a separate planning commission would have helped avoid the conflicts?*

≈1:46:25 BR Asked, *"Where are we failing?"*

≈2:06:30 KD Stated, 5 years ago, *"there were a lot of things that were very discretionary to the Commission approval that the state has mandated that you cannot do anymore."*

≈2:07:25 TC Said, regarding the *"character of the town - the law states that we cannot use character of the Town"* [to deny an application].

The current POCD has multiple internal conflicts, which means it is ambiguous and is not a useful tool. (i.e., Economic development vs affordable housing development vs. protection of the quality of life, etc.) As a result, virtually any proposed zoning text amendment would be both consistent and inconsistent with the current POCD, which means the POCD is not useful.

For example, the POCD recommends allowing multifamily developments that can consist of an unlimited number of units, *as-of-right*, in Gales Ferry Village. This is consistent with the POCD's explicit housing goals, but conflicts with its explicit protection of character and quality-of-life goals. It also conflicts with what the majority of town residents want – reasonable development but without the "urbanization" of our Town.

The Zoning Regulations contain multiple deficiencies and conflicts, such as two different definitions for a multifamily development; ambiguous zoning regulations for major excavation (which were misinterpreted by GFI as permitting over 4,000,000 cubic yards of crushed rocks to be removed from Mount Decatur over a 10-year period); the multi-year omission of parking requirements imposed on multifamily and mixed use developments; the failure to require a public hearing for 8-30g applications, which would increase the probability that health and safety issues would be identified that outweigh the need for affordable housing; the excessive height (was 65', now 50', still excessive) permitted for multifamily and mixed uses in Gales Ferry; the fact that massive developments are permitted without a public hearing or the ability to impose conditions of approval; overly complex site plan submittal requirements for small as-of-right developments; the fact that some definitions reference forward into the regulations (circular logic); the fact that several definitions are for words and phrases that are not used in the regulations; and the omission of Village District regulations and regulations for age-restricted land lease communities, even though they were good for our Town and supported by most residents.

And, as previously mentioned, the regulations are so ambiguous and so poorly written that the Planner reported, on the record during the final PZC deliberations, that the GFI Decatur excavation application was *"in material compliance with the zoning regulations."* And then, a few hours later, the PZC commissioners unanimously (and correctly) denied the application because it did not comply with 13 requirements in the zoning regulations.

Better regulations would likely have prevented the Applicant from preparing an expensive application and avoided the legal and third-party expert costs for the Applicant, the Town, and the two Interveners.

Unfortunately, the PZC deleted the "character" requirements in the Zoning Regulations, even though they only needed to be amended. The mistake was likely due to a misunderstanding of the statutes that specify what must be in the regulations to regulate "character." The regulations for "character" are listed in CGS §8-2(d)(10), which states that:

"(d) Zoning regulations adopted pursuant to subsection (a) of this section shall not: ... (10) Be applied to deny any land use application, including for any site plan approval, special permit, special exception or other zoning approval, on the basis of (A) a district's character, unless such character is expressly articulated in such regulations by clear and explicit physical standards for site work and structures, ..."

As such, all that is necessary to regulate "character" is to amend the zoning regulations to include clear and explicit physical standards for site work and structures for new multifamily developments?

The following example shows regulations, consistent with the POCD and CGS §8-2(d)(10), that would help protect the character of Ledyard. A question the Committee may want to consider is why the PZC hasn't adopted similar regulations.

Physical Standards For Site Work And Structures [Sample]

Site Standards

- *Building Orientation: Ensure buildings relate to the street to enhance visibility and accessibility.*
- *Entry Visibility: Provide prominent and visible entries for each unit to create a welcoming atmosphere.*
- *Setback Patterns: Maintain existing setback patterns to ensure consistency with neighboring structures.*
- *Private Open Spaces: Each unit should have access to private outdoor areas such as patios, balconies, or yards.*
- *Public Open Spaces: Design public areas for recreational and social activities, ensuring they are visible from individual units for safety and supervision.*
- *Plant Selection: Use hardy, native plant species that require minimal maintenance and provide environmental benefits.*
- *Shade and Aesthetics: Incorporate trees and shrubs to soften the impact of hardscapes and enhance visual appeal.*
- *Parking Design: Position parking lots at the rear or side of buildings to prioritize street-facing units.*

Standards for Structures

- *Architectural Features: Avoid blank walls by incorporating decorative elements or landscaping to enhance visual interest.*

<i>Attribute</i>	<i>Recommendations</i>
<i>Material Selection</i>	<i>Choose durable materials like concrete, steel, or engineered wood for longevity and efficiency.</i>
<i>Load Distribution</i>	<i>Plan for efficient load-bearing walls and columns to optimize space and reduce costs.</i>
<i>Foundation Strength</i>	<i>Ensure foundations are designed to support the structure's weight and resist environmental factors.</i>

My purpose in including the above example is to encourage the Committee to determine whether or not the combined PZC (versus separate commissions) contributed to the deficiencies in the POCD and the deficiencies and omissions in the Zoning Regulations, and if its failure to comply with statutory *posting* and *finding* requirements are isolated events, or if they are due to an overworked commission and an overworked Planner?

IMO, deficiencies in the POCD and the Zoning Regulations would have been less likely if the Commissions were separate and each had more time to do their respective duties. I also believe the PZC has chosen to adopt Zoning Regulations that place a higher priority on economic development than on the protection of the quality of life, the character of our Town, the protection of property values, and the quality of new development, even though the respective goals in the POCD have equal priority. We did not have these types of deficiencies and omissions in the Zoning Regulations when the Commissions were separate.

Category 7 - Miscellaneous

≈53:15 **BR** Brought up the subject of "Summary Review," and who would be responsible for its conduct. She appeared to be concerned about the amount of effort and time that will be required for the PZC to complete the mandated "*summary review*."

The "*Summary Review*" requirement is in the new Zoning Enabling statute, which means, IMO, that the PZC, wearing its "Zoning hat", would be responsible for conducting the review. It would be the Zoning Commission if the commissions were separate. The review should not take much time.

Statutorily, per CGS §8-2r as amended, the "Summary Review" is a process to help determine:

"... (2) The identification, to the extent practicable, of specific zones or parcels that may be developed to meet the municipality's affordable housing goal through the process of summary review, as defined in section 8-2r of the general statutes, as amended by this act, together with the maximum allowed residential density for each such area; ..."

§8-2r provides: *"(a) For the purposes of this section, (1) "summary review" means able to be approved in accordance with the terms of a zoning regulation or regulations, including, but not limited to, requirements concerning setbacks, lot size and building frontage, applicable to a proposed development, and without requiring that a public hearing be held, a variance, special permit or special exception be granted or some other discretionary zoning action be taken, other than a determination that a site plan is in conformance with applicable zoning regulations and that public health and safety will not be substantially impacted, ... "*

Identifying uses that do not require special permits or other discretionary actions should require only that the PZC prepare a list of the as-of-right uses that are in the zoning regulations, plus a list of uses that currently require a site plan review or a special permit that should be designated as as-of-right uses.

Many of the as-of-right uses that require site plan review listed in the Zoning Regulations should require a special permit. This is because they are currently mistakenly being required to comply with subjective criteria, such as adequacy of screening, adequacy of dumpster locations, adequacy of site lines, appropriateness of proposed lighting and landscaping, lack of glare, adequacy of snow banking, traffic mitigation, dust, noise, vibrations, and other subjective issues. A zoning commission or a combined PZC does not have the authority to make subjective decisions or impose conditions of approval to mitigate the risks of such uses unless they require a special permit.

There are currently about 37 as-of-right uses listed in the Zoning Regulations that require a site plan review by the Commission instead of review and approval by the ZEO. A determination of which of these 37 uses should be reviewed by the ZEO, which should require a site plan review by the Commission, and which should require a special permit, could likely be completed as an agenda item during one or two regular meetings of the Commission.

The decisions should be based on factors such as whether a use that complies with the use and bulk requirements in the Zoning Regulations has a reasonable chance of harming our Town, and if yes, should the PZC have the authority to impose conditions of approval to mitigate the risks when necessary to protect public health, safety, convenience, property values, or natural resources.

Category 8 – Additional Questions

What should the relationship be of the PZC or the Planning Commission to the Town Planner?

Does the PZC, wearing its Planning hat, propose land use policies with assistance from the (expert) Town Planner, or does the Town Planner have the duty of proposing land use policies that are reviewed and approved by the PZC?

Even though land use commissions are composed of volunteers, I believe the PZC, wearing its Planning hat, should take the lead in developing land use policies, with assistance and advice from the Planner.

What does the Council think? The answer may influence the recommendation as to whether the PZC should be divided into independent commissions.

From: Jim Gauld Sr. <jimsgsr@gmail.com>
Sent: Tuesday, August 4, 2026 7:14 PM
To: Jessica Michaud

Planning and zoning should definitely be separated since their objectives are conflicting. The prior public meetings were very obviously skewed to favor Planning and ignored Gales Ferry residents. I blame that on our mayor. This is the opinion of James Gauld.

From: vivian zoe <vivianfzoe@gmail.com>
Sent: Wednesday, July 15, 2026 9:04 AM
To: Jessica Michaud
Subject: Separation of Planning and Zoning into two Commissions

Dear Ms. Michaud: With regard to theTown Council's recently established Ad Hoc Committee to Study the Separation of the Planning and Zoning Commission into two separate commissions, I would like to express my support for the concept.

I believe the town (particularly Gales Ferry) has reached the point where it should engage professional, non-partisan and disinterested advice to seriously consider long-range planning. In addition, the Town should develop a careful, long-range Plan of Conservation and Development (POCD), both protecting open space and natural assets and creating APPROPRIATE opportunities for developers.

A committee focused on zoning regulations, waivers and development applications can be retained to address the day-to-day needs of citizens.

Thank you for your attention.

Vivian F. Zoë
46 Pinelock Drive, Gales Ferry
860-965-1883
<https://www.artworkbyvivianzoe.us/>

"When the power of love beats the love of power, the world knows peace."
Angela
Nikolau and Ivan Beerkus

From: Milton David Schroeder Jr <mdschroederj_pub@yahoo.com>
Sent: Tuesday, July 21, 2026 8:34 PM
To: Carmen Garcia Irizarry; Jessica Michaud
Subject: Possible Research Topic for the Ad Hoc Committee

Dear Chairwoman Garcia-Irizarry,

I've been thinking about one of the points Mr. Capon raised regarding the relatively small number of Connecticut municipalities that continue to operate with separate Planning and Zoning Commissions.

An interesting question occurred to me. Rather than asking why so many municipalities have combined their commissions, perhaps it would be equally worthwhile to ask why a number of municipalities have chosen to retain separate commissions after all these years. What advantages have they found in maintaining that structure, and what lessons might they be able to share with us as we conduct our own evaluation?

With that in mind, I wondered whether it might be worthwhile to contact the Planning Commissions in the municipalities Mr. Capon mentioned—East Lyme, Stamford, Danbury, Bristol, and Roxbury—to ask whether they would be willing to share their experiences and perspectives on maintaining separate commissions. I also recall that you mentioned possibly speaking with someone from Stonington, which could provide another useful point of comparison.

Before pursuing this, however, I wanted to ask whether you think this would be a productive avenue of inquiry and consistent with the Committee's work.

If so, my initial thought was to begin by sending a brief letter addressed to each Planning Commission, care of the Town Planner, explaining our Committee's charge and asking whether they would be willing to share any observations or recommendations. My guess is that a written response may not always be practical, so I would likely follow up with a phone call to the Town Planner to see whether they could put me in contact with the Chair of the Planning Commission or another appropriate representative.

Do you think this would be a reasonable approach, or would you suggest another method that might be more likely to produce useful information?

I'd appreciate your thoughts.

Sincerely,

Dave Schroeder

From: Milton David Schroeder Jr <mdschroederj_pub@yahoo.com>
Sent: Wednesday, August 5, 2026 12:12 PM
To: Carmen Garcia Irizarry; Jessica Michaud
Subject: Proposed Agenda Items for Next Ad Hoc Committee Meeting

Dear Chairwoman Garcia-Irizarry,

In preparation for next week's Ad Hoc Committee meeting, I would like to suggest the following agenda items for the Committee's consideration:

- * Review of the 2012 public hearing minutes and Town Council deliberations concerning the consolidation of the Planning and Zoning Commissions.
- * Discussion of Eric Treaster's letter, Ad Hoc Separation Comments (July 27, 2026).
- * Review of the Land Use Budgets 1998-2027 analysis.
- * Discussion of obtaining information from Connecticut municipalities that continue to maintain separate Planning and Zoning Commissions, including their reasons for retaining that structure.
- * Discussion of obtaining information from the Town's administrative staff regarding the workload and administrative implications of re-establishing separate commissions.
- * Discussion of obtaining information from the Land Use Department regarding Zoning Enforcement Officer (ZEO) certification requirements and any implications they may have for separating the commissions.

I hope these topics will assist the Committee as it continues its evaluation of the potential advantages, challenges, and practical considerations associated with the Town's commission structure.

Thank you for your consideration.

Sincerely,

Dave Schroeder

From: Milton David Schroeder Jr <mdschroederj_pub@yahoo.com>
Sent: Tuesday, August 4, 2026 3:52 PM
To: Jessica Michaud
Subject: Public Records of Interest to Ad Hoc Committee

Dear Ms. Michaud,
Please send a pdf containing the following minutes to the other Ad Hoc Committee members, and include them also in the list of exhibits accessible by the public on the town's website:

* Public Hearing Minutes - Ledyard Town Council, 6:30pm June 13, 2012; public hearing on "An Ordinance Combining the Zoning Commission of the Town of Ledyard with the Planning Commission of the Town of Ledyard"
* Regular Meeting Minutes - Ledyard Town Council, 7:00pm June 27, 2012;
Agenda Item 4 - Motion to adopt a proposed "An Ordinance Combining the Zoning Commission of the Town of Ledyard with the Planning Commission of the Town of Ledyard" as contained in the amended draft dated June 27, 2012.

Thank you for your assistance.

Sincerely,
Dave Schroeder Jr

P.S. I have photocopies of those minutes if it would be of assistance, though they are printed on legal-sized paper.

From: Milton David Schroeder Jr <mdschroederj_pub@yahoo.com>
Sent: Wednesday, July 29, 2026 12:44 PM
To: Carmen Garcia Irizarry; Jessica Michaud
Subject: Suggested Research Topics – Staffing and Administrative Implications

Dear Chairwoman Garcia-Irizarry,

One of the Ad Hoc Committee's charges is to evaluate the staffing and administrative implications of separating the PZC. As I've been thinking about our discussion at the last meeting, I believe there are several questions that would need research.

For example, during our last meeting Mr. Capon stated that, under separate commissions, the Zoning Enforcement Officer would need to be planner-certified in order to assist a separate Zoning Commission. Similarly, Eric Treaster's recent letter to the Committee refers to CAZEO certification.

Rather than relying on assumptions, I think it would be helpful for the Committee to gather objective information on questions such as:

- * What certifications or qualifications are required for a Zoning Enforcement Officer to fulfill the responsibilities outlined in the Town Charter and Connecticut law? Is the town's current ZEO qualified to do so?
 - * Would separating the commissions require any changes to those qualifications?
 - * Are there statutory or practical reasons why additional certifications would or would not be necessary?
- How would you suggest is the best way of obtaining answers to those questions?

I also think it is important that we consider staffing from the opposite perspective.

Today, the Town Planner provides support to a combined Planning & Zoning Commission on both planning and zoning matters. If the commissions were separated, the Town Planner's primary responsibility would once again be advising the Planning Commission on long-range planning matters, including development and implementation of the Plan of Conservation and Development (POCD). It would be useful to understand whether that shift in responsibilities could reduce the need for outside consulting services or otherwise improve the Town's planning capacity.

Similarly, questions have been raised regarding administrative support. Some have suggested that two commissions would require additional administrative resources. Before accepting that assumption, I think we should better understand how the current workload is distributed. For example:

- * Would separating the commissions actually increase the total administrative workload, or would it simply divide the existing workload between two meeting schedules?
- * How much additional work, if any, would be created?
- * Would it be helpful for the Committee to speak with the Town staff responsible for preparing agendas, posting notices, and compiling meeting minutes to better understand the practical implications?

As I've been reviewing Planning & Zoning records, I've also noticed that the level of detail in Commission meeting minutes varies considerably over the years. Some years contain detailed summaries of the issues discussed, while others contain only brief references to agenda items with little explanation of the deliberations. There may be many reasons for this, and I don't want to speculate. However, it may be worthwhile to ask whether staffing levels, workload, or changing administrative practices have influenced the quality and completeness of the public record.

Finally, I've begun reviewing historical Town budgets to better understand the costs associated with preparing previous POCDs. My preliminary review of budgets dating back to 2007 has not identified a budget line item for outside consulting services related to preparation of either the 2010 or 2020 POCD. I intend to continue that research and present my findings to the Committee at our next meeting.

I offer these suggestions because I believe the Committee's recommendations will be strongest if they are based on a thorough understanding of the staffing, administrative, and budgetary implications of both governance models.

Thank you for your consideration.

Sincerely,

Dave Schroeder Jr.

From: Beth Ribe <beth_ribe@live.com>
Sent: Wednesday, August 5, 2026 4:41 PM
To: Milton David Schroeder Jr
Cc: Jessica Michaud; tylamb5350@outlook.com
Subject: Re: Public Comments during Ad Hoc Meetings

Hi David,
Thank you for your thoughts and consideration on this.

I am amenable to holding a public workshop understanding that that workshop is a separate event and function than the ad hoc committee, at least to my understanding.

The reason for written comments is solely due to time constraints and the popularity of this ad hoc committee.

I foresee that the ad hoc committee could - in its recommendations - recommend holding a public workshop prior to any decision-making. But I do not think the ad hoc committee can hold a public workshop within its function/purpose "of" the ad hoc. I could be wrong and would stand corrected if that is in fact the case.

Therefore, I suggest we continue with written comments and develop a recommendation to hold a public workshop if deemed necessary and favorable from the committee findings, once the ad hoc committee has performed its duty.

Regards,
Beth Ribe

On Aug 5, 2026, at 3:48?PM, Milton David Schroeder Jr <mdschroederj_pub@yahoo.com> wrote:

Hi Beth,

Ty Lamb mentioned that he had spoken with you about the policy we adopted at our first meeting to accept written public comments, but not verbal comments during our meetings.

Some residents have already expressed interest in having an opportunity to speak directly to the Ad Hoc Committee before we finalize our report. I told Ty that my only concern is that we have just four regular meetings remaining, and opening each meeting to public comment could significantly reduce the time available for the Committee's work. While the Committee does not have decision-making authority, we do have the opportunity to make recommendations through our final report. I

understand why some residents feel they would like the chance to be heard before those recommendations are finalized.

One possibility I suggested was holding a separate meeting—perhaps more in the form of a public workshop—where residents could share their thoughts without taking time away from our scheduled working meetings.

I was wondering what's your position on this? Are you open to suggesting Carmen add revisiting our public comment policy to the upcoming agenda, or do you think the current approach is the better way to proceed?

I'd be interested in hearing your thoughts.

Best,

Dave S.

From: Sarah Monroe <natnelliesmom@me.com>
Sent: Sunday, August 9, 2026 8:46 PM
To: Jessica Michaud
Subject: Ad Hoc Committee: Planning and Zoning

I'm writing as a Ledyard resident and business owner here in town, to ask you to support bringing back separate Planning and Zoning Commissions. I think having separate commissions would give Ledyard a better opportunity to focus on the future of our town and the kind of community we want to be years from now. Planning and zoning are both important, but they serve different purposes, and I believe each deserves the time and attention to do its job well. Separate commissions would also give us some additional checks and balances when zoning rules are changed. It would allow commissioners to focus more closely on either planning or zoning, while giving residents more opportunities to be involved and have their voices heard when important land-use decisions are being made. As residents, we all have a stake in how Ledyard grows and changes. I believe separating the two commissions would lead to more thoughtful discussion and better decisions for our town and its future. Thank you for listening and for the time you give to our community. Sincerely,
Sarah Kohrs-Monroe
Gales Ferry and Business Owner

From: Richard Morange <whiteymorange@gmail.com>
Sent: Saturday, August 8, 2026 11:17 AM
To: Jessica Michaud
Subject: Planning and zoning

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms Michaud and Committee members,

I am writing to voice my support of a separation of the boards for planning and zoning. It has become clear to me that the current system, with one board overseeing both responsibilities, is inefficient and counterproductive. These are extremely important functions of town government, and the idea that one small group of people, however dedicated, could effectively manage both is a false economy.

Planning how this town and its villages will grow requires the establishment, through study, research, and discussion, of a collective vision. It is a forward-looking and hopeful process best handled by a group of people who are not bogged down by the minutiae of zoning permits and appeals.

Zoning is equally important in its own way and makes the planning work, but it is always a matter of the here and now, seldom visionary. This process is one where the details are worked out as they impact real estate and real people's wants and needs.

Zoning boards work to avoid disputes and settle them when they arise. Planning boards look more broadly at the community rather than its individual members. The idea that one board can do both is unrealistic.

Sincerely,

Richard Morange
12 Winthrop Rd, Gales Ferry

978-844-4363

August 8, 2026

To: Charman and members: AD HOC Committee to Evaluate Separation of Planning and Zoning

From: Karen Parkinson. 55 Rose Hill Road, Ledyard. 50 year resident of Ledyard, Retired Licensed Clinical Social Worker, business owner, and community volunteer (currently Chair, Ledyard Historic District Commission and President Tri Town Trail Association.

Yes, I am strongly supporting the separation of Planning and Zoning Functions in order to have dedicated thinkers on planning and dedicated regulators on zoning. These are definitely two distinct separate kinds of folks; it is truly unrealistic to expect the same person to function in both capacities. Planning requires “out-of-the-box” “what if” non-linear thinking. Whereas zoning requires folks who are most comfortable “in the box” “compliance to rules and regulations”....linear thinkers.

I am not being critical here, just observing. Since the combination of functions in 2012, the composition of the Planning and Zoning Commission has become increasingly composed of linear thinkers. And the Agenda is full of “zoning”. Items. Looking back, the Commission re-wrote most of the zoning regulations; not much of any time in thinking about a “vision” of Ledyard’s future.

AT POINT: The POCD should be written by Planning Commission with the assistance of a Citizens Action Group. Ledyard should have a 50 year vision with the POCD the ten year plan to get there. Consultants are not the answer; use that money for updating the 2012 Gales Ferry Plan for the shopping area. And then making it happen.

At a recent Planning and Zoning meeting, I was making a public Comment and I directly asked each member to “put their planning hat on”,,,,,then seeing the replied body language, I realized they had none to put on! Their job was zoning regulation.

My concern is that some members of this AD HOC committee have already made up their minds to maintain the status quo, because of resistance to change or the concept of long range visionary thinking.

In closing, I would like to “cheer on” Ledyard. We have some great thinkers and doers, just waiting to be asked to help with planning. Lets get back our “Village Design Districts!” Maybe solicit “service industries” such as an out-patient medical group? Dental group? A 24-hour vet hospital? A 55+ community? Exercise gyms? All the services needed by the thousands of new families moving into the large apartment complexes in Groton. Ledyard can supply services, not housing! Who is paying attention to the Mohegan Riverwalk and how that will impact Ledyard? How can PLANNING take advantage?

at

From: Lee Ann Berry <lberryredtop@gmail.com>
Sent: Sunday, August 9, 2026 8:27 PM
To: Jessica Michaud
Subject: Support for Separating Ledyard's Planning and Zoning Commissions

Dear Members of the Ad Hoc Committee,

I am writing to express my strong support for returning Ledyard to separate Planning and Zoning Commissions.

My support is not based on criticism of any individual commissioner or Town staff member. Rather, I believe planning and zoning serve two distinct and equally important purposes, and each deserves the time and attention of a dedicated commission.

Long-range planning should guide zoning. Ledyard's Plan of Conservation and Development should establish our community's vision for the future, with zoning regulations serving as a tool to carry out that vision. A dedicated Planning Commission could focus more fully on the POCD, infrastructure, housing, economic development, preservation of community character, and meaningful engagement with residents and other Town boards and commissions.

Separating the commissions would also provide additional checks and balances. An independent Planning Commission could review significant zoning changes through the lens of the Town's long-term vision before they are adopted. Another level of thoughtful review should not be viewed as an obstacle to development, but as a safeguard that can lead to better decisions and clearer, more consistent regulations.

Recent land-use issues have demonstrated how important regulatory clarity is. When residents, applicants, Town officials, and attorneys can reach significantly different interpretations of what our regulations allow, the result can be uncertainty, expense, and litigation. Separate commissions would not eliminate disagreements, but greater specialization and additional review could help identify ambiguities and unintended consequences before regulations are adopted.

I also believe separation could strengthen public participation. Residents should have

opportunities to discuss what they want Ledyard to look like 10, 20, or 30 years from now before a particular development proposal forces that conversation. Planning should be proactive rather than primarily reactive.

Ultimately, I believe the question before the Committee is larger than whether the current combined commission can perform both functions. The question is: What structure will best serve Ledyard for the next several decades?

I believe separate Planning and Zoning Commissions would strengthen long-range planning, provide additional checks and balances, allow commissioners to specialize, encourage greater public participation, and help ensure that zoning decisions remain consistent with Ledyard's long-term vision.

For these reasons, I respectfully ask the Ad Hoc Committee to recommend returning Ledyard to separate Planning and Zoning Commissions.

Thank you for your time, your service to our community, and for considering the comments of Ledyard residents.

Respectfully,

Warm Regards,
Lee Ann Berry

From: Carmen Garcia Irizarry
Sent: Tuesday, August 11, 2026 4:22 PM
To: Elizabeth Burdick
Cc: Fred Allyn, III; Gary St. Vil; Jessica Michaud
Subject: Re: Ad-hoc committee to evaluate the separation of the planning & zoning commission

Good afternoon Liz,

Thank you for your response. Your presence is crucial because all the committee members had questions that only the Town Planner can answer. While you addressed some of these questions in your last paragraph, we need a detailed understanding of how separating the commissions will impact your department to create an accurate and comprehensive report with recommendations. Given your daily work with the P&Z commission, you're uniquely positioned to discuss the practical functioning of the current combined structure and how the decisions of one structure versus the other will affect your department. We value your input on a few specific points:

1. Operational Flow: How frequently do planning and zoning matters overlap on the same application? How would splitting the functions affect processing time and staff workload?
2. Coordination Risk: If we move to two separate commissions, what are your concerns about the risk of inconsistent or conflicting decisions between them on related applications?
3. Staff Capacity (already addressed to some extent in your email): Would supporting two sets of meetings, agendas, and legal notices be feasible with the current staffing? Or would it require additional resources?
4. Any other issues not mentioned: Are there any issues you've encountered that we should consider and discuss?

The committee has received correspondence from Mr. Treaster, including his feedback and insights. As with any other feedback, we carefully read and consider it. Any correspondence we receive is part of the public record, and whether Mr. Treaster's statements are accurate or not, I believe in listening to everyone, regardless if I agree with them or not. Ultimately, the committee will provide a report to the Town Council with our

recommendations based on information gathered from multiple sources. We thoroughly review all the information.

As Chair of the committee, I am focusing on examining this issue from an operational, financial, administrative, etc. to determine what is best for the entire town. To deliver unbiased recommendations to the full Town Council at the end of the six-month period of the committee's work, I have reached out to the Land use department of several other municipalities with separate commissions. I have also contacted former P&Z commission members, such as Mike Cherry, who have worked under both models. Currently, I don't have a preference for which approach we should adopt, and since you are the most knowledgeable person on this topic, I rely on your expertise.

Many residents are familiar with planning and zoning regulations, but many others are not. My objective over the next six months is to compile a comprehensive report that presents accurate information, free from emotional and political biases. This report aims to educate all members of the Town Council and anyone else who reads it about the planning and zoning process, decision-making procedures, and potential recommendations to enhance the current structure if the committee reaches the conclusion that the commission should stay as one. Ultimately, if the committee concludes that the Planning and Zoning Commission should be separated, the report will provide a detailed explanation of the rationale behind this decision. Many committee members, including myself, value your insights because your department is the most directly affected by this issue. It would be irresponsible to make recommendations without the input of those who will implement them.

I understand that your department is very busy and that attending meetings in addition to your regular responsibilities can be challenging. I would greatly appreciate it if, instead of attending tonight's meeting, you could answer the questions I mentioned above at your earliest convenience. Your answers will be shared with the rest of the committee and can be discussed at next month's meeting.

Regards,
Carmen N. Garcia-Irizarry
Ledyard Town Council
Administration Committee Chair

On Aug 11, 2026, at 2:19?PM, Elizabeth Burdick <planner@ledyardct.org> wrote:

8/11/26 Good afternoon, Councilor Garcia Irizarry, Thank you for your email.

I am in receipt of your request that Land Use Dept. staff attend the meetings of Ad Hoc Committee for P & Z Separation. I apologize for the delayed reply.

Unfortunately, due to a previous commitment, I am unable to attend tonight's meeting.

In further reply, I'm not sure what my presence would contribute to the meeting. I can inform the Committee in writing the powers granted to separate zoning and planning commissions by the CT General Statutes, but ultimately it is not for me to decide which way to go. I feel that I should

remain neutral on the issue. I can also, time permitting, review documents

that have been attached to the Committee's agenda and point out any irregularities or obvious inaccurate information.

I also want you to be aware that prior to the passing of the resolution that

created the Ad Hoc Committee, Mayor Allyn advised Chairman St. Vil that no

one from the Land Use Dept. could support another meeting. We are a small staff, have enough work for two of each of us and already attend multiple night meetings that may increase in the coming months for larger applications.

Also important is that since my return to Ledyard in April 2024, the Council

has allowed multiple residents to disparage me, both verbally and in writing

with unfounded comments. This is not limited to me, but also to other Land

Use & Town staff. The only comment I have heard from the Council to those

residents that chose to disparage staff is "thank you" after public comments

of disparagement. It disappoints me that the Council does not direct members of the public to discontinue this practice, so it continues as the norm.

With respect to the Ad-Hoc Committee to Separate Planning & Zoning Commission, one of the main promoters of the separation, Eric Treaster,

submitted a letter entitled "Reasons to Reestablish Separate Zoning and Planning Commissions" dated "10 December 2025" that disparages "the Planner" multiple times. Mr. Treaster was allowed to read it and then submit it for the record to the Town Council, I believe in December. Now he has submitted that same letter for record of the Ad Hoc Committee. It can easily be found and read by almost anybody as it is attached to your Subcommittee meeting agenda, including potential future employers. By allowing the letter to be attached to your last agenda, Mr. Treaster is being given a second bite at the proverbial (defamatory) apple, with the tacit blessing of the Committee.

Lastly, based on the comments I have heard from the public over the past 2+ years and the current climate in Gales Ferry and Ledyard, my professional opinion is that the promoters of the Separation are proposing it so that a separate Zoning Commission could adopt Zoning Regulations that are so restrictive, that new development would be, if not improbable, so cost prohibitive as to be impossible. If this should happen, future development- including desperately needed commercial and industrial projects that would increase the Town's tax base (thereby reducing the residential taxpayer burden) - would languish. Alternatively, future developers may be forced to submit 8-30g applications that do not need to comply with zoning regulations. These types of applications are often appealed whether they are approved or denied and the Town's legal expenses would soar. Additionally, staff would be split, which is typical of the few CT Towns with separate Commissions. The Town Planner would staff the Planning Commission and the Zoning Official would staff the Zoning Commission. Job descriptions would need to be revised in that case to reflect new duties and the separated Commissions would require additional administrative staff to prepare for and attend meetings and prepare minutes and agendas, amongst other duties, adding even more cost for the Town.

Thank you,
Liz Burdick, Director of Land Use & Planning
Town of Ledyard
741 Colonel Ledyard Highway, Ledyard, CT 06339
Telephone: (860) 464-3215
Email: planner@ledyardct.org

From: Carmen Garcia Irizarry <CGIri@ledyardct.org>
Sent: Monday, August 10, 2026 6:48 PM
To: Elizabeth Burdick <planner@ledyardct.org>

Cc: Fred Allyn, III <mayor@ledyardct.org>; Gary St. Vil
<GSVil@ledyardct.org>
Subject: Re: Ad-hoc committee to evaluate the separation of the planning
& zoning
commission

Hi Liz,

I hope you are doing well. I just want to confirm that you will be able to attend tomorrow's meeting (Tuesday) for the ad-hoc committee evaluating the separation of the P&Z commission. Your perspective is very valuable and very much needed. Please, let me know if you can attend.

Regards,
Carmen N. Garcia-Irizarry
Ledyard Town Council
Administration Committee Chair

On Jul 26, 2026, at 9:45?PM, Carmen Garcia Irizarry
<cgiri@ledyardct.org> wrote:
Hi Liz,

I hope you had a wonderful weekend. Earlier this month, we held the first meeting (post-organizational meeting) for the ad-hoc committee tasked with evaluating the potential separation of the planning and zoning commission. The resolution requests to the Mayor the assignment of someone from the Land Use Department to this committee. Would you or someone from your staff be able to attend the next meeting? Our last meeting was quite lengthy, and we eagerly anticipate your insights, feedback, and expertise.

Thank you very much for your help.

Regards,
Carmen

Sent from my iPad

From: Kim Millar <kim6gf@gmail.com>
Sent: Monday, August 10, 2026 4:01 PM
To: Jessica Michaud
Subject: Separation of Planning & Zoning Commission

To Whom it May Concern,

I am writing in support of SEPARATING the current Planning and Zoning Commission into two commissions, one for Planning and one for Zoning.

In my opinion, Planning for a community is quite different than Zoning. Issues brought before the Commission are often complex, and it may be difficult for Commissioners to have both Planning and Zoning hats on at the same time. In addition, having separate Planning and Zoning Commissions may help to alleviate the workload for the volunteers who do this work for our town.

Thank you,

Kim Millar

From: Carmen Garcia Irizarry
Sent: Tuesday, August 11, 2026 3:26 PM
To: Jessica Michaud
Subject: Fwd: Planning Commission

Hi Jessica,

Please add this email thread to the correspondence list in the agenda. I will also forward you an email from Elizabeth Burdick so it can be added to the agenda too.

Thanks,
Carmen N. Garcia-Irizarry
Ledyard Town Council
Administration Committee Chair

Begin forwarded message:
From: Waleed Albakry <w.albakry@danbury-ct.gov>
Date: August 11, 2026 at 9:29:16?AM EDT
To: Carmen Garcia Irizarry <cgiri@ledyardct.org>
Subject: Re: Planning Commission

Good morning Councilwoman Garcia-Irizarry,

Please accept my apologies for the error in my previous message. Both Norwalk and Brookfield successfully combined their Planning and Zoning bodies to streamline approvals, centralize reviews, and accelerate the land-use application process. I understand your point about appointed bodies, but appointed bodies can still be subject to political pressures.

Best,
Waleed Albakry, AICP, MCIP, CMFO
Planning Director
City of Danbury, CT
155 Deer Hill Avenue City Hall - 1st Floor
Danbury, CT 06810 Email: w.albakry@danbury-ct.gov
PH: 203-797-4525

City Hall is closed on Fridays

On Mon, Aug 10, 2026 at 6:29?PM Carmen Garcia Irizarry <CGIri@ledyardct.org> wrote:
Hi Mr. Albakry,

Thank you very much for sharing your perspective with us. I truly appreciate it. I have a few follow up questions. Why would you prefer a combined commission? Is it due to administrative costs, financial considerations, the timeline for approving applications, decision making processes, or other factors? In Ledyard, the members of the Planning and Zoning commission are appointed by the Town Council, which might reduce the influence of politics on their decisions since they are not elected.

Again, thank you very much for taking some time to answer my emails. Looking forward to hearing back from you.

Best,
Carmen N. Garcia-Irizarry
Ledyard Town Council
Administration Committee Chair

On Aug 10, 2026, at 9:22?AM, Waleed Albakry
<w.albakry@danbury-ct.gov> wrote:

Dear Councilman Garcia-Irizarry,

Operating two completely separate commissions is indeed not very common in Connecticut, and from a professional land use perspective, I would personally prefer to have only a single, combined Planning and Zoning Commission. To provide some historical context, the City of Danbury decided to split into two separate commissions back at the end of the 1960s. The underlying driver for this structure appears to have been largely political. In Danbury, our Zoning Commission members are elected, whereas our Planning Commission members are appointed by the city. The system was not disliked by the majority party over the decades, it simply continued without change.
Best,

Waleed Albakry, AICP, MCIP, CMFO
Planning Director
City of Danbury, CT
155 Deer Hill Avenue City Hall - 1st Floor
Danbury, CT 06810 Email: w.albakry@danbury-ct.gov
PH: 203-797-4525

City Hall is closed on Fridays

On Thu, Aug 6, 2026 at 9:05?PM Carmen Garcia Irizarry
<CGIri@ledyardct.org> wrote:
Hi,

My name is Carmen N. Garcia-Irizarry. I serve as a Town Councilor for Ledyard and I am the Chair of an ad-hoc committee evaluating the potential separation of our Planning & Zoning Commission into two distinct commissions. While most towns in Connecticut operate under a combined commission model, Danbury is one of the few that has maintained the two commission structure. I would greatly appreciate your insights, particularly from the perspective of the land use department, into the reasons behind Danbury's decision to keep its commissions separate. If you can't answer my question, could you please

refer me to someone who could answer my question? Any information, including the pros and cons of having two separate commissions, would be invaluable and greatly appreciated.

Thank you very much for help!

Regards,
Carmen N. Garcia-Irizarry
Sent from my iPad

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TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 26-1000

Agenda Date: 8/11/2026

Agenda #: 1.

AGENDA REQUEST
GENERAL DISCUSSION ITEM

Subject:

Review and Discuss Town Resolution 002-2026/Mar 25.

Background:

(type text here)

Department Comment/Recommendation:

(type text here)

RESOLUTION
ESTABLISHING AN AD HOC COMMITTEE
TO EVALUATE THE SEPARATION OF THE
PLANNING COMMISSION & ZONING COMMISSION

WHEREAS: the Town of Ledyard currently operates under a Combined Planning and Zoning Commission pursuant to Connecticut General Statutes § 8-4a; and in accordance with Ordinance #300-005 "An Ordinance Providing For A Combined Planning And Zoning Commission for the Town of Ledyard"; and Chapter IV, Section 3, of the Town Charter;

WHEREAS: residents have expressed concern that the combined Planning and Zoning Commission has faced an increase in the volume of applications and the complexity of land-use issues; and therefore, has requested the establishment of an Ad Hoc Committee to evaluate separating the roles into a Planning Commission; and into a Zoning Commission;

NOW, THEREFORE, BE IT RESOLVED: that there is hereby established "*An Ad Hoc Committee to Evaluate the Separation of the Planning Commission & Zoning Commission*" to be composed of five (5) members appointed by the Ledyard Town Council.

Those members shall, as much as possible, be representative as follows:

- One Members of the Community-at-Large with Planning experience
- One members of the Community-at-Large with Zoning experience
- One member from the Planning and Zoning Commission
- One member from the Community-at-Large
- One member from the Town Council

In addition, request the Mayor assign a member from the Land Use Department Staff, either the Zoning Enforcement Officer; or Director of Planning to support the Ad Hoc Committee.

The Committee shall hold its Organizational Meeting no later than 30 days after its appointment and shall elect a Chairman, and Recording Secretary.

BE IT FURTHER RESOLVED, that Committee Members shall serve for a six (6) month term. Any vacancies on said committee shall be filled by the appointment of the Ledyard Town Council with priority given to maintaining as much as possible the structure above; and the attendance of fifty percent of the appointed members shall constitute a quorum.

BE IT FURTHER RESOLVED, that said Ad Hoc Committee is authorized:

- Study the feasibility, benefits, and costs of separating the Planning and Zoning Commission into two separate entities.
- Evaluate whether separating the roles would increase efficiency; improve public transparency, and reduce the potential for conflicts of interest; by the Planning Commission focusing on long-term development/master plan; and a Zoning Commission focusing on site plans and regulations;
- Review, among other things: staffing impacts, budgetary implications, changes to local ordinances required, and potential improvements to the permitting timeline.

BE IT FURTHER RESOLVED, that said Ad Hoc Committee shall provide a report of their recommendations to the Town Council upon completion of their assignment, no later than six months from its Organizational Meeting.

Adopted by the Ledyard Town Council on: March 25, 2026


Gary St. Vil Chairman

AN ORDINANCE
PROVIDING FOR A COMBINED PLANNING AND ZONING COMMISSION
FOR THE TOWN OF LEDYARD

Be it ordained by the Town Council of the Town of Ledyard

Section 1. Authority

Pursuant to Chapter IV, Section 3, of the Town Charter, the duties of the Zoning Commission of the Town of Ledyard as set forth in Chapter 124 of the General Statutes; shall be discharged by the Planning and Zoning Commission of the Town of Ledyard.

Section 2. Purpose

The purpose of the Planning and Zoning Commission is to discharge the duties specified in Chapters 124 and 126 of the General Statutes.

Section 3. Organization/Membership

The Planning and Zoning Commission of the Town of Ledyard shall be served by members as provided for in Chapter IV, Section 3, of the Town Charter, consisting of five (5) regular members and three (3) Alternate who shall be electors of the Town of Ledyard and shall hold no salaried municipal office. Members shall commence to serve their terms immediately upon appointment and shall serve until their successor has qualified or they have been reappointed or removed by the Town Council.

Regular Members and Alternate Members of the Planning and Zoning Commission shall not be members or alternate members of the Zoning Board of Appeals.

Appointment and removal of any member of the Planning and Zoning Commission shall be as provided for in Chapter IV, Section 9, of the Town Charter.

Any member of the Commission who is absent from three (3) consecutive regular meetings and any intervening duly called special meetings shall be considered to have resigned from the Commission. The vacancy shall be filled as herein before provided. Additionally, the commission may vote to waive the requirements of this section in each case where illness or other extenuating circumstances make it impossible for a member to meet the attendance requirements of this action.

The Town Council may remove members for cause which includes, but is not limited to unexcused absence from three (3) consecutive regular meetings and any intervening duly called special meeting, failure to act in the best interests of the Commission. It shall be the responsibility of the Chairman of the Commission to notify the Town Council when a member has not properly performed his/her duties.

The Commission may vote to waive the requirements of this section in each case where illness or other extenuating circumstances make it impossible for a member to meet the attendance requirements of this section.

Section 4. Alternate Members

Such alternate members shall, when seated as herein provided, have all the powers and duties set forth in the General Statutes or any special act relating to such municipality for such Commission and its members.

An Ordinance Providing for a Combined Planning and Zoning Commission for the Town of Ledyard

If a regular member of said Commission is absent or disqualified, the Chairman of the Commission shall designate an alternate to so act, choosing alternates in rotation so that they shall act as nearly equal a number of times as possible.

If any alternate member is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting.

Section 5. Duties

The Planning and Zoning Commission of the Town of Ledyard shall have the duties as specified in Chapter IV, Sections 3 of the Town Charter and all duties heretofore assigned by ordinance.

The Zoning Regulations of the Town of Ledyard as adopted and made effective October 11, 1963 and as thereafter amended shall remain in full force and effect except as they may be further amended by the Planning and Zoning Commission of the Town of Ledyard by procedures established in the General Statutes.

The Subdivision Regulations of the Town of Ledyard as adopted on March 22, 1962 and as thereafter amended shall remain in full force and effect except as they may be further amended by the Planning and Zoning Commission of the Town of Ledyard by procedures established in the General Statutes.

Section 6. Severability

If any section, or part of a section, of this Ordinance shall be held by a court of competent jurisdiction to be invalid, such holding shall not be deemed to invalidate the remaining provisions hereof.

Section 7. Effective Date

In accordance with the Town Charter this ordinance shall become effective on the twenty-first (21st) day after such publication following its final passage.

Amended, Adopted and Renumbered by the Ledyard Town Council on: September 25, 2019

Linda C. Davis
Linda C. Davis, Chairman

Approve/Disapprove on: 9/26/19

Fred B. Allyn, III
Fred B. Allyn, III, Mayor

Published on: October 2, 2019

Effective Date: October 23, 2019

Patricia A. Riley
Patricia A. Riley, Town Clerk

Revisions: Ordinance 5, "An Ordinance separating the combined Planning Commission of the Town of Ledyard into a separate Planning Commission of the Town of Ledyard and a separate Zoning Commission of the Town of Ledyard", adopted on October 23, 1961 and as amended and adopted on September 13, 1972; Ordinance #10 "Ordinance Providing for the Appointment of Three Alternate Members to the Planning Commission for the Town of Ledyard" adopted on September 13, 1972; Ordinance 21, "An Ordinance establishing a separate Zoning Commission and Panel of Alternates", adopted on December 5, 1973, Ordinance #128 "An Ordinance Combining the Zoning Commission for the Town of Ledyard with the Planning Commission of the Town of Ledyard" adopted on June 27, 2012

An Ordinance Providing for a Combined Planning and Zoning Commission for the Town of Ledyard

History:

The Twenty-fourth Town Council (2017- 2019) Ordinance Update Initiative: Renumbered Ordinance #128 to Ordinance #300-005.

2012: Ordinance #128 *"An Ordinance Combining the Zoning Commission for the Town of Ledyard with the Planning Commission of the Town of Ledyard"* (Adopted June 27, 2012).

2019: Section 1 removed language pertaining to the implementation; Section 2 removed "Whereas" language as that was in the format of a resolution; updated language to "Land Use Director" and all language regarding purpose for combining the Planning Commission with the Zoning Commission; Section 3 added language regarding member attendance relative to being considered resigned; Section 5 removed Implementation Schedule for Combined Planning and Zoning Commission; Section 7 updated "Severability" and Section 8 "Effective Date" language to be consistent with town ordinances. Removed Section 6 "Repeal" - Per Town Attorney the "Revisions" and "History" paragraph indicates that the previous ordinance has been updated and replaced. Renumbered the Sections accordingly.



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 26-1001

Agenda Date: 7/14/2026

Agenda #: 2.

AGENDA REQUEST
GENERAL DISCUSSION ITEM

Subject:

Review and discuss Town Charter IV Section 3.

Background:

(type text here)

Department Comment/Recommendation:

(type text here)

CHAPTER IV

OFFICERS, BOARDS; AND COMMISSIONS APPOINTED BY THE TOWN COUNCIL

SECTION 1. TOWN TREASURER

The Town Council shall by resolution no later than one (1) month after its organizational meeting appoint a Treasurer to serve for a two-year term, from the first Monday of January of the even numbered years or until his successor is qualified. The Town Treasurer shall have all powers and duties conferred or imposed by law, shall be the agent of the Town deposit fund, and shall have such other powers and duties prescribed by the Town Council and provided by this Charter.

If a vacancy occurs in said office, from whatever cause arising, it shall be filled by appointment by the Town Council for the unexpired portion of the term of said office.

The Treasurer shall receive such compensation and shall have such assistants as the Town Council may determine. The Treasurer shall designate, subject to the approval of the Town Council, a Deputy Treasurer who, in the absence or inability of the Treasurer to act, may assume the duties of the Treasurer as assigned by the Town Council.

SECTION 2. FIRE MARSHAL

The Town Council shall appoint a fire marshal and deputy fire marshal(s) as may be necessary, who shall have all the powers and duties of a fire marshal or deputy fire marshal as provided in the General Statutes. The Fire Marshal and Deputy Fire Marshal(s) shall be certified in accordance with the General Statutes.

SECTION 3. PLANNING & ZONING COMMISSION

There shall be a Planning & Zoning Commission consisting of five (5) members and three (3) alternates.

The Town Council shall fill vacancies on the Planning & Zoning Commission from whatever cause arising, in the manner, for the terms, and with all the powers and duties, not inconsistent with this Charter, as prescribed in the General Statutes.

The Planning & Zoning Commission shall advise the Mayor, regarding the appointment and removal of a Zoning Official, who shall be charged with the implementation and enforcement of the policies and regulations of the Planning & Zoning Commission.



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 26-1098

Agenda Date: 8/13/2026

Agenda #: 3.

AGENDA REQUEST
GENERAL DISCUSSION ITEM

Subject:

Discussion of relevant factors, such as the ones outlined below, to evaluate whether to separate the Planning & Zoning Commission into two individual commissions or retain the existing combined commission structure.

- a. Historical reasons for combining the two commissions into one.
- b. Changes to the Town Charter, local ordinances, etc.
- c. Financial
- d. Administrative burden of running two separate meetings and legal notices.
- e. Application Process-timeline, efficiency, etc.
- f. Number of volunteers needed-recruiting and retention
- g. Commission members specialization
- h. Long term planning and implementation of POCD under the current structure of two separate commissions.
- i. Consistency between the POCD and zoning decisions.
- j. Review timeline for zone changes/regulations and amendments.
- k. Any documented problems due to the combined structure (i.e. diminished planning, conflicts of interest, delayed applications, zoning regulations improperly applied, litigation, etc.
- l. Feedback from other towns that have separate commissions and towns that have a combined commission.
- m. Any other factors not mentioned above.

Background:

(type text here)

Department Comment/Recommendation:

(type text here)

Ad Hoc Committee to Evaluate the Separation of the Planning and Zoning Commission

Proposed Topics for Discussion and Research

Dear Fellow Committee Members and Members of the Public,

As we begin our work, I have been thinking about the scope of the Town Council's charge and what questions we should be asking over the next six months.

In my view, our assignment is not simply to decide whether two commissions would be preferable to one. Rather, we have been asked to determine whether a different Planning and Zoning structure would better serve the Town of Ledyard.

To answer that question, I believe we first need to understand how the current combined Planning and Zoning Commission has performed over the past fourteen years. That evaluation should be based on objective criteria derived from Connecticut statutes, the Town Council's resolution establishing this Committee, and the statutory roles and responsibilities assigned to Planning and Zoning Commissions.

I appreciate the comments made at our organizational meeting about focusing on the future rather than revisiting the past. However, I believe we cannot effectively evaluate the future without first understanding the past. I am not suggesting that we revisit past policy decisions or assign blame to individuals. Rather, I believe we should objectively examine examples from the historical record—not to debate whether a particular decision was "right" or "wrong," but to understand whether the Town's institutional structure influenced how those decisions were developed, debated, and implemented.

With that goal in mind, I would like to suggest several areas that may warrant discussion and research.

1. Long-Range Planning

One of the recurring themes in both the Town Council's resolution and public comments has been whether the combined Commission has become so occupied with zoning and development review that long-range planning receives less attention.

Possible questions include:

- Has the combined Commission adequately fulfilled the statutory planning responsibilities identified by the UCONN Land Use Academy?
 - How often does the Commission discuss the POCD?
 - How often has it initiated planning studies, infrastructure planning, or implementation projects?

- Does the current structure provide sufficient opportunity for deliberation on long-term planning issues?
- Does the Commission have time to adequately perform both planning and zoning functions sufficiently?
- Would separate commissions provide greater capacity for long-range planning?

2. Implementation of the POCD

Ledyard has now tried both separate and combined Commissions. Which of the two was more successful at adopting Town planning policies consistently by implementing corresponding zoning regulations.

Possible questions include:

- Have the major planning policies identified in successive POCDs been consistently translated into zoning regulations or other implementation measures?
- Does the institutional structure of the combined Commission affect the Town's ability to implement its own stated policies?
- Are certain categories of POCD policies implemented into regulations more consistently than others?
- Would a separate Planning Commission be better positioned to monitor regulatory implementation (of the POCD) and recommend updates?

3. Independent Review and Institutional Checks

The UCONN LUA fact sheets note that, when Planning and Zoning Commissions are separate, the Planning Commission¹ must review proposed zoning amendments and report on their consistency with the POCD, whereas the Zoning Commission² must establish, change or repeal regulations in consideration of (per CGS 8-2(b)1)³ the POCD. If the Planning Commission recommends against a proposal, the Zoning Commission may still adopt it, but only by a two-thirds vote. This creates an independent review focused on long-range planning.

When the commissions are combined, that independent review no longer occurs because the same body prepares the POCD, interprets the POCD, drafts zoning regulations, and determines whether those regulations are consistent with the POCD.

Questions the Committee may wish to consider include:

- Did the elimination of independent Planning Commission review materially affect how zoning regulations or the POCD were developed, debated, or adopted?
- Was there less discussion of consistency with the POCD?
- Was there less opportunity for independent review and public input?

¹ https://clear.media.uconn.edu/wp-content/uploads/sites/163/2023/10/planningfactsheet.page_.pdf

² https://clear.media.uconn.edu/wp-content/uploads/sites/163/2023/10/luafactsheetszoning.page_.pdf

³ https://www.cga.ct.gov/current/pub/chap_124.htm#sec_8-2

- Was the POCD driving regulatory change, or was the POCD being revised to accommodate regulatory objectives that had already been established?
- Would separate commissions provide a more robust process or additional capacity for reviewing planning policy and zoning amendments?

4. Regulatory Development and Legislative Drafting

The Town undertook comprehensive zoning regulation rewrites in approximately 2010–2012 and again between 2015 and 2020. The second rewrite required additional revisions following procedural and substantive issues.

Rather than debating the merits of those regulations, the Committee may wish to examine the process by which they were developed.

Possible questions include:

- Did the Town's regulatory objectives change between the two comprehensive rewrites?
- If so, did the change in Commission structure play a role?
- What other factors contributed to those changes or influenced the outcome? (e.g. membership, staffing, state legislation, economic conditions, or development pressures)
- Does the Commission's institutional structure affect the town's long-term planning objectives?

5. Regulatory Quality, Litigation, and Budgetary Implications

The Town Council specifically directed this Committee to consider staffing, budgetary implications, and potential conflicts.

Although litigation can occur under any governance structure, legal challenges may also provide insight into the quality and clarity of land use regulations.

Possible questions include:

- Has the combined Commission structure affected the clarity and legal defensibility of the Town's regulations?
- Have new regulations clearly expressed legislative intent?
- Have regulatory ambiguities resulted in appeals or litigation?
- Has the Town incorporated lessons learned from previous litigation?
- How has the combined Commission structure affected the decision making process when faced with potential litigation?
- Would separating planning and zoning improve either the regulatory drafting process or affect the decision making process with regards to litigation?
- Does the Commission adequately consider long-range municipal planning and intermunicipal coordination when making decisions?

6. Decision-Making Process and Public Transparency

The Committee may wish to examine the deliberative process surrounding major zoning amendments, including the extent to which planning objectives, alternatives, and consistency with the POCD were developed and discussed prior to adoption.

Possible questions include:

- What information is routinely considered when major zoning changes are proposed?
- How consistently is consistency with the POCD discussed during major zoning amendments?
- How are competing statutory objectives under CGS §8-2 balanced when adopting zoning regulations?
- What weight is given to staff recommendations, legal advice, economic analyses, advisory commissions, public input, and outside experts?
- Can the rationale for major policy decisions clearly be traced in the public record?
- Are alternative approaches publicly considered before major policy or zoning changes are adopted?
- Would separate Planning and Zoning Commissions improve transparency by providing dedicated forums for planning policy and zoning policy before changes are adopted?

Finally, I would appreciate clarification regarding one aspect of the Town Council's resolution. The resolution directs this Committee to evaluate the potential for "conflicts of interest." Because that phrase has both legal and ethical meanings, it would be helpful to understand whether the Council intended us to examine only legal or ethical conflicts, or whether it intended the term more broadly to include any conflicts—for example, tensions that arise due to unpopular regulations or unpopular town policies.

These suggestions are intended only as possible discussion topics. I welcome comments, additional ideas, or alternative approaches from fellow Committee members and members of the public. Given our limited six-month timeline, I believe it would be helpful to identify our major research topics early so that we can gather information, review historical records, and have meaningful discussions before preparing our final report.

Respectfully,

Dave Schroeder Jr.
Ad Hoc Committee Member

Executive Summary of Eric Treaster's December 10, 2025 Letter

Dear Ad Hoc Committee members, members of the public,

Mr. Treaster's December 10, 2025 letter to the Town Council presents a number of observations based upon his experience serving on Ledyard's Zoning Commission between 1985 and 2012, including as Chairman immediately prior to the merger of the Planning and Zoning Commissions.

He raises several points that, when framed as questions about institutional structure rather than policy outcomes, appear to fall within the Town Council's charge to evaluate whether separate Planning and Zoning Commissions would better serve the Town. Namely, the Committee may wish to consider the following questions:

- **Commission workload:** Has the combined Commission had sufficient time and capacity to adequately perform both its planning and zoning responsibilities?
- **Institutional balance:** Has the combined Commission become more focused on development review than on long-range planning?
- **Regulatory development:** Did the merger of the commissions materially affect the way zoning regulations were developed, debated, and maintained?
- **Regulatory quality:** Has the Commission structure affected the clarity, consistency, or legal defensibility of the Town's zoning regulations?
- **Reliance on staff and consultants:** Has combining the commissions increased reliance on professional staff or outside consultants for legislative drafting or policy development?
- **Institutional checks:** Does a combined Commission provide the same level of independent review during the development of planning policy and zoning regulations as existed under separate commissions?

Many of these questions overlap with the broader discussion topics outlined in my July 7, 2026 **Proposed Topics for Discussion and Research** memorandum to the Committee.

That said, Mr. Treaster's letter may provide valuable historical context and specific examples for the Committee to examine. Rather than treating the letter as presenting conclusions, I suggest we view it as identifying hypotheses that can be objectively evaluated through the public record and our research over the coming months.

Sincerely,

Dave Schroeder Jr

Member, Ad Hoc Committee

Reasons to Reestablish Separate Zoning and Planning Commissions

Eric Treaster
10 December 2025

I am here this evening to suggest reasons why the planning and zoning commission should be restored as separate commissions.

I served on the Ledyard Zoning Commission from 1985 to the end of 2012, when the Town Council combined the Zoning and Planning Commissions into a single commission. I was its Chairman in 2011 and 2012.

Ledyard adopted its first set of zoning regulations in 1963. The Town Council served as a combined Planning and Zoning Commission until about 1971, when it split the Commission into a separate Planning and Zoning Commission. At the end of 2012, to encourage commercial development, the Council recombined the Commissions into the current Planning and Zoning Commission.

The zoning regulations originally consisted of 29 pages. Between 1985 and 2011, the regulations underwent a series of revisions, including adopting regulations in about 1998, as suggested by Susan Mendenhall, the Mayor, for age-restricted mobile manufactured home land lease communities.

They also contained regulations suggested by Bill Haase and Brian Palaia, who were Town Planners, that designated areas of Gales Ferry and Ledyard Center as "Village Districts" and "Design Districts" as allowed under the land use statutes.

The Village District regulations included architectural standards, design requirements, and formal reviews by an architectural review board for commercial developments. By mid-2011, the regulations had grown to 206 pages.

In 2012, the Zoning Commission condensed the regulations to 139 pages, including regulations for the Village and Design Districts. They retained the regulations for age-restricted affordable mobile-manufactured home land-lease communities, which, in the early 2000s, guided the development of Stonegate Village on Flintlock Road. Stonegate Village is now Ledyard's 17th-largest taxpayer.

The regulations continued to require special permits for most commercial developments, which were necessary to ensure quality development and to avoid risking the preservation of our Town's character. The last vote of the Zoning Commission, before it permanently adjourned on October 11, 2012, was to approve the condensed set of regulations.

The zoning regulations that were in effect between about 1998 and the end of 2012, about 14 years, have a history of success. They guided the development of the Stonecroft Country Inn on Pumpkin Hill Road, the Pumpkin Hill Convenience Store near the Highlands, and the Two Trees Inn Hotel on Lantern Hill just east of the reservation.

Later versions resulted in the development of the Village Market in Ledyard Center, Dime Bank, the Fire Station, the condominiums on Fairway Drive, CVS in Gales Ferry, and the brick building on the SW corner of 117 and Rt 214, which at the time was owned by SNET. Each of these developments required a special permit.

They were all quality developments that did not affect the preservation of our Town's rural character or harm property values.

After being combined in late 2012, the Planning and Zoning Commission relaxed the regulations to encourage more commercial development. It deleted many special permit requirements, replaced the village and design districts with development districts, deleted the design guidelines, deleted the Architectural Review Board, increased height limits, and deleted regulations for affordable age-restricted land-lease communities.

Later, in about 2020, it removed most of the remaining special permit requirements and, to improve economies of scale and to make the development of multifamily and mixed-use developments more profitable, increased the height limit to 65' for multifamily and mixed-use developments in Gales Ferry and Ledyard Center.

The zoning regulations now consist of 191 pages. They allow most commercial uses as-of-right, including multi-hundred-unit multifamily and mixed-use developments in the Gales Ferry Development District and the Ledyard Center Development District, if the setback and height limits are satisfied and the development conforms with building and health codes. For example, the current regulations would allow, as-of-right, the 308-unit four- and five-story Trident Square Apartment Complex, which is behind the Chinese Restaurant on Rt 12 in Groton, to be built in Gales Ferry and Ledyard Center.

There were fewer high-quality commercial developments during the 14 years after 2012, when the commissions were combined, than during the 14 years before 2012, when they were separate. The 32-unit Ledyard Meadows Estates at 807 Colonel Ledyard Highway, built in 2018, is the only example of quality development between 2012 and today that I am aware of.

Without design guidelines, an architectural review board, parking, a reasonable height limit, and special permit requirements, it is likely the applications that are expected for Sweet Hill Farm, the Cartway property, and properties in Ledyard Center will be for lower quality developments that, because special permits are no longer required, could place the preservation of the character of our Town at risk. Dollar General is a good example.

The regulations should not have been relaxed after 2012 for the sake of development. Quality developments encourage the development of more quality projects, which improve our Town. Conversely, low-quality developments encourage more low-quality similar projects, ultimately diminishing the character and appeal of our Town.

By nature, volunteers on planning commissions tend to favor economic growth and support recommendations from the Economic Development Commission. They tend to be concerned with growth, water and sewer, affordable housing, open space, subdivisions, and the

avoidance of urban sprawl. They are also more likely to support growth for the sake of growth to increase the tax base.

Members of zoning commissions, on the other hand, are more responsive to concerns regarding the quality of life, traffic, protecting the character of our Town, improving and protecting safety and health, and protecting property values and natural resources. Members of zoning commissions tend not to support growth for its own sake.

For example, the zoning commission once spent hours deliberating on regulations regarding whether chickens and miniature horses should be allowed in residential districts. I suspect most volunteers on a planning commission would prefer to work on the Plan of Conservation and Development and on long-term planning for our Town's future.

Between 1971 and 2012, while the commissions were separate, the zoning commission met for about 3 hours twice a month. The planning commission also met for about 2-3 hours, but only about once a month. After they were combined, the Commission continued to meet for only about 2 or 3 hours, usually once each month.

How can the combined Commission do a good job in about 3 hours per month, when it previously required about 9 hours per month when they were separate? It cannot, unless it outsources much of its zoning or planning responsibilities.

This is demonstrated by the Commission's recent failure to address the omissions and ambiguities in the current zoning regulations and the conflicting goals in the Plan of Conservation and Development. For example, the costly GFI litigation was at least partially caused by a deficient definition of excavation as a major land use, which GFI mistakenly interpreted as allowing the quarrying of Mt. Decatur.

Because of the amount of work and effort required to be knowledgeable in both zoning and planning, volunteer commissioners on combined planning and zoning commissions, due to lack of knowledge and time, often have no choice but to accept guidance from the town planner, who does not live in our Town and may not care about its future. The Planner may also be biased in favor of or opposed to a development or policy, or may present conflicting information without the Commission's knowledge.

Separate commissions would also save money. If separate, the Zoning Commission would have more time to prepare and review its zoning regulations, and the planning commission would have more time to update its Plan of Conservation and Development.

For example, our town planner recently asked for funds to hire a consultant to help her update the POCD, even though the Commission has not yet had time to resolve the conflicts in the current Plan of Conservation and Development, and the update is not due for another four years. She also asked for \$2,500 to hire a consultant to prepare a zoning regulation change to address the parking deficiencies in the current regulations for multifamily and mixed-use developments. These types of expenses would be reduced if the Town had separate zoning and planning commissions.

Separate commissions would help free up time for the town planner to focus on planning rather than administrative duties. Separate commissions also help to create a check-and-balance that would be good for the Town. They would also result in better regulations and development, as was the case until 2012, when the commissions were combined.

In conclusion, I urge the Planning and Zoning Commission to revert to separate commissions, as it did in 1971. It will be good for our Town and is worth considering.

Useful Links

CT State Statutes, Title 8 (Zoning, Planning, Housing, Economic and Community Development)

https://www.cga.ct.gov/current/pub/title_08.htm

Separate Commissions:

Zoning Commissions: Enabled by CGS Sec. 8-1, which grants municipalities the authority to create zoning commissions and divide the town into districts to regulate land use.

Planning Commissions: Enabled by CGS Sec. 8-19, which authorizes municipalities to establish planning commissions to manage subdivisions and adopt a Plan of Conservation and Development.

Enabling Transitions:

Planning and Zoning Commissions: Enabled by CGS Sec. 8-4a, which allows any municipality to establish a single, consolidated commission to carry out the duties of both separate commissions.

Separating P&Z Commissions: CGS Sec. 8-4b governs how a municipality can reverse a combined commission back into separate planning and zoning commissions.

POCD

CGS Sec. 8-23. **Preparation, contents, amendment or adoption** of plan of conservation and development.

CGS Sec. 8-23c. Governs appointment of **special committees to develop and make recommendations for the POCD**, including membership of such sub-committees.

Land Use Academy - UCONN

<https://clear.uconn.edu/lua/resources/>

Roles and Responsibilities of Local Land Use Officials - Planning Commission Aug 2023

https://clear.media.uconn.edu/wp-content/uploads/sites/163/2023/10/planningfactsheet.page_.pdf

Roles and Responsibilities of Local Land Use Officials - Zoning Commission Aug 2023

https://clear.media.uconn.edu/wp-content/uploads/sites/163/2023/10/luafactsheetszoning.page_.pdf

Executive Summary

Land Use Budgets 1998-2027

One of the Town Council's charges to this Ad Hoc Committee is to evaluate the staffing impacts and budgetary implications of maintaining a combined Planning and Zoning Commission versus restoring separate Planning and Zoning Commissions.

To help answer that question, I reviewed twenty-eight years of publicly available Town budget records, allowing comparison of approximately fourteen years under separate Planning and Zoning Commissions with the fourteen years since they were combined in 2012. The premise of this review is straightforward: if combining the commissions significantly affected staffing or costs, some evidence of that change should be visible in the historical budget record.

Staffing

After accounting for temporary staffing vacancies in the Zoning Enforcement Officer and Building Official positions immediately preceding the merger, one finds **no evidence that combining the commissions materially reduced staffing levels.**

Over the years the Town has experimented with different staffing arrangements—at times providing separate assistants for the Planner, ZEO, and Building Official, and at other times sharing assistants among departments—but these changes occurred before the commissions were combined. Likewise, administrative support allocated specifically to the Planning and Zoning budgets disappeared from the budget after approximately 2003, making it difficult to determine whether combining the commissions had any measurable effect on clerical staffing.

Finding: the historical budget record does not support a conclusion that combining the commissions produced significant staffing efficiencies.

Salary Trends

Salary growth appears to reflect broader economic conditions rather than changes in commission structure. After excluding years in which positions were temporarily vacant, Land Use salaries generally increased:

- approximately **3.1% annually** prior to the 2008 recession,
- approximately **2.1% annually** between 2009 and 2019, and
- approximately **3.9% annually** following 2020.

Finding: Salary trends appear more closely associated with broader wage conditions than with the organizational structure of the commissions.

Operating Costs

While staffing costs have remained within expected trends, several categories of operating expenses increased substantially during the period following consolidation in 2012.

Most notable are:

- software licensing,
- legal expenses
- professional and technical services

Finding: Software licensing costs increased significantly after 2013 and rose sharply again beginning in FY2025. Whether this increase resulted from commission structure, technological change, or other factors cannot be determined from budget data alone.

Legal Costs

Legal expenditures likewise increased substantially in years involving major litigation.

The public records for Planning and Zoning identify three distinct regulatory periods:

- the pre-2012 regulations, legacy zoning regulations that had evolved over 40 years;
- the major regulation rewrite adopted in 2012, under the Zoning Commission;
- the major regulation rewrite adopted in 2019, under combined P&Z Commissions.

The largest litigation line items reflected in the 2010–2011 budgets arose from a disputed §8-30g affordable housing decision during the pre-2012 regime. During the period in which the 2012 regulations were in effect (2012–2018), litigation-related expenditures appearing in the budgets (principally in 2013 and 2017) remained comparatively modest.

By contrast, under the regulations adopted in 2019, the Town has once again incurred increasing litigation costs associated with procedural challenges to zoning amendments, disputes over land use decisions, and litigation involving interpretation of provisions contained within the revised regulations.

Finding: Litigation has occurred under all three regulatory periods. However, the more recent budgets reflect substantially larger litigation expenditures than those incurred during the period in which the 2012 regulations were in effect.

Whether these later disputes reflect shortcomings in regulatory drafting, legislative review, changing development pressures, or other factors cannot be determined from budget records alone. While this analysis cannot establish causation, it does identify a pattern that merits further examination to evaluate the effectiveness of the current commission structure.

The increase in litigation-related expenditures raises legitimate questions the Committee may wish to consider:

- Did the combined Planning & Zoning Commission have sufficient time and expertise to thoroughly review and refine major zoning amendments before their adoption?
- Has the combined commission structure affected the clarity, consistency, or legal defensibility of the Town's zoning regulations?
- Would separate Planning and Zoning Commissions provide additional opportunity for careful review of major regulatory amendments before adoption?
- Whether the organizational structure of the Commission influences not only how regulations are drafted, but also what types of policy changes are proposed and ultimately adopted - that leads to expensive lawsuits.

Plan of Conservation and Development

Despite reviewing budgets back to 1998 – covering preparation of the 2003, 2010/2013 and 2020 POCDs – there are **no identifiable budget line items for an outside consultant to prepare or assist in preparing the POCD**. By contrast, the current budget proposes funding for outside professional assistance with preparation of the next POCD.

Finding: Hiring an outside consultant to help prepare the POCD is a new development.

Whether this represents a consequence of combining the commissions cannot be determined from budget data alone. However, it does raise an important policy question: **Has the combined Planning and Zoning Commission become so occupied with zoning administration and development review that it no longer has sufficient capacity to perform one of its principal long-range planning responsibilities – a responsibility that belonged within the purview of the Town Planner under separate commissions – without outside assistance?**

That question lies squarely within the Town Council's charge to this Committee.

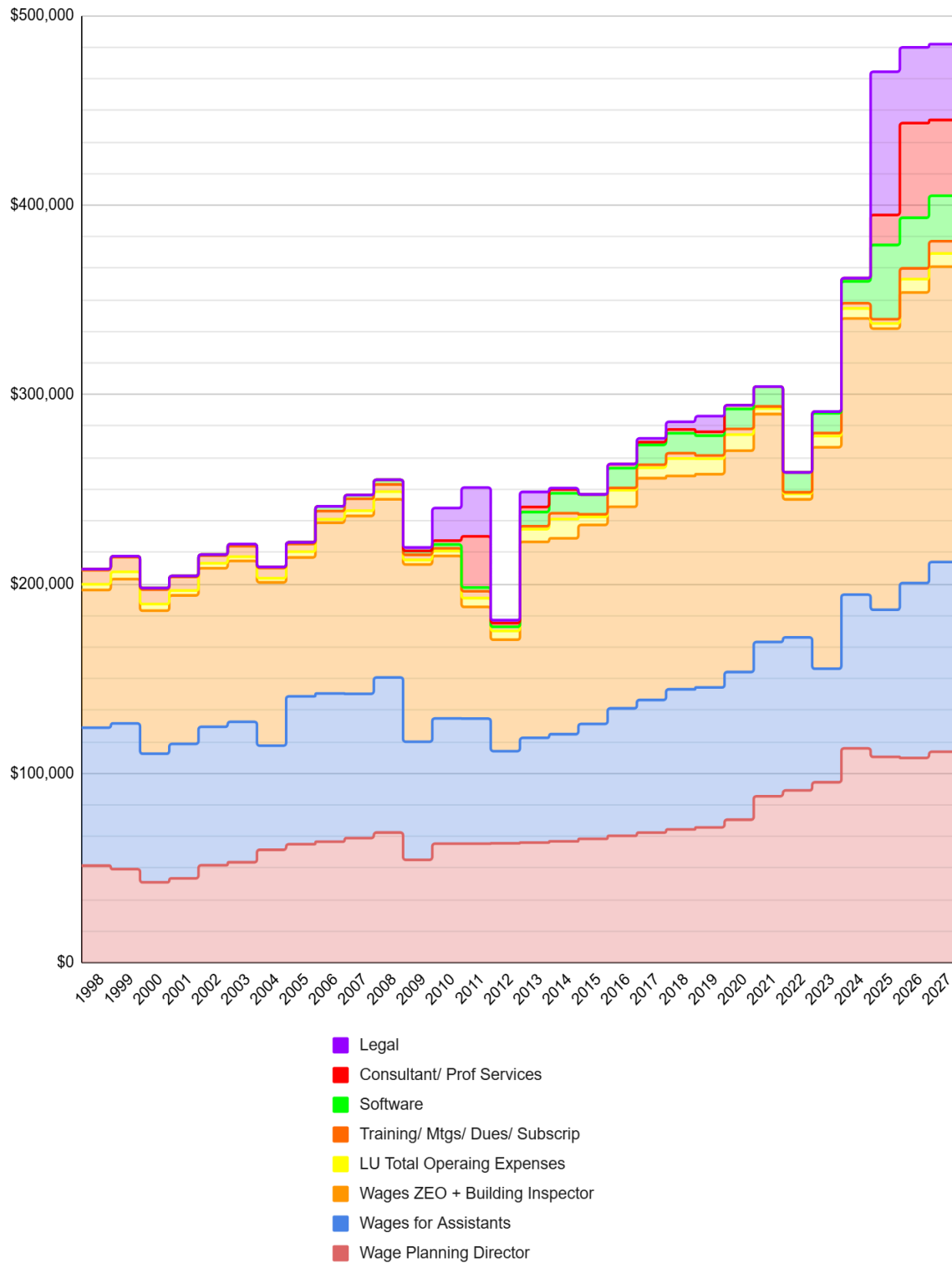
Conclusion

Any anticipated staffing savings from combining the commissions simply do not appear in the budget. Legal and software costs are going up. If staffing didn't decrease... yet planning capacity appears to have decreased, resulting in outside consultants needed to assist in long-term planning... then one naturally asks:

What exactly was gained by combining the commissions?

Dave Schroeder Jr

Ad-Hoc Committee to Evaluate Separation of the Planning Commission & Zoning Commission

Land Use Budgeted Expenditures 1998 - 2027

Budgetary Analysis: Planning, Zoning & Land Use 1998-2027

Staffing

From 1998 till 2003 the Planning Director and ZEO budgets shared the cost of both an assistant and administrative clerk equally, and for several years the ZEO was aided by what appears to be a part-time assistant. Both Planner and ZEO had small budgets for incidental jobs (e.g. summer employment, data entry, etc). The ZEO's part-time assistant was discontinued in 2000.

Meanwhile the Building Inspector's budget included both an Office Assistant and an Assistant to the Building inspector.

This setup changed in 2004 when both Planning Director and ZEO were each budgeted with their own Office Assistants, and the shared administrative clerk position was discontinued. The Assistant to the Building Inspector position was also discontinued, and in its place a small allowance budgeted for a part-time Assistant.

In 2005 it appears there was a months-long hiatus without a ZEO, resulting in a budgetary saving. Similarly from 2004 the ZEO Assistant position went unfilled until 2006, which also appears as a savings, the role apparently being covered in 2005 by an Administrative Clerk.

It appears that all staff took a wage cut in 2009 as a result of the poor economy tied to the stock market crash, with a partial raise in wages in 2010. Additionally the ZEO's Assistant position appears to have been cut in 2009, not reappearing in the budget again until 2013.

In 2011 & 2012 it appears that there were staffing difficulties with filling first the ZEO and then the Building Inspector positions, which together with the lack of a ZEO Assistant inadvertently resulted in the lowest Land Use budget the town had seen in decades. Evidence from minutes indicates that volunteers on the Zoning Commission were coping under this unintended staffing deficit.

This was the situation as it stood in 2012 when the Commissions were combined.

From 2013-2019 the Planner's Assistant position appears to have been cut. This left one Office Assistant with the ZEO (or the ZEO and Planner shared an Assistant as before). The Building Official continued with their own Office assistant and a small budget stipend for a part-time Assistant, as had been the case since 2004.

From 2020 onward, the entire Land Use budget appears as a combined departmental budget. All Assistant wages have been combined into one cost position. Similarly the ZEO and the Building Official wages have been combined into one cost position. The operating expenses, training, professional subscriptions, etc. of the Planner, ZEO and Building Inspector are now all shared in one combined budgetary item. This makes it easier for bookkeeping but makes it more difficult to trace actual expenditures, the number of actual assistant positions, part-time employees, etc.

In 2022 it appears one of the “Supervisor” positions went unfilled (i.e. the ZEO or Building Inspector), resulting in a budgetary cost savings. Similarly an Assistant position appears to have gone unfilled for a time in 2023.

Finding: No measurable reduction in staffing attributable to combining the commissions.

Staff Wage Trends

The Assistant to the ZEO/Planner position being cut seems to be the primary driver of the budget decrease for wages in FY 2000.

Between FY 2000-2008, unfilled staff positions aside, it appears that there is a period of linear wage-growth incremental increases across all Land Use departments representing a growth rate of 3.13% compounded annually. This period of wage growth ended in 2009 with the economic crash and resulting wage cuts.

If one discounts the anomaly in 2011 and 2012 of dual unfilled staff positions, one sees another trend emerging with a steady linear increase in wage growth between 2009 and 2019 representing a growth rate of 2.1% compounded annually.

It appears that in 2020, presumably tied to the outbreak of COVID, there was a department-wide wage increase, and again in 2024. From 2020 onwards, if once again one discounts the anomaly in apparent savings due to unfilled staff positions, there appears to be a new trend of yearly rate of wage increases within the Land Use departments representing a growth rate of 3.92% compounded annually. In real terms over the last 15 years, the budgeted salaries for the Land Use have risen from \$210,000 to \$370,000, representing a 76% increase, or an average rate of 3.80% compounded annually.

Finding: Wage growth appears driven primarily by broader economic conditions rather than commission structure.

Commission Costs

The costs associated with the volunteer commissions, both separate and combined, have been miniscule compared to staff wages and associated Land Use budget items. Operating expenses for the Commission(s) have regularly been budgeted at less than \$1,000 a year, and have remained so with few exceptions over the last 28 years.

It does appear more volunteer training occurred up until 2008, and then again in the few years after the Commissions were combined in 2012. A line item in the budget for Commissioner training has disappeared since 2018, apparently those expenses are now being absorbed into the general Land Use budget, although this was not the case prior to 2019.

Finding: Costs of the volunteer commissions themselves are negligible regardless of structure.

Operating Expenses

After accounting for inflation, routine operating expenses across the Land Use departments have fluctuated from year to year but remained generally consistent over the 28-year review period.

Finding: No measurable change in routine operating expenses can be attributed to whether the commissions were separate or combined.

Training Costs

Training for volunteer commissioners appears to have been provided as needed. Planning Commission training was budgeted more actively before 2008. Since then, volunteer training costs have generally fluctuated around \$1,000 annually, regardless of commission structure.

After accounting for inflation, staff training costs across the Land Use departments also remained generally consistent through 2024. Budgeted training costs increased during the two most recent fiscal years.

Finding: Volunteer commissioner training has remained a minimal expense under both separate and combined commission structures. Recent increases appear primarily within staff training budgets.

Software Costs

Beginning in 2013, the former *Digital Mapped Sym* line item appears to have been replaced by *LU Software Licensing*, budgeted at \$10,500 annually under miscellaneous administrative expenses. Depending on the comparison year, this represented an increase of approximately five to twenty times the cost of the earlier software.

Budgeted software licensing increased to \$39,000 in FY2025 and has remained above \$24,000 annually since then.

Finding: Software costs increased substantially beginning in the first year after the commissions were combined and rose sharply again in FY2025. The budget records do not establish whether these increases were related to commission structure, changing technology, expanded services, or other factors.

Consultants/ Professional Services

Since 2009, approximately \$2,000 has generally been budgeted annually for professional or technical services associated with the volunteer commission, although the account appears to have gone unspent in roughly one-third of the reviewed years.

Consultants have otherwise appeared as identifiable budget items when used. For example, the FY2011 Planning Director's budget included funding for *Grant Consultant* and *Project*

Assistance. Planning Commission minutes indicate that the consultant assisted with obtaining a grant, although the purpose of the additional project assistance could not be determined.

The *Professional Services* appropriations appearing in the FY2026 and FY2027 Land Use budgets may include consulting or technical assistance, but their intended uses are not identified. The proposed \$75,000 expenditure for assistance with the POCD does not appear as a separate Land Use line item in either budget.

Finding: No identifiable budget appropriation for an outside consultant to prepare or assist in preparing a POCD was found before 2026. No noticeable increases in professional service fees occurred during or prior to the years POCDs were updated (2003, 2010 and 2020). The record appears to establish that no outside assistance was used for the POCD during the period reviewed.

Legal Costs

The reviewed legal expenses appear to fall into two broad categories.

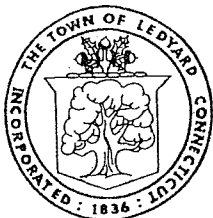
The first consists of legal review associated with substantial zoning amendments. Such costs appear from approximately 2009 through 2014 and again from 2017 through 2019, preceding and immediately following the comprehensive zoning regulation rewrites adopted in 2012 and 2019. These expenses varied by year but generally remained comparable to staff training costs.

The second category consists of litigation expenses arising from appeals or lawsuits involving land use decisions. Significant litigation-related costs appeared in 2010–2011, 2013, 2017–2019, and again beginning in 2025. Unlike routine legal review, litigation has generally produced rapid and substantial increases in budgeted legal costs.

Finding: The historical record indicates that modest litigation costs occurred between 2012 and 2018, corresponding to the period the zoning regulations adopted in 2012 were in effect. Significant litigation appears both before and after that period. Under regulations adopted in 2019, a pattern of mounting litigation is unmistakable.

Appendix - Record Data

	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026
Miscellaneous																													
LU Software Licensing																													
Land Use																													
Planning Director																													
Director of Planning	51269	49453	42432	44554	51500	53045	59636	62608	63877	65794	68755	54319	62882	62884	63085														
Asst(s) to Planner/ Land Use	500	289	288	0	0	0	25317	28740	28900	24408	30115	30831	32497	32497	15117														
Office Assistant II	10947	11501	11512	12212	12578	12549																							
Admin Clerk	2874	2816	2847	3334	3435	3535																							
Operating Expenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0														
Travel	300	300	300	240	190	200	750	499	269	583	390	293	0	200															
Prof. Publications	325	371	375	285	200	200	400	667	348	138	96	0	300																
Dues	275	490	300	300	285	250	285	246	439	100	356	356	0	325															
Meetings/ Conferences	1000	1000	500	1000	950	0	1000	1000	998	980	295	1230	0	500															
Tuition Reimbursement	0	0	0	0	0	0	0	0	0	0	0	0	0	0															
Subtotal Training Mgt./ Dues/ Subscrip	1600	1861	1175	1675	1520	450	1485	1646	2104	1428	809	1682	0	1125															
Grant Consultant																													
Project Assistance																													
Total Planning Director	67490	66220	58554	62015	69223	69779	87188	93493	95150	92213	100069	87125	95379	96706	81577	66481	71171	67818	72927	72387	75411	76467							
Prof Tech Services																													
Legal Services																													
Advert/ Legal Notices																													
Zoning Officer																													
Zoning Official	33197	34837	34871	37765	38602	40222	41475	24935	41306	43553	41761	43221	43221	16417	31933														
Overtime	2000	2000	2000	2000	0	0	0	0	0	0	28	1974	0	0	0														
Office Assistant II	10948	11501	11512	12212	12578	12549	1588	0	19066	20943	20943	0	0	0	0														
Asst to ZEO/Planner	7301	7663	0	0	0	0	0	1767	0	0	0	0	0	0	0														
Admin Clerk	2890	2816	2847	3334	3435	3535	0	17688	0	0	0	0	0	0	0														
Data Entry	1981	2481	500																										
Operating Expenses	1000	1000	1000	880	836	680	313	1264	477	440	2230	0	778	1083	63														
Office Furniture	500	500																											
Maps/Regulations	1000	1000	500	500	475	500	35	175	20	0	500	0	0	500															
Zoning Commission																													
Educational Training/ Comm Training	500	500	500	500	475	300	300	25	992	0	500	0	305	500															
Legal																													
Total ZEO+ Zoning Com	61317	64288	53730	57191	58601	57786	43711	45854	61861	64964	67908	43221	59683	44000	31966	3350	74007	70230	74932	81132	89054	88642	88023						
Total Land Use	203796	209934	191881	199942	214337	216390	205726	219469	237517	241034	250786	213873	232690	218379	175953	231702	233868	235807	249797	262915	267078	268607	280844	293472	248399	279227	348012	433699	462141
Planning Commission																													
Prof Tech Services	2650	2730	3785	2812	0	2800	2000	1000	0	3000	964	140	140	381	730														
Training Commissioners/ Summer Internship	850	1500	1350	925	641	800	675	597	956	917	802	1390	1390	2866	628														
Operating Expenses																													
Legal																													
Digital Mapped Sym	550	550	800	550	523	1073	550	895	2513	2029	2500	2000	2000	2000	0														
Total Planning Com	4050	4780	5935	4287	1164	4673	3225	2492	3469	5946	4266	5383	7383	7510	4911	9384	6250	960	3016	3412	8000	11281	3000	280	0	1279	1928	2610	1000
Building Official																													
Building Official	37510	39382	38639	42916	44699	44699	48360	48886	50342	50342	50342	42521	42521	28914															
Part-time Asst																													
Office Asst II	20777	22520	22930	23951	24606	25098	25098	28356	29357	30831	30831	30831	33267	33544	33489														
Asst to Bldg Insp	14612	15326	15492	15956	16430	16923	0	0	0	0	0	0	0	0	0														
Operating Expenses																													
Milage																													
Building Permit Printing	150	150	250	250	5	80	80	119	119	0	0	69	120	120															
Tools/ Equip	250	348	596	250	950	500	400	616	40	739	555	624	362	304															
Reference Books	400	400	400	400	300	300	300	269	183	278	0	0	188	300															
Dues	290	290	290	290	276	250	250	135	160	205	180	205	180	170															
Education	1000	1000	1000	1000	950	975	1000	767	828	1384	861	712	617	614															
Training/ Mgt/ Dues/ Subscrip																													
Total Building Official	74989	79416	79597	80736	86513	88825	74827	80142	80506	83857	82809	83527	77628	77673	62380	91214	92467	93057	95738	101474	103025	102317							



Chairman Sean Sullivan

TOWN OF LEDYARD
CONNECTICUT
TOWN COUNCIL

RECEIVED FOR RECORD
AT LEDYARD, CT.
2012 JUN 29 AM 8:49

MINUTES
PUBLIC HEARING
LEDYARD TOWN COUNCIL
COUNCIL CHAMBERS - ANNEX BUILDING

PUBLIC HEARING MINUTES

6:30 PM., JUNE 13, 2012

- I. CALL TO ORDER - Chairman Sullivan called the Public Hearing regarding the proposed "*An Ordinance Combining the Zoning Commission of the Town of Ledyard with the Planning Commission of the Town of Ledyard*" to order at 6:30 p.m.
- II. PROCEDURE OF THE PUBLIC HEARING
- III. CALL OF THE PUBLIC HEARING
The following call of the Public Hearing was read by Town Council Administrative Assistant Roxanne M. Maher:

LEGAL NOTICE
TOWN OF LEDYARD

NOTICE OF PUBLIC HEARING

The Ledyard Town Council will conduct a Public Hearing at 6:30 p.m., Wednesday, June 13, 2012, in Council Chambers, Town Hall Annex, 741 Colonel Ledyard Highway, Ledyard, Connecticut to receive comment on the proposed:

"An Ordinance Combining the Zoning Commission of the Town of Ledyard with the Planning Commission of the Town of Ledyard"

At this hearing interested persons may appear and be heard and written communications will be accepted.

Copies of the Draft Ordinance are available in the Town Clerk's Office during regular business hours.

Dated at Ledyard, Connecticut this 24th day of May 2012

For the Ledyard Town Council

s/s Sean Sullivan
Chairman

PLEASE PUBLISH: June 4, 2012

IV. PRESENTATION OF THE PROPOSED ORDINANCE

Councilor Eichelberg provided a brief summary of the proposed "*An Ordinance Combining the Zoning Commission of the Town of Ledyard with the Planning Commission of the Town of Ledyard*" as follows: (a) The Town Council finds that combining the duties of the Planning Commission and Zoning Commission into a single Commission will enhance development within town; (b) The Ordinance also states that the combining the duties of the Planning

Commission and Zoning Commission will improve efficiency of the Town Planning Director and staff; (c) If the proposed Ordinance is adopted the new Commission will be made up of five regular members who are electors of the town and the duties will consist of the duties that are now taken on by Planning and Zoning.

Draft 4/8/12

AN ORDINANCE
COMBINING THE ZONING COMMISSION OF THE TOWN OF LEDYARD
WITH THE PLANNING COMMISSION OF THE TOWN OF LEDYARD.

Be it ordained by the Town Council of the Town of Ledyard

Section 1. Authority

Pursuant to Chapter IV, Section 4, of the Town Charter, commencing on the sixtieth day after the effective date of this ordinance, the duties of the Zoning Commission of the Town of Ledyard as set forth in Chapter 124 of the General Statutes; shall be discharged by the Planning Commission of the Town of Ledyard which shall hereafter be known as the Planning and Zoning Commission of the Town of Ledyard.

Section 2. Purpose

WHEREAS the Town Council finds combining the duties of the Planning Commission and the Zoning Commission into a single commission will enhance development within the Ledyard by reducing the number of boards and commissions with oversight of land use;

AND WHEREAS the Town Council finds combining the duties of the Planning Commission and the Zoning Commission into a single commission will improve the efficiency of the Town Planning Director and staff by reducing the number of monthly meetings the staff must support; There shall therefore be a single town commission known as the Planning and Zoning Commission of the Town of Ledyard to discharge the duties specified in Chapters 124 and 126 of the General Statutes.

Section 3. Organization/Membership

The Planning and Zoning Commission of the Town of Ledyard shall be served by members as provided for in Chapter IV, Section 3, of the Town Charter, consisting of five (5) regular members who shall be electors of the Town of Ledyard and shall hold no salaried municipal office and shall not be members or alternate members of the Zoning Board of Appeals. Appointment and removal of any member of the Planning and Zoning Commission shall be as provided for in Chapter IV, Section 9, of the Town Charter

Section 4. Duties

The Planning and Zoning Commission of the Town of Ledyard shall have the duties as specified in Chapter IV, Sections 3 and 4 of the Town Charter and all duties heretofore assigned by ordinance to either the Planning Commission of the Town of Ledyard or the Zoning Commission of the Town of Ledyard.

Section 5. Implementation

Within two weeks after effective date of this ordinance, all current members and current alternate members of the Planning Commission of the Town of Ledyard and the Zoning Commission of the Town of Ledyard shall indicate to their respective chairmen whether they desire to serve on the Planning and Zoning Commission of the Town of Ledyard. The respective chairmen shall thereafter report to the Town Council the desires of their members. In addition, the respective chairmen shall make recommendations to the Town Council regarding present members to serve on the combined commission.

Within thirty days after the effective date of this ordinance, the Town Council shall notify each member and alternates to serve on the Planning and Zoning Commission, and such members and alternates shall thereafter familiarize themselves with the Ledyard Zoning regulations, Subdivision regulations, Current Plan of Conservation and Development, and their duties and responsibilities under the General Statutes and the ordinances of the Town of Ledyard.

Within thirty days of the effective date of this ordinance, the respective chairmen shall report to the Town Council all permit applications for which a public hearing has been or will have been held or commenced on or before the sixtieth day after the effective date of this ordinance and for which final action is expected to be pending on the sixtieth day after the effective date of this ordinance. The Town Council may make temporary appointments of alternates and such temporary alternates may thereafter be seated as necessary to ensure each such outstanding application will be acted upon by members present at the public hearing.

Within sixty five days of the effective date of this ordinance the chairman of the Planning and Zoning Commission of the Town of Ledyard shall direct the town's Land Use attorney to take any necessary step to substitute the Planning and Zoning Commission as the responsible party in any pending litigation involving either the Planning Commission of the Town of Ledyard or the Zoning Commission of the Town of Ledyard.

The Zoning regulations of the Town of Ledyard as adopted and made effective October 11, 1963 and as thereafter amended shall remain in full force and effect except as they may be further amended by the Planning and Zoning Commission of the Town of Ledyard by procedures established in the General Statutes.

The Subdivision regulations of the town of Ledyard as adopted on March 22, 1962 and as thereafter amended shall remain in full force and effect except as they may be further amended by the Planning and Zoning Commission of the Town of Ledyard by procedures established in the General Statutes.

Section 6. Repeal

Ordinance 21, "An Ordinance establishing a separate Zoning Commission and Panel of Alternates", adopted on December 5, 1973, is hereby repealed. Part II of Ordinance 5, "An Ordinance separating the combined Planning Commission of the Town of Ledyard into a separate Planning Commission of the Town of Ledyard and a separate Zoning Commission of the Town of Ledyard", adopted on October 23, 1961 and as amended and adopted on September 13, 1972, is also repealed.

Section 7. Severability

If any provision of this Ordinance shall be held invalid by a court having competent jurisdiction, such invalidity shall not affect any other provision of this Ordinance that can be given effect without the invalid provision and for this purpose the provisions of this Ordinance are hereby declared severable.

V. PUBLIC COMMENTS

Chairman Sullivan noted the number of residents in attendance and he asked that each speaker limit their comments to about three (3) minutes to allow everyone the opportunity to speak.

Chairman Sullivan began Public Comments by reading into the record a written communication dated June 13, 2012 submitted by Mr. Peter Gardner expressing his support for the adoption of the proposed Ordinance.

Ms. Paula Jackson, 239 Avery Hill Road, Ledyard, Member of the Zoning Commission provided both oral comments and a written statement. She expressed concern with combining the two commissions, noting the purpose of the Planning Commission is to review and propose plans for future activities and development; while the Zoning Commission's purpose is to supervise the zoning of areas for residential or commercial. She cited the following concerns with combining the two commissions: (a) Temptation to change hats from planning to zoning and vice-versa; (b) Greater chance that significant mistakes would be made while the new combined Commission was in its infancy stage; (c) Rebounding economy and growth in the community will increase the number of applications that will need to be reviewed; (d) Zoning Commission volunteers currently do most of the work of support staff, while the Planning Commission volunteers rely on paid support staff. Adding the extra workload that is getting done independently by the Zoning Commission could cost the town more money because the staff will be given more work; (e) Larger workload of a combined Commission may lead to volunteers "rubber stamping" applications and regulation changes based solely on staff recommendations and research. Ms. Jackson stated that while she has not had the opportunity to hear the reasons the town is

considering combining the commissions, she understands that during this economic recession merging departments, companies and commissions is politically popular. However, she stated most of the time downsizing and restructuring does not work out well because of the lack of planning. She concluded by stating if the two Commissions are combined the volunteers who remain on the Commission will be burdened with learning more regulations, spending more time at meetings, and be forced to rubber stamp many applications and zoning changes due to the increased workload, while the town may be burdened with paying out more money to cover the increase in support staff. She urged the Town Council to carefully consider the proposal keeping everyone's concerns in mind.

Mr. Larry Helfrich, 26 Cliff Road, Ledyard, Alternate Member of the Zoning Commission, addressed the amount of time volunteers spend on both the Zoning Commission and the Planning Commission. He stated a combined Commission will result in more hours and longer meetings. He stated the recession is bound to end, and with that, the applications and workload will increase. He stated he moved to Ledyard four years ago and he addressed all that you need to learn to be able to contribute to the land use commissions. However, he stated if a combined Commission is going to mean longer meetings and learning the rules of planning that he will not be able to continue to serve. He stated he was 82 years old and he did not know if he would live long enough to understand all the regulations. He stated as a member of the Zoning Commission that he felt the Commission should have seen the proposal while it was being worked on rather than waiting to get a summary at the Public Hearing this evening. He stated he was shocked with the proposal and he stated other than consolidation he did not know what the proposal was all about. He stated he would like to see a plan before a combined Commission will go into effect, if it does.

Mr. Peter Gardner, 72 Inchcliffe Drive, Gales Ferry, stated because he was able to attend tonight's meeting he would like to add to his written statement that Chairman Sullivan read earlier this evening. He noted during his thirty (30) years of experience as a land surveyor he has worked with a number of towns in eastern Connecticut and found that most towns have a combined Planning and Zoning Commission and that they function effectively and efficiently. He stated about 80% of Connecticut's towns has a combined Planning and Zoning Commission because it is an efficient use of staff and time. He stated Ledyard has a very competent Planner and he noted there will be a learning curve for the volunteers. However, he stated Ledyard has good staff that will help make this work. He stated he supports the proposal and he offered to answer questions.

Mr. Glen Graebner, 42 Eagle Ridge Drive, Gales Ferry, Member of the Zoning Commission, expressed opposition to the proposal to combine the Planning Commission and Zoning Commission. He stated he did not understand the statement "*that a combined Commission would be more efficient for the Planning Office*". He stated there are un-paid volunteers on both the Planning Commission and Zoning Commission that are devoting their time to the town. He noted Ms. Jackson's comments about the increased workload that will be delegated to a single commission of five volunteers and the concern about "rubber stamping" applications and regulation changes. He stated while serving on the Charter Revision Commission in 2008/2009 they discussed combining the Planning Commission and Zoning Commission. He explained in their research and in speaking with other towns the Charter Revision Commission found that the towns that had combined commissions were as efficient as the towns that had separate commissions. However, he stated they had support staff for the combined commission. He stated if the proposed Ordinance is approved the town will have to provide staff to support a combined Planning and Zoning Commission. He continued to state if the proposed Ordinance is approved, it is his understanding that the town may lose Mr. Treaster, who is a valuable member of the Zoning Commission. He noted Mr. Treaster's knowledge, years of experience, passion and the devotion of his time to the town. He stated under Mr. Treaster's leadership the Zoning Commission enjoy and feel they do a good service for the town. He stated without Mr. Treaster they will lose a town treasure.

Mr. Lee Treadway, former Ledyard Zoning/IWWC Officer during the period of 1994 – 2005, stated he is interested in the opportunity to provide fairness and uniformity in the enforcement of regulations. He stated he is currently doing enforcement work in other towns and has continued to help Ledyard's Zoning Commission since that time. He stated he has lived in Ledyard for over fifty years and has enjoyed working with the Town Council and the town's various commissions

and boards. He asked the Town Council to consider the increased workload that a combined Commission will take on regardless of the economy. He stated he agreed with Mr. Gardner's comments in that the vast majority of towns in Connecticut have combined Planning and Zoning Commissions. However, he stated Ledyard is different in that it has unique challenges such as tribal issues, as well as interests to develop the town while protecting its character. He stated zoning issues require a balancing act and that it sometimes takes time to come to a decision. He expressed concern that if the workload increases decisions will have to be made because of statutory deadlines and he stated those decisions may cause a denial which would be an unfair burden to an applicant who would have to start the application process all over again. He also addressed issues that could arise in rushing through a decision. He asked the Town Council to consider the operations of the Commissions in making their decision regarding the proposed Ordinance, noting the two Commissions operate under different disciplines. He stated the separate Planning Commission and Zoning Commission have worked well in Ledyard and have provided a good checks and balances process. He stated he was available to answer any questions.

Mr. Bill Geer, 67 Thomas Road, Ledyard, former member of the Zoning Commission noted he served from 1985 to 2011 except for the two years he served on the Town Council. He stated two different Charter Revision Commissions discussed combining the Planning Commission and the Zoning Commission and that both Charter Revision Commissions recommended the two Commissions not be combined. He continued by addressing the workload involved for the volunteer members of these land use commissions. He stated the town did not have any issue in combining the Zoning Commission and Planning Commission until politics started getting involved with land use about three years ago. He provided some background noting the Town Council gave up the responsibility of Planning and Zoning during the 1970's because of the workload. He stated if the Town Council wants to muddle in land use issues they should take it back. Otherwise, if it's not broke, don't fix it. He continued to comment that if this is an exercise to railroad Mr. Eric Treaster, like him or not, Mr. Treaster has the best interest of town. He noted that he and Mr. Treaster worked together on the Zoning Commission for twenty-five (25) years and they did not always agree. However, he stated the town is a better place because of their efforts. He stated keep politics out of land use. He stated if the intent is to railroad Mr. Treaster, do what they did to Mr. Mark Spruance, and don't reappoint him. He stated the Republican Town Committee took a year and a half to recommend Mr. Treaster be reappointed. He stated keep politics out of land use.

Mr. Ken Koe, 41 Woodridge Circle, Gales Ferry, member of the Planning Commission, provided oral comments and written communication. He stated that it was remarkable that was once more he was addressing the Town Council to speak and argue for the continuation of a separate Planning Commission and a separate Zoning Commission. He stated it seems as if the one cherished goal of every newly elected Town Council is to combine the Planning Commission and Zoning Commission into one body. The ordinances that the Town Council is constantly trying to repeal, Ordinance #21 and Ordinance #5; Part II were adopted in 1972-1973. He stated he was a member of Town Council at that time. The first Town Council in 1971-1972 was also charged by the Town Charter to be the Zoning Commission. He continued by addressing Section 2 of the draft Ordinance noting that the purposes or rationales for combining the Planning Commission and Zoning Commission are apparently "*to enhance development*" and, "*to improve the efficiency*". He stated these arguments are weak and shaky. He stated he has been on the Planning Commission for many years and he commented that he could not think of any development that has been hindered or hampered by the existence of having a separate Planning Commission and a separate Zoning Commission, provided the plans submitted were well-conceived and they properly followed the respective regulations. He stated to borrow an argument from fellow Planning Commissioner Roger Tremblay, "*the existence of separate commissions importantly allows for a system of checks and balances in land use decisions*". He noted a recent example of this is the new Open Space Subdivision Plan in town. He explained the Zoning Regulations for the Open Space Subdivision Plan was adopted unanimously by the Zoning Commission, but the Subdivision Regulations for the Open Space Plan was adopted by the Planning Commission with a split 3 - 2 vote. He stated although the outcome was the same, at least there were divergent and opposing views on the Planning Commission about the Plan. He stated if the Planning Commission and Zoning Commissions are combined into a single commission, the workload of citizen volunteers will substantially be increased by lengthening the time and effort demanded of them to serve. He stated since the 1970's, the system of a separate Planning Commission and Zoning Commission has worked well in Ledyard. He concluded his comments by stating one axiom of practical politics is "*if it ain't broke, don't fix it*".

Chairman Sullivan noted that it is 6:59 p.m. and he questioned who else in the room would like to speak this evening. He recognized Ms. Rodriguez, Mr. Cherry and Mr. Treaster would like to speak. He stated although the Town Council's regular meeting is scheduled to begin at 7:00 p.m. that they would continue with the Public Hearing to allow those who desire to speak the opportunity to be heard this evening.

Ms. Naomi Rodriguez, St. Peter's Court, Ledyard, Member Planning Commission, and Ledyard resident for twelve years, stated she served on the 2008-2009 Charter Revision Commission at which they discussed combining the Planning Commission and Zoning Commission. She noted the political make up of the Commission stating that it was half Republican and half Democrat and that the group worked well together. She stated the consensus of the Charter Revision Commission was not to combine the two Commissions. She stated as a resident and member of the Planning Commission that she did not support combining the Planning Commission and Zoning Commission.

Mr. Mike Cherry, Chairman of the Planning Commission, 5 Whippoorwill Drive, Gales Ferry, provided oral comments and written documentation. He stated he was not speaking for the Planning Commission this evening. He stated the members of the Planning Commission who wished to speak were present this evening and have spoken. He stated the proposed Ordinance to combine the two Commissions was not written because of any perceived problems with the Commissions. He stated this initiative began at the turn of the century with the economic development strategy report when the town was looking for an economic development coordinator. He stated since that time they have been discussing what would be the best staffing plan for land use and he noted this subject has been being studied since before the last Charter Revision Commission. He went on to explain the Charter Revision Commission and the Town Council decided the Town Charter should not dictate whether the town has a combined commission or separate commissions, and that this was a matter for an Ordinance, which the Town Charter now states. He addressed comments about the workload increasing and he noted that he is the Vice Chair of the Regional Planning Commission at Southeastern Connecticut Council of Government (SCCOG). He stated sixteen of the twenty member towns have combined Planning and Zoning Commissions. He provided the following Land Use Fact Sheets www.clear.uconn.edu from the University of Connecticut: (1) Responsibilities of Planning Commissions and Zoning Commissions; (2) Current list of SCCOG member towns and whether they are combined commissions or separate commissions; (3) Current members of Ledyard's Planning Commission and Zoning Commission. He stated he supported the proposed Ordinance to combine the two Commissions as written. He stated he believes the implementation will work. He stated politics do not enter into the land use commission's decisions. He continued by providing a letter dated April 5, 2011 from Mr. Vince Whittle to Zoning Commission Chairman Eric Treaster in which he supported combining the Planning Commission and Zoning Commission. He noted Mr. Whittle's letter also addresses the implementation which is addressed Section 5 of the proposed Ordinance and he noted that Mr. Whittle provided some recommendations that will address the issues raised by others this evening. Mr. Cherry stated he serves on a Commission with one Republican and five Democrats; and he stated politics do not enter into their land use decisions. He stated he has never been asked by any Mayor or any member of the Town Council to approve/disapprove or expedite or slow down any land use application. He stated both the Planning Commission and Zoning Commission have the following two functions: (1) Legislative – which is to write the regulations; and (2) Administrative – to make sure the application meets the regulations and approve it. He stated he has no problem with staff reviewing the application and telling the Commission which part of the application meets the regulations and which part does not meet the regulations. He stated the Zoning Commission has not been able to make affective use of staff at this point because they have not had any staff. He stated he met and worked with the new Zoning Official and he stated he looks forward to Ledyard's professional staff providing the input the Commissions need to make carefully thought-out, common sense legal decisions.

Chairman Sullivan noted for the record Mr. Cherry provided the following five handouts: (1) University of Connecticut Roles and Responsibilities of Planning Commissions; (2) University of Connecticut Responsibilities of Zoning Commissions; (3) Excel Spreadsheet of SCCOG member towns and whether they are combined commissions or separate commissions; (4) Excel Spreadsheet of Current members of Ledyard's Planning Commission and Zoning Commission; and (5) Mr. Vince Whittle's written statement dated April 5, 2011. He also noted that written statements were provided by: (1) Ms. Paula Jackson and (2) Mr. Ken Koe.

Mr. Eric Treaster, 10 Huntington Way, Gales Ferry, Chairman of the Zoning Commission, stated he was speaking as a member of the Commission and as a resident. He provided the following handouts: (1) Draft Land Use Organizational Chart; and (2) LUPPW Minutes dated March 6, 2012 (first page). He stated he appreciated the Town Council's May 23rd suggestion for members of the Planning Commission and Zoning Commission to attend tonight's Public Hearing to address their concerns; and the Town Council's comments that just because a public hearing is scheduled does not mean the proposal will be approved. However, he stated that he does know that Councilor Davis, Councilor McGrattan, Councilor Saums and Councilor Dombrowski have at various times have stated they were in favor of a combined Planning and Zoning Commission. He stated when asked why they supported the proposal some say it would increase staff efficiency and enhance development. However, he stated there have been no studies that support these opinions. In addition, and more important, there have been no estimates in how much improvement in staff efficiency might be achieved; or how much development might be enhanced. He stated no one knows if the land use departments will be able to reduce personnel or avoid having to hire additional staff by combining the two commissions. He also stated that no one has discussed simple staff organizational changes that would more likely achieve better efficiency. He stated the most obvious change would be to revise the Town Planner's job description to include supporting the Zoning Commission in the same manner he supports the Planning Commission. He urged the Town Council to keep an open mind and to base their decision on the evidence submitted on the record and during this public hearing. He stated Town Planners from two different towns who have worked in towns that had both separate commissions and combined commissions both agree that separate commissions and combined commissions work equally well. He stated one Town Planner testified that combined commissions require more administrative effort. He stated although it is not in the minutes that during the LUPPW March 6, 2012 meeting there was agreement that separate commissions would be better able to handle an increase in the rate of receipt of new applications. He also noted that no one was able to give an example of how a combined commission would enhance development. He noted SCCOG Executive Director Jim Butler stated there is no real benefit to having either a separate or a combined commission; and he noted that former Town Planner Bill Haase stated it depends on what the town wants and that it works well both ways. Chairman Sullivan noted that Mr. Treaster has gone beyond six minutes and he stated it was not fair for him to have more time than others and he asked that Mr. Treaster wrap up his comments to provide others an opportunity to speak. Mr. Treaster stated he could not. Chairman Sullivan stated he would end the Public Hearing in one minute. Mr. Treaster continued his comments noting the following reasons to combine the Planning Commission and Zoning Commission were not reasonable or justifiable as noted in the LUPPW March 6, 2012 minutes: (1) Cost savings associated with posting and the publication of legal notices, (2) Easier for staff to support one commission; (3) One commission requires less staff, and (4) Cost savings in the preparation of agendas and minutes. He stated many attorneys that have come before the Zoning Commission over the years have said the Ledyard Zoning Commission is one of the best in Connecticut. He stated the Zoning Commission has great volunteers and they take their jobs seriously and they take advantage of all the training opportunities available. He went on to state the Planning Commission also has great volunteers and they take their job seriously and they take advantage of all the training opportunities available. He stated our volunteers spend a lot of their own money and take a lot of personal time to perform their work. Chairman Sullivan noted the one additional minute has expired and he asked whether anyone else wished to speak.

Mr. Steve Eichelberg, 246 Haley Road, Gales Ferry, member of the Town Council and former Chairman and member of the Economic Development Commission stated he was speaking as a public citizen and not as a member of the Town Council. Mr. Eichelberg stated he does not believe tonight's discussion regarding the proposed *"An Ordinance Combining the Zoning Commission of the Town of Ledyard with the Planning Commission of the Town of Ledyard"* was a political discussion; and he stated it certainly was not an attempt to railroad Mr. Treaster. He stated he believed that everyone here tonight was thankful and grateful for Mr. Treaster's many years of service to the town. He stated the purpose of the proposed Ordinance is to find ways to promote not only economic development but other land use concerns in town. He stated this subject has been discussed for along time and they have looked for ways to get around roadblocks, which led to the generation of the proposed Ordinance.

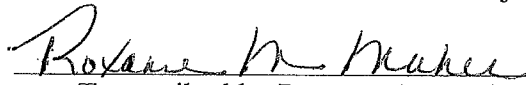
Ms. Linda Davis, 91 Inchcliffe Drive, Gales Ferry, member of the Town Council, stated she would reserve her comments as a Town Councilor for discussion during their regular meeting later this evening. However, she stated a resident and member of the Republican Town

Committee, she would like to correct comments that were said earlier this evening that implied that this decision was political. She stated that she was personally Mr. Treaster's biggest defender on the floor of the Republican Town Committee when they voted to endorse him for reappointment to the Zoning Commission. She stated she is disturbed by the comments that this is a political decision.

Chairman Sullivan recognized that Mr. Treaster was still standing at the podium and he noted that Mr. Treaster would have an opportunity to address the Town Council during "Residents Comments" at their regular meeting that will follow the Public Hearing. Mr. Treaster stated the proposed Ordinance may be improper because the land use statutes do not list enhanced development as a goal for planning or zoning. He stated for the Zoning Commission the proper purposes include the encouragement of open space, farming, affordable housing, reduced congestion, and the protection of public health safety. He also noted there are some difficult catch 22's in the proposed Ordinance as well as some conflicts between the Town Charter and the proposal. Chairman Sullivan stated Mr. Treaster will have an opportunity to speak during "Residents Comments" at the Town Council's regular meeting that will follow this Public Hearing. Mr. Treaster provided a handout listing "*Fifteen Reasons Not to Create a Planning and Zoning Commission*" that he prepared.

VI. AJOURNMENT

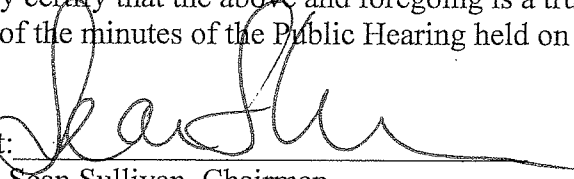
Hearing no further public comment, Chairman Sullivan adjourned the public hearing at 7:22 p.m.



Transcribed by Roxanne M. Maher
Administrative Assistant to the Town Council

I, Sean Sullivan, Chairman of the Ledyard Town Council,
hereby certify that the above and foregoing is a true and correct
copy of the minutes of the Public Hearing held on June 13, 2012

Attest:


Sean Sullivan, Chairman



Chairman Sean Sullivan

TOWN OF LEDYARD
CONNECTICUT
TOWN COUNCIL

RECEIVED FOR RECORD
AT LEDYARD, CT.
2012 JUL 26 AM 8:37

MINUTES

LEDYARD TOWN COUNCIL - REGULAR MEETING
WEDNESDAY, JUNE 27, 2012, 7:00 PM; COUNCIL CHAMBERS - ANNEX BUILDING

CALL TO ORDER - Chairman Sullivan called the regular meeting to order at 7:00 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Attendee Name	Title	Status	Arrived
Linda Davis	Town Councilor	Present	
Kevin Dombrowski	Town Councilor	Present	
Steve Eichelberg	Town Councilor	Present	
Mike France	Town Councilor	Present	
John Marshall	Town Councilor	Absent	
Mary McGrattan	Town Councilor	Present	
William Saums	Town Councilor	Present	
Sean Sullivan	Chairman	Present	
Sharon Wadecki	Town Councilor	Present	

IV. RESIDENTS AND PROPERTY OWNERS –

Mr. Edward Monahan, 49 Homestead Road, Ledyard, addressed the roadwork planned for Lantern Hill Road to construct a new dam and a new bridge on Lantern Hill Pond between North Stonington and Ledyard. He stated he has seen the plans for the construction work and he noted residents have concerns regarding the road closures. He stated the plan calls for the elevation of Lantern Hill Road to increase by upwards of four feet from the dam to the DEEP Boat Launch; and it also calls for re-grading the north end of Homestead Road. He stated this work will require road closures from August 1st to September 1st with access to Homestead Road from the north end of Lantern Hill Road. He requested more specifics regarding this plan and he questioned the involvement of the town's Public Works Department; the State's DOT or some other State Agency. He noted the road work is being done by Mashantucket Pequot Tribal Nation (MPTN) with BIA Funding, and he expressed concern that residents do not want to be left in the lurch without any egress for days on end and having to petition the MPTN to find out what is going on. He stated the residents hope that some communication will be set up in a routine way so they will know what to expect a few days in advance. He noted the plans include thirty technical drawings for the project and he stated he would like to see how the project will be phased in to accommodate the residents of Homestead Road and the adjacent Pentway so that they can get in and out of their homes. He stated there are a number of residents who are senior citizens and have issues such as medical needs and they are looking for assurance that their caretakers will have access to them; and in turn they want to know they will be able to get out of their homes. He stated they would appreciate a response; and he stated if the response is sent to him that he would share it with his neighbors.

Mayor Rodolico stated where Long Pond Road and Homestead Road come together there is a natural access where the homeowner has allowed emergency vehicles and police to use. He stated the homeowner has expressed a concern that during the construction residents will use this access point. Therefore, he stated they are working to ensure that this access will not be over used. He continued by addressing the construction work and he stated the MPTN will perform the work. He stated that he and Pubic Works Director Steve Masalin are having conversations with the MPTN and he noted there will be times when the road will be completely closed. However, he explained they will try to maximize the time there will be one lane open. He stated

they appreciated the work of the MPTN and he noted that he would relay Mr. Monahan's concerns; and a response to the residents' concerns will be provided. Mr. Monahan stated the residents take no exception with the homeowner's concern about residents accessing their property where the town roads come together and he stated their concerns are understandable. Chairman Sullivan noted the Town Council's summer meeting schedule and he expressed an interest in hearing back from the Mayor prior to the project beginning in August.

Mr. Michael Cherry, 5 Whipoorwill Drive, Gales Ferry, Planning Commission Chairman and Vice Chairman of the Regional Planning Commission on Economic Development (SCCOG) stated he provided some handouts at the June 13, 2012 Public Hearing regarding the proposed *"An Ordinance Combining the Zoning Commission of the Town of Ledyard with the Planning Commission of the Town of Ledyard"*. He stated he reviewed his notes, the minutes and tapes from the Public Hearing and he commented that there were some perceptions or fears that he saw as a result of the Public Hearing. He stated he would like to address those perceptions as well as comments that were published in the newspaper. He continued by addressing the following three perceptions: (1) More time required of the volunteers if the Commissions are combined – Mr. Cherry stated he updated the handout that listed twenty combined Planning and Zoning Commissions to include: (a) How often the combined Commissions meet; (b) The length of the meetings of the combined Commissions; and (c) The total monthly commitment of the volunteers serving on a combined Commissions. He stated it appears that separate Commissions meet more often and their meetings are longer than combined Commissions. He noted the Town of Waterford has a combined Planning and Zoning Commission and they have a number of significant developments underway such as: the Credit Union; Dana Farber Cancer Center; and the Waterford Commons. He also noted Stonington has some large developments that were opposed by their residents. He explained the Commission's job is to ensure that the application complies with the town's regulations. He stated the Stonington Planning and Zoning Commission addressed this large development and the issues raised by residents at the same time they were rewriting their Plan of Conservation and Development; and he commented this work is do-able. He stated the facts and data do not support the perception and fears that more time will be required of the volunteers; (2) Confusion in which hat the combined Commission is wearing – Mr. Cherry agreed that a combined Commission does wear two hats: (a) Legislative – writing regulations; and (b) Administrative – approving applications. He stated it can be difficult to keep these two hats straight and not want to not rewrite regulations when someone has a project that you would like, but it is not in accordance with the approved regulations; (3) Rush to Judgment or Rubber Stamp – Mr. Cherry stated he is a volunteer, everyone on the Planning Commission is a volunteer, and everyone on the Zoning Commission is a volunteer. He stated the town has paid professional staff that can answer whether an application meets the town's regulations. He went on to state the staff has access to legal support, engineering support or other support to provide the right input to support the Town's Commissions and he commented that he did not see that changing whether they have separate or combined Commissions. He continued by addressing the Land Use/Planning/Public Works Committee March 7, 2012 meeting at which they held a roundtable discussion with area land use officials and commissions. He stated at the June 13, 2012 Public Hearing Zoning Commission Chairman Treaster represented Mr. Butler's comments well. However, he noted Groton City's Planning and Zoning Chairman Mr. Rose's comments from the March 7th meeting did not get equal time. He stated Mr. Rose pointed out some strong reasons why combined Commissions worked better.

Mr. Eric Treaster, 10 Huntington Way, Gales Ferry, Zoning Commission Chairman, stated the Zoning Official has suggested: (1) The town adopt a uniform policy for the refund of fees. He noted as an example a \$360 application fee is charged if a public hearing is required. He stated it has been questioned whether the application fee should be returned if the application is withdrawn. He stated currently there is no policy and the town keeps the application fee. He stated if the Town Council provides the Zoning Commission with a town policy that they would incorporate it into their documents, regulations, bylaws and fee structure; and (2) The town adopt a policy regarding zoning enforcement. Mr. Treaster stated they have zoning violations that are four and five years old that have been ignored. He stated new violations come in daily and he explained the Zoning Official would like a document that will inform the public of how zoning violations are to be prioritized. He questioned whether the Town Council would like to contribute information for the "Enforcement Priority Formula". Mr. Treaster continued by

stating upon request last month he submitted an electronic copy of the new proposed Zoning Regulations version 2.2; and he noted to date he has not received one comment from anyone. He stated he did not know whether no comments meant that the proposed regulations are excellent, or that they have not been read. He stated the Zoning Official has pointed out some serious deficiencies in the current Regulations, therefore, he stated would like to move the new proposed Zoning Regulations forward. Mr. Treaster went on to address the proposed *"An Ordinance Combining the Zoning Commission of the Town of Ledyard with the Planning Commission of the Town of Ledyard"* that the Town Council will deliberate later this evening. He stated he opposes the proposed Ordinance and he noted eleven people spoke at the June 13, 2012 Public Hearing. He pointed out nine people including himself spoke against combining the Planning Commission and the Zoning Commission; one person spoke in favor of the proposal without conditions; and one person was in favor of the proposal on the condition that the transition plan be improved. He stated there is a total of fifteen reasons in the record regarding the reasons people oppose the proposal. He urged the Town Council to look at each one of the fifteen reasons this evening and to make a decision on whether the reasons are wrong; or if it is not applicable; or if they are willing to live with it. He stated the Zoning Commission is required to protect their record, and he noted the Zoning Commission does a superb job in stating on the record the reasons for their decisions. He noted there are some members of the Town Council who did not attend the Public Hearing. He stated Zoning Commission members who miss a meeting are required to testify on the record that they have listened to the tape and studied the documents before they can participate in the deliberations and the vote; and he commented he did not know whether the Town Council has the same rules. Therefore, he stated if the Town Council works under these rules that he would request that the members of the Town Council, who were not present at the June 13th meeting, recuse themselves from the deliberations because they will not have knowledge of all the information that was entered into the record. He stated if the Town Council is depending on IQM2 to obtain the information that was presented at the Public Hearing that he wanted to note that IQM2 did not reflect the yellow highlighted areas on some of the exhibits he presented. He stated all the information /exhibits on IQM2 were presented only in black and white. He concluded by stating that he would support the Town Council's decision and work to make the outcome as successful as possible.

Chairman Sullivan noted Mr. Treaster discussed the following five issues: (1) Fees; (2) Zoning Violation Prioritization; (3) Draft Zoning Regulations; (4) People who testified at the June 13, 2012 Public Hearing; and (5) People who missed the Public Hearing. He continued by addressing issues 2; 3; and 5 as follows: (issues 2 & 3) Zoning Violation Prioritization and draft Zoning Regulations – Chairman Sullivan stated by state statute the Town Council is not to participate directly in either one of these things. He stated Zoning Enforcement is left exclusively to the Zoning Commission. Mr. Treaster stated the Zoning Commission is aware of the state statute, however, he stated they are receptive to comments from everyone. Chairman Sullivan stated he understands the Zoning Commission welcomes the Town Council's input on the draft Zoning Regulations, however, he stated some could accuse the Town Council from going where they are not suppose to go; (issue 5) People who missed the June 13, 2012 Public Hearing – Chairman Sullivan explained the requirements for the Town Council to adopt an Ordinance is completely separate from the detailed statutory procedures in adopting a Zoning Ordinance. He stated zoning directly infringes upon peoples' individual property rights. He stated as a result there are very detailed statutory requirements on adopting any zoning ordinance and public hearings relative to who may vote on any particular issue before the Zoning Commission if they did not attend the Public Hearing, etc. He stated those rules do not apply to the rules the Town Council has tonight for the adoption of a regular municipal ordinance. He stated a regular municipal ordinance is no different than any other piece of municipal legislation. He stated unless otherwise put in statute the Legislative Body (Town Council) is left to determine for themselves if they believe they are sufficiently informed; whether that was through the Public Hearing, reading the minutes, watching the video or listening to the audio tape, or other ways they have, to make an informed decision. He stated if they do not believe that they are sufficiently informed than it would be appropriate to abstain, otherwise, he stated the members of the Town Council are free to vote on the matter as they feel fit.

Councilor Dombrowski stated he was on the Zoning Commission and helped with the drafting of the Zoning Regulation rewrite. He apologized for not responding to Mr. Treaster noting that he has been on work travel for the last three weeks.

V. COMMITTEE COMMISSION AND BOARD REPORTS –

Chairman Sullivan stated the Committee to Investigate a Town Manager Form of Government's presentation will be rescheduled to the Town Council's next meeting. He stated it was his understanding that the final report has been completed, and he noted the Town Council looks forward to receiving the report before their next meeting for their review and preparation for the Committee's presentation.

VI. COMMENTS OF TOWN COUNCILORS

Councilor McGrattan stated the new Senior Center Director/Municipal Agent attended the Commission for Senior Citizens' meeting today. She stated the Director will start working on Tuesday, July 3, 2012. She went on to note the new Senior Center is keeping a record of the number of people who visit the Center and she stated the numbers have been increasing every year. She stated to date 4,612 people have visited the Senior Center this year.

Councilor Davis addressed the Senior Center data regarding the number of visits to the Center and she stated she would be interested in how many people this data represents. She went on to provide clarification questioning whether the 4,612 represents 100 people attending forty times a year or is it 40 people visiting one hundred times a year. She stated she would also be interested in the number of new people visiting the Center.

Councilor Saums stated he attended the Ledyard High School Class of 2012 Graduation on June 23, 2012 with Councilor Davis and Mayor Rodolico. He stated the students' speeches were fantastic and that Principal Lou Gabordi, in his last year at Ledyard High School, made a superb speech. He stated he hoped everyone would take the opportunity to read Mr. Gabordi's speech which is posted on the Patch. He thanked Mr. Gabordi for his four years as Principal at Ledyard High School and for all his years of service since his 1972 graduation from the school. He stated Ledyard High School is losing a really good Principal and that he hoped the town would see Mr. Gabordi serving in another capacity.

Chairman Sullivan provided an update to his May 9, 2012 announcement of being nominated to a position on the Defense Nuclear Facilities Safety Board in Washington D.C. He stated it is a position that requires confirmation by the United State's Senate and he will be required to resign from the Town Council if he is confirmed. He stated the Senate Staff anticipates action before the US Senate takes its August 3, 2012 recess. He stated if he is confirmed he will have to regretfully resign his position serving the Town of Ledyard.

VI. REVIEW AND APPROVAL OF PRIOR MEETING MINUTES

MOTION to approve the
Public Hearing Minutes of June 13, 2012
Public Hearing Minutes of June 13, 2012
Public Hearing Minutes of June 13, 2012
Regular Meeting Minutes of June 13, 2012

Moved by Councilor France, seconded by Councilor Davis

VOTE: 5 - 0 - 3 Approved and so declared (Dombrowski, McGrattan, Wadecki abstained)

RESULT:	ADOPTED 5 - 0 - 3
MOVER:	Mike France, Town Councilor
SECONDER:	Linda Davis, Town Councilor
AYES:	Davis, Eichelberg, France, Saums, Sullivan
ABSTAIN:	Dombrowski, McGrattan, Wadecki
ABSENT:	Marshall

VII. COMMUNICATIONS

Chairman Sullivan stated that a Communications List has been provided and he noted the referrals listed.

COMMUNICATIONS LISTING FOR JUNE 27, 2012

INCOMING CORRESPONDENCE

1. Ms. Jackson ltr dated 6/13/12 re: Public Hearing 6/13/12 comments proposed Ordinance Combining the Planning Commission and Zoning Commission
2. Mr. Koe ltr dated 6/13/12 re: Public Hearing 6/13/12 comments proposed Ordinance Combining the Planning Commission and Zoning Commission
3. Mr. Cherry data 6/13/12 re: Data presented at Public Hearing 6/13/12 - proposed Ordinance Combining the Planning Commission and Zoning Commission
4. Mr. Whitle ltr dated 4/5/12 re: Public Hearing 6/13/12 comments proposed Ordinance Combining the Planning Commission and Zoning Commission
5. Mr. Treaster Data dated 6/13/12 re: Data presented at Public Hearing 6/13/12 - proposed Ordinance Combining the Planning Commission and Zoning Commission
6. Mr. Treaster Correspondence dated 6/13/12 re: Public Hearing 6/13/12 – Fifteen Reasons not to Combine the Planning Commission and Zoning Commission
7. Mayor ltr dated 6/13/12 re: Appointed Ms. Fraser to Conservation Commission
8. Mayor ltr dated 6/13/12 re: Appointed Ms. Schmidt to Conservation Commission
9. Gales Ferry Seniors ltr dated 6/15/12 re: Improvements to Gales Ferry
10. Planning/Development Director memo dated 6/19/12 re: Easement Holmberg property – Aljen Heights Water Project – Planning Commission's 6/6/12 meeting/action
11. Planning/Development Director memo dated 6/19/12 re: Easement Holmberg property – Aljen Heights Water Project
12. Poquentanuck Cove Action Cmt e-mail dated 6/19/12 re: Invite to Action Planning Meeting
13. RTC Application dated 6/19/12 re: Endorse Appointment of Gardner to Municipal Building Committee

OUT GOING CORRESPONDENCE

1. Admin Asst ltr dated 6/14/12 re: Action Ltr TC Meeting 6/13/12
2. Chairman Sullivan memo dated 6/15/12 re: Assignment of Duties – Chairman Pro tem Saums 6/18/12 – 6/23/12
3. Finance Cmt memo to LVES/Admin of Emgr Serv dated 6/21/12 re: Proposed amendments to Ordinance # 114
4. LTC ltr to Municipal Building Cmt dated 6/21/12 re: Assignment of proposed Police Facility initiative

NOTICE OF AGENDA

1. Public Safety Sp Mtg 6/19/12 Cancelled
2. Municipal Building Sp Mtg 6/19/12
3. Historic Mtg 6/19/12
4. IWWS Sp Mtg 6/26/12
5. WPCA Mtg 6/27/12
6. Library Mtg 6/18/12
7. Cmt to Investigate T. Mgr Form of Government 6/19/12; Sp Mtg 6/13/12 Cancelled
8. Finance Mtg 6/20/12
9. Sp Admin Mtg 6/27/12
10. Public Hear 6/27/12 (Ord Stormwater)
11. Town Council 6/27/12
- 12.

MINUTES

1. Ledge Light Health District Minutes 6/14/12
2. Historic Minutes 4/16/12
3. Pension Board Minutes 5/9/12
4. Finance Minutes 6/6/12
5. Admin Minutes 5/11/12
6. Public Hear Minutes 6/13/12 (GFFD NAA Project)
7. Public Hear Minutes 6/13/12 (Lease(s) Former GFS)
8. Public Hear Minutes 6/13/12 (Proposed Ord Combine Planning/Zoning Commissions)
9. Town Council Minutes 6/13/12

REFERRALS

Administration Committee

1. RTC Application dated 6/19/12 re: Endorse Appointment of Gardner to Municipal Building Committee

VIII. COUNCIL SUB COMMITTEE, LIAISON REPORTS

Administration Committee

Councilor Eichelberg stated the Administration Committee met earlier this evening and discussed the following: (1) Proposed "*Town of Ledyard Blight Ordinance*"; (2) "*Resolution Regarding the Establishment for the Collection of a Fee for Connecticut Department of Motor Vehicle Reporting*"; (3) Proposed "Floater Position for the Mayor's Office/Finance Department/Town Clerk's Office". He also noted the Committee moved forward a couple of items that are on tonight's agenda.

Community Services Committee

Councilor Eichelberg stated the Community Services Committee has not met since the last Town Council meeting.

Finance Committee

Councilor France stated the Finance Committee met on June 20, 2012 and he noted they have a number of items on tonight's agenda. He went on to note the Committee discussed the following: (1) Ledyard Center Fire Truck purchase – Councilor France noted Administrator of Emergency Services Russ Shaw provided an update regarding the purchase of a 1500 Ferrara Igniter Pumper Truck to replace the Ledyard Center Fire Department's 1989 R14 Tanker Truck and to also move the R11 Truck to a reserve status; (2) Proposed amendments to Ordinance # 114 "*An Ordinance Amending an Ordinance Authorizing the Town of Ledyard to Make Appropriations for the Furnishing of Ambulance Service*". Councilor France noted the Committee sent a memo to the Director of LVES and the Administrator of Emergency Services to obtain their comments regarding the proposal. He stated comments are due by July 11, 2012.

Information Technology Committee

Councilor Davis stated the Information Technology Committee will be meeting on July 3, 2012.

Land Use/Planning/Public Works Committee

Councilor Dombrowski stated the Land Use/Planning/Public Works Committee will be meeting on July 3, 2012.

Board of Education

Councilor Davis noted Councilor Saums' comments regarding the Ledyard High School Class of 2012 Graduation. She stated it was a good event.

Water Pollution Control Authority

Councilor Saums stated the WPCA met on June 26, 2012 and he reported on the following: (1) Construction bids for Aljen Heights were opened on June 14th. The bids came in significantly below the engineer's estimate. He stated the Building Committee authorized the award to Haluch Water Contracting; and the Town submitted the "*request for authorization to award*" to the CT Department of Public Health on June 26th. He stated the Town anticipates a fairly rapid turnaround, expecting construction to begin around September 1, 2012 with completion in August, 2013; (2) Revenues and Expenses – Councilor Saums stated with the support of the Mayor, they are continuing to look into the WPCA revenues and expenses. The total outstanding Accounts Receivable has dropped from \$100,000 a few months ago to \$46,000; and he noted the total outstanding accounts receivable was at \$160,000 more than a year ago. He stated the WPCA is working to obtain better financial information regarding revenues and expenses, as well as water purchased. He stated at their meeting last night the WPCA reviewed data provided by Groton Utilities showing the water usage on the Route 117 system during the past two years; and the Mayor is working to gather additional data. The WPCA Finance Committee will now

take the lead, working with the Mayor and his staff to accomplish their goal; (3) WPCA Policies – Councilor Saums stated the WPCA continued its work to develop a complete set of policies, and they have agreed to work on 1-2 policies per month; (4) Water Main Extension Agreement – Councilor Saums stated the WPCA reviewed and approved, with conditions, a new water main extension agreement between the Town and Green Falls Associates for a project for Cedar Ridge and Oakridge Drive in Gales Ferry; (5) WPCA Meeting schedule - The WPCA meets on the 4th Tuesday of the month at 7:00 p.m. in the Council Chambers, Town Hall Annex.

Chairman Sullivan questioned the status of a previous proposal to raise the water rates by a significant amount. Councilor Saums stated a question regarding the water rates was raised at last night's meeting and he noted the WPCA stated without hard data it is difficult to prove what will be needed for a rate increase. Therefore, he stated before discussing a rate increase they plan to assemble the following data: water sold, water purchased, revenues and expenses. Councilor Sullivan questioned whether there was any indication that the WPCA was having difficulty paying their bills. Councilor Saums stated the WPCA is not out of money, however, the reports provided indicate that the expenses are running ahead of their revenues. He noted this has been going on for a couple of years, which is the reason the WPCA is continuing to look at these issues. Chairman Sullivan encouraged the WPCA to come to a resolution as soon as possible.

Chairman Sullivan noted the WPCA Liaison report is available on the IQM2 portal and he encouraged other Sub Committees and Council Liaisons to use the Legislative File program to post their reports to the portal as well. He stated by utilizing this feature the public will be better informed and able to actively participate in the Town Council's business, which includes asking questions of the Town Council.

Historic District Commission

Councilor France stated the Historic District Commission met on June 18, 2012 and discussed the following: (1) House Restoration project – The Historic District Commission is using the Up-Down Sawmill to make pine boards. He stated a neighbor offered pine trees from their property to be used for this house restoration; and Public Works Director Steve Masalin will assist with bringing the pine trees to the Up-Down Sawmill; (2) Nathan Lester House Environmental Assessment – Zero Draft has completed the assessment and the Historic District Commission will be installing additional insulation and reproofing a shed on the property.

IX. MAYORS REPORT

Mayor Rodolico reported on the following: (1) WPCA Data – Mayor Rodolico stated he attended the WPCA's June 26, 2012 meeting at which they had a good discussion. He stated he appreciated the fact that they have not been successful at getting some basic information on some fundamental questions. He stated he will be persistent to obtain the data regarding how much water we buy and how much water we bill for. He stated until they have an answer to this question he will be hesitant to take any other action; (2) Millstone Drill and Hurricane Drill – Mayor Rodolico stated a mandatory Millstone Drill is scheduled for July 17, 2012, however the Hurricane Drill is optional. He stated the town plans to participate in both drills. He stated he will be out of town during both the drills and asked whether a member of the Town Council would be available to attend the drills and act in his absence; (3) CL&P Northeast Utilities Transmission Project -Mayor Rodolico stated he met with CL&P Northeast Utilities Officials to discuss transmission wires that come across the river and across Route 12 through Gales Ferry and down into Groton. He stated the Utility wants to increase the current/power that is transmitted through those lines. He stated this project will need to raise the six towers and he stated there should not be any power outages when this work is being done. He stated the public will be informed of the work schedule; (4) Road Work – Route 12 resurfacing will begin around second week in July. He stated he has been talking with Michael Washington about rerouting traffic and he will provide information as it becomes available; (5) Police Facility – Mayor Rodolico noted on May 9, 2012 the Town Council *"appropriated up to \$20,000 from the sale of a portion of the former Gales Ferry School property to Account 6-10-11-99 (Police Building) to allow the Municipal Building Committee to support the design and site selection of an alternate police facility"*. He stated based on this action he attended the Municipal Building Committee's June 19, 2012 meeting to discuss the Police Facility, however, he stated the Committee informed him that projects need to be specifically assigned to their Committee. He stated he appreciated

Chairman Sullivan's letter dated June 21, 2012 to the Municipal Building Committee to inform them of the Town Council's action for them to take on the Police Facility initiative. Mayor Rodolico went on to note four proposals from architects have been received. He also stated that he has requested the appointment of one temporary member to represent the Police Facility project; (6) Dispatch Communication Services Requests for Qualifications (RFQ) – Mayor Rodolico stated the revised and updated "Attribute and Specifications" will be distributed to the six potential providers and he will request a late August return of the RFP for those who are interested in providing services; (7) Senior Center Director/Municipal Agent will start on July 3, 2012. Mayor Rodolico stated the individual has already spent some time at the Senior Center. He expressed his best wishes to Carol Geiler and thanked her for her three years of service to the town; (8) MUNIS Financial Software Training – Mayor Rodolico stated the end user training was held on June 26th & June 27. He stated all the appropriate general government staff attended the trainings at the High School's computer lab. He stated as with any new programs there will be some challenges until everyone becomes accustom to using the software; (9) IQM2 Media/Minute Traq Software Program – Mayor Rodolico stated he was working with the Town Council's Administrative Assistant to have all Committees/Commissions/Boards using the program by January 1, 2013; (10) July 4th Holiday Trash Collection – Mayor Rodolico stated because the holiday falls on Wednesday next week the trash collections for Wednesday, Thursday and Friday will be moved forward by one day. He stated this trash collection schedule is posted on the Town's Web Page and they will be using other media sources to inform residents; (11) Ledyard Fair Association Lease and Policies have not been updated in quite some time – Mayor Rodolico stated he will be meeting with the Ledyard Fair Committee on June 28, 2012 to review the lease and policies. He requested input and comments from the Town Council; (12) Op Sail and the 200th Commemoration of the War of 1812 - Mount Decatur access – Mayor Rodolico announced the public will be able to access Mount Decatur on Saturday, July 10, 2012 between the hours of 10:00 a.m. – 1:00 p.m. He stated this hike is being sponsored by Styron, Gales Ferry Methodist Church, Boy Scouts and others. Those interested in hiking up the mountain should meet at the Gales Ferry Methodist Church parking lot on Chapman Lane. He stated Styron has cleared the path and there will be Guides and Stations along the way to provide information on how wars were fought in terms of naval engagements and strategies. He noted the important part of history Mount Decatur provided; and he stated the view of the river from the top of the mountain is incredible. He stated Ledyard's emergency services and police will be standing by and those participating in the hike will be required to sign a release.

Questions to the Mayor -

Chairman Sullivan addressed Mayor Rodolico's comments regarding the Municipal Building Committee and his request for the Town Council to appoint a temporary member for the Police Facility project. He explained since the Town Council's May 9, 2012 meeting the Mayor went to the Municipal Building Committee to move forward with obtaining an architect to determine the best possible location for a new police facility. However, the Municipal Building Committee stated that they did not know whether they had been formally tasked to take on the police facility initiative. He stated as a result of the Town Council's May 9, 2012 action he fully believed that they had given the Municipal Building Committee that permission, and therefore, he wrote a letter to the Committee saying that the Town Council authorized the Municipal Building Committee to oversee the Police Facility project. He went on to note because item #9 on tonight's posted agenda "*to authorize the Permanent Municipal Building Committee to provide oversight of the proposed Police Facility initiative*"; has been resolved and was no longer needed that he will ask to replace item #9 with a motion to appoint a temporary member to the Municipal Building Committee for the Police Facility project at the appropriate time this evening.

Chairman Sullivan continued by addressing the Route 12 road work and he questioned how the public will know about the road work schedule. Mayor Rodolico stated the State will be posting signs. Chairman Sullivan suggested the town purchase some signs that could be used for road work or to direct residents during hazardous storms, etc. He stated if the town had these types of signs they could be used along with the State's signs.

Chairman Sullivan noted the Millstone Drill scheduled for July 17, 2012 and he stated he would be out of town and would not be able to attend in the Mayor's absence. He solicited the members of the Town Council to participate in the Millstone Drill.

Chairman Sullivan commented on the Ledyard Fair Lease and he noted in accordance with state statute a public hearing will be required. Mayor Rodolico stated his Office is working to present the proposed lease to the Town Council for a public hearing date to be scheduled. He went on to note that there is an exception for renewed leases.

Chairman Sullivan questioned the status of the purchase of the Volpe property. Mayor Rodolico stated the environmental report and survey have been completed. He stated they are waiting for the appraisal.

X. OLD BUSINESS –

1. No Action on the
MOTION to remove from the table the
MOTION to accept an easement from Richard A. and Diane Y. Holmberg from Avery Hill to current tank site; and to grant an easement to the Holmbergs for town-own land at Map 25, Block 2512, Lot 15A.
2. No action on the
MOTION to accept an easement from Richard A. and Diane Y. Holmberg from Avery Hill to current tank site; and to grant an easement to the Holmbergs for town-own land at Map 25, Block 2512, Lot 15A.
3. MOTION to remove from the table the
MOTION to adopt a proposed "*An Ordinance Combining the Zoning Commission of the Town of Ledyard with the Planning Commission of the Town of Ledyard*" as contained in the draft dated April 8, 2012.
Moved by Councilor Eichelberg, seconded by Councilor France

VOTE: 8 – 0 Approved and so declared

RESULT:	ADOPTED 8 – 0
MOVER:	Steve Eichelberg, Town Councilor
SECONDER:	Mike France, Town Councilor
AYES:	Davis, Dombrowski, Eichelberg, France, McGrattan, Saums, Sullivan, Wadecki
ABSENT:	Marshall

4. MOTION to adopt a proposed "*An Ordinance Combining the Zoning Commission of the Town of Ledyard with the Planning Commission of the Town of Ledyard*" as contained in the *amended* draft dated *June 27, 2012* April 8, 2012.

Draft 4/8/12–6/27/12

AN ORDINANCE
COMBINING THE ZONING COMMISSION OF THE TOWN OF LEDYARD
WITH THE PLANNING COMMISSION OF THE TOWN OF LEDYARD.

Be it ordained by the Town Council of the Town of Ledyard

Section 1. Authority

Pursuant to Chapter IV, Section 4, of the Town Charter, commencing on the *ninetieth* ~~sixtieth~~-day after the effective date of this ordinance, the duties of the Zoning Commission of the Town of Ledyard as set forth in Chapter 124 of the General Statutes; shall be discharged by the Planning Commission of the Town of Ledyard which shall hereafter be known as the Planning and Zoning Commission of the Town of Ledyard.

Section 2. Purpose

WHEREAS the Town Council finds combining the duties of the Planning Commission and the Zoning Commission into a single commission will enhance development within the Ledyard by reducing the number of boards and commissions with oversight of land use;

AND WHEREAS the Town Council finds combining the duties of the Planning Commission and the Zoning Commission into a single commission will improve the efficiency of the Town Planning Director and staff by reducing the number of monthly meetings the staff must support; There shall therefore be a single town commission known as the Planning and Zoning Commission of the Town of Ledyard to discharge the duties specified in Chapters 124 and 126 of the General Statutes.

Section 3. Organization/Membership

The Planning and Zoning Commission of the Town of Ledyard shall be served by members as provided for in Chapter IV, Section 3, of the Town Charter, consisting of five (5) regular members who shall be electors of the Town of Ledyard and shall hold no salaried municipal office and shall not be members or alternate members of the Zoning Board of Appeals. Appointment and removal of any member of the Planning and Zoning Commission shall be as provided for in Chapter IV, Section 9, of the Town Charter

Section 4. Duties

The Planning and Zoning Commission of the Town of Ledyard shall have the duties as specified in Chapter IV, Sections 3 and 4 of the Town Charter and all duties heretofore assigned by ordinance to either the Planning Commission of the Town of Ledyard or the Zoning Commission of the Town of Ledyard.

Section 5. Implementation

Within two weeks after effective date of this ordinance, all current members and current alternate members of the Planning Commission of the Town of Ledyard and the Zoning Commission of the Town of Ledyard shall indicate to their respective chairmen whether they desire to serve on the Planning and Zoning Commission of the Town of Ledyard. The respective chairmen shall thereafter report to the Town Council the desires of their members. In addition, the respective chairmen shall make recommendations to the Town Council regarding present members to serve on the combined commission.

Within thirty days after the effective date of this ordinance, the Town Council shall notify each member and alternates to serve on the Planning and Zoning Commission, and such members and alternates shall thereafter familiarize themselves with the Ledyard Zoning regulations, Subdivision regulations, Current Plan of Conservation and Development, and their duties and responsibilities under the General Statutes and the ordinances of the Town of Ledyard.

Within thirty days of the effective date of this ordinance, the respective chairmen shall report to the Town Council all permit applications for which a public hearing has been or will have been held or commenced on or before the sixtieth day after the effective date of this ordinance and for which final action is expected to be pending on the sixtieth day after the effective date of this ordinance. The Town Council may make temporary appointments of alternates and such temporary alternates may thereafter be seated as necessary to ensure each such outstanding application will be acted upon by members present at the public hearing.

Within ~~ninety~~ sixty five days of the effective date of this ordinance the chairman of the Planning and Zoning Commission of the Town of Ledyard shall direct the town's Land Use attorney to take any necessary step to substitute the Planning and Zoning Commission as the responsible party in any pending litigation involving either the Planning Commission of the Town of Ledyard or the Zoning Commission of the Town of Ledyard.

The Zoning regulations of the Town of Ledyard as adopted and made effective October 11, 1963 and as thereafter amended shall remain in full force and effect except as they may be further amended by the Planning and Zoning Commission of the Town of Ledyard by procedures established in the General Statutes.

The Subdivision regulations of the town of Ledyard as adopted on March 22, 1962 and as thereafter amended shall remain in full force and effect except as they may be further amended by the Planning and Zoning Commission of the Town of Ledyard by procedures established in the General Statutes.

Section 6. Repeal

Ordinance 21, "An Ordinance establishing a separate Zoning Commission and Panel of Alternates", adopted on December 5, 1973, is hereby repealed. Part II of Ordinance 5, "An Ordinance separating the combined Planning Commission of the Town of Ledyard into a separate Planning Commission of the Town of Ledyard and a separate Zoning Commission of the Town of Ledyard", adopted on October 23, 1961 and as amended and adopted on September 13, 1972, is also repealed.

Section 7. Severability

If any provision of this Ordinance shall be held invalid by a court having competent jurisdiction, such invalidity shall not affect any other provision of this Ordinance that can be given effect without the invalid provision and for this purpose the provisions of this Ordinance are hereby declared severable.

Moved by Councilor Eichelberg, seconded by Chairman Sullivan

Discussion: Chairman Sullivan stated a Public Hearing was held on June 13, 2012. He noted as Zoning Commission Chairman Eric Treaster pointed out eleven citizens spoke at the Public Hearing as follows: one person spoke in favor of the proposal without conditions; one person was in favor of the proposal on the condition that the transition plan be improved; and nine people spoke against the proposal. He stated he was interested in hearing the reasons the two Committees brought the proposal forward to the Town Council.

Councilor Dombrowski stated after the Land Use/Planning/Public Works Committee (LUPPW) reviewed the proposed Ordinance, other town's Ordinances and spoke with neighboring officials it was the LUPPW Committee's opinion that a combined Planning and Zoning Commission would streamline the process for all applicants by providing one point of contact for applicants; and it would eliminate the process of having to go between all the different agencies in town. He stated the process would require the applicants to see one commission instead of five. He noted he read the minutes from the June 13, 2012 Public Hearing and from the Town Council's meeting and he stated this initiative was not politically driven; and it was not to get rid of certain volunteers. He stated as Mr. Cherry noted there are a number of municipalities that have combined Planning and Zoning Commissions and they are working fine; and they are not rubber stamping what the staff tells them to. He stated most professionals, including Ledyard's Planning Director, agree that the town does not have the proper amount of staffing to support two separate commissions. He stated in accordance with the proposed *"An Ordinance Combining the Zoning Commission of the Town of Ledyard with the Planning Commission of the Town of Ledyard"* the Planning Director would be the only staff person required to attend the Commission's meetings; the Zoning Enforcement Officer would be required to provide a written report and would only attend meetings when required for a special reason. He continued by addressing the Public Hearing comments concerning the checks and balance between the Planning Commission and Zoning Commission. He stated as the former Chairman and member of the Zoning Commission he could say the enabling statutes do not support this concern of "checks and balance". He stated the Planning Commission does not serve as a checks and balance to the Zoning

Commission; and the Zoning Commission does not serve as a checks and balance to the Planning Commission. He stated the checks and balances are with the Zoning Board of Appeals and the state court system for an appeal process. He explained there is only one statute where there is a checks and balance between the two commissions which would only apply to the following scenario: *"If an application goes forward to the Zoning Commission and it does not comply with the Plan of Conservation and Development, and the Planning Commission denies the application, the Zoning Commission could only approve the application by a super majority"*.

Councilor Eichelberg addressed the June 13, 2012 Public Hearing comments. He stated the proposed *"An Ordinance Combining the Zoning Commission of the Town of Ledyard with the Planning Commission of the Town of Ledyard"* has never been a referendum on the Zoning Commission or the Zoning Commission Chairman; and that it has never been a political issue. He stated the proposal being considered this evening is an attempt to streamline the process for applicants and developers. He commented some may not agree with this step, however, he stated not agreeing with this step is different than saying this is a political move or an indictment of anyone on the Zoning Commission. He stated as the former Chairman and member of the Economic Development Commission they talked about streamlining the process with several experts who advised them that the best way to attract developers to the town was to streamline the process; make it easier so developers do not have to make multiple appointments and talk to multiple people time and time again. He stated he believes the proposed *"An Ordinance Combining the Zoning Commission of the Town of Ledyard with the Planning Commission of the Town of Ledyard"* is a good attempt to streamline the application process, which is the reason the Administration Committee voted to move the proposal forward to the Town Council. He stated it is imperative that the Land Use Clerical Assistant position proposed by Mayor Rodolico be filled. He stated this position will be very useful in staff support for any land use commission going forward.

Chairman Sullivan stated he fully supports the passage of the *"An Ordinance Combining the Zoning Commission of the Town of Ledyard with the Planning Commission of the Town of Ledyard"* this evening. He stated he recognized that the majority of the people who spoke at the June 13, 2012 Public Hearing did not support the proposed Ordinance. He stated most of the people who spoke were directly connected to the status quo; and he commented that his experience tells him that people who are directly connected to the status quo will more passionately be opposed to a specific proposal than those who are not connected and do not follow the details closely. He went on to note that his other experience goes back to a March 2012 Board of Education Finance Committee meeting at which specific cuts were proposed to the Board of Education's budget; cuts which fortunately did not come to pass. Nevertheless, he stated there was a significant turnout of parents who spoke passionately about their support of the school and they also spoke passionately about the need for the town to do something to increase the commercial development in town to attempt to get more tax revenue from non-homeowners so that the town could take the tax burden off the homeowners and still support the education of our children. Therefore, he stated they have to do something. He noted the towns of Waterford and Stonington both have a combined Planning and Zoning Commission; both have a good education system; and both have a lower tax rate than Ledyard. Therefore, you have to ask whether having a combined Planning and Zoning Commission is a bad thing. He agreed there is no proof that combining the Planning Commission and Zoning Commission will improve commercial development; however, he stated when parents ask what the town has been doing to try to increase commercial development that he finds it very hard not to take this step, if for no other reason, the Town Council can look those parents in the eye and say they have tried. He stated changing to a combined Planning and Zoning Commission is not irreversible.

Councilor McGrattan stated she was the Mayor of Ledyard twenty-five years ago when Planning Director Bill Haase came to work for the Town. She stated a few months before his passing she visited him every week and they reminisced about his days working in Ledyard and some of the problems he ran up against as the Town Planner. She stated Mr. Haase told her about how things worked in Stonington and how much smoother it was there than it was in Ledyard. Therefore, she stated she will support combining the Planning Commission and Zoning Commission.

Councilor Davis noted that many of the issues she was planning to discuss have already been covered this evening by her fellow Councilors. However, she stated there was one comment at the June 13, 2012 Public Hearing that she did want address. She noted the following comment: *"Currently the Zoning Commission utilizes the town staff for very little of its needs, so we as volunteers do most of the work that a support staff would normally do"*. She stated although she sincerely appreciates the work of the town's volunteers, and she does not want to offend anyone, that they do not want volunteers doing staff work. She stated it is a liability and it is a danger for volunteers to be doing staff work. She went on to state that this comment made her understand the reason volunteers were concerned about doing more work if the two commissions are combined. She stated she looked at the Town of Waterford as an example, because they currently have a number of development projects going on. She stated Waterford's combined Planning and Zoning Commission met twelve times since January 1, 2012 and most of their meetings ran about one hour and some ran an hour and half or a bit longer. She stated the big difference between Ledyard and Waterford was that their volunteers clearly relied on support staff, and most of the application work was done when the volunteers went to the meetings. She stated hearing the comments at the June 13, 2012 Public Hearing gave her an understanding of why some were against the proposal; and it also reinforced her belief to support the proposal.

Councilor France addressed the passionate outcry from the members of the Zoning Commission who spoke at the June 13, 2012 Public Hearing to keep the status quo because they have always done things this way. He stated his background is engineering and he explained that engineers look for objective quality evidence, which is something factual, objective, not emotional and not an opinion. He stated at the Public Hearing they only received a number of strong opinions and no factual evidence was brought forward. He stated there was no factual data stating that separate commissions provided a benefit; and there was no factual data stating that a combined commission was flawed. He stated the best information they came up with was that it does not matter which way you go. Therefore, he stated he finds it hard to support the status quo without any evidence to the contrary. He stated you would expect that if you are doing something for almost forty years, that there would be evidence that the current process was the way to enact and manage planning and zoning in town. However, he stated they do not have evidence, therefore, he stated for that reason, there is not a reason to remain the same.

Councilor Saums stated he has spent most of his life paying attention to zoning issues because they are the most important regulations a town/city has. He stated Zoning Regulations protect the value of most peoples' largest single investment, which is their home. He stated Zoning Regulations also protect the quality of life. He stated he has served on the LUPPW Committee for five years and he takes this matter seriously. He stated the LUPPW Committee had the votes to bring this initiative to combine the Planning Commission and Zoning Commission years ago. However, he stated because he was the one Committee member who opposed the initiative it did not come forward. He went on to note the LUPPW Committee's March 7, 2012 meeting at which neighboring land use officials participated in a round table discussion on this subject. He stated Stonington's Planner Bill Haase

was not able to attend because of his illness, and with Councilor McGrattan's suggestion he called and spoke with Mr. Haase about the function of separate land use commissions and combined land use commissions. Councilor Saums noted the record quoted Mr. Haase as saying "You could do it either way". However, Councilor Saums stated what Mr. Haase said to him was: "You can do it either way you want, but in his experience working in Ledyard, that the town has suffered from silo organizations". He stated the Planning Commission and Zoning Commission have historically been silos. He went on to state based on his conversation with Mr. Haase; and because he believes a combined commission will give Planning and Zoning more authority, he voted at the LUPPW Committee's meeting to bring the proposal forward to the Town Council; and he stated he would support the Ordinance this evening. He continued by addressing Section 2 of the proposed Ordinance: "*WHEREAS the Town Council finds combining the duties of the Planning Commission and the Zoning Commission into a single commission will enhance development within the Ledyard by reducing the number of boards and commissions with oversight of land use;*" and he stated this language was a weak term. He stated the real goal is to streamline the application process. He stated Ledyard wants smart development in both commercial and residential development. He agreed with Councilor Davis' comments in that Commissions need to rely on staff; and he thanked the members of the Zoning Commission and he particularly thanked Zoning Commission Chairman Mr. Treaster for their efforts during a time when there were a lot of changes in the Zoning Office. He stated the Zoning Commission volunteers have done a lot for Ledyard in stepping in to fill the gaps. He went on to state what the Zoning Commission has been doing for the town has been working in terms of appearance and quality of life. However, he stated Ledyard does not have enough of the right commercial development. He went on to state that the two commissions can not be combined, however, the Planning Commission can take on the role, obligations and responsibilities of the Zoning Commission. Therefore, he stated both Commissions are technically not being disbanded. He stated the existing Planning Commission will take on the role of the Zoning Commission; and he noted there are some openings on the Planning Commission. He concluded by expressing the following concerns: (1) The loss of volunteers; (2) The loss of expertise and experience; (3) The timeline for implementation; and (4) The transition /rules relative to applications that are currently being heard and are in the process. He stated to make all this work he believed the timeline in the proposed Ordinance needs to be extended. He suggested a friendly amendment be made to the proposed Ordinance to extend the implementation timeline.

Councilor Wadecki stated although she was not able to attend the June 13, 2012 Public Hearing she read the minutes and all the written communications that were submitted. She noted for years the subject of having a combined Planning and Zoning Commission has been discussed by the Town Council. She noted most of the speakers were volunteers and she noted the member of the Town Council are also volunteers, therefore, she understands the amount of time and effort the town's volunteers dedicate to the town. She stated keeping in mind the volunteers who have served the town and listening to all the comments this evening she has conflicted feelings on the subject. However, she stated she would support the proposed Ordinance this evening if the Town Council considers Councilor Saums's suggestion to extend the implementation timeline. She concluded by recognizing all the volunteers who have given so many years to the town and she asked the Town Council to send those who do not continue to serve a letter to thank them for their years of service, experience and expertise. She stated perhaps they can find another place for those volunteers to continue to serve the town.

Councilor France stated he would like to clarify his comments and he explained that he was not stating that the town has been led astray by the process. He stated what he was stating was that there is no evidence to show that having separate commissions was the way to go.

The Town Council extensively discussed the implementation timeline contained in the draft Ordinance. It was noted that per the Town Charter Chapter III; Section 5 states: “*Within ten (10) days after final passage, a summary of the ordinance(s) shall be prepared by the Town Clerk in consultation with the Town Attorney and published in a newspaper having circulation within the Town. Every ordinance, unless it shall specify a later date, shall become effective on the twenty-first (21) day after such publication following its final passage*”. Chairman Sullivan stated the administration relative to the publication and effective date of the adopted Ordinance will provide an additional three weeks to timeline contained in the document. The Town Council agreed to make the following changes as noted in ***bold italic font*** to Section 1 “Authority”; and to the fourth paragraph of Section 5 “Implementation”:

Section 1. Authority

Pursuant to Chapter IV, Section 4, of the Town Charter, commencing on the ***ninetieth*** ~~sixtieth~~ day after the effective date of this ordinance, the duties of the Zoning Commission of the Town of Ledyard as set forth in Chapter 124 of the General Statutes; shall be discharged by the Planning Commission of the Town of Ledyard which shall hereafter be known as the Planning and Zoning Commission of the Town of Ledyard.

Section 5. Implementation

(fourth paragraph)

Within ***ninety*** ~~sixty~~ five days of the effective date of this ordinance the chairman of the Planning and Zoning Commission of the Town of Ledyard shall direct the town’s Land Use attorney to take any necessary step to substitute the Planning and Zoning Commission as the responsible party in any pending litigation involving either the Planning Commission of the Town of Ledyard or the Zoning Commission of the Town of Ledyard.

The Town Council agreed to the changes as noted above as “*friendly amendments*”.

VOTE: 8 – 0 Approved and so declared

RESULT:	ADOPTED 8 – 0
MOVER:	Steve Eichelberg Town Councilor
SECONDER:	Sean Sullivan, Chairman
AYES:	Davis, Dombrowski, Eichelberg, France, McGrattan, Saums, Sullivan, Wadecki
ABSENT:	Marshall

XII. NEW BUSINESS

MOTION to replace General Item #9 “*MOTION to authorize the Permanent Municipal Building Committee to provide oversight of the proposed Police Facility initiative*” with the following:

MOTION to appoint Lieutenant Michael Finkelstein as a Temporary Member of the Permanent Municipal Building Committee as a municipal representative for the proposed Police Facility initiative.

Moved by Chairman Sullivan, seconded by Councilor McGrattan

Discussion: None.

VOTE: 8 – 0 Approved and so declared

RESULT:	ADOPTED 8 – 0
MOVER:	Sean Sullivan, Chairman
SECONDER:	Mary McGrattan, Town Councilor
AYES:	Davis, Dombrowski, Eichelberg, France, McGrattan, Saums, Sullivan, Wadecki
ABSENT:	Marshall

CONSENT CALENDAR

- *1. MOTION to impose a \$300 maximum limit on petty charge purchases for Fiscal Year 2012/2013, per section 11 (Petty Charge, and Emergency Limitations) of Town of Ledyard Ordinance 50, "*An Ordinance Amending and Ordinance for Purchasing.*"
- *2. MOTION to grant a bid waiver for Fiscal Year 2012/2013 for items less than \$7,500. For items between \$5,000 and \$7,499 the department must obtain three (3) written quotes and present them with the purchase order request.
- *3. Discussion and possible action on the MOTION to approve Bid Waivers:
 - 1. As included in the Standing Bid Waiver List for the 2012-2013 fiscal year as presented,
 - 2. For participation in Capital Region Purchasing Council Bids;
 - 3. For participation in State of Connecticut bids;
 - 4. For participation in any other states' bids; and
 - 5. For participation in federal government agency bids.

TOWN OF LEDYARD Fiscal Year 2012/2013 Standing Bid Waiver List

Department	Description	Reason
Town Clerk	Land Record Indexing	The Town has a five year contract with <i>NewVision</i> and <i>Adkins Printing</i> for these mandated services.
Town Clerk	Photo Reduction	The Town has a five year contract with <i>New Vision</i> and <i>Adkins Printing</i> for this state-mandated service.
MIS	Computer Software Support	General Ledger, Assessor, Tax Collector, Payroll. Contract w/software vendor <i>R. Walsh Associates</i> as sole source.
MIS	Financial Software Support	Annual support and hosting fee to <i>Tyler Technologies</i> for <i>Munis</i> software as sole source.
MIS	Land Use Tracking Software	Support and hosting fees to <i>People GIS</i> .
MIS	Website Support	Annual support fee to <i>CivicPlus</i> as sole source vendor.
Public Works	Consulting Engineers	<i>CLA Engineers</i> for MS4 program requirements per RFQ selection in FY05 and subsequent TC bid waiver.
Public Works	Treated Salt	<i>International Salt Company, LLC</i> for proprietary Ice-B-Gone blend.
Public Works	Town Aid Road Improved	<i>Abby's Contracting LLC</i> for infrared repair of roads.
Nursing	On Call Contract	24 Hour on call nursing with various service providers. Mandated.
Nursing	Contracted Services	<i>Professional Home Care Service of Eastern CT LLC</i> ; <i>L&M Hospital</i> ; <i>Wm. Backus Hospital</i> ; Individual professionals. Mandated. 100% Reimbursable.
Nursing	Accountant	<i>Simione Central</i> . Medicare Cost Report. Mandated.
Nursing	Software Contract	<i>CareFacts Information Systems</i> . Special to home care. Medical Records system for mandated statistics & billing as required by State & Federal regulations.
Nursing	Medical Director	Professional Contract with Peter Gates, M.D. Mandated.
Nursing	Vaccines	Contract with <i>Public Purchasing Assoc. of CT</i>
Libraries	Computer Oper Expense	<i>LION</i> . Automated network at Library. Unique Vendor.
Debt Reduction	Bond Counsel	<i>Day Pitney</i> as bond counsel.

Department	Description	Reason
Debt Reduction	Financial Services Advisor	<i>First Southwest Company</i> as financial advisor for all borrowing.
Police	Police Cruisers	<i>MHQ Municipal Vehicles</i> . Sole provider of police cruisers.
Police	CAD System	<i>IMC (Information Management Corporation)</i> as sole provider for existing CAD system.
Police	Police Base Station	<i>Communications Plus</i> as sole provider of base station radios.
Dispatch	24-Hour Recorder	<i>BEI</i> for maintenance of recorder.
Gales Ferry Fire Company	Repairs to Fire Apparatus	<i>Five-Star Fire</i> for completion of engine overhaul work on R25 (Ladder Truck). This vendor started the work in 2011, replacing a bad part that connects the pump to the engine. Remainder of work was delayed until additional funding could be budgeted. Chief budgeted in 2013 capital budget.

Moved by Councilor Wadecki, seconded by Councilor France

VOTE: 8 – 0 Approved and so declared

RESULT:	ADOPTED 8 – 0
MOVER:	Sharon Wadecki, Town Councilor
SECONDER:	Mike France, Town Councilor
AYES:	Davis, Dombrowski, Eichelberg, France, McGrattan, Saums, Sullivan, Wadecki
ABSENT:	Marshall

Administration Committee

- MOTION to adopt the proposed "*Stormwater Ordinance*" as contained in the draft dated May 2, 2012.

DRAFT: 5/2/12

STORMWATER ORDINANCE

- Section 1 – Purpose.
- Section 2 – Definitions.
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- Section 7 – Discharge prohibitions.
- Section 8 – Suspension of storm drainage system access.
- Section 9 – Industrial or construction activity discharges.
- Section 10 – Right of entry, evaluation, and monitoring of discharges.
- Section 11 – Requirement to prevent, control, and reduce stormwater pollutants by the use of best management practices.
- Section 12 – Watercourse protection.
- Section 13 – Notification of spills.
- Section 14 – Enforcement.
- Section 15 – Appeals.
- Section 16 – Injunctive relief.
- Section 17 – Compensatory action.
- Section 18 – Violations deemed a public nuisance.
- Section 19 – Criminal prosecution.
- Section 20 – Remedies not exclusive.
- Section 21 – Adoption of ordinance.

SECTION 1. PURPOSE.

The purpose of this ordinance is to provide for the health, safety, and general welfare of the citizens of Ledyard through the regulation of non-stormwater discharges to the storm drainage system to the maximum extent practicable as required by federal and state law. This ordinance establishes methods for controlling the introduction of pollutants into the storm drainage system in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The objectives of this ordinance are:

- 1) To regulate the contribution of pollutants to the storm drainage system through stormwater discharges by any user.
- 2) To prohibit illicit connections and discharges to the storm drainage system.
- 3) To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this ordinance.

SECTION 2. DEFINITIONS

For the purposes of this ordinance, the following shall mean:

Best management practices (BMPs) shall mean schedules of activities, prohibition of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

Clean Water Act shall mean the federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

Construction activity shall mean activities subject to NPDES construction permits. Currently these include construction projects resulting in land disturbance of five (5) acres or more. Beginning in March 2003, NPDES storm water phase II permits have been required for construction projects resulting in land disturbance of one (1) acre or more. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

Facility shall mean any building, lot, parcel of land, or portion of land whether improved or unimproved, including adjacent sidewalks and parking strips.

Hazardous materials shall mean any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Hearing officer shall mean the person designated from time to time by the Town Council to hear appeals in accordance with section 15 herein.

Illegal discharge shall mean any direct or indirect non-stormwater discharge to the storm drain system, except as exempted in section 7 of this ordinance.

Illicit connections shall mean the following:

Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system including, but not limited to, any conveyances which allow any non-stormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by the Mayor; any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by the Mayor or other public official or body having jurisdiction thereof.

Industrial activity shall mean activities subject to NPDES industrial permits as defined in 40 CFR, Section 122.26 (b)(14).

Mayor shall mean the Ledyard Mayor or his/her authorized designee.

National Pollutant Discharge Elimination System (NPDES) storm water discharge permit shall mean a permit issued by EPA (or by a state under authority delegated pursuant to 33 USC § 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Non-stormwater discharge shall mean any discharge to the storm drain system that is not composed entirely of stormwater.

Person shall mean any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.

Pollutant shall mean anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

Premises shall mean any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

Storm drainage system shall mean the publicly-owned facilities by which stormwater is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

Stormwater shall mean any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

Stormwater pollution prevention plan shall mean a document that describes the best management practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to stormwater, stormwater conveyance systems, and/or receiving waters to the maximum extent practicable.

Wastewater shall mean any water or other liquid, other than uncontaminated stormwater, discharged from a facility.

Watercourse shall mean a permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water. This includes but is not limited to lakes, ponds, rivers, streams and any other surface water defined as a watercourse by the town's inland wetland regulations.

SECTION 3. APPLICABILITY

This ordinance shall apply to all water entering the storm drainage system generated on any developed and undeveloped lands unless explicitly exempted by the Mayor.

SECTION 4. RESPONSIBILITY FOR ADMINISTRATION

The Mayor shall, in consultation with the town engineer, administer, implement, and enforce the provisions of this ordinance. The Mayor may delegate his/her powers and duties under this ordinance to an authorized designee.

SECTION 5. SEVERABILITY

The provisions of this ordinance are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this ordinance.

SECTION 6. ULTIMATE RESPONSIBILITY

The standards set forth herein and promulgated pursuant to this ordinance are minimum standards; therefore this ordinance does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants.

SECTION 7. DISCHARGE PROHIBITIONS

- a. Prohibition of illegal discharges.* No person shall discharge or cause to be discharged into the storm drainage system any materials, including but not limited to, pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than stormwater.

The commencement, conduct or continuance of any illegal discharge to the storm drainage system is prohibited except as described as follows:

- 1) The following discharges are exempt from discharge prohibitions established by this ordinance: water line flushing or other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, non-commercial washing of vehicles, natural riparian habitat or wet-land flows, swimming pools (if dechlorinated – typically less than one [1] PPM chlorine), fire fighting activities, and any other water source not containing pollutants.
 - 2) Discharges specified in writing by the Mayor as being necessary to protect public health and safety.
 - 3) Dye testing is an allowable discharge, but requires a written notification to the Mayor prior to the time of the test. Said written notification may be in the form of electronic mail, facsimile transmission or hard copy letter format.
 - 4) The prohibition shall not apply to any non-stormwater discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system.
- b. Prohibition of illicit connections.*
- 1) The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited.
 - 2) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
 - 3) A person is considered to be in violation of this ordinance if the person connects a line conveying sewage to the storm drainage system, or allows such a connection to continue.

SECTION 8. SUSPENSION OF STORM DRAINAGE SYSTEM ACCESS

Suspension due to illicit discharges in emergency situations. The Mayor may, without prior notice, suspend storm drainage system discharge access to a person

when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the storm drainage system or waters of the United States. If the violator fails to comply with a suspension order issued in an emergency, the Mayor may take such steps as deemed necessary to prevent or minimize damage to the storm drainage system or waters of the United States, or to minimize danger to persons.

Suspension due to the detection of illicit discharge. Any person discharging to the storm drainage system in violation of this ordinance may have their storm drainage system access terminated if such termination would abate or reduce an illicit discharge. The Mayor will notify a violator of the proposed termination of its storm drainage system access. The violator may petition the Mayor for reconsideration and hearing.

A person commits an offense if the person reinstates storm drainage system access to premises terminated pursuant to this section, without the prior approval of the Mayor.

SECTION 9. INDUSTRIAL OR CONSTRUCTION ACTIVITY DISCHARGES

Any person subject to an industrial or construction activity NPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the Mayor prior to the allowing of discharges to the storm drainage system.

SECTION 10. RIGHT OF ENTRY, EVALUATION, AND MONITORING OF DISCHARGES.

- a. *Applicability.* This section applies to all facilities that have stormwater discharges associated with industrial or construction activity, and any other commercial or residential facilities that discharge stormwater to the storm drainage system.
- b. *Access to facilities.*
 - 1) The Mayor shall be permitted to enter and inspect facilities subject to regulation under this ordinance as often as may be necessary to determine compliance with this ordinance. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to representatives or designees of the Mayor.
 - 2) Facility operators shall allow the Mayor ready access to all parts of the facility for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of a town, state or federal NPDES permit to discharge stormwater, and the performance of any additional duties as defined by state and federal law.
 - 3) The Mayor shall have the right to set up on any NPDES permitted facilities such devices as are necessary in the opinion of the Mayor to conduct monitoring and/or sampling of the facility's stormwater discharge.
 - 4) The Mayor has the right to require the installation of sampling and monitoring equipment on any NPDES permitted facility by the discharger at its own expense. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.
 - 5) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the Mayor and shall not be replaced. The costs of clearing such access shall be borne by the operator.
 - 6) Unreasonable delays in allowing the Mayor access to a permitted facility is a violation of a stormwater discharge permit and of this ordinance. A person who is the operator of a facility with a NPDES permit to discharge stormwater associated

with industrial activity commits an offense if the person denies the Mayor reasonable access to the permitted facility for the purpose of conducting any activity authorized or required by this ordinance.

- 7) If the Mayor has been refused access to any part of the facility from which stormwater is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this ordinance or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the Mayor may seek issuance of a search warrant from any court of competent jurisdiction.
- 8) While performing the necessary work on private properties referred to in subsections b. 1) through 5) of this section, the Mayor shall observe all safety rules applicable to the premises established by the facility.

SECTION 11. REQUIREMENT TO PREVENT, CONTROL, AND REDUCE STORMWATER POLLUTANTS BY THE USE OF BEST MANAGEMENT PRACTICES.

The Mayor will adopt requirements identifying best management practices for any activity, operation, or facility which may cause or contribute to pollution or contamination of stormwater, the storm drainage system, or waters of the U.S. The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the storm drainage system or watercourses through the use of these structural and non-structural BMPs. Further, any person responsible for a property or facility, which is, or may be, the source of an illicit discharge, may be required to implement, at said person's expense, additional structural and non-structural BMPs to prevent the further discharge of pollutants to the storm drainage system as directed by the Mayor. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of stormwater associated with industrial or construction activity, to the extent practicable, shall be deemed compliance with the provisions of this section. These BMPs shall be part of a stormwater pollution prevention plan (SWPP) as necessary for compliance with requirements of the NPDES permit.

SECTION 12. WATERCOURSE PROTECTION

Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

SECTION 13. NOTIFICATION OF SPILLS

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into stormwater, the storm drainage system, or waters of the U.S. said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the Mayor in person or by phone, electronic

mail or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the Mayor within three (3) business days of the phone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three (3) years.

SECTION 14 ENFORCEMENT

a. *Notice of violation.* Whenever the Mayor finds that a person has violated a prohibition or failed to meet a requirement of this ordinance, he/she shall order compliance by written notice of violation to the responsible person. Such notice may require, without limitation:

- 1) The performance of monitoring, analyses, and reporting;
- 2) The elimination of illicit discharges or connections;
- 3) That violating discharges, practices, or operations shall cease and desist;
- 4) The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property; and
- 5) The implementation of source control or treatment BMPs.

If abatement of a violation and/or restoration of affected property are required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the Mayor may order the work be done by a designated governmental agency or a contractor and the violator fined an amount equal to the expense thereof, in addition to any fines imposed in subsections b. or c. of this section.

b. *Procedure for issuance of citations.*

- 1) The Mayor shall issue a written notice to any person who violates any provision of this ordinance. No written notice may be issued against the state or any state official or state employee acting within the scope of his employment. Such written notice shall explain the nature of the violation and the steps required for compliance, and shall allow a seventy-two-hour period within which to correct the violation or within which a written plan for correction shall be submitted to the Mayor, setting forth a reasonable time period for correction of the violation as agreed upon by the Mayor. A written notice issued pursuant to this subsection shall be served: 1) by hand delivery, at which time the seventy-two-hour period shall begin; or 2) by certified mail return receipt requested and by regular first class mail. Three (3) business days shall be allowed for mail delivery of the notice prior to the commencement of the seventy-two-hour period.
- 2) Within two (2) business days after the period for correction established in subsection 14. b. 1) expires, the Mayor shall reinspect the subject property to determine compliance.
- 3) If the violations set forth in the written notice have not been corrected at the time of reinspection, the Mayor, in his/her capacity as chief executive officer, may issue a citation and fine of up to one hundred dollars (\$100.00) for each violation by hand, by certified return receipt requested, by leaving a true and attested copy of the citation at the usual place of abode or residence of the person in violation, or in the case of a corporate or business entity, delivery to the business address or the address of the statutory agent of said entity. No such fine shall be levied against the state or any state official or state employee acting within the scope of his employment. All citations issued pursuant to this section shall state the violation for which the citation is being issued, the fine imposed for the violation, the time period within which the fine must be paid, and an address for remittance of the fine.

c. *Compliance periods after citation.*

- 1) Any violation for which a citation is issued and which is not corrected within the time period specified in subsection (b) of this section shall be a new violation of

this ordinance, and every twenty-four-hour period thereafter in which the violation is not corrected shall constitute a new violation. The citation shall include a notice to the alleged violator that each twenty-four-hour period of noncompliance after the time period specified in subsection 14. b. shall constitute a new violation and a new fine of up to one hundred dollars (\$100.00).

- 2) The Mayor shall not be responsible for a daily reinspection. Rather, the person to whom the citation has been issued shall be responsible for reporting subsequent compliance by way of written report to the Mayor. The Mayor shall reinspect to confirm compliance within one (1) business day of receipt of such report.

d. Payment of fines.

All fines imposed under this ordinance which are uncontested shall be made payable to the Town of Ledyard and shall be received by the Mayor within ten (10) calendar days from date of notice of the citation. All fines collected by the Mayor shall be deposited into the Town of Ledyard General Fund.

SECTION 15. APPEALS

- a. If the Mayor issues a notice of violation, the Mayor shall send written notice of action and a statement of the right to an appeal to the facility operator or facility owner.
- b. The facility operator or facility owner may appeal a notice of violation to the Mayor by setting forth in writing the reasons for the appeal within fifteen (15) calendar days after date of the notice of violation.
- c. The Town Council shall appoint a citation hearing officer, who shall be other than an employee or person who issues citations, to conduct the hearings authorized by this section.
- d. The facility operator or facility owner may appeal the decision of the Mayor to the hearing officer as follows:
 - 1) The facility operator or facility owner may file a written request for a review by paying an appeal fee of twenty-five dollars (\$25.00) and setting forth the reasons for the appeal within twenty (20) calendar days after the date of notification of the decision from the Mayor. Appeal fees shall be returned to the appealing facility operator or facility owner if the appeal is upheld.
 - 2) The hearing officer shall conduct a hearing within thirty (30) calendar days of the receipt of the request. The hearing shall be informal in nature. The person requesting the hearing may testify concerning the facts, circumstances and nature of his/her appeal and may present supporting documentation.
 - 3) The hearing officer shall render a written decision within fifteen (15) calendar days of the hearing. The decision will affirm or reverse the decision of the Mayor.
- e. Filing of a request for appeal shall stay the action by the Mayor requiring payment of a surcharge until the hearing officer has completed his review. If a request for appeal is not made within the twenty-calendar day period, the action of the Mayor is final.

SECTION 16. INJUNCTIVE RELIEF

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this ordinance. If a person has violated or continues to violate the provisions of this ordinance, the Mayor may petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

SECTION 17. COMPENSATORY ACTION

In lieu of enforcement proceedings, penalties, and remedies authorized by this ordinance, the Mayor may impose upon a violator alternative compensatory

actions, such as storm drain stenciling, attendance at compliance workshops, watershed cleanup, or other related activities.

SECTION 18. VIOLATIONS DEEMED A PUBLIC NUISANCE

In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this ordinance is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

SECTION 19. CRIMINAL PROSECUTION

Any person that has violated or continues to violate this ordinance shall be liable to criminal prosecution to the fullest extent of the law. The Mayor may recover all attorneys' fees, court costs, and other expenses associated with enforcement of this ordinance, including sampling and monitoring expenses.

SECTION 20. REMEDIES NOT EXCLUSIVE

The remedies listed in this ordinance are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the Mayor to seek cumulative remedies.

SECTION 21. ADOPTION OF ORDINANCE

This ordinance shall be in full force and effect fifteen (15) days after publication. All prior ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Moved by Councilor Eichelberg, seconded by Councilor Dombrowski

Discussion: Chairman Sullivan noted the proposed Ordinance is required as part of the EPA Clean Water Act, as administered by the Connecticut DEEP, of which the Town of Ledyard has been under the compliance mandate since 2004. He stated a Public Hearing was held earlier this evening at which there were no public speakers. He stated he believed the Ordinance as proposed is non-controversial.

Councilor France requested clarification regarding the following: Section 3 "Applicability" states: "*This ordinance shall apply to all water entering the storm drainage system generated on any developed and undeveloped lands unless explicitly exempted by the Mayor*" and he noted it does not specify where the drainage system is located. He also noted there is no process in how the Mayor would exempt something. Chairman Sullivan stated the Town of Ledyard does not have authority outside of Ledyard, therefore, it is understood that the jurisdiction is within the town. He went on to provide clarification regarding the language "*unless explicitly exempted by the Mayor*" pointing out Section 7 "Discharge Prohibitions" provides some specifications guidelines for exemptions.

Councilor France continued by addressing Section 7 Paragraph 3 "Dye Testing" and he noted this section states that written notification will be provided prior to the time of test. However, he pointed out there is no requirement to confirm that the Mayor received the notification. Chairman Sullivan stated there is a lot of case law on the issue Councilor France is raising. Councilor France stated Section 8 "Suspension of Stormwater Drainage Systems" does not define what an emergency situation is; or whether there is a limit on what the Mayor can determine as an emergency. Councilor Dombrowski stated "emergency situation" is defined elsewhere in the document.

Councilor France noted Section 11 "Requirement To Prevent, Control, And Reduce Stormwater Pollutants By The Use Of Best Management Practices" and he questioned whether there was a plan. Councilor Saums stated the stormwater pollution plan is defined in the Ordinance.

Councilor France addressed Section 14 "Enforcement" and he questioned whether the guidelines have been established relative to the deadline. Chairman Sullivan stated if there is a disagreement on the deadline they would follow state law on the administrative procedures on violations in which a specific process is provided.

VOTE: 8 – 0 Approved and so declared

RESULT:	ADOPTED 8 – 0
MOVER:	Steve Eichelberg, Town Councilor
SECONDER:	Kevin Dombrowski, Town Councilor
AYES:	Davis, Dombrowski, Eichelberg, France, McGrattan, Saums, Sullivan, Wadecki
ABSENT:	Marshall

5. MOTION to appoint Mr. David Leach (R) 3 Osprey Drive, Gales Ferry, as an alternate member to the Inland Wetland and WaterCourses Commission for a two (2) year term ending October 31, 2012 filling a vacancy left by Mr. Lamb. Moved by Councilor Eichelberg, seconded by Councilor Dombrowski
Discussion: None.

VOTE: 8 – 0 Approved and so declared

RESULT:	ADOPTED 8 – 0
MOVER:	Steve Eichelberg, Town Councilor
SECONDER:	Kevin Dombrowski, Town Councilor
AYES:	Davis, Dombrowski, Eichelberg, France, McGrattan, Saums, Sullivan, Wadecki
ABSENT:	Marshall

6. MOTION to recommend the Town Council appoint Mr. Peter Gardner (R) 72 Inchcliffe Drive, Gales Ferry, to the Permanent Municipal Building Committee for a three (3) year term ending March 26, 2015 filling a vacancy left by Ms. Kaminski. Moved by Councilor Eichelberg, seconded by Councilor Davis
Discussion: None.

VOTE: 8 – 0 Approved and so declared

RESULT:	ADOPTED 8 – 0
MOVER:	Steve Eichelberg, Town Councilor
SECONDER:	Linda Davis, Town Councilor
AYES:	Davis, Dombrowski, Eichelberg, France, McGrattan, Saums, Sullivan, Wadecki
ABSENT:	Marshall

7. MOTION to adopt the proposed "*Resolution Authorizing the Ledyard Town Center Committee to Continue their Efforts to Encourage Economic Development in Ledyard Center*" as contained in the draft dated June 1, 2012.

RESOLUTION
AUTHORIZING THE
LEDYARD TOWN CENTER COMMITTEE
TO CONTINUE THEIR EFFORTS
TO ENCOURAGE ECONOMIC DEVELOPMENT IN LEDYARD CENTER

WHEREAS: the Ledyard Town Council recognizes the Ledyard Town Center Committee's efforts to develop initiatives to encourage economic development and improve the spatial definition and character of Ledyard Center;

NOW, THEREFORE, BE IT RESOLVED: that the Ledyard Town Council accepts the Ledyard Town Center Committee's Progress Report dated May 9, 2012;

BE IT FURTHER RESOLVED: that the Ledyard Town Center Committee is hereby extended for two years and the current structure and members are requested to continue their service. Any vacancies on said committee shall be filled by the appointment of the Ledyard Town Council with priority given to maintaining as much as possible the current structure; and

BE IT FURTHER RESOLVED: that during this two year extension said Ledyard Town Center Committee is authorized:

1. To continue to work with the town's land use commissions, Board of Education, Parks and Recreation Commission and town departments to continue to implement the Town Green concept and vision for Ledyard Center.
2. To work with the Planning Commission to ensure the Town's Plan of Conservation and Development supports the Town Green concept.
3. Continue to implement landscape designs to improve the Fairgrounds and secure funding to construct the changes as contained in the Committee's Report dated February 11, 2009.
4. To pursue additional State and Federal grant funds to support continued development of the Town Green and other infrastructure.
5. To publicize the town's plan to develop the Fairgrounds into a Town Green that would be complementary to business, residents, Parks and Recreation activities as well as the Ledyard Fair.
6. To maintain the Ledyard Center Plan of Development and to prepare a capital improvement plan to support and move the plan forward.
7. To develop master landscape concept plan to support improvements along Rt. 117 within Ledyard Center District following the guidelines of the Plan of Concept & Development and the Zoning Regulations.
8. To determine the market value of town-owned property in Ledyard Center.
9. To continue to work with the Board of Education to ensure that Ledyard's educational facility needs are met while supporting the Ledyard Center Plan of Development.
10. Work with the Planning Commission and the WPCA to ensure that the Town develops a Waste Water Facility Control Plan for sewers in support of Ledyard's Source Water Protection Plan for continued development to occur in Ledyard Center.
11. Report to the Town Council annually on the above tasks within one year of the passage of this resolution.

Moved by Councilor Eichelberg, seconded by Councilor Saums
Discussion: Councilor Davis stated initially the Ledyard Town Center Committee was established in 2006 with a one year assignment. However, she stated the

group has been enthusiastic and each year they have asked to continue their efforts. Chairman Sullivan stated the Committee has done good work and they appreciate the volunteers' willingness to continue to serve the town. Councilor Eichelberg questioned the status of the former Ledyard Center Fire Department building. Mayor Rodolico stated the Economic Development Commission (EDC) is in the process of preparing a sign to market the property.

VOTE: 8 – 0 Approved and so declared

RESULT:	ADOPTED 8 – 0
MOVER:	Steve Eichelberg, Town Councilor
SECONDER:	Kevin Dombrowski, Town Councilor
AYES:	Davis, Dombrowski, Eichelberg, France, McGrattan, Saums, Sullivan, Wadecki
ABSENT:	Marshall

Finance Committee

8. MOTION to 1 appropriate \$2,963 from FEMA Reimbursement Check #13782286 to Account 006-0425-200-0095-0000 (Gales Ferry Fire District Equipment Reserve).

Moved by Councilor France, seconded by Councilor Wadecki

Discussion: Councilor France explained this FEMA reimbursement was received for Tropical Storm Irene. He stated \$2,963 will be appropriated to Account 006-0425-200-0095-0000 (Gales Ferry Fire District Equipment Reserve) to be used for a complete overhaul of the emergency generator at the Gales Ferry Fire station.

VOTE: 8 – 0 Approved and so declared

RESULT:	ADOPTED 8 – 0
MOVER:	Mike France, Town Councilor
SECONDER:	Sharon Wadecki, Town Councilor
AYES:	Davis, Dombrowski, Eichelberg, France, McGrattan, Saums, Sullivan, Wadecki
ABSENT:	Marshall

General Items

9. ~~MOTION to authorize the Permanent Municipal Building Committee to provide oversight of the proposed Police Facility initiative~~

MOTION to appoint Lieutenant Michael Finkelstein as a Temporary Member of the Permanent Municipal Building Committee as a municipal representative for the proposed Police Facility initiative.

Moved by Chairman Sullivan, seconded by Councilor Wadecki

Discussion: Chairman Sullivan explained Ordinance #119 "An Ordinance Establishing a Permanent Municipal Building Committee for the Town of Ledyard" provides for the appointment of temporary members for specific projects.

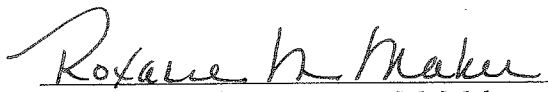
VOTE: 8 – 0 Approved and so declared

RESULT:	ADOPTED 8 – 0
MOVER:	Sean Sullivan, Chairman
SECONDER:	Sharon Wadecki, Town Councilor
AYES:	Davis, Dombrowski, Eichelberg, France, McGrattan, Saums, Sullivan, Wadecki
ABSENT:	Marshall

10. The Town Council discussed their summer meeting schedule and agreed to only meet on the fourth Wednesday during the months of July and August. They decided to meet on July 25th and August 22nd; and to cancel their regularly scheduled meetings for July 11th and August 8th.

XIV. ADJOURNMENT

NOTE: Councilor Wadecki moved to adjourn, seconded by Councilor Dombrowski
8 - 0 Approved and so declared. The meeting adjourned at 9:06 p.m.


Transcribed by Roxanne M. Maher
Administrative Assistant to the Town Council

I, Sean Sullivan, Chairman of the Ledyard Town Council,
hereby certify that the above and foregoing is a true and
correct copy of the minutes of the Regular Town Council
meeting held June 27, 2012.


Sean Sullivan, Chairman

