



TOWN OF LEDYARD

741 Colonel Ledyard Highway
Ledyard, Connecticut 06339

Inland Wetland and Water Courses Commission

Meeting Minutes - Final

Chairman
Justin DeBrod

Special Meeting

Tuesday, September 3, 2024

7:00 PM

Ledyard Middle School: 1860 CT-12,
Gales Ferry, CT 06335 - Hybrid
Format

REMOTE MEETING INFORMATION

Join Zoom Meeting

<https://us06web.zoom.us/j/81541285336?pwd=4iYkXSC8awGPNcM4Bz2D7rhBkXRdNT.1>

Meeting ID: 815 4128 5336 Passcode: 251327

Dial by Location: • +1 646 558 8656 US (New York)

I. CALL TO ORDER

Chairman DeBrod

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL AND APPOINTMENT OF ALTERNATES

Present Chairman Justin DeBrod
 Commissioner Dan Pealer
 Commissioner Lynmarie Thompson
 Commissioner Beth E. Ribe

Excused Vice Chair Paul Maugle

In addition, the following were present:

Director of Land Use and Planning, Elizabeth Burdick
Zoning and Wetlands Enforcement Officer, Alex Samalot
Land Use Assistant, Anna Wynn

IV. APPROVAL OF ADDITIONS TO AND/OR CHANGES TO THE ORDER OF THE AGENDA

No Changes.

V. CITIZENS PETITIONS (NON-AGENDA ITEMS ONLY)

None.

VI. PRE APPLICATION DISCUSSION AND/OR WORKSHOP

None.

VII. PUBLIC HEARINGS/APPLICATIONS

- A. **IWWC#24-9 - 19, 29 & 39 Military Highway (Parcel IDs: 91-1590-19, 29 & 39), Gales Ferry, CT** - Applicant/Owner: C.R. Klewin LLC for approval of regulated activities associated with construction of a 320-unit multifamily residential housing development and associated site improvements. *(Submitted 6-24-24, Date of Receipt 7-2-24, , Set PH for 9/3/2024, PH must close by 10/7/2024, Decision Required Date 35-days from close PH).*

Chairman DeBrodts opened the public hearing.

Director Burdick read into the record the IWWC#24-9 exhibit list and introduced exhibits #21-#23.

Attorney Michael Carey of Suisman Shapiro, 75 State St, New London, CT, representing the Town of Ledyard, gave his recommendation to neither approve nor deny the Gales Ferry District Intervention petition. He said that he and staff needed time to review the documents.

Attorney Carroll of Cohen & Wolf, 1115 Broad St, Bridgeport, CT, stated that he is representing the Gales Ferry District and Ms. Lee Ann Barry and stated reasons why the intervention is verified. He submitted a verified notice of Intervention for Lee Ann Barry individually.

Director Burdick stated for the record that the document submitted will be marked as exhibit #24 as well as CT SOS Gales Ferry Fire District date of incorporation (#25-1), minutes of Gales Ferry Distinct Meeting (#25-2) and Gales Ferry Fire District By Laws (#25-3).

Attorney Brian Smith of Robinson and Cole, 1 State St, Hartford, CT, stated that the applicant needs more time to review the documents submitted by the Gales Ferry District.

Director Burdick stated that town staff is in the process of hiring outside experts to help review application IWWC#24-9, the cost totaling \$15,160 paid by the applicant, and if the Commission has no objection, she will finalize the process.

The Commission stated they have no objections.

Attorney Brian Smith of Robinson and Cole, representative of C.R. Klewin, introduced the

application and representatives of the applicant present at the hearing. Attorney Smith stated the applicant will be removing brush on site to make flags delineating the wetlands more visible for review.

Jeff Board, Civil Engineer of Bohler Engineering, referred to the project plan during the presentation. He began his presentation and provided technical details about the plan.

Director Burdick asked Mr. Board to point out and talk about flood lines on the map.

Mr. Board addressed technicalities of the flood lines related to the map. He addressed other technicalities of the plan.

Richard Ross, professional Engineer of Epic Clean Tech, 449 Pent St, San Francisco California, attending via Zoom, spoke about the technicalities related to the treatment systems in the site plan.

Chairman DeBrodt opened Public Comments.

Gary Chavis, 22 Military Highway Gales Ferry, asked if the proposed septic system can accommodate the number of units.

Chairman DeBrodt stated that the experts will be doing further investigation into that question.

Gary Chavis asked how long after approval would construction be completed.

Director Burdick stated that the applicant will have a chance after public comment to address any questions the Commission does not have an answer to.

Gary Chavis asked for clarification on the entry ways to the proposed housing development.

Director Burdick referenced the map and noted the main entry ways and emergency access.

Gary Chavis asked if the Ledyard Fire Department has enough resources to accommodate the size of the housing development.

Director Burdick commented that the Fire Marshall will make further comments when the application is submitted to the Planning and Zoning Commission.

Gary Chavis asked about lighting impact on the surrounding neighborhoods.

Director Burdick stated that those are concerns that will be addressed at the Planning and Zoning Commission level. She stated that at that point staff will ask for a lighting plan from the applicant.

Gary Chavis asked if there will be road improvements to accommodate the increase in traffic.

Chairman DeBrodt stated that the applicant is writing down the comments, but the IWWC is focused on the environmental impact of the application.

Mary Larsen, 53 Harvard Terrace, Gales Ferry, gave a copy of her statement to Director Burdick. Mary Larsen read her statement into the record. Director Burdick stated for the record the document will be marked as exhibit #26.

Kevin Davis, 7 Ramble Wood Drive, Gales Ferry, stated his concerns regarding the application. He read his statement and then gave it to Director Burdick who stated for the record the document would be marked as exhibit #27.

Steve Munger, 12 Nutmeg Drive, Gales Ferry, stated his concerns about the application in regard to town taxes and financial aspects for the residents.

David Collins, 37 Chirswood Trace, Ledyard, asked questions regarding power loss to the housing development. He stated his concerns about the housing development.

Elayne Pons, 57 Harvard Terrace, Gales Ferry, attending via Zoom, stated concerns about the proximity of the housing development to her property.

Jenna, 14 Winthrop Rd, Gales Ferry, attending via Zoom, commented in the chat that she had the same concerns as previous speakers. She stated her concerns about flooding on the surrounding neighborhoods. She stated concerns about traffic increases.

Connor Slack, 47 Harvard Terrace, Gales Ferry, attending via Zoom commented in the chat his concerns regarding the application.

Peter Bargmann, 7 Harvard Rd, Gales Ferry, stated his concerns regarding the application on the surrounding neighborhoods and environment and provided historical context of the property.

Doug Thompson, 8 Osprey Drive, Gales Ferry, stated his concerns about the impact of the housing development on the surrounding environment. He spoke about technicalities and

calculation related to the application.

Lori Edwards, 10 Whalehead Drives, Gales Ferry, stated her concerns about the impact of housing development on the surrounding environment and wildlife.

Brenna Hass, 51 Harvard Terrace, Gales Ferry, asked about the review process concerning site plans and construction.

Director Burdick explained the review process for construction sites as well as added that outside experts will also be doing a full stormwater review.

Julie Woody, 770 Long Cove Rd, Gales Ferry, stated she is representing Avalonia Land Conservatory and stated her concerns about the impact of the proposed housing development on environment and ecology of Cranberry Pond and her concern that the wetlands are not accurately represented.

Gary Schneider, 101 Inchcliffe Drive, Gales Ferry, stated his concerns about the wastewater treatment facility in regard to the proposed housing development. He spoke about several technicalities related to the application. He submitted his statement to Director Burdick who stated for the record that the document would be marked as exhibit #30.

Terrence McAuliffe, 28 Hurlbutt Rd, Gales Ferry, stated his concerns with technicalities related to the application.

Jim Kelly, 17 Winthrop Rd, Gales Ferry, stated his concerns about the impact of the application on the surrounding environment and watercourses. He stated that the Gales Ferry District and Lee Ann Berry should be accepted as intervenors on application IWWC#24-9.

Scott MacGregor, 22 Winthrop Rd, Gales Ferry, stated his concerns about the impact of the housing development on the surrounding neighborhoods and environment. He specified issues related to water and flooding. He asked if there is any conflict of interest by the individuals that are being retained by the applicant to review the application.

Director Burdick read into the record Section 5.2, Ordinance 300-013 and addressed concerns about conflict of interest by independent reviewers.

Valerie Roberts, 48 Military Highway, Gales Ferry, stated her concerns about the impact of the application on the surrounding ecology.

Laura Palmese, 52 Military Highway, Gales Ferry, stated her concerns about the application

impact on the surrounding ecology and environment.

Chairman DeBrodts concluded public comments for the evening and discussed when they will continue the public hearing. They discussed when all the experts and parties will have a chance to review the application.

MOTION to continue the Public Hearing on application IWWC24-9 to the IWWC Special Meeting on October 1, 2024 at the Ledyard Middle School.

RESULT: CONTINUE

MOVER: Dan Pealer

SECONDER: Beth E. Ribe

AYE: 4 DeBrodts, Pealer, Thompson, and Ribe

EXCUSED: 1 Maugle

- B. Discussion & Decision: IWWC#24-9 - 19, 29 & 39 Military Highway (Parcel IDs: 91-1590-19, 29 & 39), Gales Ferry, CT - Applicant/Owner: C.R. Klewin LLC for approval of regulated activities associated with construction of a 353-unit multifamily residential housing development and associated site improvements. (Submitted 6-24-24, Date of Receipt 7-2-24, PH must open by 9/4/24, PH set for 9/3/24, PH must close by 10/7/24, Decision Required Date 35-days from close PH).**

RESULT: NO ACTION

VIII. OLD BUSINESS

None.

IX. NEW BUSINESS

- A. IWWC#24-12AR 32 & 35 Avery Hill Road (Parcel IDs: 37-120-32, & 35), Ledyard, CT- Owner/Applicant Avalonia Land Conservancy Inc., P. O. BOX 49, Old Mystic, CT, 06372, for an As of Right Determination for three wetlands crossings and a small trail reroute in Inland Wetlands and the 100-foot Upland Review Area.**

Chairman DeBrodts opened the hearing on application IWWC#24-12AR.

Nate Woody, representative of Avalonia Land Conservancy, described the application to the Commission. He stated that to keep trail hikers from walking through the brooks in the Avery Preserve, the Avalonia Land Conservancy would like to install three additional stream crossings.

The Commission, staff and the applicant discussed the location and type of bridges.

Director Burdick read the Ledyard Zoning Regulations as they pertained to installation of the stream crossings and commented that she recommends the Commission approve the application as an As of Right.

MOTION to approve application IWWC#24-12AR for installation of multiple stream crossing in Avery Preserve as an As of Right under Section 4.3b of the Ledyard Zoning Regulations.

RESULT: APPROVED AND SO DECLARED

MOVER: Beth E. Ribe

SECONDER: Dan Pealer

AYE: 4 DeBrodts, Pealer, Thompson, and Ribe

EXCUSED: 1 Maugle

- B. IWWC24-10RA - Proposed Text Amendments to Inland Wetlands and Watercourses Regulations Sections 2.1, 7.5.b, 7.6.1, 7.8, 7.9, 11.6, 19.b, & 20** - Applicant, Ledyard Inland Wetlands & Watercourses Commission, Justin DeBrodts, Chairman, *(Date of Receipt 9/3/24, PH required. PH must open by N/A, PH must close by N/A, DRD N/A).*

Staff and the Commission discussed the changes to the text amendments since the last meeting.

Staff and the Commission discussed timelines for opening the hearing on application IWWC#10-RA. Director Burdick commented that September 3, 2024 is the official date of receipt of the application but that there is no specific date the public hearing needs to be set because Commission applications are not subject to the same statutory timeline requirements as other public hearings.

The Commission tabled the setting of the Public Hearing to October 1, 2024.

RESULT: TABLED

- X. APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS**

- A. MOTION to approve IWWC Regular Meeting Minutes of August 6, 2024**

RESULT: APPROVED AND SO DECLARED

MOVER: Dan Pealer

SECONDER: Beth E. Ribe

AYE: 4 DeBrodts, Pealer, Thompson, and Ribe

EXCUSED: 1 Maugle

- B. MOTION to approve IWWC Special Meeting/Site Walk Minutes of August 24, 2024**

RESULT: APPROVED AND SO DECLARED

MOVER: Beth E. Ribe

SECONDER: Dan Pealer

AYE: 4 DeBrodt, Pealer, Thompson, and Ribe

EXCUSED: 1 Maugle

XI. CORRESPONDENCE

None.

XII. REPORTS

A. Staff Report - Designated Agent/WEO

ZEO, Alex Samalot, stated that all his comments are in his staff report that is located on the Town Website.

XIII. ADJOURNMENT

Commissioner Pealer moved the meeting be adjourned, seconded by Commissioner Ribe

The meeting adjourned at 10:00 p.m.

VOTE: 4-0 Approved and so declared

Respectively Submitted,

Chairman DeBrodt
Inland Wetlands & Watercourses Commission

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