

### GFI proponents' confirmations of a quarry application

Land Use Department

We have been told that because the quarry at Baldwin Hill was approved, the GFI "excavation" (or an exceptionally expensive "regrading" of exceptionally long duration) must also be approved. This is a quarry application, prohibited under Ledyard zoning. Attorney Heller has been careful to refer to Baldwin Hill as an "excavation." Others advocating on behalf of GFI, have not been so careful. Baldwin Hill never pretended to be an "excavation." This must be news to MSHA, which periodically inspects Baldwin Hill as the quarry that it is, and cites and fines that quarry for its safety violations related to its workers.

Every press account, and almost all public comments refer to this as a quarry application. Because it is a quarry application.

#### Testimony of appraiser MacCormack September 26, 2024:

McCormick was commissioned to conduct a study of property values in proximity to quarries, not excavations, confirming that what is proposed at GFI is indeed a quarry.

So when I approached this, this appraisal, I had to do a pair analysis to see whether or not **this rock quarry excavation** site that was going to be developed was going to damage the value of the homeowners around it.

When you have a **rock quarry**, it's one of the most heavily regulated operations that you have in a town. Because **who wants to hear rock blasting?** And **who wants to have your glass shattered and your and your plaster breaking and cracking?**

So my conclusion is . . . will be no negative impact of **the rock quarry that's going to be proposed at this site.**

So the very first analysis in Ledyard, that was the **rock quarry** located at 1340 Baldwin Hill Road. And then the second analysis was the **rock quarry**, located in Thompson at 307 Reardon Road. And then the third analysis was up in Putnam, and that one was the **rock quarry**, located at 150 Technology Park Drive, which is also known as 79 Town Farms Road.

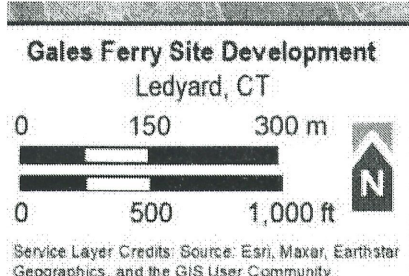
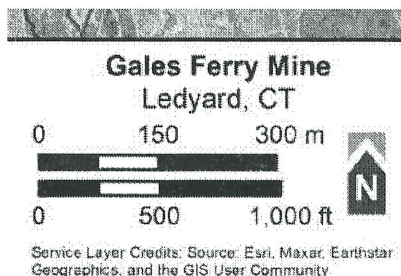
So my conclusion and I did this in three different **rock quarries**. You notice my conclusion if I was in court and say, Your Honor, I see no negative impact in Ledyard for these two houses that sold for **the rock quarry across the street.**

#### Exhibits #37 and #221: Industrial "Regrading" Sound Study

<https://ledyardct.legistar.com/View.ashx?M=F&ID=13291010&GUID=51ECB6C5-7FFE-4170-8C0C-31AB052E569F>

<https://ledyardct.legistar.com/View.ashx?M=F&ID=13612875&GUID=B74CE415-36A0-4EB0-ACB8-B2890D12F1EF>

Legend from map submitted as part of the noise analysis study, first accurately described as a "Mine," then rectified to a "Site Development" in the December 10 submission:



Mines are prohibited under Ledyard zoning regulations. The study notes:

“Sources [of noise] **will include**, but may not be limited to, loaders, excavators, haul trucks, dump trucks, rock crushers, screening decks, tracked rock drills, and **hydraulic hammers.**” Yet nothing further is mentioned regarding hydraulic hammers, among the loudest noise sources, with decibel levels of between 120 and 130. According to **Exhibit 221:**

“RSG reviewed Phase 5 of the project with the applicant. The applicant has agreed that **no drilling or blasting would occur during this phase.**”

Unless pickaxes will be used for Phase 5, this means hydraulic hammering will be. Beyond the noise implications, this also raises additional silica dust questions. Phase 5 is also closest to the Route 12 neighborhood.

**Exhibit #217** Historic Preservation Agreement

<https://ledyardct.legistar.com/View.ashx?M=F&ID=13610287&GUID=4544D81A-127A-446B-8E13-04CEF143C4D3>

The agreement contains references to "**rock removal**" and "**excavation of aggregate,**" i.e., quarrying. It does not refer to "excavation."

**Exhibit #170** Chamber of Commerce submission

<https://ledyardct.legistar.com/View.ashx?M=F&ID=13573551&GUID=3366D5A0-3FB2-43C6-B2E0-C8A9707654D2>

Finally, I would like to express my appreciation for the oppo  
~~make the necessary changes to your regulations to allow this~~  
*MS approve this proposal*

**Crossed out:** "make the necessary changes to your regulations to allow" Confirmation that this proposal violates current Ledyard regulations.

**Testimony of Mr. Poland, November 14, 2024:**

(This study has no relevance to a Special Use Permit application, the criteria for evaluation of which are confined to issues relating to health, safety, quality of life, and negative property value impacts. The August 7, 2024 **contract for this study** strangely provides the developer with veto power over its release, bringing into question its impartiality. Why was there a need for confidentiality? Stranger still, is the question Attorney Heller saw fit to ask of Mr Poland.)

**2. Confidentiality:**

b) Goman+York will:

- 1) Sign an appropriate Confidentiality Agreement as provided by the Town and/or the Gales Ferry Intermodal LLC ("Developer"), if requested.
- 2) Will not create any public record without the express agreement of the Town and the Developer.
- 3) Will not disclose the Town or Developer's interest or any details of this assignment to external parties without the express agreement of the Town and the developer.

**3. Terms of Service and Professional Fees:**

c) As defined in this proposal, Goman+York is representing the Town of Ledyard as the client, contingent upon an agreement between the developer for 1737 and 1761 Route 12, Gales Ferry Intermodal LLC, and the Town of Ledyard.

**Attorney Heller:**

I have one question for you. Who has employed you in conjunction with this engagement?

**Mr. Poland:**

We are engaged by the town of Ledyard as a third party reviewer and impartial outside reviewer.

**Attorney Heller:**

And you have no affiliation with the applicant, Gales Ferry Intermodal?

**Mr. Poland:**

No, I do not.

**Mr. Poland:**

Another study came out of Phoenix Center for Advanced Legal, economic, Public Policy, and that study specifically looked at **rock quarries**. The closest designation I could find to the extraction activity.

**Attorney Carroll:**

So in the next paragraph of your report, you wrote, quote, while the proposed application before the planning and Zoning Commission is not for a quarry, the site preparation activities and extraction of earth material are similar to the activities of a core use. Can you just explain what distinction you and your professional opinion deem between a quarry and what's occurring in this application, or proposed to be occurring? . . . What, in your view, is the difference between a quote unquote, a quarry and the excavation activity proposed in this application?

**Mr. Poland:**

The intent of creating is for the intent of creating a quarry for the purpose of creating a quarry.

**Attorney Carroll:**

I'm not sure I understand your answer.

**Mr. Poland:**

Tilcon operates quarries. They don't develop commercial sites. This is an existing industrial site with multiple types of building structures, uses and activities on it. The application is requesting to **remove material** from a portion of the site to create a level area to build industrial buildings that is not a quarry.

**Attorney Carroll:**

Isn't it true that you referenced a study in your presentation tonight that was focused on quarries?

**Mr. Poland:**

I could not find a study that matched the exact circumstances of this. So the extraction of earth materials and the processing of earth materials is **similar to a quarrying operation**, even though that is not what the application is for. So in the context of thinking about potential offsite impacts, it's relevant.

**Attorney Carroll:**

A quarry by any other name would be as loud, I think. For the Shakespeare folks in the audience.