



# TOWN OF LEDYARD

## Planning & Zoning Commission

### Meeting Minutes - Final

741 Colonel Ledyard Highway  
Ledyard, Connecticut 06339

Chairman    Marty  
                  Wood

#### Regular Meeting

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**Thursday, February 13, 2025**

**6:00 PM**

**Council Chambers - Hybrid Format**

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**I. CALL TO ORDER**

Chairman Wood called the meeting to order at 6:00 p.m. in the Ledyard Town Hall Annex Council Chambers and on Zoom.

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL AND APPOINTMENT OF ALTERNATES**

**Present**    Chairman Marcelle Wood  
                  Town Council Liaison Howard Craig  
                  Alternate Member Matthew Miello  
                  Commissioner Beth E. Ribe  
                  Alternate Member James Harwood  
                  Alternate Member Rhonda Spaziani  
**Excused**    Vice Chair Paul Whitescarver

In addition, the following were present:

Director of Land Use & Planning, Elizabeth Burdick  
Land Use Attorney, Matthew Willis  
Zoning Enforcement Official, Hannah Gienau  
Land Use Assistant, Anna Wynn

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

None.

**V. CITIZENS PETITIONS (NON-AGENDA ITEMS ONLY)**

Kevin Blacker, 11 Church Street, Noank, asked the Commission to consider the potential impact of the sewer expansion onto neighboring towns. He stated he is concerned that potential effluent will leak into water resources.

**VI. PRE APPLICATION DISCUSSION AND/OR WORKSHOP**

None.

## VII. PUBLIC HEARINGS/APPLICATIONS

None.

## VIII. NEW BUSINESS

- A.** PZ#25-1SITE - 740 Colonel Ledyard Highway (Parcel ID: 67-530-740), Ledyard, CT - Applicant/Owner, Sal Monarca, Ledyard Center LLC for a Site Plan Review for conversion of existing commercial building to 12 residential dwelling units and associated site improvements (Submitted 2/10/25, Date of Receipt 2/13/25, DRD 4/18/25).

Director Burdick introduced the application and noted that the applicant is attending via zoom. She introduced the application to the Commission and gave a brief history of the property. She stated that the applicant originally created commercial space with the old school building but now wants to develop 55-year-old and older housing.

The applicant, Norman Tebow, Killingly Engineering Associates, representing Sal Monarca, introduced the application and described the information located in the site plan and initial building plans for the application. He explained details of the parking plan as it relates to the proposed housing units. He explained that next month he will be prepared to give the Commission a full presentation.

Director Burdick stated that the applicant has been working with town staff the last few months. Ms. Burdick asked if the Commission had any additional questions at this time.

MOTION to tabled application PZ#25-1SITE to the PZC Regular Meeting of March 13, 2025 at 6:00pm in the Town Hall Annex and on zoom.

**RESULT:** TABLED

**MOVER:** Howard Craig

**SECONDER:** Beth E. Ribe

**AYE:** 5 Wood, Craig, Miello, Ribe, and Harwood

**EXCUSED:** 1 Whitescarver

**NON-VOTING 1** Spaziani

## IX. OLD BUSINESS

- A. Discussion & Decision: PZ#24-8SUP & PZ#24-9CAM - 1737 and 1761 Connecticut Route 12 (Parcel IDs: 76-2120-1737 & 61-2120-1761), Gales Ferry, CT -** Agent, Harry Heller, Esq., Heller, Heller & McCoy - Applicant/Owner, Gales Ferry Intermodal, LLC for Special Use Permit/Site Plan Approval and Coastal Site Plan Review to modify an existing mixed-use (commercial/industrial) development for the addition of an Excavation Operation, Major. (*Submitted 07/9/24, Date of Receipt 7/11/24, PH must open by 9/13/24, PH set for 9-12-24, PH must close by 10-16-24, PH Cont. to 9/26/24, PH Cont. to 10/10/24, PH Cont. to 10/24/24, PH Cont. to 11/14/24, PH Cont. to 11/21/24, PH Cont. 12/5/24, PH Cont. to 12/12/24, PH Cont. to 12/19/24, PH closed 12/19/24, Tabled to 1/23/25, Tabled to 1/30/25, Tabled to 2/6/25, DRD 2/21/25*).

Staff and the Commission clarified what topics were discussed at the last meeting and which they wanted to review at this meeting.

They decided to discuss Zoning Regulations 7.10. Director Burdick commented that exhibit #318 contains many answers to questions they may pose at this evening's meeting.

Chairman Wood stated that the Commission would begin the discussion this evening reviewing documents related to dust. Commissioner Ribe stated that after reviewing Attorney Heller's responses in exhibit #318 related to dust control she thought the Commission should discuss whether the Commission agrees or not that there is sufficient dust mitigation.

Chairman Wood stated that he felt that at the last meeting the Commission had agreed that dust would leave the boundaries of the property. Commissioner Harwood commented that he felt the applicant did a lot of work to mitigate the dust, but he still feels that dust cannot be fully contained to the boundaries of the property.

Commissioner Ribe commented that she believes the data from the Verdantas study uses a three-year average, which she felt was not accurate for the scope of the application. Commissioner Harwood commented that he feels the increase in truck traffic from the site should be included in potential pollution impacts. The Commission discussed the ways in which they feel truck traffic could cause more pollution to the surrounding area. Chairman Wood specifically pointed out Juliet Long Elementary School. Chairman Wood asked the other Commissioners if they would agree that the Zoning Regulations that deal with dust containment are not met. The Commission concurred.

Chairman Wood introduced the conversation of sound related to the application and specifically mentioned the L10 and L90 values shown in the reports. Staff and the Commission reviewed exhibit #318 and HMMH's peer review. Director Burdick read them into the record for the Commission. The Commission reviewed the data contained in these reports.

Chairman Wood asked if the Commission had any thoughts on sound generation from blasting. He commented on documents submitted by Sauls Seismic and read exhibit #94 into the record. He asked for input from the Commission regarding the exhibit he read into the record. Commissioner Miello commented that his main concern regarding blasting is the impact on nearby residences. They discussed the first phase of the project having 3-4 blasts a week at the first half and then down to one blast a week during the second half of the phase. Chairman Wood asked if the Commission has concerns about negative impact to historical homes.

Commissioner Harwood stated that he feels that initial blasting at the beginning of the project isn't likely to impact homes, but that when they begin blasting further down the mountain, he feels that vibration will travel more directly into the surrounding home structures.

Commissioner Craig commented on Zoning Regulation 9.2.c and stated that he is concerned that the application does not meet the requirements of this regulation. He and the Commission clarified that they feel that vibration will leave the boundaries of the site. Commissioner Ribe commented that she feels exhibit #94 and #139 confirm that there is a possibility of vibration leaving the site.

Chairman Wood introduced the conversation of silica. Director Burdick commented that in exhibit #318 it talks about silica dust. She read the response into the record. She commented that the Verdantas report that was submitted by the applicant was part of the Zoning Compliance Manual and read several pieces of its data located in the responses from the applicant in exhibit #318. Director Burdick stated that HMMH, who performed the third-party review, also submitted several documents on this matter.

Commissioner Ribe commented that her main concern is any dust leaving the boundaries of the site on trucks or by other means. Commissioner Harwood commented that his concern is that blasted silica particles are sharp and can cause significant lung damage. Commissioner Miello commented on the geology reports submitted by Geotech and stated his concerns about the rock composition containing silica. The Commission discussed what protective gear the workers would be wearing during the operation. Attorney Willis commented that the kind of gear workers would be wearing can be found in exhibit #318. Chairman Wood and Commissioner Miello discussed the breakdown of potential emitters according to the Verdantas. Commissioner Harwood commented that potential weather changes like dry weather and wind could contribute to dust leaving the boundaries of the site.

Chairman Wood opened the conversation of radon up to the Commission. Commissioner Ribe stated that she did not feel concerned about impacts of radon due to the scope of the project being so much open space. The rest of the Commission concurred.

Director Burdick commented that DEEP weighed into the conversation of radon and read their response into the record. She stated that DEEP had recommended test for nearby residencies. Commissioner Miello asked whose responsibility it would be to put in radon remediation systems if radon became an issue from blasting. Commissioner Harwood asked if radon being released is a long or short term to nearby homes. Director Burdick read DEEP's recommendation for testing into the record marked as exhibit #326. The Commission and staff discussed testing procedures per DEEP's recommendation. Director Burdick read exhibit #132 into the record. Commissioner Miello commented on the monitoring system. He stated that if the application were to be approved, they would want to condition additional monitoring systems in vulnerable areas surrounding the properties such as Juliet Long. Commissioner Harwood commented that he was not clear about the impact of radon on the aquifer. They discussed potential impacts.

Chairman Wood stated that he would like to review 7.10 of the Ledyard Zoning Regulations on page 7-16. Director Burdick commented that the regulation is also contained in exhibit #318 where the applicant had already answered Commissioner questions concerning regulation 7.10. She read Zoning Regulation 7.16 into the record and commented that if rock crushing wasn't anticipated or allowed, why would the regulation say the Commission could

limit it. She also stated that the Commission would have to decide the meaning of temporary. She referenced past projects and applications that included rock crushing as part of the operation. Commissioner Harwood read zoning regulation 7.10.1a and asked if they would have to renew the permit every 6 months. Director Burdick stated she also has some questions about the regulations as many parts of the regulations contradict each other. Staff and the Commission concluded that Zoning Regulation 7.10 was not intended for excavation major applications and more so intended for smaller projects like single family home constructions.

The Commission tried to define the difference between rock crushing and processing. Director Burdick read pertinent Zoning Regulations into the record. Staff and the Commission discussed what processing verse rock crushing means. Director Burdick commented again that the Commission has the authority to limit rock crushing according to their regulations.

Chairman Wood asked if the Commission feels that Zoning Regulation 7.10 is not relevant to the application. The Commissioner continued to discuss the issue of whether the regulation is applicable to the application.

Chairman Wood commented again that the intent of the application is to develop buildable land and that rock crushing would be a necessary operation to complete that task. He commented that the Commission should review the Planning Staff Report that was received at the PZC Special Meeting of January 30, 2025. Staff and the Commission confirmed that the Commission still had to review section f on pg 6.

Attorney Willis and the Commission discussed the process of deciding on an application with an intervenor.

Chairman Wood commented that he is struggling understanding the meaning of resource related to 22.18. Attorney Willis commented that a good rule of thumb is do you have those same questions or concerns with other subdivision applications etc. The Commission discussed what would necessitate resources or concerns for wildlife. Director Burdick commented that exhibits #137-1, #137-2, #137-3, #137-4 and regard information from the National Diversity Data Base that speak to wildlife.

Chairman Wood asked if the Commission is concerned about the 3-1 slope proposed in the application. Commissioner Miello stated that 3-1 slope is intended for loose materials not solid rock. He explained that it is intended to help erosion control by letting loose material breath, the slope change has little difference on solid granite. The Commission concurred that they do not have any concerns with the proposed benching.

The Commission discussed where the fueling station for machinery would be located. They reviewed the site plans for the project. Attorney Willis commented that information is displayed on Sheet C-13. The Commission and staff reviewed the data on the site plan for the fueling station. Chairman Wood and the Commission clarified that there were generators and not the electric company that powered the machinery.

Commissioner Harwood expressed his concerns for tree stabilization on the proposed benching. Director Burdick commented that information about this is found on Sheet C-12. The Commissioner discussed the size and types of trees proposed to be planted on the benching. They discussed the stabilization of the trees. Director Burdick commented that tree planting is not required for this kind of operation but that the applicant is planting trees for aesthetic purposes.

Chairman Wood commented that according to the regulations the completed project cannot be an eyesore. Commissioner Ribe asked if the Commission needed to discuss the POCD. Commissioner Ribe would like to discuss if the application is in accordance with the POCD and if there are any alternative plans that would allow them to develop the land.

Chairman Wood commented on the remediated parts of the parcel. Commissioner Ribe commented that the parcel is industrially zoned. They discussed the remediation process and Director Burdick commented again that remediation is under the jurisdiction of DEEP. She read from the POCD, section 7, pg 37.

Staff and the Commission continued to discuss how they would determine when one phase ends and another begins. Chairman Wood clarified that his concern is that the Ledyard Zoning Regulations do not allow for more than 10 acres at a time to be processed. The Commission discussed and stated that the plan does not indicate that the phases would overlap in a way that would exceed the acreage limit.

Chairman Wood asked if staff would be able to state that the applicant would not exceed those limits. Director Burdick stated that yes with the appropriate conditions and spoke to the process of monitoring and tracking the project.

Commissioner Harwood and staff discussed how they would determine the end and beginning of phase 2 and 3. Director Burdick explained the process that would occur in the Land Use Department.

Attorney Willis commented that he will draft a motion to approve and a motion to deny and that within the week he will get that to the land use office. The Commission and Attorney Willis commented that the drafted motions can be discussed and modified as needed at the next meeting. They discussed the process of drafting or amending the motion at the next meeting.

MOTION to table application PZ#24-8SUP & PZ#24-9CAM to the PZC Special Meeting of February 20, 2025, in the Town Hall Annex and on Zoom.

**RESULT:** TABLED

**MOVER:** Beth E. Ribe

**SECONDER:** Howard Craig

**AYE:** 5 Wood, Craig, Miello, Ribe, and Harwood

**RECUSED:** 1 Whitescarver

**NON-VOTING 1** Spaziani

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

**A. MOTION to approve PZC Regular Meeting Minutes of January 9, 2025**

Chairman Wood made a MOTION to approve the PZC Regular Meeting Minutes of January 9, 2025. This motion was moved by Commissioner Ribe and seconded by Commissioner Craig.

**RESULT:** APPROVED AND SO DECLARED

**MOVER:** Beth E. Ribe

**SECONDER:** Howard Craig

**AYE:** 5 Wood, Craig, Miello, Ribe, and Harwood

**RECUSED:** 1 Whitescarver

**NON-VOTING 1** Spaziani

**B. MOTION to approved PZC Special Meeting Minutes of January 23, 2025**

Chairman Wood made a MOTION to approve the PZC Special Meeting Minutes of January 23, 2025. This motion was moved by Commissioner Miello and seconded by Commissioner Harwood.

**RESULT:** APPROVED AND SO DECLARED

**MOVER:** Marcelle Wood

**SECONDER:** James Harwood

**AYE:** 5 Wood, Craig, Miello, Ribe, and Harwood

**RECUSED:** 1 Whitescarver

**NON-VOTING 1** Spaziani

**C. MOTION to approve PZC Special Meeting Minutes of January 30, 2025**

Chairman Wood made a MOTION to approve the PZC Special Meeting Minutes of January 30, 2025. This motion was moved by Commissioner Ribe and seconded by Commissioner Craig.

**RESULT:** APPROVED AND SO DECLARED

**MOVER:** Beth E. Ribe

**SECONDER:** Howard Craig

**AYE:** 5 Wood, Craig, Miello, Ribe, and Harwood

**RECUSED:** 1 Whitescarver

**NON-VOTING 1** Spaziani

**D. MOTION to approve PZC Special Meeting Minutes of February 6, 2025**

Chairman Wood made a MOTION to approve the PZC Special Meeting Minutes of February 6, 2025. This motion was moved by Commissioner Ribe and seconded by Commissioner

Craig.

**RESULT:** APPROVED AND SO DECLARED

**MOVER:** Beth E. Ribe

**SECONDER:** Howard Craig

**AYE:** 5 Wood, Craig, Miello, Ribe, and Harwood

**RECUSED:** 1 Whitescarver

**NON-VOTING** 1 Spaziani

**XI. CORRESPONDENCE**

None.

**XII. REPORTS**

**A. Staff Reports**

Zoning Enforcement Official, Hannah Gienau, presented her staff report that was included in the Commissioners' folders. Director Burdick commented on the bond release process.

Commissioner Craig and Ms. Gienau clarified the nature of the violations in her report. The Commission and staff discussed zoning violations regarding RVs and living dwellings.

Commissioner Craig and staff clarified what defines a permanent residence in the Zoning Regulations on page 2-15. Staff and the Commission discussed the violation process.

**XIII. ADJOURNMENT**

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

The meeting adjourned at 8:15 p.m.

VOTE: 5-0 Approved and so declared

Respectively Submitted,

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Secretary Howard Craig  
Planning & Zoning Commission

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