



Chairman  
Tony Capon

# TOWN OF LEDYARD

## Planning & Zoning Commission

### Meeting Minutes

741 Colonel Ledyard Highway  
Ledyard, Connecticut 06339

#### Special Meeting

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Thursday, June 29, 2023

6:00 PM

Council Chambers - Hybrid Format

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I. CALL TO ORDER

Chairman Capon called the Regular Meeting of the PZC to order at 6:00 PM. The meeting was hybrid with some attending in person and others via Zoom.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL APPOINTMENT OF ALTERNATES

In addition to the Commission members the following staff members were also present: Juliet Hodge, Director of Planning and Development, Makenna Perry, Admin Asst. and Alex Samalot, Zoning Enforcement Officer (training).

Commissioner Cobb and Commissioner Baudro were appointed as voting members for this meeting.

**Present** Commissioner Marcelle Wood  
Chairman Tony Capon  
Alternate Member Thomas Baudro  
Alternate Member Jessica Cobb  
Commissioner Gary St. Vil

**Excused** Commissioner Paul Whitescarver  
Commissioner Howard Craig

IV. CITIZENS PETITIONS (LIMITED TO NON-AGENDA ITEMS)

None.

V. PUBLIC HEARINGS/APPLICATIONS

Without objection, Chairman Capon reordered the agenda to move New Business - Item A, before Old Business.

- A. Application PZ#23-4SUP of Gales Ferry Intermodal LLC / Heller, Heller, McCoy, 549 South Street, Quincy, MA 02169, for a special use permit for the construction of an industrial building with appurtenant facilities on a portion of the property located at 1761 Route 12, Gales Ferry, CT 06335.

At 6:11 PM Chairman Capon resumed the public hearing.

Atty. Harry Heller, Route 32 Uncasville, was present on behalf of the applicant. Also present on behalf of the applicant was Chase Davis and Alan Perrault with Gales Ferry Intermodal, Andrew McCoy, an associate of Heller, Heller, and McCoy, and Ellis Farmer, civil engineer, from Lourerio.

Atty. Heller summarized the changes made to the application and reviewed the timeline to date. Atty. Heller requested an extension due to late comments from Groton Utilities and absence of engineers who still need to address some previous comments.

Atty. Heller presented a PowerPoint prepared for the Commission. He described the obstacles pertaining to development restraints on the site, such as areas with environmental issues, easement areas, those currently leased by American Styrenics and Allyn Pond. He noted that American Styrenics has use of the pier and that the site was under the control of the CT Transfer Act.

Atty Heller clarified that this is a mixed-use application with existing manufacturing use and proposed commercial services.

Atty. Heller stated that inquiries were made to (DEEP) Department of Environmental and Energy Protection pertaining to NDDDB. DEEP responded that there are no species of concern within the project area.

Atty. Heller reviewed the changes made to the proposed site layout since the April meeting, including a significant change to the storm water management system. He stated that the project consists of a 10,000 square foot building versus the original 20,000 square foot building proposed to be built in two phases. A 6,000 square foot building was added to the proposal to comply with the zoning regulation requirement for outdoor storage.

He also explained that the storm water collection will remain underground and run through hydro dynamic separators but will then be sent to a detention area, to be created in the existing depression. Cashman considered alternate locations closer to Rte 12. but found that it would not be feasible nor be the most efficient location.

Atty. Heller presented a rendering of the project area. He clarified that the proposed excavation activity is being reviewed by the Inland Wetlands and Watercourses Commission (IWWC). The excavation and dredging operations discussed at public meeting as a possible use for the site are not part of this application and asked that they not be discussed this evening. He believed that the proposal is consistent with zoning requirements and special permit criteria.

Chairman Capon welcomed comments from the Commission.

Commissioner Wood commented on the difference between minimum building setbacks and minimum requirements for buffers. Atty. Heller acknowledged that the facility is now 100 - 150 feet from the northerly property line. He also noted that additional landscaping has been considered.

Commissioner Wood suggested to Atty. Heller, that more landscaping be within the 100-foot

non-disturbed area. Commissioner Wood questioned if it was possible to make the vegetation more dense.

Atty. Heller stated that it could negatively effect the current vegetation.

Atty. Heller stated that the proposed hours of operation are 6:30AM to 4:30PM. He also noted that there would be no ambient light transmitted from the property - only in emergency circumstances.

Commissioner Wood asked questions about the use of the sterling building. He also questioned if aggregate would be stored and transported from the site.

Atty. Heller explained that there would be no aggregate removal within the laydown area or the area near the Sterling Building associated within this application.

Commissioner Baudro questioned if there would be dredge material processed or stored on this site.

Atty. Heller explained that he would not address the question as he has already addressed that subject matter at previous meetings.

Commissioner St. Vil asked questions about the proposed industrial activity, and wondered if the applicant would be able to quantify the negative impacts that might impact abutting properties such as noise and light dust.

Atty. Heller explained that they provided photometric plan, and the applicant has obligation comply with the State Noise Regulations for day and night operation.

Allan Perrault, explained that the insulation, would reduce noise levels.

Commissioner St. Vil asked if there was a way to mitigate any impact to abutting neighbors of the property.

Commissioner Cobb questioned if the Department of Transportation has plans to put in a traffic light.

Atty. Heller explained that there would be eight employees on site, traffic would not be an issue.

Commissioner Cobb also asked what kind of the materials the buildings were going to be made out of.

Juliet Hodge explained that the Commission would get building plans.

Chairman Capon asked what kind of spill/prevention clean up measures were going to be in place.

Atty. Heller explained that they are working on a spill prevention plan.

Chairman Capon welcomed public comment.

Dave Harned, 13 River Drive, prepared a statement. He explained that he wants to be in favor of the applicant but questioned how well the applicant heard the citizens' concerns. Mr.

Harned asked the Commission to consider requiring a highway barrier to mitigate noise and stated that the 100ft buffer could be augmented with more landscaping.

Jennifer Zeronson, 18 Bluff Road West, spoke against the application. She believes that if residents and the applicant can work together, to create an acceptable and appropriate use than they can coexist.

Jeff Motti, 28 Stonybrook Rd, spoke against the application. He believed that the public and Commission have not yet received a coherent proposal with adequate description of the structures and uses.

Joanne Kelly, 12 Thames view Pent way, spoke against the application. She believed that the application and its nature will have a negative impact on property value in Ledyard.

Norah Taylor, 9 Partridge Hollow Rd, spoke against the application. She was concerned with the application as she believes the commercial buildings are too close to the northerly part of the parcel. She questioned why the applicant has not considered putting those buildings further to the south on the property.

Phil Fiore, 19 Cardinal Lane, spoke against the application. He was concerned about the dust and noise. He believed the 200 feet of vegetation should stay as it is.

George Calise, 34R Tanager Ln, spoke against application. He was concerned about the proposed hours of operation, he believed that starting the work day at 6:30AM is unreasonable and unfair to the abutting neighborhoods. He requested further clarification on hours of operation, and days of the week the commercial activity would take place. He also noted that the 100 ft buffer from the northerly part of the property is not sufficient.

Stanley Lucas, 3 River Dr, expressed his concern about the noise, pollution, and removal of existing buffers. He explained that residents would appreciate as much vegetation remain as possible.

Ed Murray, 16 Chapman Ln, spoke against the application. He explained that if he knew Gales Ferry Intermodal (GFI) was going to conduct industrial work, he would not have moved here last August.

Missy Dyson, 31 Hurlbutt Rd, is in favor of economic development for the town. However, she does not believe that the Town of Ledyard will benefit from this application.

Elenor Murray, 16 Chapman Ln, spoke against the application. She believed that the application would negatively affect housing, and economic development. She was concerned about the potential dredging activity that will eventually happen at this location.

Sam Roudebush, 63 Hurlbutt Rd, spoke against the application. He discussed an alternate location closer to Rte 12 which would preserve the existing buffer. He asked the Commission to consider the potential and future uses mentioned by the applicant and to put

those potential and future uses into the record even though they are not being considered now.

Nora Taylor, 9 Partridge Hollow, believed that the environmental remediation needs to be done prior to the redevelopment of the property.

Eric Treaster, 10 Huntington Way, questioned why the dumpster is not on the south side of the building. He also questioned whether the storage tank would be above ground or under ground. He questioned the location of the diesel storage tank and its purpose. He also questioned the gas cylinder storage and its purpose. He questioned whether there would be emergency generators on site, as well as whether the storm water basins would be fenced in. He suggested that there be no windows or doors on the northerly side of buildings to reduce noise.

Anne Roberts-Pierson, 4 Anderson Dr, spoke against the application. She appreciated the work of the staff, Commission, and Residents in proposing comments.

Gabe Stern, 1065 Long Cove Rd, is concerned about the economic benefits of the application.

Planning Director, Juliet Hodge, clarified the intent of the regulations with respect to the buffer area. She noted that every property is different and require different amounts of buffering. The regulations were written to allow flexibility, while also protecting residents. Ms. Hodge, explained that the Commission has the ability to create conditions specific to the application, and that the Commission should focus on what is going to happen now, while also keeping in mind other uses that are being considered in the future.

Eleanor Murray, commended Commissioner Wood on his questions to the applicant at previous meetings. She questioned how marine equipment will arrive and leave the facility, and 'how much' equipment the Commission will allow.

Dave Harned, questioned if the Commission had enough information to make an informed decision. He is concerned about the lack of information about the activity which will be conducted on site. He advised the applicant to clearly explain what will be ongoing within the facility. He believed that it was reasonable to require Cashman to fully describe the proposed activities before the applicant is permitted to remove the buffer. Mr. Harned also questioned if the company has estimated what the tax revenue will be.

Gabe Stern, 1065 Long Cove Rd, advised the Commission to consider steady state noise versus impulse noise.

Albert Ouelette, 401 Kitemaug Rd, Montville, expressed concern about the light from the pier.

The public hearing was continued to the next regular Planning and Zoning Meeting on Thursday, July 13, 2023 at 6:00 PM in the Town Hall Annex and on Zoom.

**RESULT:** CONTINUE

- B.** Application PZ#23-5CAM of Gales Ferry Intermodal LLC / Heller, Heller, McCoy, 549 South Street, Quincy, MA 02169, for coastal area management approval for the construction of an industrial building with appurtenant facilities on a portion of the property located at 1761 Route 12, Gales Ferry, CT 06335.

The entire record from PZ#23-4SUP was incorporated into the new public hearing for PZ#23-5CAM. The public hearing was continued to the next regular Planning and Zoning Meeting, on Thursday, July 13, 2023 at 6:00 PM in the Town Hall Annex and on Zoom.

**RESULT:** CONTINUE

- C.** PZ#23-7RA of The Town of Ledyard, 741 Colonel Ledyard Highway, Ledyard CT, 06339, to add section 8.34 "Cannabis Establishment" and the following uses to the use tables: Cannabis Retailer and Hybrid Retailer (Section 6.4), Cannabis Cultivator and Micro-cultivator (Section 5.3 + 6.4).

Chairman Capon opened the public hearing at 8:49 PM and continued the public hearing to the next regular Planning and Zoning Meeting on Thursday, July 13, 2023 at 6:00 PM in the Town Hall Annex and on Zoom.

**RESULT:** CONTINUE

- D.** PZ#23-8RA of The Town of Ledyard, 741 Colonel Ledyard Highway, Ledyard CT, 06339 to amend section 3.9A "Cannabis Establishments" to extend existing Moratorium an additional six (6) months to provide time to review and act on proposed regulations.

Chairman Capon opened the public hearing at 8:50 PM and continued the public hearing to the next regular Planning and Zoning Meeting on Thursday, July 13, 2023 at 6:00 PM in the Town Hall Annex and on Zoom.

**RESULT:** CONTINUE

**VI. OLD BUSINESS**

None.

**VII. NEW BUSINESS**

- A.** CGS 8-24 Review regarding the following: The transfer/conveyance of the following town owned properties to the Avalonia Land Conservancy to remain open to the public for passive recreation and to be protected in perpetuity under the Conservancy's care; contingent upon the Planning and Zoning Commission's 8-24 Review:

- |   |                |
|---|----------------|
| (1) 344 Colonel Ledyard Highway (Vol.604 Pg 763)  | 29,752 +/- SF  |
| (2) 538R Colonel Ledyard Highway (Vol. 99 Pg 139) | 3.32 +/- Acres |

Avalonia Land Conservancy will pay for all conveyances and fees regarding the transfer of property.

Planning Director, Juliet Hodge presented the proposed land transfer. She stated that she is still waiting for a completed survey. She also stated that the Town Council had already voted

and approved. She will send a letter to Town Council with the approval.

**RESULT:** APPROVED AND SO DECLARED

**MOVER:** Tony Capon

**SECONDER:** Marcelle Wood

VIII. CORRESPONDENCE

IX. ADJOURNMENT

Without objection, Chairman Capon adjourned the meeting at 8:50 PM.