



# TOWN OF LEDYARD

## Planning & Zoning Commission

### Meeting Minutes

741 Colonel Ledyard Highway  
Ledyard, Connecticut 06339

Chairman  
J.A. (Tony) Capon

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Thursday, November 10, 2022

7:00 PM

Council Chambers - Hybrid Format

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I. CALL TO ORDER

Chairman Tony Capon called the Regular Planning & Zoning Commission Meeting of the Town of Ledyard to order on Thursday, November 10, 2022, at 7:00 PM, remotely via Zoom and In-person. Present: Chairman Tony Capon, Regular Commission Members Marty Wood(Zoom), Paul Whitescarver, Howard Craig, , Alternate Members Gary St. Vil, Jessica Cobb and Thomas Baudro (Zoom). Absent/ Excused: James Awrach  
Staff Present: Juliet Hodge, Planning Director, John Herring, ZEO and Makenna Perry, Land Use Office Assistant.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL APPOINTMENT OF ALTERNATES

Howard Craig was appointed as a voting member for the meeting and all public hearings.

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

None.

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

None. All attachments and exhibits have been received and made part of the record.

VI. PRE APPLICATION OR WORKSHOP

None

VII. PUBLIC HEARINGS/APPLICATIONS

A. Application PZ#22-16SUP of Victor O'Laughlen, 10 Cardinal Lane, Gales Ferry, CT 06335, to allow a Short-term Rental use.

Chairman Capon opened the public hearing at 7:05. Members Capon, Wood, Baudro, Craig, and Whitescarver, seated as voting members.

Victor O'Laughlen was not present at the meeting. Therefore, no presentation was made on his behalf.

The following people made general remarks.

**Carol Miello, 12 Cardinal Lane**, spoke against the application for the following reasons.

Believes 10 Cardinal Lane is not Victor's primary residence. She lives immediately next door, and there has been no sign of applicant since she has lived there. Short term rental has created a safety risk (i.e, fire pit). Quality of life negatively impacted due to; guests using foul language, heavily drinking, and presence of five or more cars at once. People come and go every two days. Believes that the application information has been falsified. Guests use Victor's acclaimed 'bedroom'. Had not received abutter notification from applicant. Miello read a letter from **Aaron and Livia Baldwin, 13 Cardinal Lane**, who were also not in support of the short-term rental. They want the permit denied.

Without objection, Chairman Capon continued the hearing until December 8th, 2022 at 7:00 PM.

**RESULT:** CONTINUE

- B.** Application PZ#22-18SUB of Avery Brook Homes, LLC, 1641 Rte. 12, PO Box 335, Gales Ferry, CT 06335, for a 36-Lot subdivision/Affordable Housing Development pursuant to section 8-30g of the Connecticut General Statutes, on four parcels of land located at 94, 96, 98 and 100 Stoddards Wharf Rd., Ledyard, CT 06339.

Chairman Capon opened public hearing at 7:17 pm - hearing was continued from October 13th, 2022.

Att. Harry Heller, and Peter Gardner were present for the application. Att. Heller explained that due tot the cancellation of the IWWC meeting, the commission could not act on the application. Additionally, plans are being revised to reflect the change from 36 lots to 26 lots.

Chairman Capon suggested that the public wait for the revised plans before commenting.

Audience member expressed concern about the lengthy review and approval process, and noted that fewer and fewer people are likely to show up at the public hearing. **Mike Cherry, 5 Whippoorwill Dr. Gales Ferry** stated that the application was being mischaracterized. Explained that the proposed development is for affordable housing or work force housing, not low-income (section 8) housing.

Gary St. Vil asked questions about the approval process with respect to PZC and IWWC timeline to act. Att.

Heller clarified that IWWC must act first. Without objection at 7:29 PM, the public hearing was continued to December 8th, 2022 at 7:00 PM.

**RESULT:** CONTINUE

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## VIII. OLD BUSINESS

- A. Application PZC#22-15RA of Jancarlo Sarita, 8 Story Rd. Salem MA, 01970 for a proposed Regulation Amendment to Section 8.28 (Short-term Rentals) of the Ledyard Zoning Regulations.

The Public Hearing for the application closed on October 13th.

Juliet Hodge reviewed the concerns raised during the public hearing about short-term rentals. Chairman Capon discussed the possibility of needing separate regulations for hosted and non-hosted STRs. Chairman Capon was concerned that changes to the original proposed language that might address some of the concerns raised would be too significant. He feels

that a new application would be appropriate so that the public could weigh in on the changes being considered.

Commissioner Gary St. Vil acknowledged that there are some benefits of short-term rentals but also many problems. He felt that the proposed changes to the STR regulations were not sufficient enough to address the concerns raised. He feels that the burden is being placed on the residents to monitor the STRs and enforce the regulations.

Commissioner Marty Wood is not satisfied with the rewrite. He feels that the burden should be on the host not the neighbors to ensure rules are followed. If neighbors are forced to get involved due to a violation of the regulations/rules, then the STR permit should be revoked.

Commissioner Thomas Baudro agreed with Commissioner Wood. He did not want to allow non-hosted STRs.

Commissioner Paul Whitescarver agreed with the comments made by other Commission members. He asked whether portions of the proposed regulations could be adopted and others not.

Chairman Capon suggested that the application be denied and that the Commission propose changes based on public comment and recent 5th Circuit Court decision.

**MOTION was made and seconded (Capon/Wood) to deny Application #PZ22-15RA without prejudice for the following reasons:**

**Proposed regulations treat hosted and non-hosted STRs the same - when he feels the requirements should be different for each;**

**Sanctions for violations not spelled out clearly enough;**

**Process to verify a complaint not adequately spelled out;**

**The revisions discussed during the review process and deliberations were too significant - further review and public comment are needed.**

**ion passed unanimously.**

Mr. Sarita asked questions on the process moving forward. A heated discussion followed.

**RESULT:       APPROVED AND SO DECLARED**

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**IX. NEW BUSINESS**

- A.** PZ22-19SUP Application of Daniel Parke, 1591 Rte. 12 Gales Ferry for a Commercial Services Home Occupation.

Commission received Application PZ22-19SUP of Daniel Parke, 1591 Rte. 12 Gales Ferry for a Commercial Services Home Occupation. Public hearing was set for December 8th, 2022.

**RESULT: NO ACTION**

- B.** ZP#5766 Application of Tom Drill, 1550 Rte. 12, Gales Ferry CT for a Change of Use from Mixed-use to multi-family in the GFDD.

Planning Director Juliet Hodge presented the application on behalf of applicant. Application for a change of use from mixed use commercial residential to multi-family. There will be no exterior changes to the building, access, or parking. There are sufficient buffers in parking areas. Commission members asked questions. Without objection, Chairman Capon

authorized staff to act on application.

**RESULT:** DISCUSSED

- C. Conduct an 8-24 Review to “Lease Agreement between Robert and Mary Graham and the Town of Ledyard” for the lease of approximately .75-acre +/- parcel on Bush Pond (Lantern Hill Valley Park) to be used as a waterfront park for non-motorized activities.

Planning Director Hodge discussed proposed lease of property at 600 Lantern Hill Rd. for a park. The proposal was actually discussed and approved last night by Town Council. Juliet Hodge read draft of letter to recommending approval addressed to Kevin Dombrowski from Town Council.

**RESULT:** RECOMMENDED FOR APPROVAL

- D. Schedule of Meetings and Election of Officers

The Commission reviewed the proposed schedule of Meeting for 2023. The 2023 November meeting will be moved to the third Thursday of the month- due to Veterans Day Holiday. The meeting time was changed from 7PM to 6PM.

**Without objection, the proposed meeting schedule was approved by the Commission.**

Election of Officers:

**Motion made by Chairman Capon to adopt the following slate of officers:**

**Tony Capon, Chairman.**

**Marty Wood, Secretary.**

**Paul Whitescarver, Vice Chairman.**

**Howard Craig seconded the motion. Motion passed unanimously.**

**RESULT:** APPROVED AND SO DECLARED

- E. Preliminary Budget Discussion

Planning Director Hodge reviewed expenditures to date. Advised that the Commission maintain the current budget line items and amounts for consultants and training. Commission agreed to maintain current amounts.

**RESULT:** DISCUSSED

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X. APPROVAL OF MINUTES

A. October 13, 2022 Draft Minutes

Without objection, the minutes of the October 13, 2022 meeting were approved as submitted.

**RESULT:** APPROVED AND SO DECLARED

XI. CORRESPONDENCE

Commission members received most recent CAZEO newsletter.

XII. REPORTS

**A. Staff Reports - Oct - November**

ZEO John Herring reported on his progress with numerous STR's issues and applications this month.

Juliet Hodge went over her submitted report. She stated that she had to endure seven days of DOH training this month - required every three years. She gave status updates for all current grants/projects.

Discussed the timeline for drafting regulations for retail cannabis and cultivation. The moratorium ends in December. J. Hodge suggested extending the moratorium for six months. She provided possible language to consider, and asked for Commission feedback. Commission had a brief discussion about what they would like to regulate and suggested having a workshop to discuss further.

**RESULT:** DISCUSSED

**XIII. ADJOURNMENT**

Without objection, Chairman Capon adjourned the meeting at 8:57PM.

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